



# Statement of Intent

2013–2016



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# Introduction from the Minister of Justice

## **This Government wants a safer New Zealand and a modern, accessible justice system.**

In the last few years we have made real progress in improving public safety. Recorded crime continues to fall, fewer people are entering the justice system and there are more legislative protections in place for victims and around the most serious offenders. Better Public Services targets are also in place to drive further reductions in crime, violent crime, youth crime and re-offending.

These are significant achievements and out to 2017 the Government expects further progress. In part this is because justice sector agencies, with the Ministry of Justice as lead, have a comprehensive action plan to reduce crime, and a clear focus on making New Zealand safer. The Government is also committed to continue updating our laws to ensure that they remain relevant and address the challenges of contemporary society. For example, implementing alcohol law changes will allow communities much greater control over the availability of alcohol. Privacy law changes and introducing legislation to tackle cyber-bullying reflect the modern world of the Internet and ease of information exchange, and the need to prevent the misuse of information and digital communication.

The justice system also has to modernise. New Zealanders want the justice system to be accessible. They want it to be results-driven and to deliver better services while ensuring money is well spent. It has to become more efficient and more clearly focused on the needs of people who use it. Our court system is one of the last areas of our public sector that still operates with a paper-based model. We have the opportunity to use modern systems, processes and technology to substantially improve the way courts are administered, support the judiciary and serve the public.

Court processes should make sense to the people involved – and be timely. We want the people who work in the system and those who use it to know that we value their time. Further simplification of criminal court procedures in 2013 will help to deliver these goals, as will changes to the courts operating model and the use of more technology in the courtroom.

Changes to the Family Court, civil court fees and family dispute legal aid will encourage people to resolve relatively minor disagreements between themselves. This leads to better and more durable outcomes for those involved and is a better use of public resources.

While the Government's focus is very much on improving the delivery of justice services, our founding courts legislation also requires updating. The Judicature Act – which was enacted in 1908 – along with the District Courts Act 1947 and the Supreme Court Act 2003, provides much of the legislative framework for our court system. New, simplified courts legislation is a priority and I expect that a comprehensive Bill will be developed for Parliament's consideration this year. As well as modernising the court system, this Bill will have the potential to provide clearer lines of judicial leadership and accountability, greater transparency and effectiveness to court and judicial processes, and will enhance public trust and confidence.

New Zealanders have high expectations of the justice system. It is the basis of our democracy, underpins our rights, freedoms and economy, and is one of our greatest assets. This Government wants a justice system that honours its commitments and continues to be held in high international regard. We expect increased momentum on Treaty of Waitangi negotiations, so that just and durable settlements are achieved.

Because of the significant progress made in reducing crime, changes to the way we work as a sector and improving services, we have a unique opportunity to further strengthen our justice system. I look forward to seeing the results of this work: a safer New Zealand, with less demand for the justice system; and accessible, better, and more modern services for those who use it.

### **Minister's Statement of Responsibility**

As the Minister of Justice, I am satisfied that the information on future operating intentions provided by the Ministry of Justice in this *Statement of Intent* and the *Information Supporting the Estimates* is in accordance with sections 38, 40 and 41 of the Public Finance Act 1989 and is consistent with the policies and performance expectations of the Government.



**Hon Judith Collins**

Minister of Justice  
May 2013

# Introduction from the Chief Executive

**Over the next four years the Ministry of Justice will be implementing changes that will substantially improve the quality and speed of our services. By the end of 2017 we want to halve the time it takes to deliver our services to people – especially in the court system.**

In the last two years we have made significant progress in improving the way the justice sector and the Ministry work. At a sector level, chief executives are working together through a formal leadership board to drive performance across the criminal justice 'pipeline' to ensure that sector results are achieved – especially around reducing crime and re-offending – and that resources are focused on frontline services.

Within the Ministry we have supported significant legislative change to improve public safety, and court and legal processes. We have also been reshaping the Ministry around a new business strategy of delivering better results and services to the public – of building 'modern, accessible, people-centred justice services'.

Over the next period our key focus will be on service delivery. We need to make the operational changes required to implement the major reforms planned to improve processes and outcomes in the criminal jurisdiction and the Family Court. More generally, we have to ensure that our service delivery meets public needs and expectations.

The justice system and our laws ultimately work because people trust them and live within the law. People expect that the justice system will keep them safe, that the law will be fair and applied fairly, and that justice and the law will be accessible.

Access to justice isn't merely a matter of principle, though. At a practical level people should be able to get the services they want, and in a useful and timely way. Modern expectations of public service are high – across the board, people expect to be able to transact online and quickly. Having old-fashioned services is not a good way of strengthening public confidence in the justice system.

There are obviously parts of the court system that demand courtrooms and physical appearances in front of judges. But people should be able to get far more information and services when and how they want them, and they shouldn't always need to go to courthouses for these basic transactions.

When people are in court, we need to ensure there is more certainty about when events will happen and more timely processes. People come into the court system at incredibly vulnerable times – sometimes the worst times in their lives. We don't want children, families, victims and jurors spending more time than is necessary in the system. We certainly don't want them spending unnecessary time waiting because the Ministry hasn't done enough to make things progress. In fact, the obligation to ensure that people do not spend unnecessary time in the system applies to everyone involved in delivering justice services, not just the Ministry.

It is also critically important for defendants to be able to get justice, and for offenders to face the consequences of their actions. We want people to be able to get out of the system, and to get on with their lives.

That notion, and our goal of speeding up our services to people, are equally applicable to the Treaty negotiation process. We want more iwi involved in the formal settlement process, faster progress in achieving settlements and more people facing a more positive future.

Our focus, however, will be on the way we administer the courts, provide services to the public and support to the judiciary. This is the largest part of the Ministry and the area where we have the most impact on people's lives. It is also the area where significant reform is planned to improve court processes. We need to back this with up-to-date technology, systems and support for the judiciary, lawyers, Police and Corrections, and others we work with, to make their lives easier and reduce time and costs.

Across the Ministry we need to continually focus on our customers, the public of New Zealand and people who use our services. We also need to focus on improving our relationships and way of engaging with the key stakeholders that make the justice system work.

We will continue to modernise and improve our internal processes, systems and structures to get better results and service delivery. Some major structural reform has been implemented. New leadership is focused on what

the Ministry can achieve, and staff are committed to delivering justice services. There is still considerable potential to expand and standardise areas of excellence, and to improve management, the tools and IT systems we use. The wider justice sector and system deserve a Ministry of Justice that it is easier to work with and work in.

We have a huge opportunity to work with our partners to further reduce crime and its cost, and – by maintaining public understanding and trust, and supporting the country's business and civil relationships, economy and Treaty settlement process – to add value to New Zealand.

### **Chief Executive's Statement of Responsibility**

In signing this statement, I acknowledge that I am responsible for the information contained in this *Statement of Intent* for the Ministry of Justice. This information has been prepared in accordance with the Public Finance Act 1989. It is also consistent with the proposed appropriations set out in the Appropriations (2013/14 Estimates) Bill, as presented to the House of Representatives in accordance with section 13 of the Public Finance Act 1989, and with existing appropriations and financial authorities.



**Andrew Bridgman**

Secretary for Justice and Chief Executive



**Thor Gudjonsson**

Chief Financial Officer

Countersigned

May 2013

# Who we are

**N**ew Zealand's justice and legal systems protect individual rights and freedoms, set out what is unacceptable in our society and the penalties for breaking the law, and enforce the rules around how our country is governed.

## Our responsibilities

The Ministry of Justice is the lead agency in the justice sector. Our work includes administering the court system, the legal aid system and the Public Defence Service, and the collection and enforcement of fines and civil debts. The Ministry provides policy advice on matters related to justice and the administration of the law, and negotiates Treaty of Waitangi settlements for the Crown.

We employ over 3,300 full-time equivalent staff, most of whom work in operational areas from more than 100 locations across New Zealand.

The Ministry is the only agency in New Zealand's public sector that works across all three arms of government. We work for the executive and the legislature, and we also provide support for the independent judiciary. A key dimension of these relationships is the preservation of judicial independence. The courts must be, and must be seen to be, independent of the executive.

The Ministry administers three Votes – Justice, Courts and Treaty Negotiation, and will provide a total of \$595 million departmental and \$491 million non-departmental outputs across the three Votes in the 2013/14 financial year.

Our primary responsibilities follow.

### Vote Justice

- Develop ways to reduce crime and victimisation.
- Provide advice on developing and reforming legislation to ensure laws and sanctions deter potential offenders, minimise re-offending and hold offenders to account.
- Provide leadership across the justice sector to ensure agencies work together as seamlessly as possible.
- Work with Crown entities, such as the Human Rights Commission, that help maintain people's rights and that provide checks and balances on the exercise of public power, such as the Independent Police Conduct Authority.
- Monitor and report to Ministers on the performance of these Crown entities.
- Administer the Public Defence Service, which employs salaried criminal defence lawyers to provide independent representation to eligible people accused of crime.
- Provide advice on constitutional arrangements to ensure they reflect New Zealand's values and support legitimate government, such as a modern, user-focused and efficient electoral system.
- Ensure that the regulatory and institutional arrangements that make up our civil justice system reflect the demands of a changing society and retain simple, clear and fair rules for civil transactions.
- Improve the financial sustainability and efficiency of publicly-funded legal services so they remain available for those who need them the most.
- Promote human rights (consistent with domestic and international obligations) in a way that recognises wider public interests.



## Sector leadership

### Vote Courts

- Provide the administrative services necessary to operate the New Zealand court system and to support judicial decision making.
- Administer and support the progression of cases in the Supreme Court, Court of Appeal, High Court, district courts, specialist courts and a large range of tribunals and authorities.
- Enforce and collect court-imposed fines and reparations.

### Vote Treaty Negotiations

- Support the Crown and iwi in settling historical Treaty of Waitangi claims.
- Provide claims management, research, report writing and inquiry support to the Waitangi Tribunal.
- Oversee implementation of settlements, and preserve the value of properties in the Crown landbank until they are required in a settlement or no longer needed.
- Administer the Marine and Coastal Area (Takutai Moana) Act 2011.
- Provide advice on the implementation of the Act, engage with groups under the Act for recognition agreements, and instruct the Crown Law Office to represent the Crown in applications to the High Court under the Act for recognition orders.

### The justice sector

Justice sector agencies are the Ministry of Justice, Department of Corrections, New Zealand Police, the Crown Law Office, the Serious Fraud Office and the Ministry of Social Development (for youth justice).

The work of sector agencies is overseen by a Leadership Board comprising the Chief Executives of Police, Corrections and the Ministry of Justice. The Board is chaired by the Secretary for Justice.

The Board is supported by the Justice Sector Group, led by a Deputy Chief Executive within the Ministry.

The Justice Sector Group is responsible for driving performance across the justice system. It does this by:

- developing and disseminating information to promote understanding of the criminal justice pipeline
- coordinating strategy and planning to modernise the system and reduce costs
- facilitating collective activity to deliver better quality services and further enhance public safety.

Justice sector agencies undertake a range of activities that influence how the system functions: crime prevention; investigation and prosecution of crime; administration of the courts; sentencing and sentence management; and rehabilitation of offenders. These activities account for about 80 percent of justice sector spending.

The concept of a criminal justice pipeline (described below) recognises the interdependencies between the activities of justice sector agencies. Policies and approaches in one part of the pipeline can have significant effects on others.

FIGURE 1 THE CRIMINAL JUSTICE PIPELINE



Coordination across the sector is required to ensure that resources are used as cost-effectively as possible, and that policy decisions, investments and changes to service delivery have the greatest impact.

Justice sector agencies also work closely with social sector agencies. There is a clear relationship between positive social and justice sector outcomes. For example, reducing child assaults and improving participation in early childhood education assists crime prevention objectives. School and educational achievement is a significant protective factor, as is being in employment, and improvements in these areas should have a direct benefit for youth and adult crime rates.

The justice sector also contributes to social sector outcomes. The New Zealand Police play a critical role in coordinating agency responses to family violence in communities. The Ministry of Justice provides funding to communities for crime prevention activities, and supports the social sector trials. These trials consist of local initiatives aimed at a range of areas including: reducing offending; reducing levels of alcohol and substance abuse; reducing truancy rates; and increasing participation in education, training and employment.

The Ministry of Justice has also supported legislation that facilitates better information sharing and collaboration between agencies to protect vulnerable persons, young people and children.

## **The Treaty sector**

The Ministry of Justice is one of a range of agencies involved in the Treaty settlement process. These include Te Puni Kōkiri, the Treasury, the Department of Conservation, Land Information New Zealand, the Ministry for the Environment, the Department of Internal Affairs, the Ministry for Primary Industries, the Crown Law Office and the Parliamentary Counsel Office.

As lead negotiator, the Ministry represents the interests of central government agencies on behalf of the Crown.

There is a wider cluster of agencies that administer the property included in settlements, and another cluster of territorial local authorities, Crown entities and non-government organisations that have interests in the settlement process. The Ministry regularly works with all these agencies to ensure that they are informed of progress in negotiations as appropriate.

# What we want to achieve

People expect that the justice system will keep them safe, that the law is fair and applied fairly, and that it is accessible. A system which upholds property rights, contracts and civil obligations also supports economic confidence. The Ministry will lead the justice sector to reduce crime and improve public safety and to strengthen trust and confidence in the justice system.

## Sector-wide goals

Since 2009 there has been a sustained decline in recorded crime, and the number of people entering the justice system. This means that fewer resources are required to administer volumes in the courts and manage the prison population.

This presents an opportunity for justice sector agencies to reprioritise efforts towards activities that enhance public safety and further reduce volumes, such as strengthening crime prevention policies and ensuring the effective rehabilitation and reintegration of offenders. For the courts, it is an opportunity to increase efficiency and modernise the system, and to enhance public trust and confidence in the justice system by improving access to justice.

### Justice sector goals

The overall outcome for the justice sector is a safe and just society. This outcome is supported by eight shared goals for the justice sector which will guide activity, planning and investment:

- crime reduced
- offenders held to account
- impact of crime reduced
- accessible justice services
- trusted justice system
- effective constitutional arrangements
- internationally connected
- durable settlement of Treaty claims.

To demonstrate progress in these areas, sector-wide key performance indicators have been established:

- **Entry of people into the criminal justice system** – to show the prevalence of crime and whether social and justice sector interventions are effective.
- **Time it takes for cases to proceed through the court system** – to show where opportunities exist to improve the functioning and efficiency of the court system.
- **Rate of recidivism** – to show the effectiveness of existing sanctions and of rehabilitation and reintegration services.

Appendix 2 describes these measures in more detail.

## **BETTER PUBLIC SERVICES (BPS)**

In June 2012, the Government identified 10 areas where the public service sector is expected to deliver better results for New Zealanders. The justice sector is responsible for two in particular:

- result area 7 – reduce the total recorded crime rate by 15 percent, the violent crime rate by 20 percent, and the youth crime rate by 5 percent (an interim measure)
- result area 8 – reduce the re-offending rate by 25 percent.

The justice sector has developed the Reducing Crime and Re-Offending Results Action Plan to achieve these results. The action plan consists of 60 individual actions across six areas:

- support repeat victims
- target repeat locations
- improve assessment and interventions for youth
- reduce the availability of alcohol
- increase alcohol and drug treatment in the community
- strengthen rehabilitation services to prepare and support people to live law-abiding lives.

These actions will supplement our ongoing initiatives to reduce crime and re-offending, such as:

- Prevention First and Policing Excellence
- Department of Corrections' Reducing Re-Offending programme
- Accessible Justice policy work programme
- Hutt Valley Innovation Project
- Addressing the Drivers of Crime work programme.

## **Hutt Valley Innovation Project**

The project brings frontline operational managers together from across the justice sector in the Hutt Valley to identify, scope and implement initiatives that will deliver improvements in service to the public and contribute to BPS targets.

The key objectives of the project are to improve justice sector service delivery, with a particular focus on reducing crime and providing enhanced support to repeat victims. In February 2013 the first phase of the project made 10 recommendations for improving coordination within the Hutt Valley. Over the remainder of 2013 and 2014 those recommendations will be implemented, and a number of additional workshops aimed at disseminating best practice will be held nationally.

## **RESTORING SERVICES IN CANTERBURY**

Restoring services in Canterbury is also a key priority for the Government, the Ministry and the sector.

Co-location of justice and emergency services in Christchurch will enable an integrated approach to restoring service delivery, which is rapid and innovative.

Over the next year the Ministry will support Ministers to make detailed decisions about the final design of justice and emergency services in Canterbury and timeframes for construction.

## Ministry goals

Our vision is modern, accessible, people-centred justice services that deliver better outcomes for New Zealanders.

Access to justice is no longer simply ensuring the courthouse is available to communities; it is increasingly about making services available to people quickly, irrespective of geographical location, and in ways that are convenient to them. People shouldn't have to visit a courthouse to obtain information or undertake basic transactions.

When people do have to attend court – whether they are offenders, victims, civil litigants, families or jurors – they shouldn't have to spend any more time than is necessary in the system.

The same is true in other areas of our business; people should, for example, be able to access legal aid, settle disputes, and pay debts quickly and more easily.

Improved operational performance means we will assist people to move on with their lives as quickly as possible. We will achieve this through more streamlined processes, better management of processes and better technology.

Over the last year the Ministry's business strategy has been refreshed. Our strategy describes priority objectives that will guide our efforts and investments.

### The Ministry's business strategy

The Ministry aims to reduce the time it takes to deliver our services. The Ministry's business strategy focuses on a number of priority objectives, including:

- leading the justice sector
- having services designed for the people who use them
- delivering world-class personal services
- forging active partnerships with stakeholders
- moving towards a fully electronic, paperless business
- building a culture of empowerment and innovation
- identifying the 'overwhelming data' that drives the business, and measuring our success.

The business strategy also reflects the importance of workplace culture and management capability in achieving our goals. To create modern and accessible services will require new ways of working, and our staff will need to be well supported through the changes ahead.

To focus our staff on the needs of customers and speed up services, the Ministry has articulated a bold organisational goal – to halve the time it takes to deliver our services by 2017.

The goal is intended to influence all of the work that the Ministry does; from reducing the amount of time we spend processing applications to speeding up Treaty settlements.

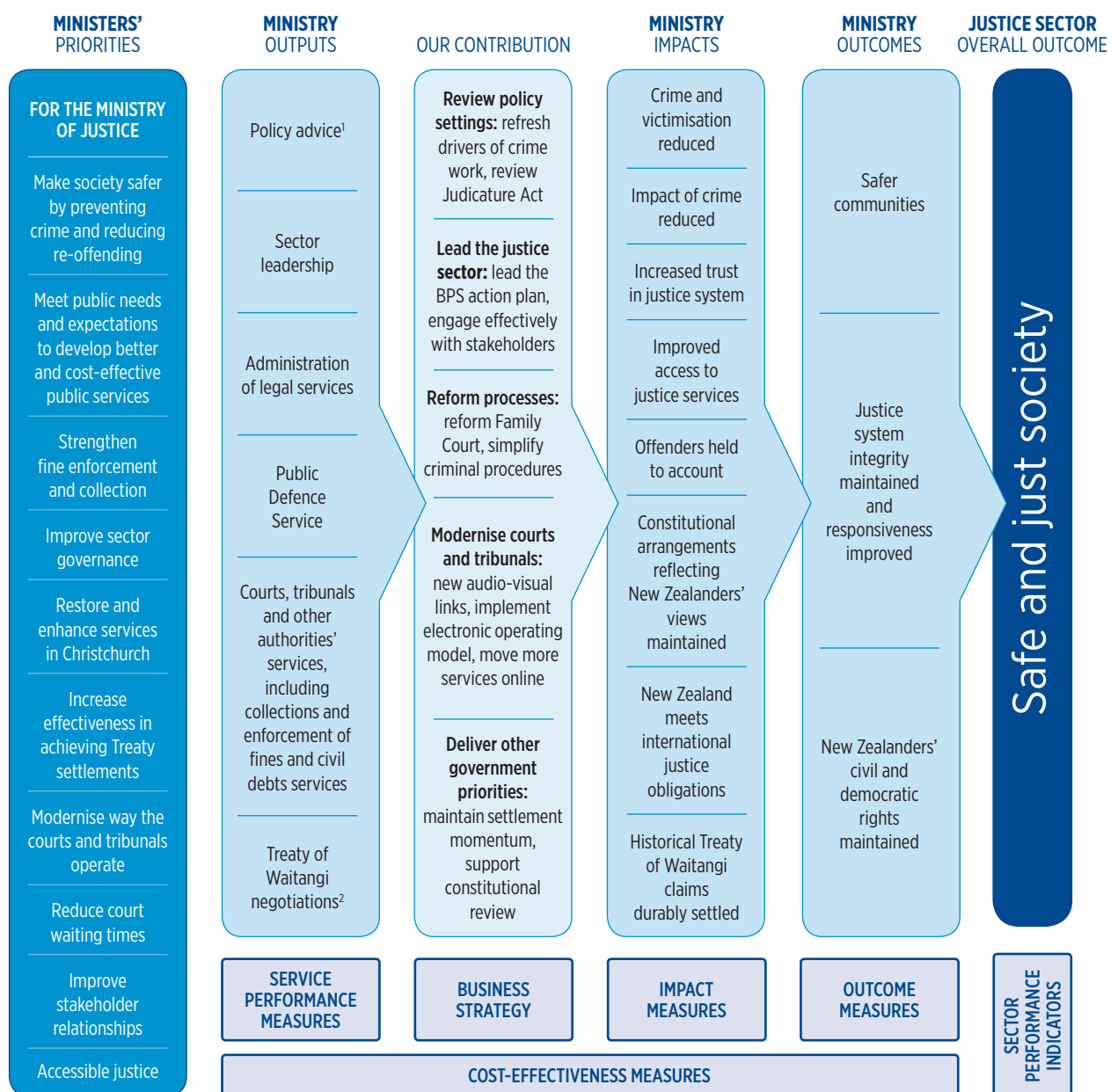
There will, however, be an emphasis on reducing the time it takes to resolve cases in the district courts. This is the largest part of our business and has a significant impact on the lives of New Zealanders.

Over the coming year we will work closely with our frontline staff to shape this goal into a number of realistic annual targets and support our staff to develop plans for sharing and promoting best practices across the court network. This will be a significant enabler of success and ensure smooth implementation of key operational and procedural changes we will deliver in 2013. While a more efficient system will be a significant focus for the Ministry, the fundamental principles which underpin the legitimacy of the system must be maintained and enhanced. We will continue to work closely with key stakeholders to ensure constitutional arrangements uphold judicial independence and natural justice, and that New Zealand's reputation for integrity is advanced.

# Our performance framework

The Ministry and the justice sector are supporting the following priorities agreed by the Minister of Justice, the Minister for Treaty of Waitangi Negotiations, and the Minister for Courts.

The diagram below shows what we are seeking to achieve and how our work contributes to our outcomes.



<sup>1</sup> The appropriation that supports this is Justice Policy Advice and Legal and Ministerial Services.

<sup>2</sup> The appropriations that support this are Treaty Negotiations and Marine Coastal Area (Takutai Moana) Act (MCOA), and Property Portfolio Management.

# What we will do

**The Ministry's work programme is designed around three outcomes: making communities safer, maintaining the integrity and improving the responsiveness of the justice system, and maintaining the civil and democratic rights of New Zealanders.**

In the past few years we have supported significant legislative reform focused on addressing the drivers of crime, improving outcomes for victims, modernising and speeding up processes in the courts, and improving the affordability of the system to ensure it is sustainable into the future.

To ensure that these changes deliver the intended benefits, our focus has shifted to making the necessary changes to structures and systems required for implementation.

## Making communities safer

We will know that communities are safer if recorded crime has reduced overall.

Right now, recorded crime is falling, fewer people are entering the justice system and prison numbers are dropping. To ensure this success continues, we have designed a work programme that seeks to prevent crime and victimisation, and reduce the impact of crime.

### Preventing crime and victimisation

In 2013, together with Inland Revenue and the Police, we will consult the public on further information sharing arrangements between government agencies with the objective of reducing serious financial crime. We will continue to lead policy development and support the implementation of the Government's All of Government Response to Organised Crime.

We will support the Government's response to the Law Commission's report on Harmful Digital Communications, to reduce the harm arising from cyber-bullying; a relatively new form of bullying that can have a damaging effect – particularly on young people.

The Ministry's work programme over the next three years has a particular focus on violent crime and youth crime, consistent with Better Public Services targets.

We will help to deter serious and violent crime, and ensure offenders are held to account, by supporting an increase in penalties for the possession, import or export of child pornography. We will support legislation to protect communities from crime by introducing a new civil detention regime to protect the community from a very small number of high-risk offenders who are clinically assessed as being at imminent risk of serious sexual or violent re-offending.

The Ministry will collaborate with other agencies as part of the Taskforce for Action on Violence within Families to strengthen the Government's response to family violence. As part of our work to reform the Family Court, the Ministry will consider how mandatory 'stopping violence' programmes can be enhanced to be more responsive to the circumstances of perpetrators and their families. We will also evaluate the Domestic Violence Act 1995.

We will support the response to the White Paper for Vulnerable Children by developing civil child harm prevention orders. These orders place restrictions in situations where an individual poses a high risk to a child or children in the future.

The Addressing the Drivers of Crime initiative has been underway for four years, bringing together justice and social sector agencies to collaborate on early intervention and preventative work to reduce crime and victimisation. There have been four priority areas: maternity and early parenting; childhood behaviour problems; alcohol harm reduction; and alternative approaches to low-level offending.

Last year we signalled a sharper focus on improving outcomes for at-risk communities, particularly Māori and youth. Over the coming year, the Ministry will focus on ongoing monitoring of agreed indicators and the promotion of locally-based initiatives to reduce offending.

This year, the Ministry will complete the development of New Zealand's Youth Crime Action Plan ('Action Plan'). The Action Plan will set out clear, effective actions to prevent and respond to child and youth offending, and emphasise

early collaboration between government agencies and local communities to achieve better results. Better outcomes for Māori youth will be a specific focus of the Action Plan.

Working closely with the Ministry of Health and the judiciary, we have developed and implemented the Alcohol and Other Drug Treatment Court pilot in the Auckland region. The court facilitates access to interventions for alcohol and other drugs for hazardous drinkers, young people, drink drivers and other offenders. Over the next year we will undertake an initial evaluation of the pilot to identify opportunities for improvement.

We will also undertake regular research into people's perceptions of crime and the criminal justice system to assist our understanding of those at greatest risk of offending, and to allow us to assess whether these approaches are effective. The New Zealand Crime and Safety Survey will be conducted in 2014.

We will know if we have prevented crime and victimisation when:

- recorded violent crime and youth crime decrease
- the number of alcohol-related offences reduces
- fewer people think there is a crime problem.

### **Reducing the impact of crime**

Reducing the impact of crime is, in part, about supporting the victims of crime. There are a number of ways the Ministry can support victims throughout the justice system; for instance, by providing information and access to services that will assist them to deal with the impact of offending and move forward with their lives. The 'offender levy' will enable the Ministry to fund \$5.8 million of victims' services in 2013/14.

We will continue to provide specially trained advisors for victims of sexual violence in our courts; and restorative justice conferences, which aim to repair the harm caused to victims and communities. Ensuring that the administration of the courts is efficient, and that proceedings are not delayed also reduces the financial and emotional effects of crime on victims.

The Victims of Crime Reform Bill, which is currently before the House of Representatives, will enhance the rights and services of victims of crime, and improve the responsiveness of the justice system to the needs of victims. The Bill

proposes that we develop a Victims Code in consultation with government agencies, non-government organisations and other relevant parties. The Code will outline victims' rights and services, the duties of agencies and requirements for complaints processes. To provide oversight of the development of the Code and victims' rights and services, a Victims Centre has been established.

The Bill, when enacted, is likely to increase the number of referrals of offenders to restorative justice processes. In preparation for this demand, the Ministry is developing a framework to ensure that restorative justice conferences are available to areas of highest priority; and building the capacity and capability of restorative justice providers to deliver effective services.

We continue to support the Parole Amendment Bill, which aims to reduce unnecessary stress on victims by cutting the number of parole hearings for those prisoners who are unlikely to be granted parole.

The Ministry will assist the introduction of a new kind of protection order to reduce the likelihood of serious violent or sexual offenders coming into contact with their victims. We will also consider changes to the Evidence Act 2006 to minimise trauma for child victims and witnesses.

We will know if we have reduced the impact of crime for New Zealanders if fewer people worry about being a victim.

### **Leading the sector to support the victims of crime**

Improving victims' experiences with the criminal justice system requires a sustained effort by government agencies. We work with New Zealand Police and the Ministry of Social Development to ensure end-to-end support for victims across the criminal justice pipeline. The Ministry of Justice's role will focus on developing advice for reform to support victims' rights, and improve information sharing with other agencies, working with Victim Support and providing specialist services within our court environment.



# Maintaining the integrity and improving the responsiveness of the justice system

We will know the integrity of the justice system is maintained if New Zealanders have confidence in the system. We will know the justice system is responsive if more people are satisfied with the quality of courts and collection services.

Priorities for the Ministry over the next three to five years will be improving access to services, ensuring that offenders are held to account and promoting trust in the justice system. Providing services in a useful and timely way is critical to achieving all three priorities, and is the key focus for the Ministry between now and 2017. This is reflected in our business strategy.

## What we will do to improve access to justice services

Process and procedure must be simpler and easier to understand. Implementation of the Criminal Procedure Act reforms from 1 July 2013 will streamline criminal court processes and, over time, lead to faster resolution of both judge-alone and jury trial matters. Once fully implemented, these changes will reduce the time it takes for a criminal case to proceed through the court system through removing 31,000 court events and 350–500 cases expected not to require a jury trial. This means 10,000 fewer 'sitting hours' per annum.

To support implementation of these changes, the Ministry will provide clear and easy to understand information to court users to help them navigate new processes.

Over the next two years, the Ministry will support the passage and implementation of the Family Court Proceedings Reform Bill, which seeks to ensure that the processes of this court are straightforward, and its decisions are fair, timely and durable.

The Bill is also aimed at encouraging self-resolution of disputes, where appropriate, to ensure that the courts are available for those that really need them. A new civil fees regime will also contribute to this objective. The new fees regime is anticipated in 2013/14, and will provide clearer, more proportionate and more consistent fee levels in civil proceedings.

People should only be required to attend court when needing to appear before a judge or judicial officer. For basic services the public should be able to transact with the Ministry in ways that are convenient to them. We will make more transactions available online or via alternative channels.

Technology is also a key enabler to speed up resolution of matters in the courts. The electronic operating model, which will be implemented from 2013/14, will replace paper court records for criminal proceedings with electronic court records for smarter, faster, more integrated service delivery in district courts. Electronic filing of police charges, will commence on 1 July 2013, and further improvements in court technology will be rolled out following this.

The Ministry will also expand the use of audio-visual links, which have been successfully used between prisons and courts in locations across the country, reducing the number of prisoners that have been transported to court for largely administrative hearings. We will also prototype video conferencing in the Family Court, which aims to reduce the time and costs associated with judges, counsel and parties having to travel for proceedings.

To speed up delivery of our services, we need to support our staff with better structures, systems and tools.

We will implement smarter solutions for rostering and scheduling. We will also look to identify areas across the Ministry where service can be standardised and service quality improved by establishing 'centres of excellence'. We will improve the quality of our performance data to ensure that managers can use information to drive improved performance.

The Ministry ensures access to justice through the administration of legal aid and the provision of the Public Defence Service. Our focus is on ensuring these services remain sustainable and provide value for money. We have supported legislation to manage cost pressures by adjusting eligibility, implemented fixed fees for providers, and improved the level of repayments received from legal aid clients.

Over the coming year we will review our administrative processes for approving legal aid providers, and implement an improved monitoring and quality assurance framework aimed at encouraging more senior lawyers to participate in the provision of legal aid and lifting the overall quality of services provided to New Zealanders.

The recently expanded Public Defence Service is now the largest criminal law practice in the country, with the greatest geographical spread. The focus of the Public Defence Service over the next year will be to maximise efficiency

by implementing new practice management software, developing and implementing nationally consistent business processes, and improving its reporting capability to monitor business performance.

We continue to provide funding for agencies, commissioners and tribunals – such as the Independent Police Conduct Authority, the Judicial Conduct Commissioner, and the Lawyers and Conveyancers Disciplinary Tribunal – that address concerns about the conduct or work of justice sector individuals or agencies.

We will know access to justice services has improved when:

- time to resolve a case decreases
- people find it easier to access court information
- the overall quality of legal aid services improves.

### **What we will do to hold offenders to account**

Ensuring that offenders are held to account for their actions is essential for maintaining the integrity of the justice system. Preventing undue delay in the administration of court proceedings is also a critical measure of our performance in this area.

The Ministry will also support the Bail Amendment Bill, currently before the House of Representatives, which aims to strengthen the bail system to increase the use of ‘reverse burden of proof’ for defendants charged with serious offences, provide stricter bail laws for young offenders, and improve the integrity of the bail system.

The Objectionable Publications and Indecency Legislation Bill proposes to increase penalties for the possession, import or export of child pornography to reflect the seriousness of offending, and be an effective deterrent.

There is compelling evidence that restorative justice practices, in which offenders are encouraged to take full responsibility for their actions and their impact on the victims of their crimes, deliver much better justice outcomes and lower re-offending rates. The Ministry intends to expand the availability, and improve the quality, of restorative justice services to offenders and victims to realise these benefits.

We will also consider the way that our court rooms are configured to ensure that participants are fully engaged with court processes.

Other ways in which we ensure offenders are held accountable are through the efficient and effective collection of fines and reparation. Over the next three years we will fully implement the remaining changes made in the Courts and Criminal Matters Bill (enacted in July 2012). The legislation gives courts stronger enforcement powers if people do not voluntarily pay their fines and reparations, making debt enforcement cheaper and more effective.

We will know that we are holding offenders to account when:

- there are no applications granted for Stays of Proceedings under the Bill of Rights Act 1990 for undue delay attributable to the Ministry
- the percentage of people who do not comply with monetary sanctions decreases.

### **Increasing trust in the justice system**

An independent judiciary gives people the confidence that when they appear before the courts, their case will be decided in accordance with the law and without influence from the executive, Parliament or anyone else.

We will continue to support the work of the judiciary so that the rule of law is upheld and the constitutional independence of judicial decision making is maintained. We will ensure funding is available for judicial training and development.

The Ministry will also support the Government’s response to the Law Commission’s review of the Judicature Act. An Amendment Bill will seek to enable modernisation of court processes and procedures, and provide more transparency and clearer lines of judicial leadership and accountability. The aim of the reform is to enhance public confidence in the justice system while maintaining the fundamental constitutional principles of judicial independence.

The Ministry will also continue to work on improving the information available about justice services and processes to ensure that the public gains a greater understanding of how the system works and are empowered to navigate it more effectively.

We will know if we are improving trust in the justice system when court users feel that they are treated fairly by Ministry staff when they attend court.

## Maintaining the civil and democratic rights of New Zealanders

One way we will know that civil and democratic rights are maintained, is if New Zealand continues to be perceived as having low levels of corruption.

We will ensure there is a credible legal basis for New Zealand's civil and democratic systems; that our laws and constitutional arrangements respond appropriately to international laws and conventions and reflect the views of New Zealanders.

We will also support the Government's aspirational goal to complete all historical Treaty of Waitangi settlements by 2014.

### **New Zealand meets international justice obligations**

We will ensure that, where appropriate, the New Zealand justice system aligns with international standards, treaties and conventions. We provide advice on obligations under various international conventions, the appropriate domestic response to developments in public and private international law, and support the Minister of Justice with advice on the process for extradition of people to and from New Zealand.

We will provide advice on regulations for the Trans-Tasman Proceedings Act 2010 to assist the resolution of trans-Tasman legal disputes more efficiently and effectively, and reduce barriers to cross-border enforcement of civil penalties and regulatory criminal fines.

Progressing the ratification of the United Nations Convention against Corruption will demonstrate New Zealand's support for international anti-corruption efforts and having a fair international trading system. We will support New Zealand's participation in periodic meetings of the Financial Action Task Force, and prepare for the OECD's evaluation of New Zealand's implementation of the Convention on Prevention of Bribery of Public Officials in International Business Transactions. We will advise the Government on the necessary steps to address gaps identified.

### **Constitutional arrangements reflecting New Zealanders' view maintained**

The Ministry gives advice to the Attorney-General on the consistency of legislation with the New Zealand Bill of Rights Act 1990, and provides assistance and guidance to government departments to ensure human rights considerations are integrated into the development of policy proposals.

The Ministry will facilitate the work of the Constitutional Advisory Panel and the review of constitutional issues (led jointly by the Deputy Prime Minister and the Minister of Māori Affairs), and the Electoral Commission, through the provision of policy advice and operational support.

We will also support the Government response to the New Zealand Law Commission's privacy review. We will focus on a privacy framework which is modern and flexible enough to respond to the varied needs of individuals and businesses, and that enables the provision of better public services.

We will have succeeded in ensuring that constitutional arrangements reflect New Zealanders' views when they have confidence that their human rights are protected.

### **Historical Treaty of Waitangi claims durably settled**

On behalf of the Crown, we will negotiate settlements of historical claims under the Treaty of Waitangi directly with iwi claimant groups. Our approach will focus on supporting increased momentum for both parties.

Over the next two years we aim to reach Agreements in Principle with all groups that are willing and able, while maintaining a steady pace of settlements and supporting the expedient passage of legislation for settlements through Parliament. During 2013/14 we expect 12 Deeds of Settlement to be initialled.

Policy advice will be provided to the Government on broader Treaty-related issues, and on individual settlements. We will continue to work towards speeding up the process for settlement Bills.

We will also continue to manage properties that are held in the Crown landbank until they are required in a settlement or no longer needed. We will support the Waitangi Tribunal to inquire into claims under the Treaty of Waitangi Act 1975 through the provision of claims management, research, report writing and inquiry support.

The Ministry of Justice also administers the Marine and Coastal Area (Takutai Moana) Act 2011. The Act establishes a regime for clarifying customary rights that may exist in the common marine and coastal area. All applications for customary rights must be received by 2017 and can be made to either the High Court or by engaging directly with the Crown. The Ministry will process these directly with applicants or may provide support and evidence to the High Court in its determinative process. All applications will be processed transparently and consistently.

We will know if we are successful in this area when all historical Treaty of Waitangi claims have been settled.

# How we work

**To deliver modern, accessible and people-centred justice services, we need to build the capability of our organisation to understand the needs of our customers, to recognise opportunities for innovation and to lead change effectively.**

## Our changing environment

Changes to the law, advances in technology, and some demographic shifts (different types of families and a more culturally diverse population) have increased the overall complexity and cost in some parts of the justice system.

Like the wider public sector, the Ministry is operating in an environment of sustained fiscal constraint, alongside an expectation of better, smarter public services.

Decreasing crime and volumes entering the court system provide some headroom to respond to these challenges. We can emphasise crime prevention to further reduce volumes. We can modernise and improve the way we work to be more cost-efficient and customer-focused.

The prevalence of technology means the public now expect to complete simple transactions with the Ministry online or over the phone, as they might with their bank.

In general, our customers don't want to interact with us. Many of them are people caught up in the justice system through no fault of their own – such as victims, witnesses, their families and the families of offenders. They shouldn't have to spend any more time than is absolutely necessary in the system.

The Ministry's business strategy and work programmes (as outlined in previous sections) have been developed to take advantage of these environmental trends and respond to the changing demands of our customers.

The Ministry keeps abreast of environmental changes in a range of ways, both formal and informal. Examples include engagement with Ministers, sector agencies and wider government; interaction with stakeholder groups (such as the judiciary, iwi and legal professionals); and research, including statistical and media analysis.

The Ministry conducts a range of surveys for both the public and specific stakeholder groups (such as the Court User Survey). The Ministry is also responsible for developing and monitoring the Justice Sector Forecast, a detailed analysis of trends and volumes in the justice system used to predict future workloads in various parts of the sector.

We know that collaboration between agencies is critical to achieve better outcomes. The Ministry of Justice, the Ministry of Social Development (for youth justice), the Police, the Department of Corrections, the Serious Fraud Office and the Crown Law Office are planning and working more closely as a sector than ever before.

There are a number of strategic and operational initiatives that require regular collaboration; the sector four-year plan, joint management of the Justice Sector Fund and the Justice Sector Research Programme are examples of this. The sector also works together on cross-organisational issues such as capital planning, workforce planning and shared services.

To facilitate this collaboration the Justice Sector leadership board (chaired by the Secretary of Justice) meets monthly and Sector Deputy Chief Executives meet weekly. Justice Sector Ministers also meet monthly.

## Shaping the Ministry to adapt and deliver

To ensure we are well positioned to implement the significant changes ahead, we need to focus on developing the capability of our workforce, and ensuring our systems and technology are fit for purpose.

### Responding to the Performance Improvement Framework

A key priority for the Ministry over the next couple of years is responding to the Performance Improvement Framework review of the Ministry undertaken and published in 2011/12.

The Ministry is committed to improving six key areas which were identified as 'weak' or 'needing development':

- strengthening the Ministry's sector leadership position
- better defining the Ministry purpose and refreshing the strategy
- enlisting external support
- a proactive policy function with stronger linkages between policy and operations
- stronger operational performance with a real focus on the public as the customer
- improved people leadership and management.

The Ministry has made good progress over the last 18 months. The Sector Leadership Board and Sector Group have been established and sector targets agreed upon. The Chief Executive has communicated a clear vision and business strategy to the organisation. We have re-organised our national office to focus on frontline support.

There is good alignment between the business strategy and the areas identified for improvement in the Framework. In 2013/14 we will build on this foundation and focus particularly on people leadership and management, enlisting the support of our key stakeholders and lifting operational performance.

### Building a culture of empowerment and innovation

Our success in delivering a modern, accessible, people-centred justice system will be partly determined by how we lead and engage our people to deliver the necessary changes while maintaining and improving service delivery.

Over the next two years we will raise staff engagement levels. We aim to meet or exceed the State Services Commission benchmark.

To achieve this we will:

- ensure that we clearly communicate the vision, purpose and goals outlined in the business strategy across the Ministry
- communicate consistently, openly and honestly with our staff
- deal effectively with performance.

We have set ourselves an ambitious target of halving the time it takes to deliver services by 2017. This target seeks to drive performance, but also to unify the organisation around a common goal.

We will continue to encourage a diverse workplace, an inclusive culture, and promote equal opportunities.

### Forging active partnerships with stakeholders

We also need to talk with stakeholders about the direction the Ministry is taking. Justice sector agencies are working more collaboratively to ensure the pipeline is managed more effectively, but there are a number of other key participants that are critical to our success.

The judiciary and the legal profession, in particular, have a strong interest in how we administer the justice system. We engage regularly with the judiciary via a number of forums, and we have made a concerted effort over the last year to engage the judiciary and the legal profession on key change initiatives, particularly changes to modernise the courts.

Over the next few years we will continue to invest in these relationships, seek their input on the future direction of the system and engage early in the development of changes that will impact on them.

## Delivering world-class personal services

The Ministry of Justice is also investing in modernising and streamlining our organisation to deliver better services to the public. In 2012/13 we re-organised ourselves to:

- reduce layers between managers and frontline services to the people we serve
- make managers accountable for results, by aligning their responsibilities with key priorities and making it possible to set clear, meaningful goals
- channel resources to where they are needed most
- remove the duplication, split accountabilities and unnecessary processes that can create frustration and delays
- bring related functions together so staff can be efficient and have a greater critical mass of expertise.

A priority for the coming year will be to bed in a new national office and district courts' management structure, and ensure the whole organisation is working in a much more integrated way. We will also be looking for opportunities to centralise some functions and will be creating centres of excellence to lift the quality of services and customer interaction.

## Leveraging technology for business innovation

We have established new sourcing relationships, and are currently reviewing our ICT systems and services to ensure we are well placed to both deliver on the immediate changes ahead and to take further advantage of ways of working electronically over the next three to five years.

We will develop a phased and well-sequenced plan to replace cumbersome paper-driven processes with simpler electronic processes. In particular, we will focus on opportunities to enable the public to access services and make applications and payments online.

## Improving our cost-effectiveness

A modern way of working will also be more efficient and cost-effective. The Ministry has developed measures to reflect the cost-effectiveness of policy advice and collection of fines, and is working towards developing similar measures in the district courts over the next year.

### POLICY ADVICE

Definitions for policy advice performance measures have been standardised for Budget 2013<sup>3</sup>. The Ministry of Justice will implement the common performance indicators for measuring the cost, efficiency and effectiveness of policy advice.

### COLLECTION AND ENFORCEMENT OF FINES AND REPARATION

The management of unpaid fines and reparation is the responsibility of the Collections Unit. While the Unit's major role is the collection and enforcement of fines and reparation, it also serves court documents and enforces civil judgements and orders on behalf of judgement creditors, where payment has been ordered by the court.

Over the last decade the cost-effectiveness of these services has improved due to implementation of new workflow management systems. The costs are expected to continue to reduce as this work generates planned efficiencies.

### COURT SERVICES

One of the key performance indicators agreed for the sector is the time it takes for criminal cases to proceed through the justice system – from charges being laid until a case is resolved. This measure highlights the Ministry's level of efficiency in administering the criminal court process. The Ministry is also developing specific measures around the cost-effectiveness of its support for the courts, focusing first on the district courts. We plan to be able to report on this in 2013/14.

<sup>3</sup> Further information on the Ministry of Justice's common performance indicators for policy appropriations is available as part of the *Information Supporting the Estimates of Appropriations*.

## Prioritising our spending

To provide a medium-term sustainable budget and address cost pressures, we have planned a wide-ranging policy and operational change programme. This programme involves smarter ways of working through increased use of technology, realigning capacity to match demand in back-office and policy functions, and implementing a range of asset management and procurement process improvements that will maximise value for money and generate savings.

Further information on the Ministry's performance, including output expenses and the quality, timeliness and quantity of services, can be found in the *Information Supporting the Estimates*.

The justice sector is now working collaboratively on a four-year plan that seeks to move the sector to sustainable baselines and realign investment to activity that will contribute to Better Public Services targets. The sector is also looking for opportunities to share services and support functions. The Ministry has already made significant progress in this area, in ICT and facilities management. As discussed earlier in this document, the Ministry is also leading the development of a sector-wide approach to service delivery in Canterbury.

## Improving the performance of our assets

We are currently reviewing our asset and investment portfolio to identify opportunities to get better value for money across the business. We will ensure investment is aligned to the priorities in the business strategy, the needs of our customers and our future operating requirements.

Appendix 3 outlines our capital intentions.

## Managing risk

With the significant change and transformation underway within the Ministry, we are improving our risk management practices. A risk and assurance strategic plan was developed in 2011 and we have since refreshed our Risk Management Framework to align with international risk management standards and best practice. We have also recently updated our Fraud Detection and Prevention Framework to ensure that fraud risks are being managed.

Our internal audits focus on high-risk/high-value areas of the Ministry to provide independent assurance that strategic and operational risks are being efficiently, effectively and economically managed. We will collaborate with our justice sector partners to gain a sector-wide view of risk management.

The Ministry's Audit and Risk Committee will continue to provide the Chief Executive with independent advice on risk management and the Ministry's internal control systems.

### Addressing seismic risk

The Ministry is focused on ensuring its buildings meet required seismic safety requirements. Where buildings require remedial work, the Ministry will consider all options to ensure that works meet the required standards. Where services are disrupted, we will work with our staff, stakeholders and customers to ensure that services can continue to be accessed. We anticipate that strengthening work on the Masterton District Courthouse will be completed and the court reopened in mid 2013.

We continue to monitor the following aspects of our organisational health and capability to ensure that:

- our five main technology applications are available and reliable during normal business hours
- we resolve high priority incidents in technology applications within an average of 2½ hours, to minimise the impact on public service delivery
- employee engagement levels improve.

Appendix 1 outlines these measures in more detail.



## APPENDIX 1

# Our performance measurement framework

We understand the importance of balancing the quantity and quality of what we deliver with its cost. As such, we use a number of measures to help us assess and report on our performance, including quantity, timeliness, quality and stakeholder satisfaction. We monitor our effectiveness in achieving our outcomes, contributing to the justice sector priorities, delivering our outputs and managing our inputs.

### Ministry performance measures

The tables below detail the performance measures we will monitor to ensure we are achieving our outcomes.

#### MAKING COMMUNITIES SAFER

Measure		Target	Current state and trend
<i>Outcome or main measures</i>			
<b>Reduce the crime rate (BPS target)<sup>4</sup></b>	Recorded crime relative to the New Zealand population <sup>5</sup>	Better Public Services target 15% reduction by 2017	2011/12: 927 2010/11: 983 2009/10: 1060 2008/09: 1071
<i>Impact – Crime and victimisation reduced</i>			
<b>Violent crime decreases (BPS target)</b> <b>Reduce the violent crime rate (BPS target)</b>	Recorded crime relative to the population, for specific violent offences, including: murder, manslaughter, acts intended to cause injury – eg. serious assaults, kidnapping and abduction, robbery and other related offences <sup>6,7</sup>	Better Public Services target 20% reduction by 2017	2011/12: 102 2010/11: 109 2009/10: 115 2008/09: 113
<b>Youth crime decreases (BPS target)</b>	The level of youth offenders (aged 14–16) appearing in court, relative to the youth population <sup>8</sup>	Better Public Services target 5% reduction by 2017 <sup>9</sup>	2011/12: 344 2010/11: 360 2009/10: 378 2008/09: 403
<b>Alcohol-related offending decreases</b>	Decrease in alcohol-related motor vehicle crash rates for young people (aged 15–24) <sup>10</sup>	Target in development	2011: 8.9 2010: 10.3 2009: 10.9
	Rate of deaths from motor vehicle crashes where the driver had alcohol as a contributing factor, per 100,000 population	Target in development	2011: 1.9 2010: 2.3 2009: 2.7

Measure		Target	Current state and trend
<b>Fewer people worry about being a victim</b>	A periodic survey <sup>11</sup> of the public shows a decrease in the proportion of people who feel very or fairly worried about victimisation	Target in development	2009: Worried about traffic accident caused by a drunk driver: 58% (2006: 63%) Worried about house burglary: 58% (2006: 59%) Worried about car being damaged or broken into: 53% (2006: 57%) Worried about credit card misuse: 55% (2006: 53%) Worried about having car stolen: 48% (2006: 52%) Worried about being attacked and robbed: 39% (2006: 41%) Worried about being assaulted by strangers: 37% (2006: 38%) Worried about being sexually assaulted or raped: 27% (2006: 30%) Worried about being assaulted by someone you know: 14% (2006: 17%)
<i>Impact – Reducing the impact of crime</i>			
<b>Fewer people think there is a crime problem</b>	A periodic survey <sup>12</sup> of the public shows a decrease in the percentage of people who perceive there to be a crime problem in their neighbourhood	Target in development	2009: 34% 2006: 36%

The Ministry contributes to this outcome through the delivery of activities funded by: policy advice; sector leadership and support (Vote Justice); and courts, tribunals and the services of other authorities, including the collection and enforcement of fines and civil debts services (Vote Courts). More detail about these appropriations, including output performance measures, can be found in the *Information Supporting the Estimates of Appropriations*.

<sup>4</sup> BPS targets are measured from a June 2011 baseline.

<sup>5,6</sup> Note that population base rate is per 10,000 of the NZ population.

<sup>7</sup> The definition excludes less serious offences, such as harassment (largely acts of intimidation) and blackmail and extortion (ie, fraud). Sexual violence offences are also excluded and will be reported separately.

<sup>8</sup> Note that population base rate is per 10,000 of the NZ youth population.

<sup>9</sup> This target is being reviewed by Ministers.

<sup>10</sup> Drivers aged 15–24 in crashes (fatal, serious injury or minor injury) with alcohol recorded as a factor contributing to the crash per 10,000 aged 15–24 in the population.

<sup>11,12</sup> We are currently assessing the most effective methods to measure the perceptions of victims and the public.

## MAINTAINING THE INTEGRITY AND IMPROVING THE RESPONSIVENESS OF THE JUSTICE SYSTEM

Measure		Target	Current state and trend
<i>Outcome or main measures</i>			
<b>New Zealanders have confidence in the effectiveness of the justice system</b>	World Justice Project Rule of Law Index shows that civil justice in New Zealand is perceived to be free from corruption and improper influence by the government	Maintain or improve score for access to civil justice	2012: Score: 0.76 World ranking: 9/97 2011: Score: 0.78 World ranking: 4/66
	World Justice Project Rule of Law Index shows that the criminal justice system in New Zealand is perceived to be impartial and free from corruption	Maintain or improve score for effectiveness of criminal justice	2012: Score: 0.79 World ranking: 7/97 2011: Score: 0.84 World ranking: 3/66
<b>More people are satisfied with the quality of courts and fines services</b>	The Kiwis Count Survey of the public shows an increase in points for satisfaction with paying fines or getting information about fines; and for a court, about a case the respondent was involved in	63% of people are satisfied	2011/12: Fines: 63% Courts: 50% 2009: Fines: 57% Courts: 52%
	The Court User Survey shows an increase in the proportion of people who were very or fairly satisfied with court services and facilities	80% of people are very or fairly satisfied	2012: Overall: 80% <i>Main reason for visit</i> Take part in a case: 77% Support a person: 74% Get information on a case: 82% Bring information on a case: 90% Fine or reparation: 88% Jury service: 89% Administration not related to a case: 94% Spectator: 84% Other: 86% 2010: 77%
<i>Impact – Improved access to justice services</i>			
<b>Time to resolve a case decreases</b>	Ministry of Justice administrative data shows a decrease in the time taken from filing to disposal in High Court and District Court criminal jury trials by 2015	15% decrease <sup>13</sup>	Measure in development for reporting in 2013/14
<b>The quality of legal aid services improves</b>	Ministry of Justice Quality and Value audits show that private legal aid providers and Public Defence Service lawyers are providing high quality cost-effective services	100% meet expected standards	Measure in development for reporting in 2012/13
	Ministry of Justice administrative data from the Legal Aid Management system shows that applications for criminal cases are assessed in a timely manner	93% of criminal legal aid applications are assessed within 1 working day	Measure in development for reporting in 2012/13
<b>People find it easier to access court information</b>	The Court User Survey shows an increase in the proportion of people who found it very or fairly easy to obtain information about court services and facilities	70% find it very or fairly easy to obtain information	2012: 63% 2010: 65%

<sup>13</sup> Target to be re-evaluated in 2013/14.

Measure		Target	Current state and trend
<i>Impact – Offenders held to account</i>			
<b>There are no applications granted for Stays of Proceedings under the Bill of Rights Act 1990 for undue delay attributable to the Ministry</b>	Number of district court criminal jury cases stayed for undue delay in terms of section 25(b) of the New Zealand Bill of Rights Act 1990 for reasons wholly or partly the responsibility of the Ministry	0	2011/12: 1 2010/11: 0
	Number of other judge-alone criminal cases stayed for undue delay in terms of section 25(b) of the New Zealand Bill of Rights Act 1990 for reasons wholly or partly the responsibility of the Ministry	0	'Judge-alone' is a new category of case created under the Criminal Procedure Act 2011, which comes in force 1 July 2013
	Number of High Courts criminal cases stayed for undue delay in terms of section 25(b) of the New Zealand Bill of Rights Act 1990 for reasons wholly or partly the responsibility of the Ministry	0	2011/12: 0 2010/11: 0
<b>The percentage of people who do not comply with their monetary sanctions decreases</b>	Ministry of Justice administrative data from the Collections system shows a decrease in the proportion of people who have not paid or made an arrangement to pay their fine, infringement or reparation, at 30 June	40%	2011/12: 44% 2010/11: 48% 2009/10: 47% 2008/09: 52%
<i>Impact – Increase trust in the justice system</i>			
<b>Court users feel that they are treated fairly by Ministry staff when they attend court</b>	The Court User Survey shows an increase in the proportion of people who strongly agree or agree that they are treated fairly when they attend court	Target in development	2012: 89% 2010: 88%

The Ministry contributes to this outcome through the delivery of activities funded by: policy advice; sector leadership and support; administration of legal services; Public Defence Service (Vote Justice); and courts, tribunals and other authorities' services, including the collection and enforcement of fines and civil debts services (Vote Courts). More detail about these appropriations, including output performance measures, can be found in the *Information Supporting the Estimates of Appropriations*.

## MAINTAINING THE CIVIL AND DEMOCRATIC RIGHTS OF NEW ZEALANDERS

Measure		Target	Current state and trend
<i>Outcome or main measures</i>			
<b>Perceived level of corruption remains low</b>	New Zealand's score on the Transparency International Corruptions Perception Index does not decrease	Maintain or improve score	2012: 90/100 (Global rank: 1) 2011: 9.5/10 (Global rank: 1) 2010: 9.3/10 (Global rank: 1) 2009: 9.4/ 0 (Global rank: 1) 2008: 9.3/10 (Global rank: 1)
<i>Impact – Historical Treaty of Waitangi claims durably settled</i>			
<b>Treaty of Waitangi Claims are durably settled</b>	Progress is made in enacting all historical Treaty of Waitangi Settlement legislation	45% of all settlement legislation is introduced by end of 2014/15 <sup>14</sup>	2012: 23% of settlements enacted 2011: 19%
<i>Impact – Constitutional arrangements reflecting New Zealanders' views maintained</i>			
<b>New Zealanders have confidence that their human rights are protected</b>	World Justice Project Rule of Law Index shows that New Zealand is perceived to protect freedoms and is free from discrimination	Maintain or improve score for fundamental rights	2012: Score: 0.86 World ranking: 5/97 2011: Score: 0.86 World ranking: 4/66
<i>Impact – New Zealand meets international justice obligations</i>			
Measure in development			

The Ministry contributes to this outcome through the delivery of activities funded by: policy advice; sector leadership and support (Vote Justice); policy advice – Treaty negotiations; representation – Waitangi Tribunal; and property portfolio management (Vote Treaty Negotiations). More detail about these appropriations, including output performance measures, can be found in the *Information Supporting the Estimates of Appropriations*.

<sup>14</sup> Targets for this measure are based on current projections of the Office of Treaty Settlement's agreed work programme.

## Ministry capability measures

Measure		Target	Current state and trend
<i>Main measures</i>			
<b>Our five main technology applications are reliable and available during normal business hours<sup>15</sup></b>	Internal administrative data shows an improvement in the availability of the five main technology applications during normal business hours	99.5%	2011/12: 99.5%
<b>Employee engagement levels improve</b>	Internal survey shows that we meet or exceed the State Services Commission (SSC) benchmark norm for employee engagement	To meet or exceed the SSC benchmark norm	2012: 10.5% of staff feel engaged 30.3% feel disengaged 59.2% feel neutral Engagement Index: 60.9%  2011: 11.5% of staff feel engaged 29.4% feel disengaged 59.1% feel neutral Engagement Index: 61.7%
<i>Supporting measures</i>			
<b>We resolve high priority incidents in our five main technology applications within an average of 2½ hours, to minimise the impact on public service delivery</b>	Internal administrative data shows that high priority technology-related incidents in the top five applications are resolved within an average of 2½ hours (including evenings and weekends outside of normal business hours)	80% of our high priority incidents are resolved within 2½ hours	2011/12: 2½ hours  The majority of high priority incidents across the top five applications were resolved in less than 2½ hours in 2010/11

<sup>15</sup> Our five main technology applications are the Case Management System, the National Transcription Service, the Judicial Decision Suite, Collect, and Groupwise.

## APPENDIX 2

# Justice sector key performance indicators

Justice sector Ministers, including the Ministers of Justice, Courts, Police, Corrections and the Attorney-General, have agreed priorities for the sector, which are focused on the criminal justice system. These are:

- improving public safety and maintaining public confidence in the criminal justice system
- implementing initiatives that will reduce crime, volumes and costs across the sector
- improving the performance of sector agencies.

Ministers have also agreed on three performance indicators to help measure the efficiency and effectiveness of the criminal justice pipeline:

- the numbers of people entering the criminal justice system, which will show the prevalence of crime and whether social and justice sector interventions are effective
- the time it takes for cases to proceed through the court system, which will indicate where there are opportunities to improve functioning and efficiency
- the rate of recidivism, which will show the effectiveness of rehabilitation and reintegration services and existing sanctions.

Better information about the relationship and impact of policies and activities across the sector, and evidence about what works and what does not, will allow us to make the decisions required to ensure the system is as effective and affordable as possible. The table below details the sector performance measures that are being monitored.

Targets for these measures are in development.

Type of measure	Responsible agency	Measure	Current state or trend
<b>Contextual measure to illustrate change, which is not the direct responsibility of the Ministry</b>	Police	Number of police apprehensions resolved by non-prosecutorial outcomes, such as alternative resolution	2011/12: 67,342 2010/11: 54,407
	Police	Percentage of police apprehensions resolved by non-prosecutorial outcomes, such as alternative resolution	2011/12: 42.4% 2010/11: 34.7%
<b>Monitoring measure, where a performance standard is not appropriate</b>	Ministry of Justice	Median time to complete the court process, from charges being laid to case disposal, for summary cases	2011/12: 63 days 2010/11: 57 days
	Ministry of Justice	Median time to complete the court process, from charges being laid to case disposal, for indictable cases	2011/12: 378 days 2010/11: 364 days
	Ministry of Justice	Total volume of prosecution withdrawals	2011/12: 16,128 2010/11: 18,813

Type of measure	Responsible agency	Measure	Current state or trend
<b>Contextual measure to illustrate change, which is not the direct responsibility of the Ministry</b>	Department of Corrections	Percentage of pre-sentence reports provided to agreed standards	2011/12: 97% 2010/11: 94%
	Department of Corrections	Number of pre-sentence reports provided to agreed standards	2011/12: 53,286 2010/11: 58,017
	Department of Corrections	Percentage of pre-sentence reports completed on time	2011/12: 95% 2010/11: 94%
	Ministry of Justice	Length of time on custodial remand	2011/12: 58 days 2010/11: 55 days
	Ministry of Justice	Average number of court events per case	Jury trial 2011/12: 7.2 2010/11: 7.1 Criminal summary 2011/12: 3.0 2010/11: 2.8
<b>Contextual measure to illustrate change, which is not the direct responsibility of the Ministry</b>	Ministry of Justice	Number of non-custodial sentences imposed <sup>16</sup>	2011/12: 265,053 2010/11: 284,515
	Ministry of Justice	Number of custodial sentences imposed <sup>17</sup>	2011/12: 46,500 2010/11: 49,493
	Ministry of Justice	Percentage of non-custodial versus custodial sentences imposed	2011/12: Non-custodial : 85% Custodial: 15% 2010/11: Non-custodial: 85% Custodial: 15%
	Department of Corrections	Rate of reconviction within 12 months for released prisoners and people who began community sentences	2011/12: Prisoners: 43.3% Community: 28.4% 2010/11: Prisoners: 45.3% Community: 30.4%
	Department of Corrections	Rate of re-imprisonment within 12 months for released prisoners and people who began community sentences	2011/12: Prisoners: 27.0% Community: 4.8% 2010/11: Prisoners: 27.1% Community: 5.2%
	Department of Corrections	Offenders complying with their home detention sentence, or being held to account	2011/12: 98% 2010/11: 95%
	Department of Corrections	Offenders complying with their community-based sentences, or being held to account	2011/12: 96% 2010/11: 96%
<b>Monitoring measure, where a performance standard is not appropriate</b>	Ministry of Justice	Number of court-imposed fines resolved	2011/12: 81,614 2010/11: 91,518

<sup>16</sup> These measures count all sentence handed down in courts in a year. People may face multiple charges, and receive multiple sentences for a single charge. These numbers will be higher than the number of people and the number of charges in court.

<sup>17</sup> These measures count all sentence handed down in courts in a year. People may face multiple charges, and receive multiple sentences for a single charge. These numbers will be higher than the number of people and the number of charges in court.



## APPENDIX 3

# Our capital intentions

The Ministry's capital intentions have been developed with the aim of:

- delivering justice services more efficiently and effectively, taking into account society's changing expectations over time and the need to deliver best value for money for taxpayers
- meeting forecast patterns of demand for justice services across New Zealand. The future pattern for criminal summary cases is for rising demand across the Auckland region and falling demand elsewhere across New Zealand
- ensuring our justice system is resilient in the event of a natural disaster. Our capital intentions include disaster prevention and recovery investments, comprising:
  - developing ICT systems' resilience
  - the outcomes of a series of assessments of buildings' earthquake resilience
  - and disaster recovery investments in Christchurch
- resourcing our staff and judiciary with adequate places to work and providing adequate equipment.

	2013/14 \$m	2014/15 \$m	2015/16 \$m	2016/17 \$m
<b>Non-residential building</b>	21.291	29.900	15.500	24.705
<b>Fitout</b>	16.643	8.867	10.748	6.975
<b>Land</b>	-	-	-	-
<b>Computer hardware</b>	19.032	11.826	11.281	11.525
<b>Computer software</b>	28.722	16.079	13.257	14.577
<b>Furniture and fittings</b>	4.971	3.521	2.475	2.895
<b>Plant and equipment</b>	-	-	5.000	1.800
<b>Motor vehicles</b>	1.870	1.500	1.500	1.500
<b>Total</b>	92.529	71.693	59.761	63.977



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