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## PEOPLE-CENTRED JUSTICE

In this issue, Chief Executive Andrew Bridgman discusses the importance of timeliness in the justice system. Also, Justice Minister Amy Adams talks about the legislative programme she's overseen, parts of which are highlighted elsewhere in this issue, along with initiatives that are making a difference for people involved in the justice system.



# Time matters

ANDREW BRIDGMAN • SECRETARY FOR JUSTICE AND CHIEF EXECUTIVE



*Making sure New Zealand's justice system is customer-focused is critical. People usually come into contact with justice at important or stressful times so their time spent in the justice system should be as quick and fair as possible. But the reality for many is a court system that's hard to understand, antiquated, inaccessible, expensive and slow.*

*In this month's Justice Matters, I want to discuss timeliness as it's an essential part of the court system. And one of our key goals is to modernise courts and tribunals to get people through quicker. After all, justice delayed is justice denied.*

Unfortunately, delays are commonplace in courts – not just in New Zealand, but in many jurisdictions we like to compare ourselves with.

Of the District Court criminal cases completed in the 2016/17 year, almost 4,500 (4%) took longer than a year to be dealt with.

Furthermore, of the District Court jury trial cases—most of which involve serious harm—155 (6%) took more than 3 years to complete. Overall, participants in District Court jury trial cases have to wait almost 14 months on average for their case to conclude.

It's true that many trials are complicated and the justice process shouldn't be rushed, but have we become too used to delays? Should people be in the court system as long as they currently are?

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Fast and efficient processes are an important element of a fair and accessible justice system.

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I haven't spoken to anyone—lawyers, judges or registrars—who thinks the current timeframes are right. In a system where everyone talks about work volumes, complexity and available time, making every event meaningful, removing 'churn' and, most importantly, helping our customers move through the justice system towards resolution must be a shared aim of everyone involved.

It's easy for people to point the finger—registry staff don't have the paper on file, pre-sentence reports aren't ready, judges are adjourning cases unnecessarily—but the solution lies in realising we all contribute to delays. Some of these things we can fix ourselves, some we can only fix by working together across the system.

This isn't to detract from the substantial work that has been and is being done around timeliness. For instance, the Criminal Procedure Act, rostering and scheduling initiatives, and audio-visual links between courts and prisons are making a real difference. AVL is a good example of improved timeliness – it's good for our customers because it's more convenient, it's cost-efficient and it's safer for everyone. Of almost 35,000 remand court

appearances held in the 2016/17 year, some 18,200 (52%) were made via AVL. This was a 10% increase in AVL usage from 2015/16.

A significant contributor to the recent increase in the use of AVL is likely to have been the judicature modernisation legislation which passed through Parliament late last year (see story page 7).

Long-term, this legislation will also allow courts and tribunals to use digital documents and electronic case files rather than printed document enabling more gains in efficiency.

In addition, the Tribunals Powers and Procedures Legislation Bill introduced into Parliament in August offers the opportunity to further streamline processes and, hopefully, allow customers' matters to be resolved more quickly (see story page 6).

Fast and efficient processes are an important element of a fair and accessible justice system. Over time, we can expect to see more and more improvements in this area as all of us involved in the justice system ensure our customers are kept front and centre. ■



Chief Financial Officer Andy Fulbrook

## MINISTRY'S INVESTMENT PRACTICES INSPIRE CONFIDENCE

The Ministry of Justice received the second highest rating in Treasury's Investor Confidence Rating, which measures the confidence of investors in government agencies to manage the funds allocated to them well.

Chief Financial Officer Andy Fulbrook says the ministry's B rating shows significant confidence in our ability to deliver good returns on our investments.

The rating, which is based on 8 measurements across the corporate and ICT business group, increases the Chief Executive's sign-off limit for property investment to \$25 million, while the Justice Ministers' sign-off limit is increased to \$40 million.

'This increased responsibility means that projects such as earthquake strengthening can begin sooner, and with a quicker approval process,' says Andy.

'Our rating is the highest among justice sector agencies, which means the ministry will be taking the lead on improvements across the sector. That's a great reflection on the ability of our people to make good investment decisions.' ■

# Message from our Minister

AMY ADAMS • MINISTER OF JUSTICE AND COURTS



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*Looking back over the last three years, I'm proud to say the Government has made significant strides in delivering on our commitment to address the drivers of crime, support victims of crime, and keep New Zealanders safe.*

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In this column, I want to focus on some of the key legislative changes – all designed to make a real difference for people using the justice system and New Zealanders as a whole.

My first and foremost priority as Justice Minister has been to reduce family violence. For too long, New Zealand has had the worst rate of family violence in the developed world and the impact of this on the people and communities it affects is devastating. I was pleased to introduce our Family and Whānau Violence Legislation Bill in March – this Bill implements our Safer Sooner reforms announced in September 2016 which aim to break entrenched patterns of family violence and reduce the harm to individuals, families and communities.

We know that legislation alone cannot solve our horrific rate of family violence, but they are a cornerstone element in how we tackle family violence. It will support practical changes in the way we respond, for instance the Integrated Safety Response (ISR) pilot. This pilot is transforming lives by significantly changing the way agencies and communities respond to family violence. Since its introduction in Christchurch in July 2016 and the Waikato in October 2016, nearly 10,000 family safety plans have been developed to support more than 30,000 people affected by family violence. I am incredibly heartened by the tremendous results coming out of the pilot and will continue to keep a close eye on its progress.

Ensuring our courts and tribunals are fit for purpose in today's world; that the technology is up-to-date; and that the processes are clear, consistent, transparent and efficient, is vital if we're to have a justice system that effectively serves the needs of the people who use it. In March, the judicature modernisation legislation came into effect, reforming and modernising the century-old law that underpins our court system and making

it easier for people to understand. In August, we took another step towards modernising the justice system with the introduction into Parliament of two bills aimed at enhancing and improving the work of courts and tribunals (*see story page 6*).

Providing support to victims in the most effective way has been a large focus of this Government. The Evidence Amendment Bill, passed in September 2016, was a major step in delivering on this commitment. The core aim of the Bill is to ensure the courtroom experience of child witnesses and victims of sexual violence is less traumatic than it has sometimes been in the past.

Other significant legislation introduced under this Government includes:

- the Harmful Digital Communications Act, passed in 2015 to stop cyber-bullying. The Act is working effectively to weed out and punish the worst offenders while protecting those most vulnerable to online abuse
- in August 2017, reforms to strengthen the Anti-Money Laundering and Countering Financing of Terrorism Act (*see story page 8*)
- also in August 2017, the Trusts Bill was introduced, making it easier for people to access and understand trust law (*see story page 8*).

Some of these changes are already making a difference while others will pave the way for a safer society and a more effective justice system. It's always been our goal to make improvements that will benefit all New Zealanders now and in the future. ■



## CHRISTCHURCH JUSTICE PRECINCT OFFICIALLY OPEN

The \$300 million Justice and Emergency Services Precinct in Christchurch was officially opened this week (on 12 September) by Prime Minister Bill English.

Secretary for Justice and Chief Executive Andrew Bridgman welcomed more than 200 guests including senior ministers, the judiciary and colleagues from sector and emergency services.

The event follows the blessing of the Precinct in July where a 90kg pounamu stone was gifted by Ngāti Waewae, a Ngāi Tahu hapū from Hokitika, to Ngāi Tūāhuriri, the Ngāi Tahu hapū that has mana whenua over Christchurch.

The pounamu, 'E Toru Ngā Mea', named after the waiata that refers to the principles of Whakapono, Tūmanako and Aroha – faith, hope and love.

The Precinct is the largest multi-agency government co-location project in New Zealand's history, bringing together all regional justice and emergency services in one purpose-built facility.

It will be home to the Ministry of Justice and Christchurch-based judiciary, New Zealand Police, Department of Corrections, St John New Zealand, Fire and Emergency New Zealand, the Ministry of Civil Defence and Emergency Management, and the Civil Defence and Emergency Management functions of the Christchurch City Council and Environment Canterbury.

Agencies are expected to begin moving into the Precinct from October with the first public services beginning later that month.

During an Open Day on Sunday 17 September members of the public will have the opportunity to get a behind-the-scenes look at spaces that will be restricted once operations begin.

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For more information, including a video shown at the opening, go to [About the Ministry](#) > [About us](#) > [Our strategy](#) > [Christchurch Justice & Emergency Services Precinct](#) at [JUSTICE.GOV.TZ](https://www.justice.govt.nz)

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## HIGH-QUALITY RESTORATIVE JUSTICE ASSURED

A newly published guide reflects the high-quality service people taking part in restorative justice can expect from providers.

The ministry's 'Restorative Justice Best Practice Framework' sets out a common approach that aims to ensure safe, consistent and robust restorative justice practice in New Zealand.

Community Services Manager Hayley MacKenzie says the framework focuses on the use of restorative justice processes pre-sentence, because these are the services contracted by the Ministry of Justice. However, it can be broadly applied to the use of restorative justice at any point in the criminal justice system.

'The framework sets out values, principles and standards designed to ensure restorative justice providers and facilitators deliver the best possible service for their customers,' says Hayley.

'It builds on the previous guide published in 2004 and reflects up-to-date policy and practice. It's also supported by training and accreditation of facilitators.'

'The framework was developed in close consultation with providers and Restorative Practices Aotearoa, and the ministry is grateful for their input,' says Hayley.

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To view the framework go to [About the Ministry > Lawyers and service providers > Service providers > Restorative justice providers](#) at [JUSTICE.GOV.TZ](https://www.justice.govt.nz)

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## BILLS TO MODERNISE COURTS AND TRIBUNALS

Two bills introduced to Parliament in August will further reform the legal framework for our courts and tribunals, enabling them to move with the times.

The Courts Matters Bill and the Tribunals Powers and Procedures Legislation Bill will amend 37 separate pieces of legislation including the acts governing 21 tribunals.

This is the latest in a programme of reforms to the law which underpin the justice system, including the recent judicature modernisation legislation, the Criminal Procedure Act and changes to laws dealing with evidence and coroners. All these changes share a clear theme of making the system easier to understand and use while upholding the law.

Group Manager, Courts and Tribunals Regional Service Delivery, Jacquelyn Shannon says that the legislative changes open the way for the ministry to further modernise services for our customers.

'It will give many of the tribunals we support a more standard set of powers and procedures allowing us to streamline support and simplify administrative processes. This should help us resolve matters faster for our customers,' says Jacquelyn.

'Other changes proposed, like extending the powers of court security officers, to remove or deny entry or detain troublemakers, will also improve our customers' experience.'

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For more information go to [Justice sector & policy > Key initiatives > Modernising Courts > Courts & Tribunals enhancements](#) at [JUSTICE.GOV.TZ](https://www.justice.govt.nz)

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## THOUSANDS BENEFITING FROM HOME SAFETY SERVICE

The National Home Safety Service has benefited more than 2200 people affected by family violence since being rolled out nationwide 2 years ago.

The service helps victims of family violence to stay in their homes by reducing the risk of violence through practical measures like installing security lights and monitored personal alarms, replacing locks and fixing broken windows, and connecting them with other support agencies.

The service is delivered by the National Collective of Independent Women's Refuges as part of a 3-year \$3.6 million government contract.

In the 2 years to 30 June 2017, the service has made 648 homes safer, enabling 648 adult victims of family violence, 1240 children and 341 other affected adults to remain in their homes with a significantly reduced risk of serious physical harm or violence.

The service is one initiative to reduce family violence and keep victims safe as part of the cross-agency work programme overseen by the Ministerial Group on Family Violence and Sexual Violence. ■



## INCREASING USE OF AVL IN COURTS

The use of audio visual links (AVL) connecting courts and prisons for remand appearances has increased by more than 50% over the last 2 years.

In the year to June 2017 more than 18,200 remand court appearances were held via AVL, compared to just over 12,000 the previous year.

General Manager, Courts and Tribunals Regional Service Delivery, Jacquelyn Shannon says virtual appearances make courts safer by reducing the likelihood of violent incidents.

'It's also much more convenient and cost-efficient removing the need for prisoners to be escorted to court, placed in a holding cell and then returned to prison.'

Jacquelyn says while there the use of AVL has generally been trending up over the last 2 years, the judiciary modernisation legislation which passed through Parliament late last year is likely to have had a significant effect on the increase in recent months.

'This legislation meant that from 1 March AVL must be used for procedural appearances in the criminal jurisdiction where a defendant is in custody and the technology is available, unless a judicial officer or a registrar determines that the use of AVL is contrary to the interests of justice,' says Jacquelyn.

The AVL network connects 21 courts to 15 prisons throughout New Zealand. ■



## TRUST LAW TO BE MODERNISED

A Bill introduced to Parliament in August heralds the 1st significant change in New Zealand trust law in over 60 years.

The Trusts Bill will update and replace the Trustee Act 1956 and make trust law easier to access and understand.

Trusts are an important part of New Zealand society and the economy. It's estimated there are between 300,000 to 500,000 trusts in New Zealand.

The proposed reforms are largely based on the Law Commission's 2013 recommendations for modernising and clarifying trust law. Rather than significant changes, the commission recommended making the current law more accessible for the many people who use trusts.

With this in mind, the new Bill will provide better guidance for trustees and beneficiaries and make it easier to resolve disputes. To achieve this the Bill aims to clarify core trust concepts, make trust legislation more useful, fix practical problems, reduce costs, and modernise outdated language and concepts.

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For more information go to [Justice sector & policy > Key initiatives > Trust law reform](#) at [JUSTICE.GOV.TZ.NZ](https://www.justice.govt.nz)

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## ANTI-MONEY LAUNDERING LAWS PASSED

Reforms to strengthen New Zealand's anti-money laundering laws were passed in August.

The Anti-Money Laundering and Countering Financing of Terrorism (AML/CFT) Amendment Act 2017 puts in place the 2nd phase of reforms to the laws. The new laws:

- extend the current AML/CFT regime to include lawyers, conveyancers, accountants, real estate agents, sports and racing betting and businesses that deal in certain high value goods
- make some changes that affect 'Phase 1' businesses (including banks, casinos and a range of financial service providers) that have had to comply with the Act since 2013.

Each year, about \$1.35 billion from the proceeds of fraud and illegal drugs is laundered through everyday New Zealand businesses. These law changes put in place practical measures to protect businesses and make it harder for criminals to profit from and fund illegal activity. They'll also safeguard and help New Zealand live up to its reputation as being one of the world's least corrupt countries and a good place to do business.

The law will come into effect in stages for different sectors to give businesses time to prepare for the changes.

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For more information go to [Justice sector & policy > Key initiatives > Tackling money laundering and terrorist financing](#) at [JUSTICE.GOV.TZ.NZ](https://www.justice.govt.nz)

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