



MINISTRY OF
JUSTICE
Tabu o te Ture

Attorney-General

2014 Briefing for the Incoming Minister

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Ministry of Justice

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The Attorney-General's role and responsibilities

The Attorney-General is the Crown's Senior Law Officer and plays a key role in maintaining New Zealand's constitutional and justice institutions. The Attorney-General has principal responsibility for the Government's administration of the law (this function is exercised in conjunction with the Solicitor-General, who is the Junior Law Officer).

The Attorney-General is responsible for the Post Settlement Commitments Unit within the Ministry of Justice. The Unit works alongside the rest of the Crown, local government and settled iwi to safeguard the durability of historical Treaty settlements and to ensure the gains made to Crown-Māori relationships through Treaty settlements are maintained and built upon.

The Attorney-General maintains an overview of key aspects of the rule of law, including quality, accessibility and effectiveness of the law. Particular points of focus in this context are the New Zealand Bill of Rights Act 1990 and key legislation affecting the courts. The Attorney-General is responsible for reporting on consistency of Bills with the New Zealand Bill of Rights Act 1990.

The Attorney-General is also responsible for a number of appointments including judicial appointments and the Legislation Advisory Committee, which is focused on improving the quality of legislation. The Attorney-General is a member of the Rules Committee, which sets the rules regulating practice and procedure in the courts.

Durable Treaty Settlements

The Crown and iwi have made significant progress towards settling all historical Treaty of Waitangi claims. While remaining focused on completing historical Treaty settlements (Treaty settlements), the Ministry of Justice is increasingly turning its attention to post-settlement matters.

Today's relationships between the Crown and Māori are multifaceted, flexible and continuing to undergo major change. This includes a growing resurgence of relationships between the Crown and iwi in part due to Treaty settlements. These many and varied relationships between the Crown and Māori will continue to evolve.

An increasing “post settlement” focus

The Ministry of Justice recently (in 2013) established the Post Settlement Commitments Unit (PSCU) within the Policy Group of the Ministry of Justice. The PSCU's role is to work alongside the rest of the Crown, local government and settled iwi to safeguard the durability of historical Treaty settlements and to ensure the gains made to Crown-Māori relationships through Treaty settlements are maintained and built upon.

Establishment of the PSCU responded to the need for a lead department to maintain an overview across departments of the Crown's progress towards meeting historical Treaty settlement commitments (commitments), to assist coordination across the wide range of departments responsible for implementing the commitments and to act as an initial contact point or “shop-front” for enquiries on post-settlement matters. The PSCU also works to maintain and build upon the relationships with iwi developed through Treaty settlement negotiations.

The PSCU is focused on three workstreams:

- Working to ensure commitments by the Crown in settlements are met
- Maintaining and strengthening relationships with settled iwi established through Treaty settlements
- Contributing to advice across the Crown on the nature of the post settlement relationship.

To date the PSCU has reported to the Attorney-General. This recognises that Treaty settlements have an important constitutional element and as the Senior Law officer of the Crown, the Attorney-General has a particular responsibility for maintaining the rule of law.

As at the end of August 2014, 72 deeds of settlement have been signed by the Crown and claimant groups (an estimated 58% of expected settlements).

Forty-three of these settlements have been enacted through legislation (an estimated 39% of all expected settlements).

Use of term iwi

For ease of reference throughout this briefing we refer to iwi as one of the parties to historical Treaty settlements. It is acknowledged that Treaty settlements are reached between the Crown and iwi, hapū, collectives of iwi or hapū and other groupings. We have used the term iwi throughout as the majority of settlements are reached with iwi.

Our context

Relationships today between the Crown and Māori

The overall health, strength and robustness of the Treaty partnership derives from the array of relationships occurring between the Crown and Māori. These relationships arise for many and varied reasons, occur at many and different points (eg, from Rangatira and Minister, employees of Māori entities and officials), for various purposes (to discuss policy, provide services and do business) and are underpinned by a range of obligations.

The PSCU focuses on the relationships between the Crown and settled iwi arising from Treaty settlements. These relationships operate within the broader context of the wider set of relationships occurring between the Crown and Māori. Thus relationships between the Crown and iwi are influenced by what is happening in the broader environment. Likewise the wider set of relationships between the Crown and Māori are influenced by developments in the relationships between the Crown and settled iwi.

Many influencing factors sit across these relationships. Some of the more significant factors are listed below.

APPLYING THE TREATY

The nature of the Treaty partnership between the Crown and Māori is still evolving. Both the Crown and Māori are seeking to define what it means to be Treaty partners in a modern world, particularly in view of the range of different relationships that exist between Māori and the Crown. Over time, the Treaty partners will need to reach a shared understanding of the relevance and application of the Treaty across their various relationships.

MAINTAINING THE 'TRUE SPIRIT' OF EACH TREATY SETTLEMENT

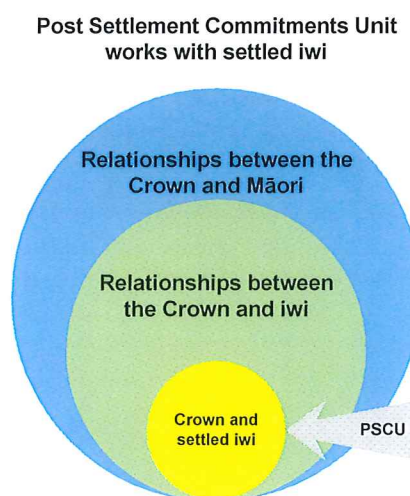
Treaty settlements are intended to be a platform for a future relationship. Care needs to be taken that the spirit or intention of the Treaty settlement is not lost as the parties work through the practical and legal arrangements arising from settlements. There is a risk that departments focus solely on complying with the specific obligations covered in settlements rather than building on the broader intent of the settlement, the restored Treaty relationship and the opportunities that arise.

TAKING UP OPPORTUNITIES AS THEY ARISE

Increasingly there are opportunities arising for innovative approaches between the Crown and Māori to collaboratively set strategy and address shared policy issues. Examples include building on the relationships or instruments developed through Treaty settlements and ideas initiated in forums such as the Iwi Chairs Forum.

ENGAGEMENT

The Crown and individual departments need to consider how best to engage with Māori to meet Treaty obligations and to progress government initiatives. A focus on completing historical Treaty settlements by departments may suggest engagement with iwi. However, departments will always need to consider who is most affected by an issue and therefore who engagement needs to occur with, for example, iwi, whānau, hapū and/or other Māori organisations or entities.



BUILDING CAPABILITY AND CAPACITY

The Crown needs to increase its ability to engage effectively with Māori and fully consider Treaty issues, including at the early stages of policy development. Departments need to ensure that broader Māori perspectives are consistently taken into account as part of core business. As well as improving capability and capacity, departments need to make the most of opportunities to improve coordination and sharing of information across the Crown. This recognises there will always be multiple points of engagement between Ministers, departments and Māori. The need to improve capacity and capability to engage effectively is also an issue faced by some iwi and therefore there may be opportunities to address these issues together.

IMPLEMENTATION OF THE MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011

As iwi, whānau and hapū seek to have customary rights recognised under the Marine and Coastal Area (Takutai Moana) Act 2011, new points of tension may arise in Crown-Māori relationships. The process for recognition of customary rights differs to that for the negotiation of historical Treaty settlements and care will be needed to manage applicant and public expectations of the Crown's role.

LOCAL GOVERNMENT'S RELATIONSHIPS WITH MĀORI AND IWI

Local government has various relationships with Māori and iwi. Some councils play an important role in Treaty settlements and are responsible for implementing a range of commitments in settlements.

While local government is not the Crown, its relationships with Māori and iwi have the ability to impact on the health of the relationships at central government level.

The Crown and settled iwi

BUILDING ON TREATY SETTLEMENTS

Over half of historical Treaty settlements have now been signed and the Treaty settlement phase of the Treaty relationship is nearing completion. Currently, the Crown and iwi have a unique opportunity to put in place measures to ensure the gains from historical Treaty settlements are maintained and the most is made of the opportunities that settlements provide.

IWI TODAY

Iwi are increasingly utilising their improved relationships with the Crown to engage on important issues to Māori. This is in addition to the conversations led by the Iwi Chairs Forum and pan-Māori organisations.

As Treaty settlements continue and settled iwi move through their establishment phase, we are increasingly seeing:

- A growing number of well-resourced mandated iwi organisations
- Settled iwi looking to build on their settlement base to improve outcomes for their members
- Growing demand by settled iwi to develop relationships with government beyond those prescribed in their settlements. (This includes a desire to be involved in decision-making, to partner with the Crown in investment opportunities and to deliver social services).

Examples of commitments in Treaty settlements:

- One-off transfer of land, money and the vesting of culturally significant sites
- Protocols between iwi and the departments governing ongoing relationships
- Co-management and co-governance arrangements between iwi and central or local government (eg, over rivers and forests).

As historical grievances are resolved we are also seeing iwi turning their focus to contemporary issues such as rights and interests in water and natural resources.

Of those iwi who have settled, around half have settled within the last four years. This means a significant proportion of iwi are currently focused on establishing their governance entities and moving from a focus on negotiations to the post-settlement phase.

Many settled iwi say they are taking longer than expected to transition from negotiation to post settlement. Treaty sector departments can therefore expect a significant increase in demand for engagement from iwi once iwi are ready to fully implement specific commitments in their settlements. It is important the Crown is ready to meet iwi expectations for engagement.

THE CROWN TODAY

As Treaty settlements progress, the number and complexity of commitments arising from settlements across departments continues to grow. Departments are in the process of developing systems to ensure these commitments are met and to enable effective engagement with iwi. Given the range of commitments in settlements, the approaches vary across departments. Some departments have well developed systems and arrangements in place. Others are less prepared for the increasing demand from settled iwi looking to engage with the Crown.

A Treaty settlement represents a restoration of the Treaty relationship between the Crown and the settling iwi.

The establishment of the PSCU is one of the ways the Crown is clearly demonstrating its commitment to these recently restored Treaty relationships.

While individual departments have responsibilities to implement settlement commitments, Treaty settlements are entered into by the Crown rather than by individual departments. The Crown as a whole is responsible for ensuring these commitments are met.

SAFEGUARDING THE DURABILITY OF SETTLEMENTS

Meeting Treaty settlement commitments is essential if the Crown and settled iwi are to continue to build on the gains of Treaty settlements.

The work of the PSCU will help the Crown to gain an overview of how the Crown as a whole is progressing towards meeting commitments. This will enable the early identification of “at risk areas” and allow for early intervention to address any concerns.

The PSCU is also putting in place measures to assist departments to coordinate the management of their commitments. This cross-departmental collaboration and coordination of effort will assist departments to be more effective in managing their individual commitments.

The PSCU is also working to maintain and build upon the relationships with iwi developed through Treaty settlement negotiations. This includes acting as an initial contact point or “shop-front” for enquiries on post-settlement matters.

By focusing on ensuring commitments are met and working to build trust and confidence with settled iwi, the PSCU is not only working to safeguard the durability of Treaty settlements but is also assisting the Crown and iwi to develop a strong platform for future engagement. This will mean that in the future the Crown and iwi will be well placed to take advantage of opportunities to achieve shared goals. It will also help ensure the Crown and iwi have a greater chance of resolving issues together rather than having to rely on the Waitangi Tribunal and the Courts.

BUILDING A STRONG FUTURE

As the relationships between the Crown and iwi mature and deepen, the emphasis in these relationships will be able to move away from the current focus of restoring the Treaty relationship and implementing historical Treaty settlements. Over time both the Crown and iwi will be able to increasingly focus on the fundamental question of what it means to be a Treaty partner. This will include further improving how iwi can effectively contribute to policy development and the setting of the government’s priorities.

The level of investment made today by both the Crown and iwi in the various relationships will strongly influence the nature of future relationships between the Crown and iwi. Once these relationships are on a particular path, it will be very difficult to change direction. The health, depth

and maturity of tomorrow's relationships will depend on the actions that both the Crown and iwi take today.

The Post Settlement Commitments Unit

The PSCU, currently 4.5 FTEs, was set up early last year and is located within the Policy Group of the Ministry of Justice. The team works closely with other Treaty Sector departments. The Unit's relationships with the Office of Treaty settlements (OTS) and Te Puni Kōkiri (TPK) are especially important.

The PSCU's workstreams are:

- Workstream A: working to ensure commitments by the Crown in settlements are met
- Workstream B: maintaining and strengthening relationships with settled iwi established through historical Treaty settlements
- Workstream C: contributing to advice across the Crown on the nature of the post-settlement relationship.

To date the PSCU has been in its initial establishment phase and has been focused primarily on putting in place the necessary processes and relationships to enable it to progress the first two of these three workstreams.

Given the PSCU is recently established and has limited resources it needs to take care about where it places its effort. Over the next two years, the PSCU intends to continue to prioritise the initial two workstreams. As the PSCU completes the establishment phase, more resource will be able to be devoted to these workstreams.

Workstream C will receive more focus as resource allows. As the PSCU becomes more established and relationships develop further with iwi, the PSCU will be well placed to address the broader more strategic issues faced by departments and iwi (Workstream C)). This will include focusing on policy settings and how they are impacting on the ability of settled iwi to achieve their aspirations. Over time, the PSCU will be well positioned to assist in identifying, and to engage on, Treaty sector issues.

The Ministry of Justice will need to consider where best to locate the functions currently carried out by the PSCU. This decision will necessarily take into account how the Ministry intends to most effectively carry out OTS's remaining functions, such as processing applications under the Marine and Coastal Area Act, once historical Treaty settlements are nearing completion. The Ministry (and the public service in general) will also be considering how it can best retain and build on the knowledge and experience built up over the course of completing historical Treaty settlements and how the work of the PSCU complements and contributes to the broader Justice portfolio.

PSCU's work programme

The proposed key initiatives within the three workstreams are set out below. Figure 1 overleaf summarises the proposed initiatives and their current sequencing.

WORKSTREAM A: WORKING TO ENSURE COMMITMENTS BY THE CROWN ARE MET

The PSCU, in collaboration with Treaty sector departments, is putting in place measures to enable advice to be provided to Ministers about how the Crown as a whole is progressing in terms of meeting settlement commitments.

In most cases the responsibility for meeting Crown commitments in Treaty settlements is undertaken by Portfolio Ministers and their respective departments. However, where there is no lead agency, the PSCU works with other government departments to identify who is best placed to take the lead. In some instances this will be the PSCU.

Important initiatives in this workstream are the:

- Establishment of a central register to record all settlement commitments in one place
- Establishment of a monitoring programme across all departments with responsibility for implementing commitments
- Facilitation of improved coordination and sharing of ideas across departments.

WORKSTREAM B: MAINTAINING AND STRENGTHENING THE RELATIONSHIPS WITH SETTLED IWI

The PSCU is focused on maintaining and strengthening the relationships developed between the Crown and settled iwi through the settlement process.

A key aspect of maintaining these relationships is working with iwi and central and local government to resolve issues that arise after settlement. An increasing number of issues are being brought to the attention of the Attorney-General and the PSCU by settled iwi. These matters are about unexpected situations arising after settlement as well as disagreements over the interpretation of settlement redress.

The PSCU is working with iwi and the lead departments to assist to resolve these issues. The PSCU is required to prioritise which of these matters it focuses on given the number of issues being brought to PSCU's attention.

The PSCU also supports TPK and the Ministry of Social Development with their implementation of the accord arrangements in settlements. This engagement with settled iwi complements individual departments' management of their respective relationships with settled iwi.

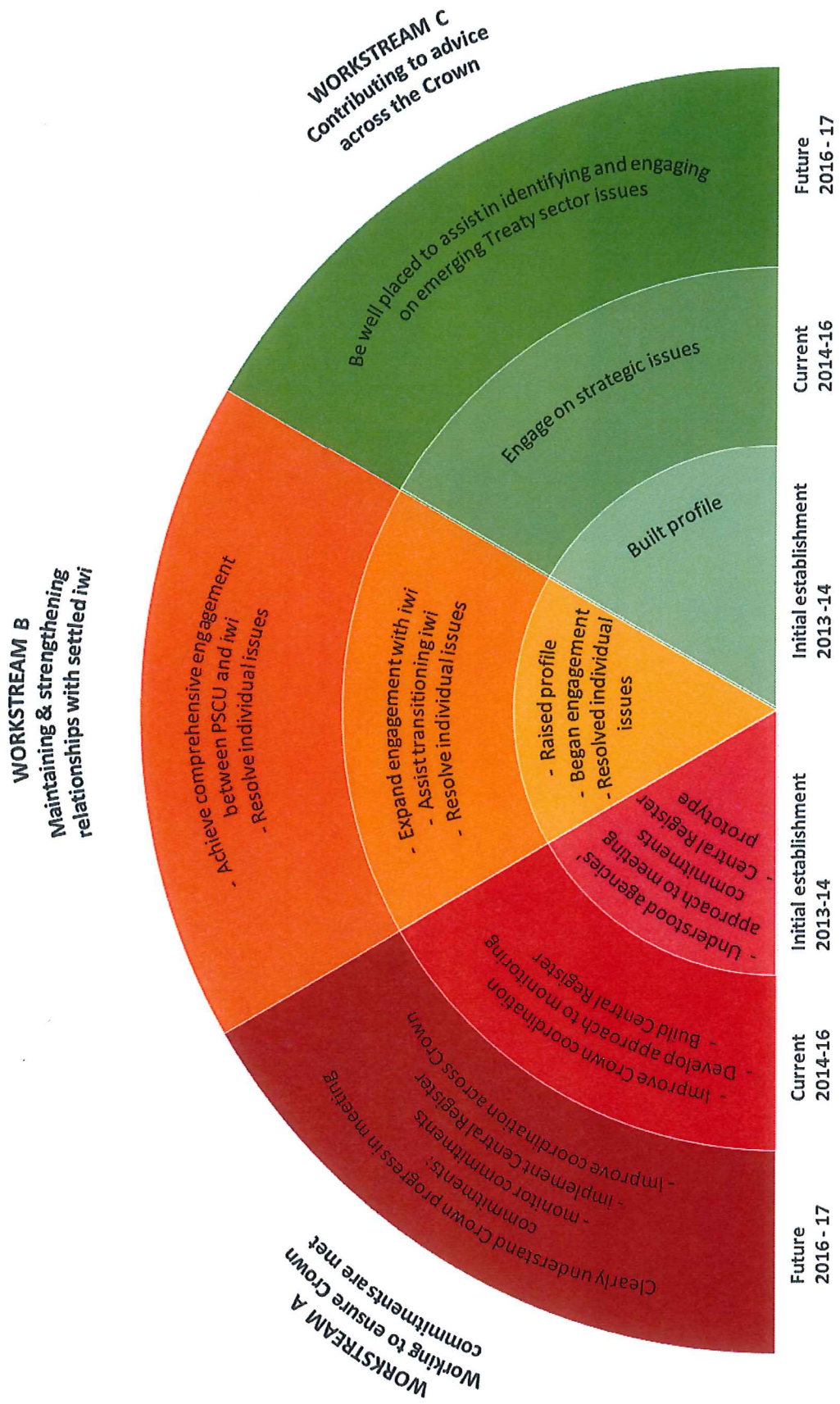
Important initiatives in this workstream are:

- A programme of engagement with settled iwi and eventually local government
- The establishment of a "Transition Plan" to assist iwi to transition from the negotiation to the post settlement phase
- Dealing with individual post settlement issues.

WORKSTREAM C: CONTRIBUTING TO ADVICE ACROSS THE CROWN

The PSCU contributes to strategic policy advice on post settlement matters alongside TPK and other departments. Overtime, as the PSCU becomes more established, a greater amount of time will be able to be devoted to this area.

Figure 1: PSCU workstreams and sequencing of initiatives



Other key responsibilities

New Zealand Bill of Rights Act 1990

Section 7 of the New Zealand Bill of Rights Act 1990 (NZBORA) requires the Attorney-General to inform Parliament if any provision in a Bill appears to be inconsistent with any of the rights and freedoms contained in that Act. The Attorney-General must provide this report ('section 7 Report') upon introduction for a Government Bill (except Appropriation Bills) and as soon as practicable for non-Government Bills.

In support of this function, the Ministry and Crown Law advise the Attorney-General on all Bills. Crown Law advises on Bills in the name of a Justice Minister (including Treaty Negotiations) while the Ministry advises on all other Bills.

The Ministry publishes NZBORA advice on its website as soon as practicable after introduction, if that advice does not recommend a section 7 Report. Parliament publishes section 7 Reports on its website. Officials seek approval to publish each piece of advice and the Attorney-General retains the right to maintain legal professional privilege in respect of any advice. Publication promotes public debate and understanding of NZBORA issues and provides greater transparency about the vetting process. It also helps Select Committees and submitters to assess NZBORA issues when considering Bills.

The Ministry also provides comment and guidance (not legal advice) to government agencies about the consistency of policy proposals with NZBORA and the Human Rights Act 1993. This helps identify and resolve NZBORA issues before legislation is drafted.

Making the New Zealand Bill of Rights Act more effective – some options

The previous government appointed an independent Constitutional Advisory Panel (the Panel) to explore a wide range of constitutional topics. The Panel undertook an extensive public engagement process, and generated very high levels of public interest. It reported in December 2013 with 33 recommendations.

The Panel recommended exploring changes to the contents of NZBORA, and to the remedies it sets out. This work would focus on options and building consensus, and would need to involve a high level of public engagement.

The Panel's constitutional conversation showed there were wide-ranging opinions about NZBORA, including a general concern that NZBORA is vulnerable under the current arrangements. People are particularly concerned about Parliament's ability to amend NZBORA or to pass legislation contrary to NZBORA with the support of a simple majority.

[Withheld under Official Information Act 1982 section 9(2)(f)(iv)].

2015 Review of the Intelligence and Security Agencies

The Attorney-General has a role to play in the first periodic review of the Government Communications Security Bureau and the New Zealand Security Intelligence Service, which must commence before 30 June 2015. The Attorney-General is responsible for appointing two reviewers and establishing the review terms of reference, in consultation with Parliament's Intelligence and Security Committee.

The Ministry of Justice will provide administrative and secretarial support for this review under the Intelligence and Security Committee Amendment Act 2013.

[Withheld under Official Information Act 1982 section 9(2)(f)(iv)].

Appointments

You are responsible for the following appointments:

- **Coroners** – Coroners are appointed under the Coroners Act 2006 after consultation with the Minister of Justice.
- **District Court** – District Court judges, including the Chief District Court judge, are appointed under the District Courts Act 1947. District Court Judges may be appointed as Family Court or Youth Court judges under the Family Courts Act 1980 and the Children, Young Persons and Their Families Act 1989 respectively. District Court Judges may also be appointed to hold jury warrants under the Criminal Procedure Act 2011.
- **Employment Court** – Employment Court judges are appointed under section 200 of the Employment Relations Act 2000.
- **Environment Court** – The Environment Court considers applications and appeals made under the Resource Management Act 1991. The Court consists of a mix of Judges and Commissioners and appointments are made after consultation with the Minister for the Environment and the Minister of Māori Affairs.
- **Immigration and Protection Tribunal (IPT)** – The Chair of the IPT must be a District Court judge and is appointed by the Governor-General on the recommendation of the Attorney-General given after consultation with the Minister of Justice and the Minister of Immigration.
- **Issuing Officers** – Issuing Officers are authorised by the Attorney-General to consider applications for search warrants and production orders under the Search and Surveillance Act 2012.
- **Judges of the Court Martial** – The Court Martial has jurisdiction under the Court Martial Act 2007 to exercise criminal jurisdiction within the Armed Forces equivalent to that of the High Court. Appointments are made by the Governor-General on the advice of the Attorney-General.
- **Judicial Complaints Lay Observer** – This is a non-statutory position that allows for the independent review of the handling of complaints about the conduct of members of the judiciary.
- **Judicial Conduct Commissioner** – The Commissioner and Deputy Commissioner are appointed under the Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004. The

appointments are made by the Governor-General on the recommendation of the House of Representatives, following consultation by the Attorney-General with the Chief Justice. The Commissioner's role is to examine complaints about Judges and either dismiss the complaint, take no further action, refer to the relevant Head of Bench or if serious enough recommend referral to a Judicial Conduct Panel.

- **New Zealand Parole Board** – Established under the Parole Act 2002, the principal function of the Board is to undertake an assessment of the risk that long-term sentenced offenders might pose to the safety of the community if they were to be released before the end of their sentence. The Board consists of a Chairperson (a judge or retired judge), panel convenors (often District Court judges or retired judges) and a number of lay members.

The Appointments and Specialist Functions Unit, which is part of the Ministry's Office of Legal Counsel, provides the Attorney-General, the Minister of Justice and the Secretary for Justice with administrative support to undertake the timely review of statutory appointments (including Crown entities, tribunals, and other statutory roles) within the Justice Portfolio.

The Solicitor-General (not the Secretary for Justice) is responsible for advising you on appointments to the higher courts (the High Court, Court of Appeal and Supreme Court).

Legislation Advisory Committee

You are also responsible for appointing the Legislation Advisory Committee. The Committee's primary role is to help improve the quality of law-making which it does by developing guidelines; providing advice to departments, select committees and to the Attorney General on compliance with those guidelines; and by reporting to the Attorney General on public law issues referred to it.

The Rules Committee

You are a member of the Rules Committee, a statutory body which is responsible for rules regulating the practice and procedure of the District Courts, High Court, Court of Appeal and Supreme Court.

The Committee is established under section 51B of the Judicature Act 1908. As well as the Attorney-General, Committee members include the Chief Justice, the Chief High Court Judge, the Chief District Court Judge, the Solicitor-General, the Chief Executive of the Ministry of Justice, and two barristers and solicitors nominated by the New Zealand Law Society.

The Committee's role is to monitor rules, make proposals for reform, and review any rule changes proposed by Government.

The Committee often initiates areas of work, but is also consulted from time to time by government departments about proposed rules needed to implement new primary legislation.

Work summary

The Committee recently worked on a major reform of the District Court Rules 2009, to increase the speed of case disposal and reduce the cost to parties of taking civil cases in the District Courts. These rules commenced on 1 July 2014. The Committee also developed a practice note standardising use of electronic documents in the High Court.

Projects that are currently under consideration by the Committee, or likely to come before the Committee in the near future, are:

- Reform of the 'access to court document' rules
- Changes to the rules arising out of the Judicature Modernisation Bill
- Minor and technical amendments to correct or enhance current rules.

Processes and responsibilities

The Committee meets approximately every two months. The next meeting date for is 1 December.

The current Chair is Justice Asher, a High Court judge. The Chief Justice attends most meetings. Members may nominate a person to attend meetings, whether or not the principal member is present. Members are emailed an agenda and documents relating to the agenda items before each meeting. The Committee maintains a website:

www.courtsofnz.govt.nz/about/system/rules_committee/role_powers.

Rules are made by the Governor-General in Council after concurrence has been obtained from the Chief Justice and two or more members of the Rules Committee, one of whom must be a judge. The minimum requisites for concurrence are set out in the Judicature Act 1908 and District Courts Act 1947. These requirements have been carried over without amendment to the Judicature Modernisation Bill (discussed below).

The Minister for Courts is responsible for submitting any proposed rules to Cabinet, for Cabinet approval and submission to Executive Council. The Ministry of Justice is responsible for briefing the Minister for Courts and preparing Cabinet papers seeking agreement to the proposed rules.

Courts legislation of interest

Judicature Modernisation Bill

The Judicature Modernisation Bill sets out legislation relating to the composition, jurisdiction, powers and procedure of New Zealand's courts, especially that of its general courts.

The Bill continues a substantial amount of the existing law as well as amending existing provisions and adding new ones. It creates five new statutes and makes miscellaneous amendments to 17 other acts.

Certain areas of the Bill are closely connected to the Attorney-General's functions and interests. These are primarily contained in the Senior Courts (formerly the higher courts) and District Court parts of the Bill. They include judicial appointments; the Bill continues many existing provisions for judicial appointments in the District and High Courts, Court of Appeal and Supreme Court. It also makes changes such as:

- Introducing more uniform powers of appointment of non-permanent judges across those four courts. For example, only former or retired judges will be able to be appointed as non-permanent judges. The length of appointment terms and retirement age for these judges is largely standardised.
- Requiring the Attorney to publish the process he or she follows to find and recommend people to be appointed as judges.
- Setting out rule-making provisions for the senior courts and District Court.
- Introducing new accountability requirements on the Judiciary about publication of information on recusal, reserved judgments, and holding of other office or employment by judges.

The Bill also restates existing judicial review procedure into a separate act; sets out a new process for the awarding of interest on money claims; and provides for a new act to enable greater use of electronic technology in courts and tribunals.

The Ministry of Justice is the department responsible for the Bill. The Bill is in the name of the Minister of Justice. The Bill is currently awaiting its second reading. Once enacted, the Bill will come into force in stages as implementation requirements are completed.

Additional information

Immediate decisions

WORK ITEM	AUTHORISATION	APPROXIMATE TIMING
Review of intelligence and security agencies – seeks your approval to take a paper to Cabinet to initiate the review	Statute	October 2014
Acting District Court Judges – Chief District Court Judge has requested the appointment of two acting (retired) District Court judges. A decision will be required.	Minister	October 2014
Coroner – interviews by an assessment panel have been held for a coroner's position in Christchurch. A decision will be required as to the proposed appointee.	Minister	October 2014
Judicial Conduct Commissioner – nominations have been sought. A preferred candidate will need to be identified.	Minister	November 2014
Chief Coroner – the incumbent Chief Coroner reaches retirement age in December. You will be provided with options to seek a new appointee.	Minister	November 2014

About the Ministry of Justice

We support the Minister of Justice, Minister for Courts, the Attorney-General and the Minister for Treaty of Waitangi Negotiations in carrying out their responsibilities. We deliver a range of courts and justice services to New Zealanders and support the independent judiciary.

The Ministry is mandated to lead the justice sector. The Justice Sector Leadership Board (made up of the Secretary for Justice, the Commissioner of Police, Solicitor-General, and the Chief Executives of the Department of Corrections and Serious Fraud Office) is the main way we coordinate strategy and resources across the sector. The Secretary for Justice chairs the Board. Further information about the justice sector is set out in the accompanying Sector Briefing for the Incoming Government.

Supporting the work of the judiciary

The Ministry of Justice is at the nexus of the relationship between the executive and the judiciary. The Ministry ensures that the judiciary is provided with adequate levels of administrative, technological and human resources support, and funding for judicial training and development.

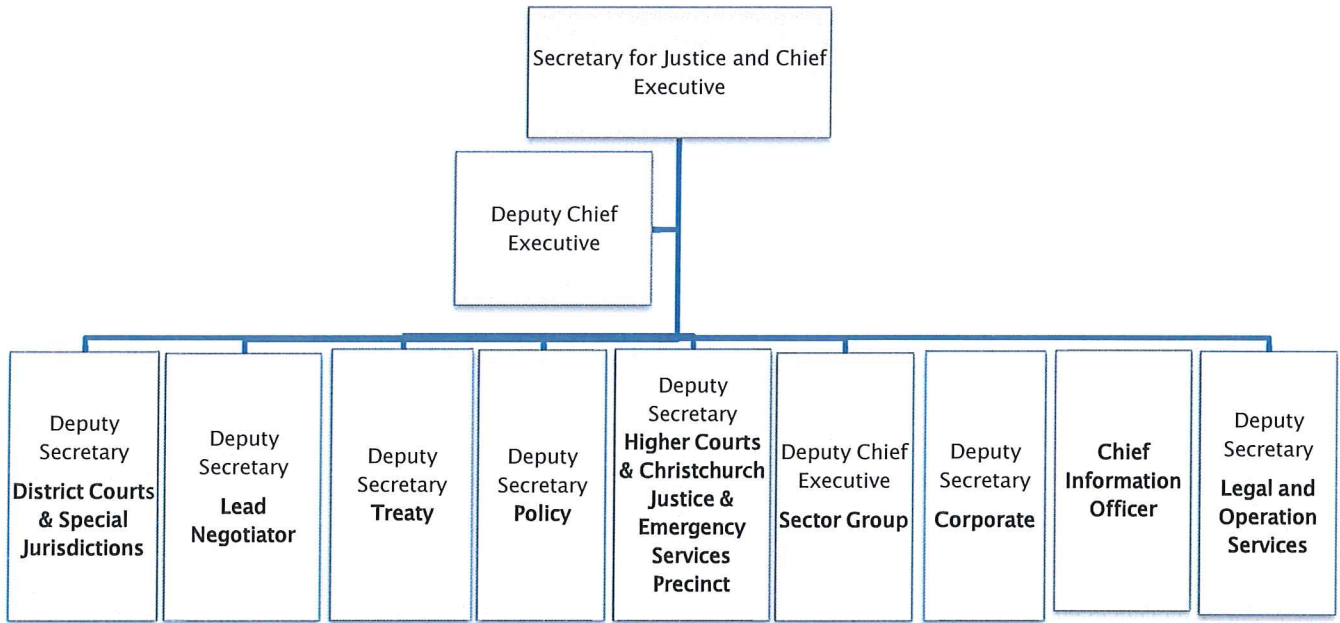
The Ministry recognises the importance of judicial independence. An example of how this works in practice is that the judiciary is responsible for allocating judges to hearing (to avoid the executive controlling which judges hear which particular cases), but the Ministry is responsible for ensuring there are adequate courtrooms and staff to support hearings.

Some Ministry staff exercise judicial functions. The same staff, as part of their responsibilities as Ministry employees, may also perform tasks related to the functions of the executive. However, the Ministry has no ability to direct or control staff in their judicial functions.

The Ministry and the judiciary have established a new Courts Consultative Committee to consider high level issues of mutual interest and concern in the administration and

development of the Courts. It will ensure appropriate judicial input into significant decisions affecting the Courts, as well as a free exchange on issues of mutual interest.

Ministry of Justice – structure and contacts



Key contacts

Name	Job title	Phone	Email
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