



Te Tāhū o te Ture

Annual Report

2022/23

Including the Annual Report for Te Arawhiti,
The Office for Māori Crown Relations

And Ministers' reports on Non-Departmental Appropriations: Minister of Justice (Vote Justice), Minister for Courts (Vote Courts),
Minister for Treaty of Waitangi Negotiations and Minister for Māori Crown Relations: Te Arawhiti (Vote Te Arawhiti)

Te Tāhū o te Ture is the Māori name for the Ministry of Justice bestowed to our Ministry by respected kaumātua Tā John Clarke. Tāhū is the ridge pole that is the main support structure of a whareniui or house. Ture is the law.

Our name touches on the connection between the ridge pole that supports a house and the role our Ministry plays in supporting democracy and the rule of law in Aotearoa New Zealand. Te Tāhū o te Ture as a name was developed after Tā John Clarke talked with a number of kaumātua. It was adopted by the Ministry of Justice in 2003, following the merger of the old Ministry and Department for Courts.

In accordance with the Public Finance Act 1989, this Annual Report presents:

Te Tāhū o te Ture – Ministry of Justice

This document includes information about the Ministry's operations and performance for the 2022/23 financial year.

The Office for Māori Crown Relations – Te Arawhiti (Te Arawhiti)

Te Arawhiti was established on 1 January 2019 as a departmental agency hosted by the Ministry of Justice.

The Ministry of Justice Annual Report includes consolidated financial statements as well as the non-financial performance measures for Te Arawhiti.

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This annual report is presented to the House of Representatives in accordance with section 44(1) of the Public Finance Act 1989.



MINISTRY OF
JUSTICE
Tāhū o te Ture

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Introduction from the Secretary for Justice



It has been another busy year for Te Tāhū o te Ture, The Ministry of Justice, delivering court and justice services as we work to strengthen people's trust in the law of Aotearoa New Zealand. Everything we do contributes to this purpose, strongly focused on people and communities, and key to our updated Statement of Intent.

On top of regular mahi, the pandemic's long tail continued to put pressure on staff and the organisation. As well, the Auckland floods, Cyclone Gabrielle and other adverse weather events affected courts, communities and staff. I am grateful they rose so well to this challenge.

These events, alongside later guilty pleas, more adjournments and increased jury trial elections, exacerbated delays and backlogs in the courts and tribunals system. The issues are complex and sector wide. The solutions need to come from the sector working together.

To this end, we have been working closely with the judiciary, our justice sector agency partners and the legal profession. We have progressed the Criminal Process Improvement Programme to reduce pressure in the District Court and welcomed increased legal aid investment. Alongside other justice sector agencies we have reallocated resources towards the Police Prosecution Service recognising the part they play in an efficiently run court system.

In part, the delays we are experiencing in the justice system today are a consequence of long-term under-investment in courts and tribunals. The last financial year has seen positive steps to address this legacy, including support for Te Au Reka, a programme to provide a modern digital case management solution. Budget 22 supported other IT investment, including the first phase of our Digital Strategic Plan, focused on strengthening our digital foundations so we can build modern digital services.

On the property front, new court builds are underway in Tauranga and Whanganui, and seismic strengthening work is progressing in Wellington, Auckland and Hamilton. There is, however, much more to do. We have purchased land for new courts in Waitākere, Papakura and Rotorua and look forward to working with Ministers on how and when to progress this work.

For our people, in January we were pleased to settle collective agreements with the Public Service Association. This included taking important steps towards addressing long-standing systemic issues in the Ministry's pay structure.

We recognise that better solutions will come from more community involvement. Under the judicially-led Te Ao Mārama model we are partnering to progress whānau-centred design and development of wraparound court services with some great results, for example in Kaitiāia.

In the interests of all New Zealanders, we are progressing an engagement approach with Māori in the justice system that reflects Te Tiriti o Waitangi partnership, improves outcomes for whānau Māori, and recognises the need to address the disproportionate representation of Māori in the criminal justice system. This included working directly with iwi in relation to specific programmes, and engaging with Ināia Tōnu Nei and the National Iwi Chairs Forum.

We continued to deliver on our commitment to Te AorereKura – Aotearoa's National Strategy for the Elimination of Family Violence and Sexual Violence. This valuable, multi-agency work, in partnership with tangata whenua, specialists and communities, is helping strengthen families, whānau and communities.

Under the Better Outcomes for Victims work programme, we were part of the cross-agency group developing three 2023/24 pilots to help improve victims' experiences of the criminal justice system.

We appreciate the need to underpin our work with evidence. In June we published the fifth cycle of the New Zealand Crime and Victims Survey. Key findings, consistent with previous years, show that adults experiencing crime are significantly more likely to either identify as LGBT+, be separated or divorced, or be Māori. The research also confirms that victims often come from the same complex backgrounds as offenders.

On the policy front, we worked with Ministers to progress 26 bills through the House, on topics as diverse as anti-money laundering, counter-terrorism, electoral reform, and human rights.

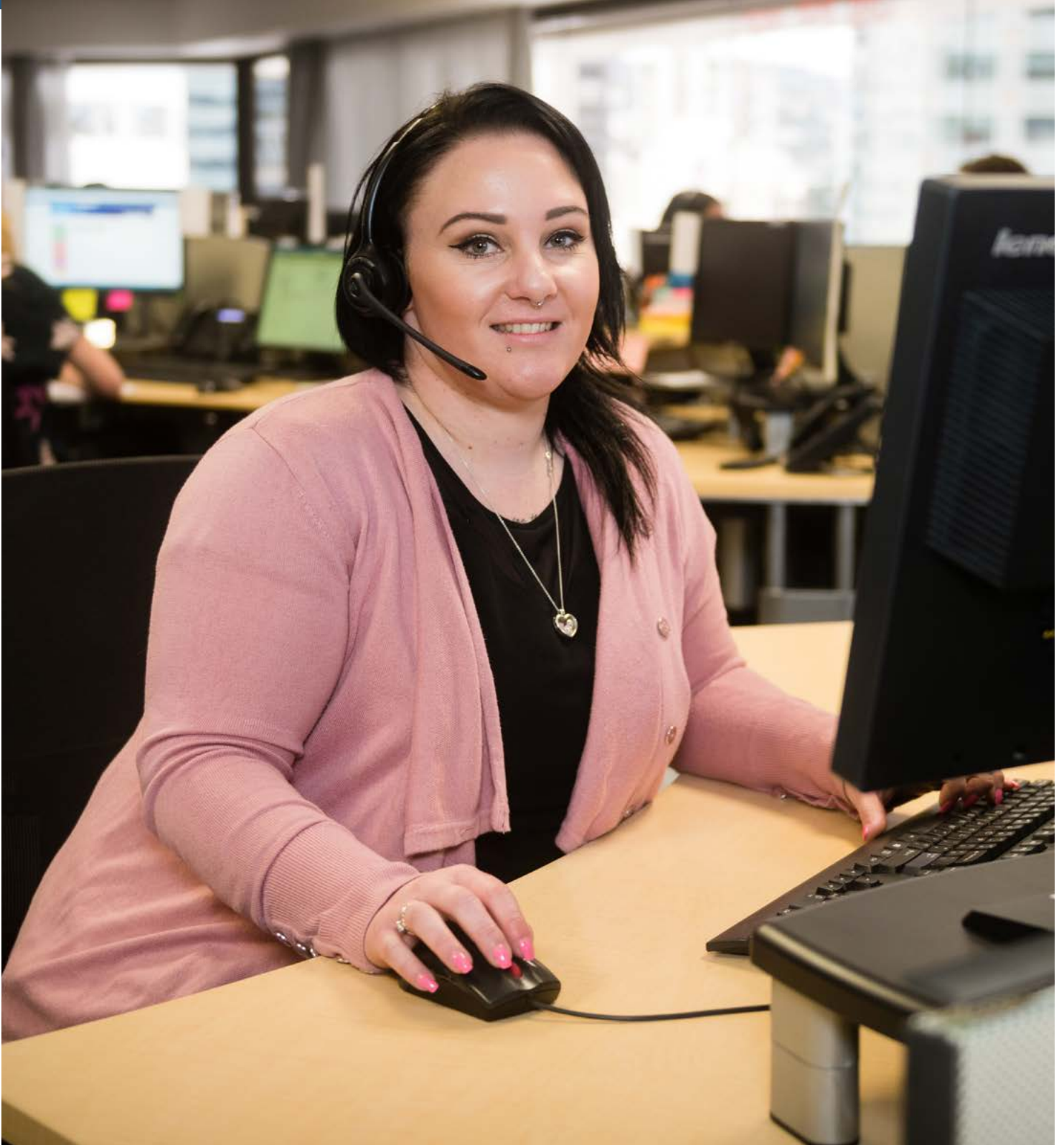
With responsibility for over 150 separate pieces of legislation, organised into over 50 regulatory systems, we recognise the importance of building an effective, regulatory stewardship function. We have a small team focused on this, working with stakeholders to identify gaps and problems in the law and pursuing a programme of continuous improvement. We recognise both the distance we must travel with limited resources and the importance of making the journey to be a strong, regulatory steward.

In July 2023 we welcomed the new Minister of Justice, Hon Ginny Andersen, to work alongside the Associate Minister, Hon Dr Deborah Russell, Minister for Courts, Hon Rino Tirikatene and the Minister for Prevention of Family and Sexual Violence, Hon Marama Davidson. I acknowledge with appreciation Hon Kiritapu Allan for her contributions as Minister of Justice and Hon Aupito William Sio for his contributions as Minister for Courts.

In closing, I want to thank our kaimahi, working every day to deliver for New Zealanders in a justice system full of challenges. We continue to work to ensure Te Tāhū o te Ture is a place where our people feel connected, valued and part of a strong and positive culture, collectively working to strengthen people's trust in the law of Aotearoa New Zealand.

Andrew Kibblewhite
Secretary for Justice
Pou Whakarae mō te Ture

Section One



Who we are and what we do

Te Tāhū o te Ture - Ministry of Justice is unique in the way we operate. We are the only agency in the public service that works across all three branches of government. We serve and support the executive, the legislature, and the independent judiciary. These three branches of government also operate independently from one another, a principle known as the 'separation of powers'.

Our commitment to Te Tiriti o Waitangi/ Treaty of Waitangi

Te Tiriti o Waitangi/Treaty of Waitangi is fundamental to Aotearoa New Zealand's constitutional arrangements. It establishes and guides the relationship between the Crown in Aotearoa New Zealand (embodied by our government) and Māori.

Te Tāhū o te Ture - Ministry of Justice is committed to honouring our Tiriti responsibilities and continues to partner with Māori, and increase our own understanding and capability in te ao Māori and mātauranga Māori to improve justice outcomes for Māori.

Advising the government of the day

Our role is to serve the government through the provision of advice on Aotearoa New Zealand's justice system, including the laws and practices relating to the constitutional arrangements and exercise of public power by state institutions. For example, we:

- provide policy advice, informed by Māori perspectives, to the government of the day on all areas of the justice portfolio
- provide advice on other agencies' policy work, including the Offence and Penalty vetting process to ensure offences and penalties are appropriate and consistent
- provide constitutional advice to the government of the day
- ensure proposed legislation meets the requirements of the New Zealand Bill of Rights Act 1990, and advise the Attorney General whether Bills are consistent with the Act
- monitor and support independent Crown entities, such as the Privacy Commissioner and the Human Rights Commission to uphold human rights

We also monitor the following Crown entities to ensure they undertake their statutory functions, meet government expectations, and responsibly spend public funds:

- Te Kaitiaki Take Kōwhiri - Electoral Commission
- Te Kāhui Tika Tangata - Human Rights Commission

- Mana Whanonga Pirihimana Motuhake - Independent Police Conduct Authority
- Te Mana Matapono Matatapu - Office of the Privacy Commissioner
- Te Aka Matua o te Ture - Law Commission
- Te Kāhui Tātari Ture - Criminal Cases Review Commission
- Te Mana. Papawhenua - Real Estate Authority (Crown agent).

These Crown entities contribute to a variety of justice sector outcomes, including protecting human, indigenous, constitutional, and privacy rights, and strengthening Aotearoa New Zealand's international reputation in areas of transparency and accountability. Consequently, their work aligns well with our commitment towards a fair and safe Aotearoa New Zealand. In 2022/23:

- Mana Whanonga Pirihimana Motuhake - Independent Police Conduct Authority published its report into the "Review of the Policing of the Protest and Occupation at Parliament 2022"
- Te Kaitiaki Take Kōwhiri - Electoral Commission ran the Hamilton by-election
- Te Kāhui Tātari Ture - Criminal Cases Review Commission made its first referral of a case to an appeal court within 3 years of establishment.

Further information on the achievements of these entities in 2022/23 can be found in their annual reports.

Supporting an independent judiciary

The judiciary is responsible for the independent exercise of judicial power and for the orderly and efficient conduct of court business. The administrative support we provide sees us working with the judiciary to uphold the integrity of the courts and tribunals as independent bodies, and includes:

- delivering administrative court services to the Supreme Court, Court of Appeal, High Court, District Court, and Specialist Courts. We also provide support to 27 tribunals in Aotearoa New Zealand
- looking after court safety and participants in court proceedings
- carrying out criminal conviction history checks
- supporting the collection of fines (including victim reparations), the enforcement of civil debt, and the recovery of legal aid debt

- being accountable for the expenditure of public funds needed to administer the courts system
- enabling access to justice
- supporting measures to enhance the efficiency and effectiveness of the courts.

Providing a range of justice services

We have more than 4,000 people who work in around 100 different locations around the country delivering justice services, which include:

- providing legal help to people charged with criminal offences through the Public Defence Service, the largest criminal law practice in Aotearoa New Zealand
- administering the legal aid system which pays for legal help for people who can't afford a lawyer
- carrying out criminal conviction history checks, helping employers make informed decisions.

Leading the justice sector

Te Tāhū o te Ture – Ministry of Justice is charged with leading and coordinating the justice sector, which is made up of:

- Te Tāhū o te Ture – Ministry of Justice
- Ara Poutama Aotearoa – Department of Corrections
- Ngā Pirihimana o Aotearoa – New Zealand Police
- Oranga Tamariki – Ministry for Children
- Te Tari Ture o te Karauna – Crown Law Office
- Te Tari Hara Tāware – Serious Fraud Office.

We work closely with our sector partners to deliver quality services to participants in the criminal justice system. We do this through:

- progressing our assigned obligations in government-led initiatives such as the Child and Youth Wellbeing Strategy and Te Aorerekura (the government's national strategy for eliminating family violence and sexual violence)
- publishing the New Zealand Crime and Victims Survey and other justice sector data to inform the sector's work.

We also support the Justice Sector Leadership Board (JSLB), comprised of justice sector chief executives and chaired by the Secretary for Justice. The JSLB, along with associated committees (also supported by our Ministry), is responsible for coordinating major change programmes across the justice sector, improving services and managing investment to achieve collective goals expressed in its Strategic Plan.

The JSLB has considerable ambitions for continued transformation across the sector. To support these ambitions, the JSLB established a Sector Directorate in April 2022. The Sector Directorate provides support and leadership with a clearer focus and better-defined functions. The Directorate looks to strengthen the justice sector's ability to collaborate and hone strategy, performance and investment; this includes leading the Justice Budget Cluster work and the first justice sector Long Term Insights Briefing.¹

Hosting responsibilities

We are the host of the departmental agency, Te Arawhiti, Office for Māori Crown Relations, and the servicing department for Te Puna Aonui, the Executive Board for the Elimination of Family Violence and Sexual Violence.

Our funding

The Ministry of Justice administers appropriations under three votes: Vote Justice, Courts, and Te Arawhiti.

Departmental

The Ministry is responsible for providing services under departmental appropriations in the 2023/24 financial year as follows:

Vote Courts: a total of nearly \$648 million. This includes a total of nearly \$590 million relating to services from the Ministry that support the work of courts, tribunals and other authorities and a total of over \$58 million on the collection and enforcement of fines and civil debts services.

Vote Justice: a total of nearly \$172 million. This includes:

- a total of over \$77 million for public defence services and the administration of legal services
- a total of over \$55 million for the provision of justice policy advice and sector leadership
- over \$39 million for the Justice and Emergency Agencies Property and Shared Services.

The Ministry also has over \$106 million for departmental capital expenditure for the purchase or development of assets by and for the use of the Ministry of Justice.

Vote Te Arawhiti: a total of nearly \$56 million. This includes:

- a total of over \$39 million to support settling historical Treaty of Waitangi claims and determining customary interests in the takutai moana marine and coastal areas
- over \$14 million for strengthening Crown capability and supporting significant events that demonstrate and strengthen the Māori Crown relationship; and
- over \$2 million for the costs associated with the Wakatū Litigation.

¹Long-term Insights Briefings are a government initiative requiring agencies to develop and share insights on trends, risks and opportunities in order to identify and explore the issues that matter for the future wellbeing of the people of Aotearoa New Zealand.

Non-departmental

The Ministry incurs non-departmental expenses on behalf of the Crown.

The Ministry is responsible for non-departmental appropriations in the 2023/24 financial year as follows:

Vote Courts: a total of over \$342 million. This includes:

- a total of nearly \$180 million for salaries and allowances for judges, coroners, community magistrates and other judicial officers as set under legislation
- nearly \$149 million on professional and administrative services provided to or directed by courts and coroners, including costs that are required by legislation
- a total of nearly \$14 million on tribunal-related fees and expenses and other support associated activities.

Vote Justice: a total of nearly \$541 million. This includes:

- nearly \$293 million for legal aid services;
- a total of over \$129 million provided to Crown entities for advice and promotion services;
- a total of over \$65 million for community justice support and assistance services and tangata whenua-led whānau and community wellbeing initiatives;
- nearly \$39 million for transfer of seized assets to other governments; and
- nearly \$14 million for impairment or write down of Crown assets.

Vote Te Arawhiti: a total of nearly \$62 million for annual appropriations. This includes:

- \$35 million for Crown contributions to support the delivery of redress arrangements in specific circumstances;
- over \$12 million for financial assistance to applicants to support determining customary interests in the takutai moana marine and coastal area
- over \$8 million for claimant funding to support the settlement of historical Treaty of Waitangi claims
- \$3 million for Māori community engagement in responses to Cyclone Gabrielle;
- over \$2 million for the operations of Ngāpuhi Investment Fund Limited, and
- a total of nearly \$3 million for other activities including acknowledging and support understanding of Matariki.

Vote Te Arawhiti also includes a multi-year appropriation of \$1,400 million for the four-year period from 2022 - 2026. This appropriation is for the settlement of historical Treaty of Waitangi claims and provides for the payment of redress through the transfer of assets (cash and property) from the Crown to claimant groups and for the payment of interest on the settlements.

Our mahi



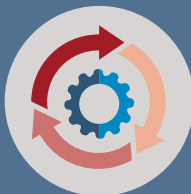
40,042 clients were assisted with legal advice, assistance, and representation by Community Law Centres in 2022/23.



45,324 victims were assisted by Victim Support in 2022/23 and 4,675 victims received grants through the Victim Assistance Scheme in 2022/23.



We monitor the performance of seven Crown entities.



We deliver change to achieve Ministry objectives which involves commissioning, designing and improving our services.



We support the judiciary to deliver court services for the Supreme Court, Court of Appeal, High Court, District Court and Specialist Courts. We also provide support to tribunals and authorities in New Zealand.



We develop justice policy - advising on legislation and supporting our Ministers.



596,826 criminal conviction history checks were processed in 2022/23.



We administer legal aid - helping people who can't afford a lawyer to get legal advice and representation. We processed 80,488 legal aid applications in 2022/23.



We produce and publish the New Zealand Crime and Victims Survey and other justice sector data.



We collect fines, reparations and infringements and civil and legal aid debt. We collected over \$172M in fines in 2022/23.



We support and manage the Public Defence Service (PDS) - Aotearoa New Zealand's largest provider of criminal legal aid cases.



1,052,414 calls to our contact centres:

- 462,555 to Registry
- 573,071 to Collections
- 16,788 to Legal Aid Debt

Tūmatakahuki - our strategy 2019-2022

Our strategy is named Tūmatakahuki – within the whare, the stories and the identity of the iwi are shown through the carvings, the kōwhaiwhai patterns and the tukutuku panels. Tūmatakahuki is the first binding stitch that begins the tukutuku panel weaving.



Our purpose

Our purpose is working together for a fair and safe Aotearoa New Zealand. This guides what we do every day.

Our priorities

Our priorities show both the shorter- and longer-term opportunities and challenges we face to make Aotearoa New Zealand a better place for everyone.

Focusing on our culture as a Ministry is equally important to us. It is key to us that our people are proud to work at Te Tāhū o te Ture – Ministry of Justice, and that they are given the tools they need to succeed. Our commitment to honour our responsibilities to Māori is not just about projects that directly contribute to this priority, we see this as a commitment across everything we do.

This report presents our achievements and progress across these priorities in 2022/23.

Measuring impact

We are committed through our own work, and through our work with the justice sector to achieving positive outcomes for New Zealand. The Ministry cannot control these outcomes, but we do play an important leadership role across the sector to shape, guide and influence their achievement. The outcome-orientated indicators we use, and the desired trends we seek to achieve are presented below and throughout this report.

Aotearoa New Zealand’s World Justice Project Ranking²

The World Justice Project (WJP) is an international non-profit organisation that works to advance the rule of law around the world. The WJP Rule of Law Index[®] is the WJP’s flagship project, and it is a global measurement of the rule of law based on eight universal principles:

- constraints on government powers
- open government
- order and security
- civil justice
- absence of corruption
- fundamental rights
- regulatory enforcement
- criminal justice

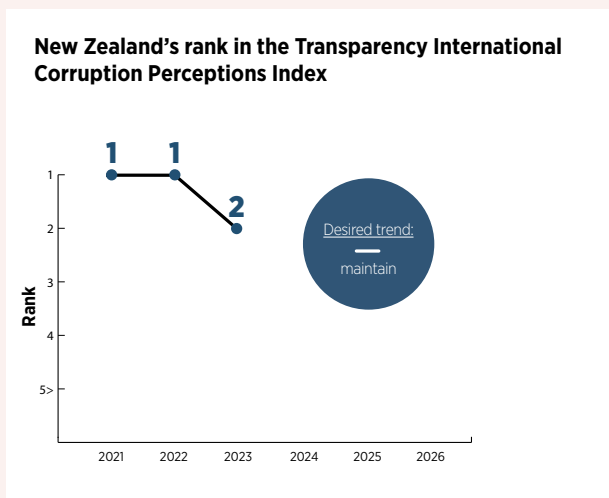


Credit: World Justice Project (worldjusticeproject.org)

The 2022 WJP Rule of Law Index[®] evaluated 140 countries and jurisdictions around the world, providing a unique comparison analysis of how well countries adhered to these principles. Aotearoa New Zealand has maintained an overall score against these principles of 0.83 for the last three financial years. In 2022/23 it ranked seventh out of the 140 countries evaluated.

Read more about the WJP Rule of Law Index[®] at [worldjusticeproject.org: https://rb.gy/xa3zd](https://rb.gy/xa3zd)

Aotearoa New Zealand’s Corruption Perceptions Index Ranking



The Corruption Perceptions Index (CPI) is the most widely-used global corruption ranking in the world. Because it combines many different manifestations of corruption into one globally comparable indicator, it provides a more comprehensive picture of the situation in a particular country than each source taken separately.

The CPI ranks 180 countries and territories around the world by their perceived levels of public sector corruption according to experts and business people:

- a country’s score is the perceived level of public sector corruption on a scale of 0-100, where 0 means highly corrupt and 100 means very clean. At the end of 2022/23, Aotearoa New Zealand’s score was 87.
- a country’s rank is its position relative to the other countries in the index (at the end of 2022/23, Aotearoa New Zealand ranked 2).

Read more about the Corruption Perceptions Index at [transparency.org: https://rb.gy/4d4yy](https://rb.gy/4d4yy)

²The Statement of Intent measure “Percentage of New Zealanders who are confident (completely or fairly) that the criminal justice system as a whole is effective” was based on a question in the New Zealand Crime and Victims Survey; that question was only included in a single cycle of the survey, preventing us from collating end-of-year results beyond that year. We have used New Zealand’s ranking on the WJP Rule of Law Index as an alternative measure.

Looking ahead

In 2021/22 we began reflecting on the success of Tūmatakahuki, the good work delivered since the strategy's creation, and how it would need to change to remain effective and up to date. As a result, we refreshed our strategy in 2022/23. We introduced a new purpose statement; to strengthen people's trust in the law of Aotearoa New Zealand. We consolidated the 11 strategic priorities to seven, to provide greater focus and clarity to our strategic direction for the next four years. Two priorities ("Improve justice outcomes for Māori" and "Build a Ministry where all our people thrive") are woven through the other priorities, reinforcing their importance as we work to progress the refreshed strategy.

Our values

While our strategy was refreshed in 2022/23, the values that underpin it remain unchanged. They continue to underpin everything we do – the actions we take, the decisions we make and the relationships we build. Our success is not just about what we do; it is about how we do it – with respect, integrity, service and excellence.

Click here to learn more about these values:

<https://bit.ly/3dhJ6fu>



Section Two



Our key achievements

Maintaining the integrity of the courts and tribunals³

A strong and effective justice system ensures laws are upheld, enabling people to live their lives confident that they are safe and their rights will be protected. It is therefore vital that New Zealanders have full trust in our institutions. We aim to maintain and build that trust by enabling our courts and tribunals to provide services that:

- are easy to access and navigate
- are simple to understand
- don't create unnecessary delay or stress.

We are improving how we manage our operations, using data and information more effectively, and successfully managing facilities and security. Across all this, we work closely with the judiciary through the courts to serve communities across Aotearoa New Zealand.

Maintaining access to courts during Cyclone Gabrielle

All Ministry sites in the Tairāwhiti and Hawke's Bay regions were affected in some way by Cyclone Gabrielle, which affected parts of the North Island from 5 – 11 February 2023. This included the Gisborne and Napier High and District Courts, the Hastings District Court, the Ruatoria, Wairoa and Waipukurau Hearing Centres, along with the Hastings and Gisborne Māori Land Courts.

A local state of emergency was put in place in the Tairāwhiti and Hawke's Bay regions, with priority proceedings in District Courts completed and most non-priority work adjourned and rescheduled. All defendants in custody were prioritised and heard on the day they were scheduled to appear.

To the maximum extent possible, and to avoid the need for people to attend court in person, the courts used remote participation to hear priority cases. While the District Court faced significant challenges, the High Court was not as affected by either the flooding or Cyclone Gabrielle. No High Court trial dates in Auckland were impacted by the floods.

On 23 February, the Chief Justice announced that there were to be no jury trials in Tairāwhiti and Hawke's Bay until after Easter weekend. Jury trials resumed on 17 April 2023 in the Gisborne District Court and on 8 May 2023 in the Napier District Court.

Nationally, between 13 February and 23 February, courts operated at 94% of the normal level, completing 22,559 court events. However, courts impacted by Cyclone Gabrielle operated at 87%, completing 10,592 court events. This is a tribute to the commitment by the judiciary and the staff in those affected regions.

In total, 23 courts needed to implement local solutions, 12 of which were completely closed on at least one of the days between Monday 13 to Wednesday 22 February due to Cyclone Gabrielle.

Supporting and prioritising victims

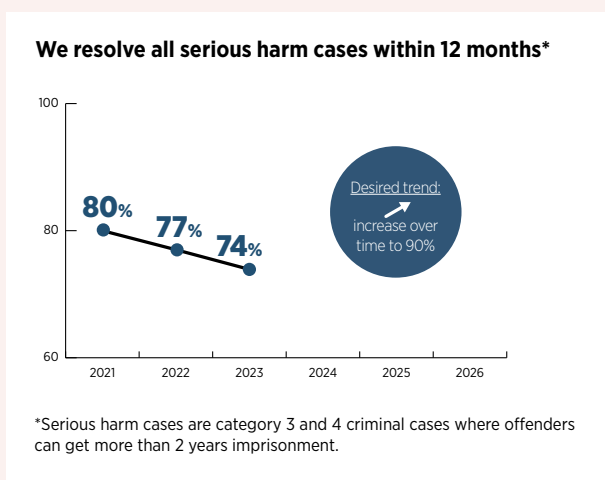
General Support

Increased investment for supporting victims

The Victim Assistance Scheme (VAS) provides practical and financial help in the immediate aftermath of victimisation and supports victims' participation in the justice system. Victim Support administers the scheme on behalf of the Ministry. Each year, the scheme distributes grants to families bereaved by homicide, and victims of sexual violence and other serious crime.

Measuring impact

Serious harm cases are category 3 and 4 criminal cases where offenders can get more than two years imprisonment.



The number of new category 3 and 4 cases coming into court has increased significantly over the years. At the same time, external factors such as COVID-19 and extreme weather events have contributed to an increasing backlog of cases. The three main drivers of the increase in new category 3 and 4 cases are later guilty pleas, increased jury trial election and increased adjournment rates.

³We report on the trust in the courts using the New Zealand General Social Survey. Results are available on page 177.

Budget 2022 provided approximately \$4.1M per year to increase the number of victims who could access the VAS by enabling the Ministry to implement changes to further improve accessibility and increase uptake for victims of serious crime. This funding is from 1 July 2023. In April 2023, Cabinet agreed to a further increase. An additional \$2.2M was added to the VAS appropriation, to a total of \$10M from 2023/24 and outyears. This was to enable Victim Support to continue to promote VAS, to support more victims and introduce improvements.

By the end of 2022/23, the number of victims who received grants had grown from 3,211 in the previous financial year to 4,675. This was due in part to the increased funding, changes to the eligibility criteria and increased promotion of the VAS.

Helping victims navigate the justice system

In 2011, we were given the responsibility of establishing and operating the Victims Centre (the Centre) to provide information to victims of crime, helping them understand and navigate the criminal justice system and access the support and services they need. Since its introduction, the Centre has created a website relating to navigating the justice system and a complaints email inbox, which forwards complaints to relevant agencies or to our internal official correspondence team. The Victims Information website:

- helps victims of crime, and their whānau or friends deal with the practical and emotional effects of a crime
- provides victims of crime with an understanding of the justice system, how its various components operate and who can help them at various stages of the process (i.e. Police investigations, Courts, Parole, etc)
- provides links to translated publications, details on making complaints to each agency or to the Centre and is a crucial hub for support professionals and service providers.

In 2022/23, a total of 22,869 viewers accessed the site (an 87.2% increase from the previous financial year), resulting in 47,609 views (an increase of 70.4% from the previous financial year). The most downloaded document on the website is the Victims Code⁴, which provides a summary of the rights of victims of crime and a set of principles to guide how victims are treated. It also summarises how victims can complain should their rights not be upheld, or their treatment not be in line with the principles of the Code.

In 2022/23, the Victims Information and the Ministry of Justice websites were added to the Zero Data portal. This gives the public free mobile device access to key websites relating to health, justice and other sectors. By accessing the websites through the Zero Data link (promoted on printed and digital information for the public) people can browse for free without using their data or incurring expense. This makes victims' rights and information more accessible and removes barriers to further support.

Supporting victims in the courts

Understanding victims' perspectives on restorative justice

Restorative justice is a community-based approach to responding to crime that aims to hold offenders to account for their offending and, to the extent possible, repair the harm caused to the victims and community. It aims to give victims a voice in the criminal justice system and may enable them to receive answers, apologies and reparation. Participation in restorative justice is voluntary and usually involves a facilitated face-to-face meeting between the victim(s) and offender(s). We contract 23 providers to deliver restorative justice services at every District Court. Providers are responsible for delivering standard and family violence restorative justice services. We also contract with Project Restore who are responsible for national delivery of specialist restorative justice services for sexual violence.

We use a restorative justice Victim Satisfaction Survey to ensure the service remains an appropriate and flexible mechanism for New Zealanders. This also measures victims' experiences of, and satisfaction with, the restorative justice processes we fund.

The 2023 survey was undertaken in 2022/23 with 371 interviews taking place with victims or their representatives. The overall satisfaction of victims who took part in a pre-sentence restorative justice conference rose from 76% in 2021 to 79% this year, but remains below the 80% and 84% satisfaction rates from 2016 and 2018 respectively. However, 84% of participants reported that they would recommend restorative justice to others, up from 78% in 2021 and in line with the previous highest response in 2018.

Enhancing the value of restorative justice

In 2022/23 we also released a findings report on a review of restorative justice that started in 2021/22. The review's purpose was to find the strengths and weaknesses of the restorative justice service, as well as to provide recommendations on how the service can be improved to better meet its purpose.

The review included interviewing and surveying several people from groups including restorative justice participants, court kaimahi, service providers, police, lawyers, members of the Judiciary, and kaupapa Māori service providers. Key findings included:

- restorative justice participants praising the facilitators as knowledgeable and describing how the process helped to restore their emotional wellbeing
- the service provides an opportunity for remorse to be expressed to victims in a face-to-face setting, as well as helping those involved understand why the offending took place and the wider effects of this
- sector agency people reporting encouraging outcomes when participants and victims use the service, including the opportunity to provide healing and closure for the victim.

The review also explored some common barriers to the service:

- a lack of promotion can lead to participants not knowing about it

⁴The Victims Code is a simplified version of the Victims Rights Act 2002 (the Act). In 2009, Te Tāhū o te Ture - Ministry of Justice carried out a review of victims' rights. The review sought feedback on enhancing victims' rights in the criminal justice process and improving access to support services. The review found that victims of crime were confused by criminal justice processes and found it difficult to access information about the criminal justice system. Victims were also generally unaware of their rights and how to access support services. As a result, amendments were made to the Act in 2014 that included the requirement that the Secretary of Justice develop and implement a Victims Code. The Victims Code was launched in 2015.

- more information needs to be readily available and easily accessible for participants and the public, so they can understand what restorative justice is, both in concept and what the service involves
- there are several different sources for participants to learn about the service, rather than one main source of information, potentially contributing to participants' confusion or misunderstanding about the service.

The findings report included several recommendations to address the need for greater information on the service, as well as increased funding, training and resourcing, and greater flexibility around the timing of the service.

**Read the full report at [justice.govt.nz](https://shorturl.at/xGIJS):
<https://shorturl.at/xGIJS>**

Responding to increased demand for coronial services

Coroners are independent judicial officers who investigate unexpected, violent, or suspicious deaths to determine their causes and provide recommendations on how similar deaths may be prevented in future.

Demand for coronial services has been growing. With over 6,000 active cases in the coronial system, some families wait years to receive the coroner's findings about the death of their loved one. This adds to the grief and stress they are already facing. The key drivers of these delays are understood to be the increasing volume of non-inquiry cases (mostly natural cause deaths) being referred to the coroner and the high number of cases on hand, with coroners consistently receiving more cases than they close.

In 2022/23, the Ministry received Budget 2022 operational funding of \$28.5M and \$1.6M of capital funding over four years. A coronial work programme has also been established, with a focus on implementing new roles and improving processes in response to the increasing workload.

Improving workflow and capability

The Coroners Amendment Act 2023 came into effect in 2022/23. It is set to reduce the time it takes for certain cases to move through the coronial process. This includes the introduction of a new Coronial Associate role to maximise existing coroner resources.

A Chief Clinical Advisor was appointed to establish a multidisciplinary clinical advisory team. Its aim is to improve the medical knowledge available to the duty coroners to support their decisions when considering jurisdiction. Clinical advice will help ensure only deaths that require coronial investigation are reported to the coroner. There will also be an opportunity to use clinical knowledge in the investigation stage to assist with case progression.

The number of straightforward natural deaths reported to the coroner is expected to decline due to the introduction of an online 'report to coroner' form and supporting guidance materials. Medical practitioners can use these resources to help decide whether to refer cases to coroners.

Improving the coronial experience for whānau

We are implementing a range of interventions to prevent families and whānau from unnecessarily engaging with coronial services and decrease the time it takes for families and whānau to receive coronial findings when a coronial investigation is required.

This has seen us deliver tikanga training to coronial staff and first responders to enable staff to be more responsive and engaged with whānau during the coronial process. A new 'First Stages of the Coronial Process' video on the Ministry's public website gives whānau clear information and guidance to support their decision-making in the coronial process.

Providing sector leadership and policy stewardship

We lead an integrated justice sector through strong sector governance, shared ambition and knowledge. Everyone has a stake in our justice system, and we all benefit when it works effectively. We work closely with our justice sector partners – Ngā Pirihimana o Aotearoa - New Zealand Police, Ara Poutama Aotearoa - Department of Corrections, Oranga Tamariki, Crown Law Office and Serious Fraud Office – to make Aotearoa New Zealand safer and to deliver accessible justice services and better outcomes for all New Zealanders.

We also work with our ministers and across the wider public sector to ensure our policies and laws allow us to deliver critical services, support our core democratic settings and make a significant difference in the everyday lives of New Zealanders.

We support our ministers and the priorities of the government of the day through free and frank advice, while also maintaining the capability to do the same for future ministers and governments. We design policies and programmes to improve the long-term wellbeing of New Zealanders. This means anticipating future issues and proactively offering advice on the issues we think matter the most.

Modernising investment in the criminal justice sector

New Zealand's public finance system has a high level of transparency and accountability by international standards, but the New Zealand Treasury sees opportunities to create a more modern, agile, flexible, innovative and joined-up public sector through its reform.

The government has responded accordingly, establishing two cluster pilots in the lead-up to Budget 2022 as part of the work programme to modernise New Zealand's public finance system. The objectives of the cluster pilots include:

- ongoing collaboration around agreed priorities through joined up working to achieve better spending and outcomes
- managing within the Budget 2022 multi-year spending package
- improved performance reporting.

We are participating in the justice cluster pilot, along with four other Justice agencies (Ara Poutama Aotearoa – Department of Corrections, Ngā Pirihimana o Aotearoa - New Zealand Police, Te Tari Ture o te Karauna - Crown Law, and Te Tari Hara Tāware - Serious Fraud Office). The justice cluster pilot has four key priority areas identified by cluster Ministers with the goal of improving the performance of the criminal justice system, including the experiences of those who interact with it. We are contributing to three of these areas and our progress with those contributions is detailed elsewhere in this report:

<p style="text-align: center;">Addressing issues with remand</p> <p>The number of people being remanded in custody and the average time they spend on remand has been on an upward trend. Remand prisoners now account for more than 37% of the total prison population, even more so for women. Getting people started on a pathway to wellbeing early is important. The sector recognises that there are many opportunities early in people's contact with the justice system, which can be used to divert people away from prison or improve the chances of a shorter time there.</p>	<p style="text-align: center;">Improving access to justice</p> <p>There are many reasons why justice can be hard to achieve, or where the pursuit of justice can cause further harm. Barriers can arise from the means or resources available to a person in the system (including access to lawyers through legal aid) and can also be issues within the system itself (e.g. backlog of court proceedings). Some immediate challenges that delay or reduce access to justice for people currently, and in doing so can cause further harm, arise from court delays or inefficient and risky paper-based or manual court proceedings.</p>
<p>Our contribution is through the Criminal Process Improvement Programme. It aims to improve processes in the criminal jurisdiction of the District Court to ensure all participants are fully prepared to meaningfully progress or resolve a case at the scheduled hearing.</p> <p>This will reduce unnecessary adjournments and delays and will address the increasing backlog of cases in the criminal jurisdiction of the District Court.</p> <p>Our progress in 2022/23 is covered on page 26.</p>	<p>Our contribution is through:</p> <ul style="list-style-type: none"> • Te Ao Mārama, which envisages participants, victims, and whānau feeling seen, heard, understood and able to meaningfully participate and overtime reoffending will be reduced. Our progress in 2022/23 is covered on page 21 • Te Au Reka (Caseflow Management⁵) to assist in reducing risky, manually intensive processes, enable modern and effective case management, and make it easier for all New Zealanders to interact with the court system and know what is happening. Our progress in 2022/23 is covered on page 28 • Strengthening legal aid to enable more people to access the scheme and receive legal advice to resolve their legal problems, while encouraging lawyers to continue providing the service. It will also make repayments more equitable, by reducing requirements for low-income and vulnerable New Zealanders. Our progress in 2022/23 is covered on page 27.
<p style="text-align: center;">Better outcomes for victims</p> <p>The experience and needs of people who have been harmed have traditionally been overlooked by the justice system. Research confirms that victims often (but not always) come from the same complex backgrounds as offenders and can be in personal crisis at the time they interact with the system. The response to this challenge must recognise the experience and needs of victims throughout the entire system pathway.</p>	<p style="text-align: center;">Better enabled organisations and workforces</p> <p>To deliver the outcomes desired in a future state criminal justice system, a focus will be to better enable agencies' frontline workforces to improve frontline capability. This will support achieving better safety and wellbeing for staff, including readiness, support and training.</p>
<p>Our contribution is through a broader work programme that includes:</p> <ul style="list-style-type: none"> • three multi-agency pilots due to start soon to make improvements to the victims experience focusing on victims' views on bail applications, victims' safety plans, and child victims of sexual violence • additional funding for Victim Support and the Victim Assistance Scheme (refer to page 11) • immediate and long-term reviews of policy and legislative settings for victims • leading the Victims of Crime: Improving Outcomes (Victims Strategy and Operating Model) initiative • review the entire victim operating model across multiple agencies. <p>In 2022/23, this has seen each justice sector agency considering their interactions with victims directly at the operational level – where rights and the principles of treatment and wellbeing set out in the Victims' Rights Act are actually delivered and experienced by people.</p>	<p>Refer to the annual reports for Ara Poutama Aotearoa – Department of Corrections and Ngā Pirihimana o Aotearoa – New Zealand Police for updates on initiatives under this priority.</p>

⁵This initiative is funded out of Budget 2022 but outside of Justice Cluster funding envelope.

Supporting the Sector

Justice Sector Projections

In 2022/23 we delivered the 'Justice Sector Projections 2022-2032' to provide key insights for the future resourcing of courts and prison capacity planning. These projections noted the increase in the remand population in the second half of 2022 and projected a long-term increase due to people spending longer in remand. This is due in part to cases taking longer to be resolved in court as more events are adjourned, defendants are pleading guilty later in the process and jury trials are elected at a higher rate.

However, several initiatives are already in place, and several more are planned, to combat delays in courts. They include:

- the High Impact Innovation Programme's Bail Support Services⁶ which supports people with applying for bail and adhering to bail conditions. People who engage with the service are more likely to achieve bail, and less likely to breach their conditions or reoffend
- the Criminal Process Improvement Programme (CPIP) initiative is also designed to establish better ways of working within the court system and improve timely access to justice to reduce people's time on remand.

Improving expenditure and investment in the criminal justice sector

The Proceeds of Crime Fund

One of the ways we help improve expenditure and investment in the justice sector is by administering contestable funds such as the Proceeds of Crime Fund (PoCF). Funding decisions are made by either a cross-agency panel (for agency sponsored initiatives) or by Cabinet (for urgent funding). The PoCF uses monies forfeited to the Crown under the Criminal Proceeds (Recovery) Act 2009 to fund initiatives from eligible public service departments that:

- address the harm caused by organised crime and drug-related harm
- test innovative solutions to complex issues relating to crime-related harm
- enable agencies to build an evidence-based case of what works in addressing crime-related harm.

We have administered the PoCF since 2019. Since then, 43 initiatives totalling \$172.9M have been undertaken. Of this amount, \$70M (four initiatives) approved by Cabinet was funded in the 2022/23 financial year.

Find out more about the PoCF, including a full list of initiatives funded since 1 April 2019, at [justice.govt.nz](https://bit.ly/3QtniMj):
<https://bit.ly/3QtniMj>

Engaging Māori with the criminal justice sector

Our participation in the Justice Sector Leadership Board (JSLB) saw us continue our involvement in a joint work programme led by the Sector Directorate with Ināia Tonu Nei. The programme is specifically focused on criminal justice. In 2022/23, our primary contribution to this programme was our input into a Long-Term Insights Briefing⁷ led by Ara Poutama Aotearoa - Department of Corrections. This briefing used data and insights from the past 60 years to identify what has been driving changes in the prison population. It explored the factors that help keep people out of prison and what this might tell us about possible futures for imprisonment.

Ināia Tonu Nei complemented this work with a companion report outlining their vision for the future and how they see that vision being achieved.

You can read more about the Long-term Insights Briefings at [justice.govt.nz](https://bitly.ws/VA2C): <https://bitly.ws/VA2C>

You can read more about Ināia Tonu Nei's report at [inaiatonunei.nz](https://bitly.ws/VzTj): <https://bitly.ws/VzTj>

Implementing regulatory stewardship in the courts and tribunals systems

Stewardship is about continuous improvement, questioning, and testing whether the systems we have are fit for purpose and can deliver the best value to all New Zealanders. Effective stewardship requires us to be proactive and collaborative, so that regulatory systems adapt to changing circumstances in a timely way.

This sees us taking responsibility for stewarding regulatory systems across seven regulatory areas (courts and tribunals, criminal justice and victims, criminal law, family, civil law, constitutional and occupational regulation). This includes laws relating to our system of representative democracy, our head of state, Te Tiriti o Waitangi - the Treaty of Waitangi, the structure and independence of the courts, and protections for people against unreasonable or unfair exercising of state power.

The courts stewardship team was established in in 2022/23 to develop, test, and implement a best practice approach to regulatory stewardship in the courts and tribunals systems. By the end of 2022/23, the team had established and was progressing a programme of work covering:

- strengthening system fundamentals to ensure everybody sees day-to-day work as part of the broader system. The team developed a stewardship capacity-building module in partnership with the Government Regulatory Practice Initiative (G-REG) with a view to delivering regular stewardship training. The team is also developing a companion guide to help staff adopt stewardship practices in business-as-usual work
- court system mapping to build system knowledge among individuals who perform different regulatory roles across the whole system

⁶This initiative is led by Ara Poutama Aotearoa - Department of Corrections.

⁷Long-term Insights Briefings are a new government initiative to encourage all New Zealanders to think about the future and what will matter most for our long-term wellbeing. They require the public service to develop and share insights on the trends, risks and opportunities that may affect Aotearoa New Zealand.

- implementing a regulatory issues register to monitor where legislation, regulations and policies are not performing well and assess when analysis is required to develop improvements
- establishing a Justice Systems Stewardship Amendment Bill to clarify and update statutory provisions to support regulatory stewardship of the justice system
- leading the Ministry's inter-agency engagement on stewardship initiatives that support the Secretary of Justice's engagement in the Regulatory Stewardship Chief Executives Group.

Our Ministry is responsible for the law underpinning regulatory systems across six other seven regulatory areas – visit [justice.govt.nz](https://rb.gy/sdt2y) to learn more: <https://rb.gy/sdt2y>

Understanding how the justice system can better meet needs

New Zealand Crime and Victims Survey

One of our key sources of insights that can inform justice sector transformation is the New Zealand Crime and Victims Survey (NZCVS). This is the only comprehensive source of data about victims of crime that includes unreported crimes. As such, it is a valuable resource for understanding the nature and level of victimisation in Aotearoa New Zealand.

Now into its fifth cycle, the NZCVS represents interviews with more than 35,000 New Zealanders.

The latest NZCVS is based on interviews with 5,326 randomly selected people between November 2021 and November 2022. It showed:

- a small proportion of New Zealanders (4%) experienced the most crime (56%)
- compared with Cycle 4, the number of victims of interpersonal crime decreased slightly however, the number of offences increased. In Cycle 5, 266,000 adults (6%) experienced 1,211,000 offences compared with 292,000 adults (7%) who experienced 745,000 offences in Cycle 4
- people who identified as LGBTQ+ were the most likely to experience at least one crime (52%), followed by separated adults (45%) and Māori (37%).

In addition to producing the survey, we also share key findings like these with our justice sector partners to better understand the experiences of people who are most affected by crime. This informs future investments and interventions to support victims.

The survey is also used by other agencies and organisations to inform their research and other work:

- Whaikaha – Ministry for Disabled People summarises NZCVS and data from other government agencies as part of its obligations under Article 31⁹ of the United Nations Convention on the Rights of Persons with Disabilities (the Convention)

- disaggregating the NZCVS by disability provided additional evidence for disabled people to be a focus in Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence

We've also used findings in the 'Controlling behaviours and help-seeking for family violence' report⁹, based on NZCVS Cycle 4 (2020/21). It covers New Zealand adults' experiences of controlling behaviours and harm in the context of a close personal relationship (current and previous partners, and other family or whānau members) and their help-seeking behaviours.

Supporting the Chief Victims Advisor

We support the mahi of the Chief Victims Advisor to Government, Dr Kim McGregor. The Chief Victims Advisor is an independent advisor appointed by, and accountable to, the Minister of Justice.

Dr McGregor provides independent advice on justice sector-wide strategies and coordination relevant to victims. This year, with our support, Dr McGregor:

- commissioned and published three research reports – Victim-led Alternative Resolution Pathways, Kaupapa Māori Resolution Pathways and From Bystander to Participant: Recognising and protecting victims by providing legal advice and legal representation – and presented those reports to justice sector ministers
- provided advice to justice sector agencies on the development of the Better Outcomes for Victims work programme, including:
 - › three pilots aimed at improving safety and support for specific victim cohorts
 - › legislative changes to update family violence and sexual violence settings
 - › the development of the wider victims operating model.
- provided advice and feedback to the Minister of Justice on the Better Outcomes for Victims work programme
- provided advice and support to justice sector agencies for engagement with key victim stakeholders on work programmes, including:
 - › the Better Outcomes for Victims work programme led by the Sector Directorate
 - › a review of the Solicitor-General's Prosecution Guidelines
 - › work to improve support for victims of sexual violence in Family Group Conferences.
- provided victim-specific feedback and advice to our policy team, on a range of policy proposals
- worked with the judiciary on ensuring victims' needs are considered in Te Ao Mārama, the Criminal Process Improvement Programme, and in Family Court proceedings

⁹Article 31 stipulates that States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies giving effect to the Convention. The data and insights are used to inform government policy.

⁹More information on this report is available on page 23.

- regularly reviewed service design in the justice sector and provided feedback on how agency programmes can better meet the needs of victims.

Our contribution to the Government's Child and Youth Wellbeing Strategy

Aotearoa New Zealand's Child and Youth Wellbeing Strategy (CYWS) sets out a shared understanding of what children and young people need and want for their wellbeing, the initiatives that government is taking to support them, and how others can help.

In 2022/23, the CYWS was reviewed, focusing on 'enablers' that support implementation of the CYWS, as well as the following policy priorities:

- reducing child poverty and the impacts of socio-economic disadvantage
- wellbeing in the first 1000 days
- reducing racism, discrimination and stigma
- improving mental health.

We are responsible for leading the priority on reducing racism, discrimination and stigma. Our key focus within the CYWS has been the development of a national action plan against racism. The 2022/23 development of the plan focused on ensuring the voices of those who experience racism are heard, as well as drawing on the knowledge of leaders who are working to eliminate racism. Targeted engagement was undertaken with children and youth by Mana Mokopuna - Children and Young People's Commission (then the Office of the Children's Commissioner) to ensure their insights and experiences inform the development of the national action plan.

We have worked with a joint steering committee (comprised of tangata whenua and senior government officials) and with government agencies to identify and develop practical actions to eliminate racism. This includes a specific focus on racism experienced by children and youth.

Legislative reform

Counter-Terrorism (Designations and Control Orders) Amendment Bill and the wider review of the counter-terrorism regime

Improvements to Aotearoa New Zealand's system of counter-terrorism legal measures were needed to ensure that the scheme for designating terrorist entities and the control orders regime would apply effectively to conduct that creates an unacceptable risk of terrorism and associated activities.

The Counter-Terrorism Acts (Designations and Control Orders) Amendment Act received Royal assent on 9 May 2023. It makes targeted amendments to ensure that the terrorist designations and control order regimes function.

Intelligence and Security Act 2017 Review

The Intelligence and Security Act 2017 sets out the objectives, functions, powers and duties of the intelligence and security agencies, Te Pā Whakamarumaru - New Zealand Security Intelligence Service and Te Tira Tiaki - Government Communications Security Bureau. While the Act is administered by Te Tari o te Pirimia me te Komiti Matua - Department of Prime Minister and Cabinet (DPMC), it requires administrative, secretarial and other support to be provided every five to seven years for a review of the Act, as well as the intelligence and security agencies.

Work began in 2021/22 with the appointment of the Honourable Sir Terence Arnold KNZM¹⁰ and Matanuku Mahuika as reviewers, and Dr Penelope Ridings MNZM as a special advisor. The review was completed on 31 January 2023, considered by the Intelligence and Security Committee, and tabled in the House on 26 May 2023. The Government's response is being led by DPMC.

Anti-Money Laundering and Countering Financing of Terrorism

The Anti-Money Laundering and Countering Financing of Terrorism Act (AML/CFT Act) aims to detect and deter money laundering and terrorism financing. It protects businesses and makes it harder for criminals to profit from and fund illegal activity. It safeguards Aotearoa New Zealand and helps it live up to its reputation as being one of the least corrupt countries and a good place to do business.

Our review report of the AML/CFT Act was tabled in Parliament on 7 November 2022. The report makes over 200 recommendations which, if adopted and progressed, would help ensure Aotearoa New Zealand's regime is the best it can be. This review was conducted in close collaboration with partner agencies as well as the private sector. The recommendations in the report reflect a consensus view across both the public and private sector.

The Government introduced changes to secondary instruments under the AML/CFT Act, which will come into force in three stages on 31 July 2023, in 2024, and on 1 June 2025. Further work on medium- and long-term changes is sequenced into the policy work programme.

The Sale and Supply of Alcohol (Community Participation) Amendment Bill

This Bill responds to concerns about alcohol-related harm and difficulties communities have participating and influencing alcohol licensing decisions in the way intended by the Sale and Supply of Alcohol Act 2012. The Bill does this by making targeted changes to the alcohol licensing process designed to:

- make it easier for territorial authorities to adopt and apply local alcohol policies
- allow anyone to object to licence applications, with narrow exceptions for trade competitors and their surrogates to ensure licensing decisions remain focused on harm reduction
- make licensing hearings more accessible and fairer for participants.

¹⁰Knight

By the end of 2022/23, the Bill was ready to be passed into legislation in the new financial year. At that point we will shift our focus to implementation. We have also been invited to report back to Cabinet in April 2024 on further options for reforming Aotearoa New Zealand's alcohol laws. This is likely to cover issues such as sponsorship, advertising, and pricing.

Sale and Supply of Alcohol (Fees) Regulations 2013 statutory review

The Alcohol (Fees) Regulations 2013 prescribe fees payable to territorial authorities and the Alcohol and Regulatory Licensing Authority (ARLA) to ensure that, as far as possible, the costs of delivering the licensing regime are recovered. The Regulations also set out a cost/risk rating framework to be applied to premises, with premises that have a higher risk rating paying a higher level of fees. The Sale and Supply of Alcohol Act 2012 prescribes that we must review the regulations every five years to determine whether they remain fit for purpose.

In 2022/23, we completed the scheduled review, reported its outcome to the Minister of Justice and began working on next steps.

The Sale and Supply of Alcohol (Rugby World Cup 2023 Extended Trading Hours) Amendment Bill

Strong public interest in the Rugby World Cup and the tournament presented commercial opportunities for the hospitality sector after a challenging few years. Historically, events of this nature have seen eligible licensees apply for special licences to extend trading hours. This has often been challenging, as licensees were expected to comply with a 20-day application process when the draw of televised events such as Rugby World Cups is evolving and demand is unpredictable.

This Bill temporarily amended the Sale and Supply of Alcohol Act 2012 (the Act) to allow eligible licensees to extend trading hours to align with televised live games from the men's Rugby World Cup 2023, without applying for a special license. This was a short-term, pragmatic solution, allowing New Zealanders to enjoy the tournament together with family and friends safely and responsibly.

The Bill was passed on 19 July 2022, with amendments to be in force for the duration of the men's Rugby World Cup 2023 only. Similar amendments were made for the 2015 and 2019 men's Rugby World Cups. We worked with the agencies who operationalised the regime to ensure the amendments were effectively implemented ahead of the tournament start at the beginning of September. We have also been asked to work on a permanent solution to this issue and review the special licence provisions in the Act in the context of future alcohol reform, as part of the April 2024 Cabinet report-back.

Criminal Proceeds (Recovery) Amendment Act 2023

We have progressed amendments to the Criminal Proceeds (Recovery) Act 2009 to make it easier to secure the seizure and forfeiture of illicit assets, including the assets of those associated with organised criminal groups.

The amendments build on the current multi-faceted response to gang harm across the justice sector. This approach combines enforcement action that targets drug supply and other unlawful behaviour with prevention work that builds whānau and rangatahi resilience.

The Bill received Royal assent on 31 March 2023. As of 27 July 2023, the Act is fully in force, following the publishing of regulations necessary for the new orders. The amendments address several circumstances that impede forfeiture, involving leaders and facilitators of organised criminal groups and transnational offending.

Criminal Activity Intervention Legislation Act 2023

This Bill received Royal assent on 4 April 2023 and is in force. It creates new powers and offences to better prevent and respond to harm caused by criminal offending, including harm commonly associated with gang activities such as money laundering and dangerous behaviour on roads. It includes:

- a new offence in the Crimes Act 1961 to address all situations where a firearm is discharged with the intent to intimidate any person or group of people
- an amendment to the Search and Surveillance Act 2012 to provide police with additional search powers targeting weapons of gang members in circumstances of gang conflict (see below)
- the expansion of the range of offences that result in the impoundment of vehicles
- a new cash seizure power to allow police to hold cash found in suspicious circumstances for a short period of time (up to seven days) before judicial authorisation is needed to continue to hold the cash for investigative purposes.

The new gang conflict warrants are a more permissive type of search warrant for when a gang conflict is ongoing. Usually, search warrants require reasonable grounds, namely the belief that the search of a specific place will find evidence of criminal offending, which may include weapons. The new warrant enables police to search any vehicle or place specified in the warrant that is used by gangs or those assisting gangs. The warrant includes a range of protections to ensure that searches remain justified and appropriate.

Ngā Pirihimana o Aotearoa - New Zealand Police used the new gang conflict warrant in Ōpōtiki in mid-June 2023. Press reports indicate the new warrant was used to search eight vehicles, with firearms, ammunition, and weapons found in five vehicles.

New Firearms Prohibition Orders

The Firearms Prohibition Orders Legislation Act was signed into law on 15 August 2022 and came into force on 16 November 2022. The Act aims to improve public safety by introducing Firearms Prohibition Orders (FPOs), which prevent people whose behaviour and actions represent a high (or underlying) risk of violence, from being able to access firearms or restricted weapons such as pistols and airguns.

Court orders can be made at sentencing and can last for ten years. We have designed the court order with a simplified design and plain language to help the offender understand the order and what it means for them. The first FPO was issued in April 2023.

Adoption law reform

We are leading a review of Aotearoa New Zealand's adoption laws to make sure they meet the needs of modern Aotearoa New Zealand. The aim of this review is to create a new system that provides strong safeguards for protecting the rights, best interests, and welfare of children, and upholds our international human rights obligations.

In 2022/23, we undertook a second round of public engagement to seek people's views on possible options for reform. This built on the first round of engagement, which asked for views on current adoption laws and ideas for how the law could be reformed. We are using the feedback gathered through this engagement to finalise policy proposals on adoption law reform.

Also, in August 2022 the National Iwi Chairs Forum Pou Tikanga, in collaboration with Ināia Tonu Nei, held a Māori-led wānanga on whāngai (customary fostering or adoption).

Re-write of the Evidence Regulations 2007

In 2022/23, we led a re-write of the Evidence Regulations 2007, to update the regime for dealing with police video interviews of witnesses. The new Evidence (Video Records and Very Young Children's Evidence) Regulations 2023 came into force in July 2023. They expand the Family Court's access to police video interviews of adults. They also remove obligations on Ngā Pirihimana o Aotearoa – New Zealand Police to destroy video interviews after a set period of time, allowing for potential evidence to be kept.

Electoral law: Legislative reform and an independent review

In 2022/23 we supported the progression of two electoral reform bills, as well as policy work on lowering the voting age. The policy work followed the Supreme Court issuing two Declarations of Inconsistency in respect of the minimum voting age in local and parliamentary elections. The three areas of work were:

Electoral (Māori Electoral Option) Legislation Act 2022

The Electoral (Māori Electoral Option) Legislation Act was enacted in November 2022. The new Act supports Māori voters to exercise their democratic rights by removing restrictions acting as barriers to Māori electoral participation and engagement. The Act came into force on 31 March 2023. It will allow Māori voters to change rolls at any time and as often as they like except during certain pre-election periods. These are three months before polling day (for general and local body elections) and, for some Māori voters in an electorate where a parliamentary by-election occurs, in the period leading up to the by-election.

Electoral Amendment Act 2022

The Electoral Amendment Act 2022 was enacted in December 2022. The Act progressed changes aiming to increase public trust in the transparency of the political donations framework. For example, by lowering the public disclosure threshold for donations and contributions to political parties from \$15,000 to \$5,000; and requiring party secretaries to disclose their annual financial statements.

The Act also included some temporary law changes to extend the overseas voters eligibility criteria for New Zealand citizens from three years to six years, and for permanent residents from one year to four years for the 2023 General Election, to mitigate the impact of the COVID-19 travel restrictions.

The Amendment Act came into force on 1 January 2023, except for the provisions relating to the temporary extension of overseas voting eligibility, which came into force on 31 March 2023.

Independent review of electoral law

In July 2021, Cabinet agreed to bring forward a wider review of electoral law to be undertaken by an independent panel. The review's terms of reference consist of:

- the overall design of the legislative framework for the electoral system
- maintaining a fit-for-purpose electoral regime for voters, parties and candidates
- considering previous recommendations from Electoral Commission reports and Justice Committee Inquiries, including recommendations from the Electoral Commission's 2012 report on suggested improvements to the MMP voting system and the length of the parliamentary term.

In 2022/23, the review panel undertook a first stage of engagement and released its interim report, to support the second stage of engagement. The panel is due to report back to the Government in 2023/24.

Eliminating racism

In 2019, Cabinet accepted a recommendation from the United Nations Human Rights Council to develop a national action plan against racism in response to the third Universal Periodic Review¹¹. The action plan aims to progressively eliminate racism in all forms. We are responsible for developing the plan, working closely with the National Iwi Chairs Forum (NICF), government agencies, and community groups.

The process of developing the plan acknowledges our responsibilities under Te Tiriti o Waitangi and ensures the voices of those who experience racism are heard. It draws on the knowledge of leaders who are working to eliminate racism. A Joint Steering Committee (JSC) comprised of tangata whenua and senior government officials was established in April 2022. The JSC has developed a working definition of racism and identified initial priorities for the plan.

In November 2022, Cabinet agreed to an expanded ministerial oversight group comprising the Ministers for Māori Crown Relations; Te Arawhiti; Māori Development; Pacific Peoples; and Diversity, Inclusion and Ethnic Communities as their portfolios are relevant to this work.

Extensive focused engagement was undertaken between March and November 2022, primarily with communities that experience racism. This was to understand the impacts of racism, and to inform the aspirations and priorities for the action plan. Other research and evidence were assembled alongside the engagement.

¹¹The Universal Periodic Review (UPR) is a five-yearly review by the United Nations Human Rights Council in Geneva that assesses New Zealand's progress on a broad range of human rights issues.

In 2022/23, alongside NICF, JSC and government agencies, we used findings from research and community engagement to identify draft priorities and actions for the plan. It is intended that consultation on a draft plan will occur in 2023/24.

Te Tāhū o te Ture - Ministry of Justice Inquiries Response

In 2022/23, we established a team responsible for managing its obligations to inquiries that require a cross-Ministry response. Funding and governance for the team was established, and recruitment started. By the end of the year, the team was working on:

- the Waitangi Tribunal's Te Rau o Te Tika: The Justice System Kaupapa Inquiry (Wai 3060)
- the Waitangi Tribunal's Constitutional, Self-Government, and Electoral System Kaupapa Inquiry (Wai 3300)
- the Royal Commission of Inquiry into COVID-19 Lessons.

The Waitangi Tribunal's Kaupapa Inquiries are an opportunity to engage in both reflective and forward-looking conversations on constitutional, electoral and justice system issues. These Inquiries also provide us with an opportunity to improve justice outcomes for Māori, in line with our refreshed strategy.

The Royal Commission of Inquiry into COVID-19 Lessons allows us to reflect on our domestic response to a significant event and identify opportunities to improve our approach to any similar events in the future.

Looking ahead, these inquiries will continue and a new inquiry will commence in 2023/24: the Government Inquiry into the Response to the North Island Severe Weather Events. Assisting the inquiry and responding to recommendations for change will be managed through the inquiries response team.

Honouring our responsibilities to Māori¹²

Honouring our responsibilities to Māori begins with greater involvement of whānau, hapū and iwi in the design and delivery of justice services for Māori. We are progressing an engagement approach with Māori in the justice system that reflects Te Tiriti o Waitangi partnership, improves outcomes for whānau Māori, and recognises the need to address the disproportionate representation of Māori in the criminal justice system.

Broad and inclusive partnerships with Māori exist at the national, regional and local levels across the justice sector. Our strategic partnerships with Māori contribute to the patchwork of interwoven governance and advisory relationships at all levels to enable Māori to better engage and work with the Crown to progress justice reform.

Honouring our responsibilities to Māori is both a standalone priority in Tūmatakahuki and a commitment that underpins all our mahi. Our progress with responding to this commitment in 2022/23 is detailed throughout this report.

Honouring the Treaty and our Treaty partners

National Iwi Chairs Forum (Pou Tikanga)

The goal of the relationship between the Crown and the National Iwi Chairs Forum is to improve the lives of tangata whenua and all New Zealanders. The Forum hosts and provides the opportunity for Government and iwi to engage where national level policy and practices align.

A Statement of Engagement between the Crown and the Forum sets out five pou¹³: Pou Tikanga, Pou Tangata, Pou Tahua, Pou Taiao and Pou Take Ahuarangi. Pou Tikanga has a focus on the justice sector and human rights. Te Tāhū o te Ture - Ministry of Justice provides advice to the Minister of Justice as the Lead Minister for Pou Tikanga. Professor Margaret Mutu (Ngāti Kahu Te Rarawa, Ngāti Whātua) is the Pou Tikanga Chair. We work closely with the Pou Tikanga Lead Technical Advisor, Te Huia Bill Hamilton (Ngāti Kahungunu, Ngā Rauru, Ngāti Raukawa).

Further information on our progress with supporting Pou Chairs and lead Ministers and working in partnership with Pou Technicians through this Forum to progress justice system reform and eliminate racism is provided in this report on pages 15 and 19.

Mana ōrite relationship with Ināia Tonu Nei¹⁴

In late 2020, the Justice Sector Leadership Board (JSLB) agreed to enter a mana ōrite (equal status) relationship with a group of Māori leaders (Ngā Kaitiaki) under the name Ināia Tonu Nei. The mana ōrite relationship is supported by a signed agreement that recognises that the views and accountabilities of both parties will be heard, considered and afforded equal influence.

In 2022/23 Ināia Tonu Nei and the JSLB held three wānanga to discuss mutual interests and priorities, supported by our Ministry and other justice sector agencies.

Achieving better outcomes for Māori by partnering with Māori

Supporting victims, Māori offenders and whānau through the court process

The Whakaoranga te Mana Tangata initiative was established in 2021/22 with the aim of contributing to better justice and wellbeing outcomes for whānau Māori, including reducing sentences of imprisonment and reoffending. We are working collaboratively with local iwi or iwi-mandated service providers to design and deliver a service that supports offenders, victims and whānau through the court process. iwi-mandated service providers:

- identify any factors contributing to offending and work with offenders, victims and whānau to understand their needs and circumstances
- connect whānau to the appropriate services to address those needs and, where necessary, assist in the creation and implementation of a support plan with the whānau

¹²We report on the trust of Maori in the courts using the New Zealand General Social Survey. Results are available on page 177.

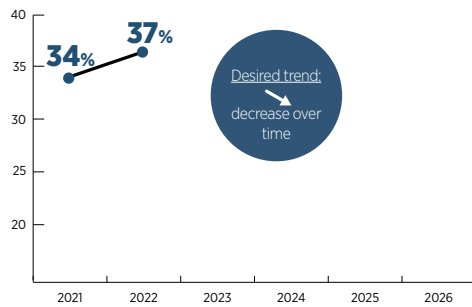
¹³Pillars.

¹⁴Ināia Tonu Nei is a name shared by a kaupapa, a 2019 hui on Māori justice issues (Hui Māori), a report that emerged from that hui (Ināia Tonu Nei: Hui Māori), and a group of Māori leaders advocating for more effective justice in Aotearoa New Zealand.

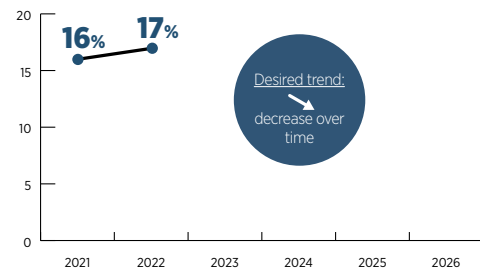
Measuring impact

As we develop and work through these partnerships, we hope to build greater trust by Māori in the courts and see fewer incidents of Māori experiencing victimisation.

Proportion of Māori adults who have experienced one or more victimisation incidents in the past year (victimisation prevalence)



Proportion of Māori adults who have experienced multiple victimisations



These measures have been taken from the New Zealand Crime and Victims Survey, which we produce annually to further our understanding of crime and victimisation in New Zealand. For more information on this survey, refer to page 16.

Household offences decreased from 2018/19 to 2021/22, but increased again from 2021/22 to 2022/23 following the cessation of COVID-19 restrictions.

- inform the Court about the circumstances and support available to address identified needs
- include and support victims to ensure their views and needs are addressed.

The initiative also contributes to the realisation of the vision of Te Ao Mārama for the District Court, with services designed to meet local needs and find local solutions.

Leading the transformation of the criminal justice system

We support the Minister of Justice in leading the reform of the criminal justice system. Our approach for this transformation involves working with other public sector agencies, particularly in the justice sector, to develop long-term solutions that:

- support safe communities
- address pathways to offending, so that we respond more effectively to criminal behaviour
- deliver better outcomes for all participants in the justice system – victims, offenders, families, whānau and witnesses.

Growing Te Ao Mārama

Working with local communities to grow the Te Ao Mārama vision

In November 2020, the Chief District Court Judge, Judge Heemi Taumaunu, announced Te Ao Mārama, his vision for change for the District Court. The vision is about an enlightened world where all people can come to court to seek justice and be seen, understood and meaningfully participate. The change Te Ao Mārama creates will see the District Court become more equitable, people-centered, and better serving of its communities.

An example of our Ministry's mahi in this area is with the District Court's vision to be a place where all people may seek justice, regardless of their means or abilities, their ethnicity, language or culture, and who they are or where they are from.

The vision will be implemented by incorporating best practice lessons from the existing specialist courts (for example, from Rangatahi, Matariki, Young Adult List Porirua, and Family Violence Courts) throughout the District Court, along with new processes and approaches. Some examples of best practices outlined by the District Court Heads of Bench in the Te Ao Mārama vision include:

- improving the information available to judges
- encouraging active 'solution-focused' judging
- using plain language and reducing formalities in the court

- improving community involvement, interagency coordination and wraparound services for participants
- greater use of tikanga and te reo Māori as appropriate.

Our progress in 2022/23

Incorporating Te Ao Mārama into District Court sites across Aotearoa New Zealand is an important step to improving access to justice for all people.

Our progress continued in 2022/23 with the announcement that the Kaitiāia and Gisborne District Courts will implement the Te Ao Mārama kaupapa model, providing an opportunity for smaller, regional courts to adopt this new approach.

Kaitiāia

Our primary engagement with iwi in the Kaitiāia rohe is via Te Hiku Development Trust. At the direction of Te Hiku we are partnering with Oi Collective to progress whānau-centred design and development of wraparound court services.

Gisborne

The Young Adult List court and Whakaoranga te Mana Tangata initiative, which both contribute to Te Ao Mārama, have been implemented in the District Court. We are working with Tairāwhiti iwi to identify additional iwi and community-led opportunities for community presence in the court.

Kirikiriāia/Hamilton

The Young Adult List Court has been introduced. We are continuing discussions with Waikato-Tainui on options for further progressing the Te Ao Mārama vision for Kirikiriāia.

Whangārei

Whangārei iwi representatives and their mandated iwi provider collective met with the Chief District Court Judge, members of the judiciary and Ministry officials and have confirmed their support for Te Ao Mārama and their wish to work with the Ministry on this kaupapa.

They have already identified family violence as a priority area, along with the need for support for offenders, victims and whānau through the court process. We are working with them to develop a proposed support model for the Family Violence courts as a first step.

The Young Adult List

The Young Adult List (the List) adjusts traditional District Court processes to better meet the needs of 18 to 25-year-olds. The initiative was first proposed in 2019 by the then Principal Youth Court Judge, Judge John Walker. It was piloted in the Porirua District Court from March 2020.

The List recognises that young adults aged 18 to 25 have a unique set of needs. Young adulthood is a time of potential, when the brain's functions continue to mature in response to environmental conditions. This means it is a time of increased vulnerability, and young adults require support to navigate this developmental period well.

A key objective of the List is to support young adults to meaningfully participate in and understand each stage of the court process by considering their unique needs and vulnerabilities. The List also helps connect young adults to interventions aimed to address the drivers of offending, so that young adults are less likely to offend in the future. These objectives, if successfully achieved, will create a justice system which is fair and lead to safer communities with fewer victims.

Research shows young adults in the criminal courts are more likely than the general population to experience neurodiversity issues (e.g. traumatic brain injury, ADHD, dyslexia, etc.), mental health and substance abuse issues, and significant socioeconomic disparities. We are responding through work to design and develop new court processes from 2023/24.

Our progress with incorporating Te Ao Mārama into District Court sites includes implementing the List.

Three Strikes repeal law

In 2021/22 we progressed a bill designed to repeal elements of the Three Strikes law, successfully concluding public consultation to inform its development and achieving its second reading in Parliament. The Bill went through its remaining stages early in 2022/23 and received Royal assent on 15 August 2022. The repeal then took effect. As a result, the sentencing process for "strike" offences will revert to the standard sentencing process. Judges retain power to impose restrictions in appropriate cases, such as:

- preventive detention for repeat serious offenders
- public protection and extended supervision orders
- minimum periods of imprisonment
- imposing maximum penalties, up to life imprisonment.

The Bill does not apply retrospectively, so people who committed strike offences before the repeal cannot have their sentences reconsidered.

Enhancing the Whenua Māori Programme

The Whenua Māori Programme is a jointly led programme between the Ministry of Justice and Te Puni Kōkiri. The programme objectives are to deliver new and improved services for the Māori Land Court, modernise the Māori Land Court technology system, and to support legislative amendments to Te Ture Whenua Māori Act 1993. Investment in the Programme is also designed to stimulate social and economic development through the 1.4 million hectares of whenua Māori that remain in Māori freehold title.

In 2022/23, we began introducing a new technology system known as Pātaka Whenua to improve the ability of Māori Land Court users to transact land matters online and to access, outside of the court, court records regarding their whenua. This has seen us provide a public-facing portal and new website for information that had previously been available on Māori Land Online. Implementation of Pātaka Whenua will continue in 2023/24, with further access to court records of Māori land.

Addressing family violence and sexual violence

The real-life tragedies relating to family violence and sexual violence are the reason why reducing family violence and sexual violence has been one of our strategic priorities. Each year, Ngā Pirihimana o Aotearoa - New Zealand Police conducts more than 100,000 investigations related to family violence. At the same, nearly half of all homicides and reported violent crimes are related to family violence. It is estimated that one in four females and one in eight males experience sexual violence or sexual abuse in their lifetimes, many before the age of 16.

Progressing our Te Aorerekura commitments

Te Aorerekura is the 25-year National Strategy and Action Plan for government, tangata whenua, specialist sectors, and communities to ensure all people in Aotearoa New Zealand are thriving; their wellbeing is enhanced and sustained because they are safe and supported to live their lives free from family violence and sexual violence (FVSV).

Te Aorerekura outlines six key changes or 'shifts' to eliminate FVSV. These are interconnected and depend on the wider changes across Aotearoa New Zealand that will help address the drivers of violence and barriers to safety:

- Shift 1: Towards strength-based wellbeing
- Shift 2: Towards mobilising communities
- Shift 3: Towards skilled, culturally competent and sustainable workforces
- Shift 4: Towards investment in primary prevention to protect against family violence and sexual violence
- Shift 5: Towards safe, accessible and integrated responses
- Shift 6: Towards increased capacity for healing

The Interdepartmental Executive Board of Te Puna Aonui is responsible for ensuring government agencies and communities carry out specific actions outlined on Te Aorerekura Action Plan. We are responsible for two of the actions:

Action 15: Build court workforce capability under Shift 3 – Towards skilled, culturally competent and sustainable workforces

In 2022/23, Budget 2022 provided \$4.6M over four years to deliver foundational and technical training to the court-related workforce. This enabled us to commission an FVSV Response Training Package from specialists in the community sector. A specialist family violence provider was then selected to deliver national training in the form of 25 training sessions, beginning in 2023/24. A further 60 – 80 training sessions will be delivered in the following years.

Action 17: Develop new practice guidelines for participants in court proceedings under Shift Five – Towards safe, accessible and integrated responses

In 2022/23, Budget 2022 provided \$9.8M over four years to maintain services for victims and perpetrators of family violence. This allowed us to continue improving the experience of participants involved in family violence and sexual violence proceedings in the District Court.

- By the end of 2022/23 we had completed design of 'Strengthening the criminal justice response to child victims of sexual violence'. This is the second pilot for the Better Outcomes for Victims' Work Programme¹⁵. This pilot will support development of the future victims' operating model and will be in place throughout 2023/24.
- We provided greater access to safety programmes for adult and child victims affected by family violence who are involved in family and criminal court proceedings.
- We began the design of a Family Violence Operating Model to improve responses for Family Court participants affected by violence. Aspects of this model will be tested in the Christchurch Family Court from December 2023, with an evaluation to follow. Guidelines will be developed to detail how this model would operate.

Implementing the Sexual Violence Legislation Act 2021

In 2021/22 we successfully supported the Sexual Violence Legislation Bill through Parliament to help reduce the trauma faced by complainants of sexual violence when giving evidence in court. The law amends evidence rules and court processes, which research shows can hinder a sexual violence complainant's recovery and significantly re-traumatise them. While the Act received Royal assent on 20 December 2021, some of the changes required a longer lead-in time and came into force in December 2022. All the provisions of the Act are now in force.

Implementing this Act has seen us focus on upgrading courtrooms across the country with video technology to ensure complainants can be recorded on video during sexual violence proceedings. We have also focused on training, with court staff learning how to facilitate recordings. This includes the introduction of a new communication assistance quality framework introduced to help guide communication assistance in the courts and tribunals, and judges being shown how the courts will operate under the new system.

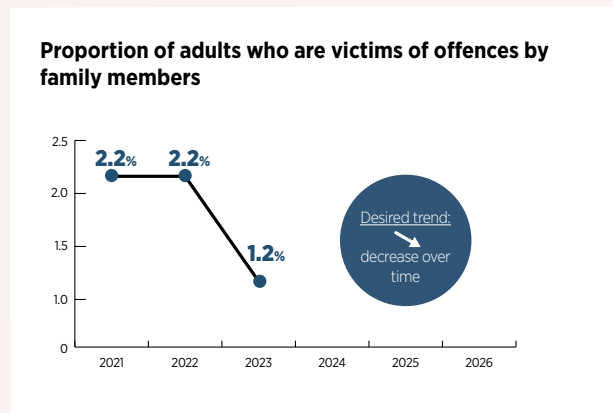
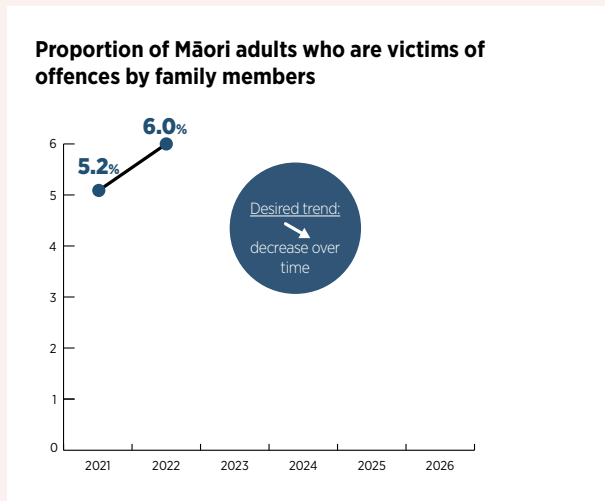
Improving interventions to reduce violence and controlling behaviour in families

In March 2023 we published the report Controlling behaviours and help-seeking for family violence using data collected by the New Zealand Crime and Victims Survey (NZCVS).

This report provides insights about the prevalence of offending and behaviours that are not offences but may contribute to a pattern of harm within the context of family relationships. They also examine the help-seeking behaviours of those who are victimised.

¹⁵Refer to page 14 for more information.

Measuring impact



These measures have been taken from the New Zealand Crime and Victims Survey. For more information on this survey, refer to page 16.

The findings in this report corroborate what we hear from other sources; women, Māori and young people are disproportionately impacted by controlling behaviours and offending by family members, especially intimate partners. Many people (47%) do not seek any help when they are the victim of controlling behaviours and offending by family members. However physical assault, and a combination of offences and controlling behaviours were associated with a higher likelihood of help-seeking. Experiencing sexual assault decreased the likelihood of help-seeking. LGBTQ+ people and young people were most likely to seek help from services for victims.

While some trends were identified, the data overall illustrates a wide array of victimisation and help-seeking experiences, reinforcing a need to address barriers to help-seeking such as accessibility, cultural safety, negative past experiences of help-seeking and understanding other factors and social inequities that shape a victim’s response to violence.

Workforce Capability training for the court-related workforce

We have worked with family violence- and sexual violence-focused providers, RespectEd Aotearoa and Shine, in collaboration with Kaupapa Māori learning partner, Te Ahi Kaa, to develop a foundational family violence and sexual violence response training package for the court-related workforce nationwide.

The aim of the training package is to ensure this workforce has a shared and consistent understanding of FVSV dynamics and provides a ‘best practice’ approach so that people affected by family violence and/or sexual violence receive a consistent, safe and culturally appropriate response.

Improving access to justice

All New Zealanders are entitled to a fair and open legal system that allows them to enforce their rights. Access to justice is about ensuring all people, no matter their circumstances, are able to do so. People’s needs can range from requiring information to obtaining legal representation and resolution in the courts. This sees us:

- providing clear and accessible information so people can understand their rights
- funding the provision of quality legal services at an affordable price so participants can access fair and impartial procedures that are easy to navigate, protect our most vulnerable, and provide timely resolution of disputes.

The work we do to improve access to justice for New Zealanders involves partnering with the judiciary and other justice sector stakeholders, as well as supporting and implementing legislative reform.

Continually improving courts and tribunal services

Addressing delays in the District Court

Reducing court delays is critical to improving access to justice and improving trust and confidence in the courts and the rule of law. There have been three main drivers for the delays:

- people pleading guilty later in the criminal court process
- more adjournments of court events to a later date, as parties are not prepared to proceed at their court event and more people are electing jury trials which generally take longer to resolve
- court pressures have also been exacerbated by the COVID-19 restrictions, particularly in the Auckland courts and for jury trials – both of which have a large impact on overall system resourcing.

Courts are also experiencing an increased demand for court services, and a growing complexity in cases, which results in delays in the progression of cases.

The total number of backlog criminal cases in the District Court has decreased to 14,376 (38%) as at 30 June 2023, compared to 14,467 (42%) as at 30 June 2022. Leading into the week of 9 July 2023, the number of scheduled jury trial events was 21% higher than the same week in 2022.

Improving timeliness in the District Court work programme

We are working closely with the judiciary and justice sector partners on initiatives to help address court delays. In 2022/23, the Chief District Court Judge and Te Tāhū o te Ture - Ministry of Justice established a joint work programme to align and focus the judicially-led and Ministry-led initiatives contributing to improving timeliness and court delays:

Our people, our taonga: Meet Julia



Julia is a Principal Policy Advisor in our family law team. She has been with the Ministry for seven years, starting in the civil law and human rights team. Julia joined the family law team in January 2022 when the Family Court (Family Court Associates) Legislation Bill 2023 was being prepared.

Development of the Bill involved working alongside the Parliamentary Counsel Office who drafted the contents of the Bill ahead of it being taken through the various debates in the House. Julia and her team worked with multiple teams across the Ministry, the judiciary, and those who would work closely with the new Family Court Associates, drawing on their knowledge to inform the Bill.

Once the Bill was introduced to Parliament, Julia and her team also provided analysis and recommendations based on public submissions through a Departmental Report. Continued collaboration was required with the Parliamentary Counsel Office to draft revisions to the Bill before it entered the next stages of the legislative process. After the select committee provided their report and recommendations, the Bill went to a second reading, passing in April 2023.

Julia and her team had a key part to play once the Bill reached the Committee of the Whole House, the final stage of the process before being signed into law. The team sat in the debating chamber in the House of Representatives to provide support to the Minister while she answered questions and debated the Bill. The Bill passed the final stage and received Royal assent in June before coming into full force in October 2023; a significant achievement for the team.

The highlight of Julia's time working on the Bill was working across multiple groups, within and outside the Ministry, which was a new but welcomed experience. The Bill was more operationally-focused than other projects Julia has worked on. She enjoyed the experience of collaborating across the Ministry, working with different areas and expertise, and most of all, the strong sense of accomplishment once the legislative process was complete.

Workstream One: Improving efficiency in conducting court business

The Criminal Process Improvement Programme (CPIP) is a judicially-led, cross-agency initiative established in late 2020. Its aim is to reduce the pressure in the criminal jurisdiction of the District Court through better use of court time and resources, earlier case progression and resolving cases through fewer court events. The improvements and efficiencies will contribute to reducing the backlogs in the District Court, reducing time on remand and supporting the realisation of Te Ao Mārama.

After two years of planning, design, testing and evaluation, CPIP's improved processes and practices are being rolled out nationally in four tranches. Tranche 1 was rolled out in October 2022 and included 14 District Courts across New Zealand. Changes being rolled out include, but are not limited to:

- providing an additional police prosecutor at larger courts
- allocating a police prosecutor to a matter once it enters the review stage, with the allocated prosecutor proactively engaging with defence counsel
- strengthening the preparation processes for judge alone trials (JATs) by calling matters in advance of the trial day to improve preparedness of all parties, ensuring they are ready to proceed to reduce adjournments of judge alone trials
- improving the scope of the duty lawyer service to enable duty lawyers to represent their clients to progress their case at the first appearance.

Solutions implemented at CPIP Tranche 1 District Courts have reduced the number of adjournments on JAT hearing days, increased the available sitting time of judges and the likelihood of more trials proceeding on the day. Further tranches are scheduled from 2023/24 and will further improve timely access to justice and reduce the backlogs in the District Court.

The judiciary is also contributing to this workstream with a focus on:

- demand-driven rostering and scheduling in court to ensure optimal use of all judicial officers, courtrooms, staff and other judicial support. This is done by rostering judges into courts with the largest backlogs and scheduling events
- consistently using best practice standards in the District Court, including the appointment of a Chief Registrar
- refreshing local justice sector networks to identify local solutions to improve court performance.

Workstream Two: Increasing capacity and addressing resource constraints¹⁶

In 2022/23 our focus on expanding court capacity has seen us take up a two-year lease to open a hearing centre in Newmarket, Auckland, to provide capacity for the Manukau District Court. Known as the Newmarket Court Hearing Centre, this facility is primarily used to hear cases from Manukau District Court's Family jurisdiction. It provides an additional location for South Auckland Family Court hearings.

We have also introduced a Family Court Associate role¹⁷ to reduce delays in the Family Court system and enable families to move on with their lives more quickly. This role will make decisions at early stages of proceedings and on interlocutory matters, such as directing parties to undertake dispute resolution, making orders by consent, appointing lawyers, and convening settlement conferences. It is estimated that the faster resolution of cases will help improve the wellbeing of over 16,000 children and free up judges' time, enabling them to progress substantive matters more quickly.

The introduction of this role was made possible through the Family Court (Family Court Associates) Legislation Act 2023, which was signed into law on 6 June 2023.

Improving the health and safety of bailiffs

Bailiffs play a key role in our community. Their main purpose is to collect debt either by court order on behalf of a creditor or on behalf of the Crown. Their daily activities include visiting people at their workplace or home to action warrants to seize property, civil warrants to arrest and evictions, and to serve court documents.

Bailiffs aim to maximise face-to-face contact, meeting our participants in the community to provide the information they need to pay their fines and civil debt helping people participate fully in the justice system. Bailiffs generally work on their own, often visiting unfamiliar private properties or workplaces in highly emotive situations. This can present a health and safety risk to the bailiff and makes investigating complaints difficult due to the isolated nature of the work.

In 2022/23 we implemented body worn cameras (BWC) for bailiffs as part of a wider programme of health and safety that includes new health and safety training and the provision of improved personal protective equipment. The use of BWCs improves transparency and accountability as the footage captured supplies an objective record of the visit. It also ensures any complaints can be fully investigated. The footage is held securely within Ministry systems for 90 days unless there is a reason to keep it, and access to it is managed under the Privacy Act 2020 and Official Information Act 1982.

Improving interpreter services in courts and tribunals

Interpreters ensure all participants in courts and tribunals can communicate. They convert what the participant, judge, court staff and legal professionals say in English to the participant's preferred language and vice versa. They play a fundamental role in enabling access to justice, whatever language a participant uses.

In 2022/23, we improved the quality of our interpreter services with a new quality framework to ensure interpreters are more prepared and supported to work in the complex court and tribunal environment. The framework provides national consistency for how we engage, train and work with interpreters, how we identify when an interpreter is needed and how we monitor the service to ensure it is effective in increasing access to justice.

¹⁶The judiciary is also contributing to this workstream with a focus on improving judicial workload arrangements to optimise judicial resource use through workload cap review.

¹⁷This role is based on one of the recommendations made in the 2019 report, Te Korowai Ture ā-Whānau; this was released by an independent panel in 2018 by the then Minister of Justice, Hon Andrew Little, to review the impact of 2014 Family Court reforms on the family justice system.

Improving access to civil justice

Wayfinding for Civil Justice: a collaborative approach

We are partnering with the judiciary to support the creation of a stakeholder-led national strategy for a unified and coordinated approach to improving access to civil justice. A working group of people passionate about access to justice, chaired by Dr Bridgette Toy-Cronin, has drafted and completed two rounds of consultation on a draft framework for this coordinated response. The draft framework, known as Wayfinding for Civil Justice aims to:

- encourage a unified and coordinated approach to improving access to civil justice
- use the resources the sector has as strategically as possible
- provide clear signals to funders of access to justice mahi (government and non-government) about what work is ongoing, where the gaps are, and where co-ordination can be achieved.

Development of this framework began with a clear understanding that its success depended on it reflecting the views of people working in the civil justice sector's expertise and experiences. With this in mind, consultation was sought from:

- institutions and organisations that work in the area of civil justice (including the judiciary, legal professional organisations, government departments, and academics)
- community groups and people supporting those who see or experience barriers to accessing justice (including non-governmental organisations, Māori communities, Pacific communities, Asian communities, rural communities, disability communities)
- providers of advice, information, and advocacy, including lawyers and non-lawyer service providers (for example, advocates and McKenzie friends¹⁸)
- individuals and organisations who are trying to disrupt and/or innovate civil justice
- funders of work to improve access to justice.

Wayfinding for Civil Justice is expected to be officially launched in 2023/24 as a useful planning tool and guide for everyone working to improve access to civil justice. While not a government strategy, the framework has had the support of the government in the form of seed funding and secretariat support.

Creating a more user-focused civil justice jurisdiction

We are also undertaking an access to justice legal needs survey with the Government Centre for Dispute Resolution at Hīkina Whakatutuki - Ministry of Business, Innovation and Employment. The aim is to help make the justice system more user focused, and to improve the quality of data on users of the justice system.

The survey was commissioned by the Access to Justice Advisory Group (co-chaired by Ministry and judicial representatives) following a workshop held in March 2020 by the Secretary for Justice and the Chief Justice Rt Hon Dame Helen Winkelmann. This workshop was an opportunity for people working across the civil justice sector to share their thoughts on how to improve access to justice in New Zealand.

Our progress in 2022/23 with this survey saw us finalise its design as a general population survey to be completed by 5,000 adults¹⁹ aged 18 and over. It has a particular focus on small business owners, Māori and Pasifika communities, and people residing in rural and non-metro areas. We expect to have received all responses and analysed the results in 2023/24, with a view to using this information to:

- strengthen the evidence base for government projects and policies
- ensure our programmes and systems are suitable for the people who need them
- identify if there is a need for new services or policy changes to help small businesses resolve issues and disputes.

Improving and enhancing our services

Strengthening the legal aid scheme

Legal aid ensures the services of a lawyer are not a financial obstacle for participants in a court or tribunal. We enlist over 2,400 individual lawyers for legal aid services; over 74,000 legal aid cases were granted in 2022/23.

We continued strengthening this service in 2022/23 by implementing changes funded in Budget 2022. These focused on increasing eligibility for legal aid and reducing the amount and impact of repayment requirements upon vulnerable people. They included:

- increasing eligibility thresholds for family and civil legal aid by 15% on 1 January 2023, resulting in an estimated 93,000 more New Zealanders being eligible for legal aid
- raising thresholds for repayments by 16.5% on 1 January, meaning over 10,000 people have been set lower repayments since then
- reducing legal aid user charges from \$50 to \$0, meaning 4,000 people have not had to pay the charge before accessing legal aid
- reducing the interest charged on legal aid debts to 0%, reducing the additional burden of repaying legal aid upon low-income people.

This funding also enabled the Legal Services Commissioner to increase the hourly rates for legal aid lawyers by 12%, effective from 2022/23. This recognises the valuable role legal aid lawyers perform in our justice system and encourages lawyers to continue providing the service. These changes are timely, as we have seen an increasing demand for legal advice and assistance across the country. The number of Community Law Centre clients assisted with legal advice, assistance and representation grew from 35,374 in 2021/22 to 40,042 in 2022/23.

¹⁸McKenzie friends are people who attend court with someone who does not have a lawyer to provide support and assistance.

¹⁹An additional 500 small businesses will also be interviewed to ensure the survey looks at an adequate number of small businesses.

Other operational improvements

We have also introduced a duty lawyer minimum payment policy, allowing duty lawyers to claim a minimum payment of two hours on weekdays and four hours on weekends and public holidays. This policy allows us to better support and recognise the commitment of duty lawyers working attendances in courts where consistent hours cannot be guaranteed.

The Protection of Personal Property Rights Act 1988 legal aid policy has been updated, enabling access to legal aid for simple applications made under this Act.

We have also consolidated the rostering for the police detention legal assistance and duty lawyer scheme to a single team within the Ministry. This provides more visibility and ensures that the rostering is being managed effectively.

Transforming the administration of justice

Te Au Reka will establish a new digital case management system to support effective case management, judicial decision making, and court and tribunal management, and to enable participants to engage with courts and tribunals online. The partnership of the Ministry and the judiciary reflects the significance of this programme and ensures our perspectives and those of the judiciary are represented.

Our focus over 2022/23 was finding a supplier to help deliver Te Au Reka. An interactive, multi-stage, highly informed and competitive process was specifically designed to meet the needs of such a large and complex programme.

Implementation – a phased approach

Te Au Reka will be implemented in three overlapping phases, allowing common understanding, learning, continual improvement and refinement to be taken into future phases:

- Phase 1 – District Court (Family), and two proofs of concept to ensure Te Au Reka can support different jurisdictions. The District Court criminal proof of concept will focus on the in-court activity required to support a busy criminal list court and judicial decisions in real-time. The High Court civil proof of concept will look into the use of electronic casebooks.
- Phase 2 – District Court Criminal (including Youth), and District Court Civil.
- Phase 3 – High Court, Court of Appeal, Supreme Court, Coroners Court, Environment Court and the Disputes Tribunal.

In 2023/2024, we will move to Phase 1, onboarding a supplier and undertaking the scope (what we'll build) and define (what it looks like and how it will work) stages.

Family Court reform

In May 2019, Te Korowai Ture ā-Whānau released the final report of the Independent Panel examining the 2014 family justice reforms. This report makes recommendations to ensure that children affected by caregiving disputes receive appropriate support, representation, and protection in the justice system.

We have worked with the judiciary to establish a Family Court work programme that includes initiatives from the report focused on improving timeliness, access to justice and promoting safety while minimising any additional harm from court processes. It is also underpinned by the key Te Ao Mārama principles. Due to the scale of change, the Ministry is using a phased approach to implementing the recommendations in the Te Korowai Ture ā-Whānau report. The Ministry also engaged with the Principal Family Court Judge to identify judicial priorities for this programme.

Progress with Phase One

Work on the first phase of the government response is well advanced. In May 2020 the government committed \$62M over four years for initiatives to respond to issues exacerbated by the COVID-19 environment. Since then, several of these initiatives have been completed or significantly progressed:

- Reinstating legal representation in the early stages of Care of Children Act 2004 proceedings in the Family Court with legal aid for eligible parties
- 50 new Kaiārahi – establishing family court navigator roles to help parents and families navigate the family justice system, with the aim of supporting better family justice outcomes. The Kaiārahi have been recruited and are fully operational
- increased remuneration for lawyers representing children to support the retention of skilled practitioners. The first of four 2.5% increases were made in 2020 and there have been annual increases since then
- Creating quality, accessible information for children, parents and families to help them navigate the family justice system. This will be rolled out over three years. In 2022/23 a new range of resources was introduced to help parents, guardians and families understand the options available to them when making decisions about the care of their children after a separation or change in family situation.

Progress with Phase Two

Good progress has been made with the second phase of the Family Court work programme. The following initiatives ensure families are well-supported with early legal advice and information, children's participation is enhanced, and lawyers' duties are expanded in care of children proceedings. They also aim to reduce the delays in the Family Court:

- The Family Court (Supporting Children in Court) Legislation Act 2021 will come into effect in 2022/23 with an emphasis on children's participation in the resolution of disputes around their care, where appropriate. The Act also signals that family violence should be considered in all decisions about children's care
- The Family Court (Family Court Associates) Legislation Act received Royal assent in 2022/23. This allowed for the introduction of the Family Court Associate role²⁰ to make more effective use of judge's time to enable the faster resolution of cases and reduce delays in the Family Court.

²⁰More information on this legislation and the Family Court Associate role is available on page 26.

Valuing inclusion and diversity

We want Te Tāhū o te Ture – Ministry of Justice to be a place where our people feel connected, valued and part of a strong and positive culture. We encourage our people to reach their potential and to play their part in our Ministry's successes. We want our Ministry to be a place where our people can come to work feeling safe and supported to be themselves.

Our efforts to make this happen are guided by Te Kawa Mataaho – Public Service Commission's Papa Pounamu framework.

Learn more about Papa Pounamu priorities at publicservice.govt.nz: <https://bitly.ws/TYNb>

Inclusion and diversity are one of several considerations in the culture and capability priorities of our strategy. Our Inclusion and Diversity (ID) Strategy 2020 – 2023 ensures we can respond to the expectations of Papa Pounamu, and has given us the opportunity to reflect on and provide a clear assessment of the current and future desired state of diversity and inclusion within the Ministry.

Working towards the desired future state is an ongoing responsibility; the progress we have made in 2022/23 is detailed below.

Building capability to engage with Māori

Lifting our organisation's cultural capability

We are committed to providing our staff with te reo and tikanga Māori development opportunities that help them develop their understanding of te ao Māori, and also provide better outcomes for Māori.

We have a strong expectation that staff understand the Ministry's, and their own, obligations under Te Tiriti o Waitangi; we provide online and in-person training opportunities and resources to build capability on this commitment and ensure Treaty analysis is built into all of the work we do.

Building Te Tiriti capability in our Public Defence Service

Our Ministry houses the Public Defence Service (PDS). This is an independent criminal law practice providing publicly-funded, high-quality criminal defence services as an alternative to private lawyers funded by legal aid. In 2022/23 we introduced half-day online workshops on Te Tiriti o Waitangi into the induction of new staff coming into the PDS to help them understand their responsibilities under Te Tiriti and the importance of forming equitable relationships with tāngata whenua. This training is designed to help staff engage with, and meet the needs and aspirations of Māori clients and communities. The training also helps staff understand how clients got into the position they are in and where they come from.

Te Kokenga

Te Kokenga is our multi-year programme to lift the cultural capability of our staff. Key achievements of this programme in 2022/23 included:

- 294 staff participating in a Wall Walk - an interactive, half day workshop on the history of Māori-Crown relations. Participants increase their knowledge of racial equity and institutional racism and the relationship between Māori and the justice system over 170 years
- 34 staff taking part in Te Kaihautū, a programme for anyone promoted into a people leader role with less than 12 months experience in the role. The programme helps new people leaders identify the skills, behaviours, and mindset needed to success in their new role.

Kaimahi Māori regional wānanga

Kaimahi Māori Wānanga are delivered in partnership with regional staff, where the primary focus is to support the growth and development of Māori capability across our Ministry. The local kaimahi craft these wānanga to suit the region they take place in and to connect people to place.

Four of the six wānanga planned for 2022/23 were delivered at Te Tai Tokerau (Te Tii), Aotea (Whanganui), Tauranga and Te Taihū (Wairau/ Blenheim). Each wānanga allowed for a maximum of 30 kaimahi Māori to attend. Due to the impact of Cyclone Gabrielle and other weather events, ongoing COVID-19-related illness and other scheduling related issues, these wānanga did not reach maximum capacity. In total, 71 kaimahi Māori attended.

Making the Ministry a great place to be

Achieving equal pay: closing our gender pay gap

The gender pay gap (GPG) is a high-level indicator of the difference between women and men's earnings, driven by deeply embedded views, values and behaviours. Closing our GPG is a long-term priority, and we remain committed to making progress – as we work on this with our people, the Public Service Association (PSA) and Te Kawa Mataaho - Public Service Commission.

By the end of 2022/23 our average GPG was 9.6%. This is a decrease of one percentage point over the last financial year.

Delivering on Kia Toipoto²¹

Kia Toipoto is the new directive from Te Kawa Mataaho - the Public Service Commission for government agencies to close their pay gaps.

Our Kia Toipoto Pay Gaps Action Plan formalises our commitments to, and progress with delivering on these goals. In 2022/23, we published our plan online, providing an overview of how we have strengthened recruitment guidance and processes to reduce bias, ensured transparency of remuneration when advertising, and strengthened leadership programmes for wāhine Māori, Pacific women and women from ethnic communities.

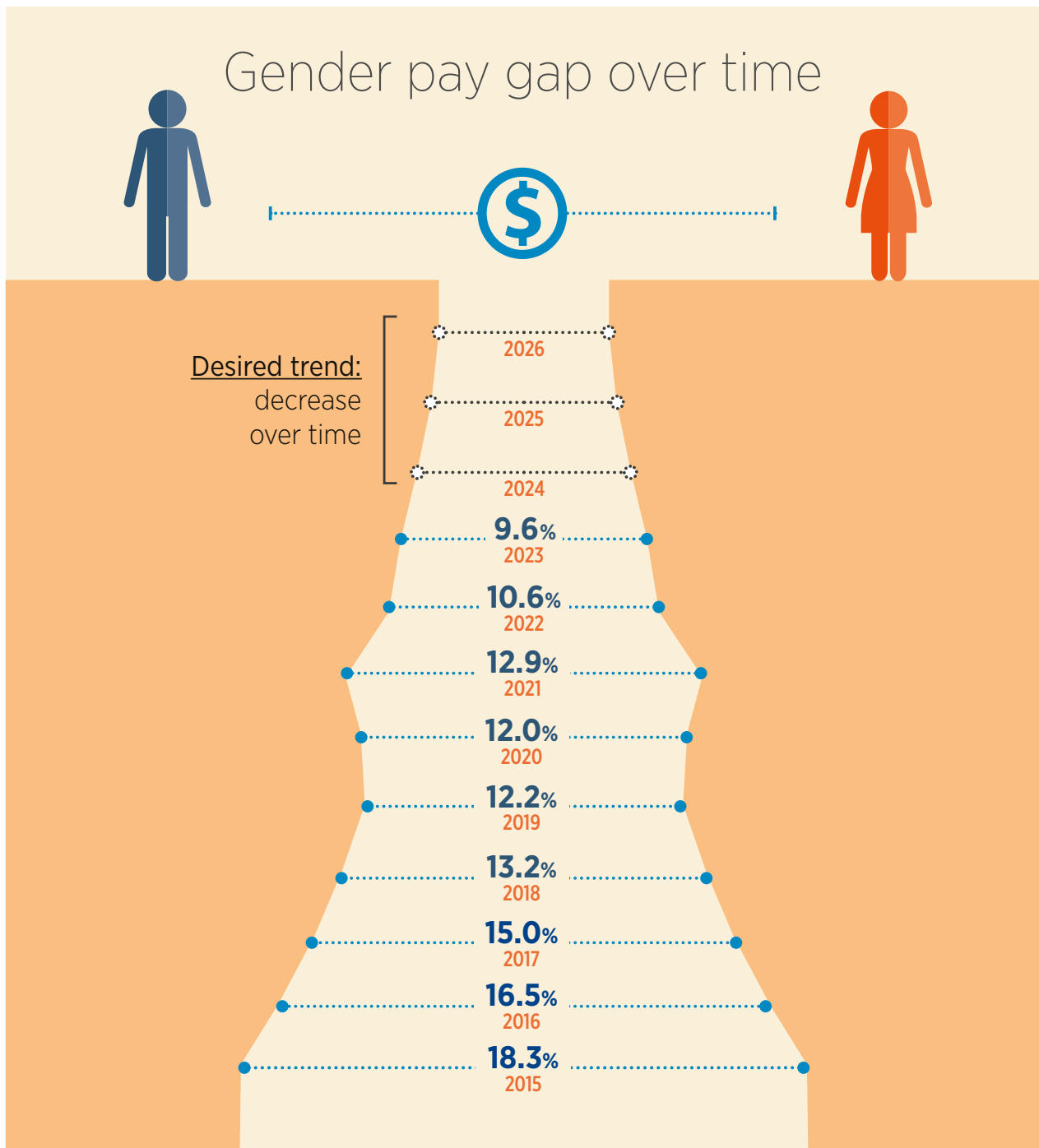
²¹Kia Toipoto builds on the Gender Pay Gap (GPG) mahi, which focused on equal pay; ensuring our HR policies, processes and systems are free from bias; gender balanced leadership and becoming flexible by default.

Accelerating progress for wāhine Māori, Pacific women and women from ethnic communities

In 2022/23, our commitment to Kia Toipoto saw several of our people enroll in the Tū Mau Mana Moana Programme. It offers leadership courses to exceptional public service leaders in Aotearoa New Zealand from diverse Pāsifika²² backgrounds. The two candidates we put forward for the first of two cohorts graduated in 2022/23. Two candidates were accepted for the second cohort and are due to complete the programme in 2023/24.

Visit justice.govt.nz to access the plan: <https://bitly.ws/SR93>

Learn more about the goals of Kia Toipoto at publicservice.govt.nz: <https://bitly.ws/TYNB>



²²Pasifika leaders are defined as New Zealand residents who originate from, are descendants of, or who identify with a Pacific Island heritage, including: Cook Islands, Fiji, Kiribati, Nauru, Niue, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu.

Our people, our taonga: Meet Anita



Anita began her Tū Mau Mana Moana journey in November 2021 after seeing it was unlike any other programme. It focuses on indigenous Pacific people and their connections to themselves, their tūpuna and whenua. Anita was one of the first Ministry people to be accepted into the programme. She graduated in February 2023.

Through the programme, Anita became more comfortable using and facilitating the use of indigenous language and tools in the workplace. She leaned into her culture to drive a different way of thinking and doing things. As a manager, Anita makes sure that this different way of thinking is supported by a strong sense of safety, as she understands these conversations can bring up some vulnerability.

The connections to other participants was a highlight of Anita's time on the programme. It was a place of perspective and learning with other strong, like-minded Pacific leaders. The enduring relationships surrounding her provided the comfort and trust to be fully involved, especially during introspective, confronting exercises. Even after the programme, the group continues to maintain their strong connections.

Anita's advice to young Pacific professionals is to be confident, embrace their cultural identity and connect with everyone in their communities and workplaces. She found Tū Mau Mana Moana was unique in that it strengthens identity and builds an appreciation that everything will be enhanced by that strength.

"When you get the culture right then everything else just falls in line and that's where we start to see an excellent kind of transformation."

Growing our people networks

Employee-led networks are an integral part of building an organisation that fosters respect, inclusion, and diversity. The Ministry has eight active networks, with a combined membership of over 2,500. The networks provide an opportunity for staff to connect, share ideas and support each other, and share expertise and diversity of thought on work programmes. In 2022/23, our networks led a range of events and initiatives that helped us progress our Inclusion and Diversity strategy:

DISABILITY NETWORK

ADVOCATING FOR PEOPLE WITH VISIBLE AND INVISIBLE DISABILITIES

Successfully advocated to make specialist software available to support people with dyslexia – all staff now have access to Microsoft Editor.

Funded online and in person classes for kaimahi to learn New Zealand Sign Language (NZSL) as part of NZSL Week.

Women's Network

SUPPORTING OUR WOMEN

Continued to promote the Period Justice Project, raising awareness, and improving access to sustainable period products.

Supported several members to attend the Women in Public Service Summit²³ in Wellington.



Promoted Plastic Free July and ran a competition to encourage people to use sustainable food packaging.



Delivered a Thriving Young Professionals development workshop, aimed at supporting people in the initial stages of their career.



Supported members of their working group to attend the Cross Agency Rainbow Network Conference in Christchurch.



Held their first in-person working group hui and hosted events to celebrate significant cultural events, including Diwali and Ramadan.



Invited all Ministry staff to engage in mātauranga Māori, by creating a space online where the work week is open and closed with karakia.

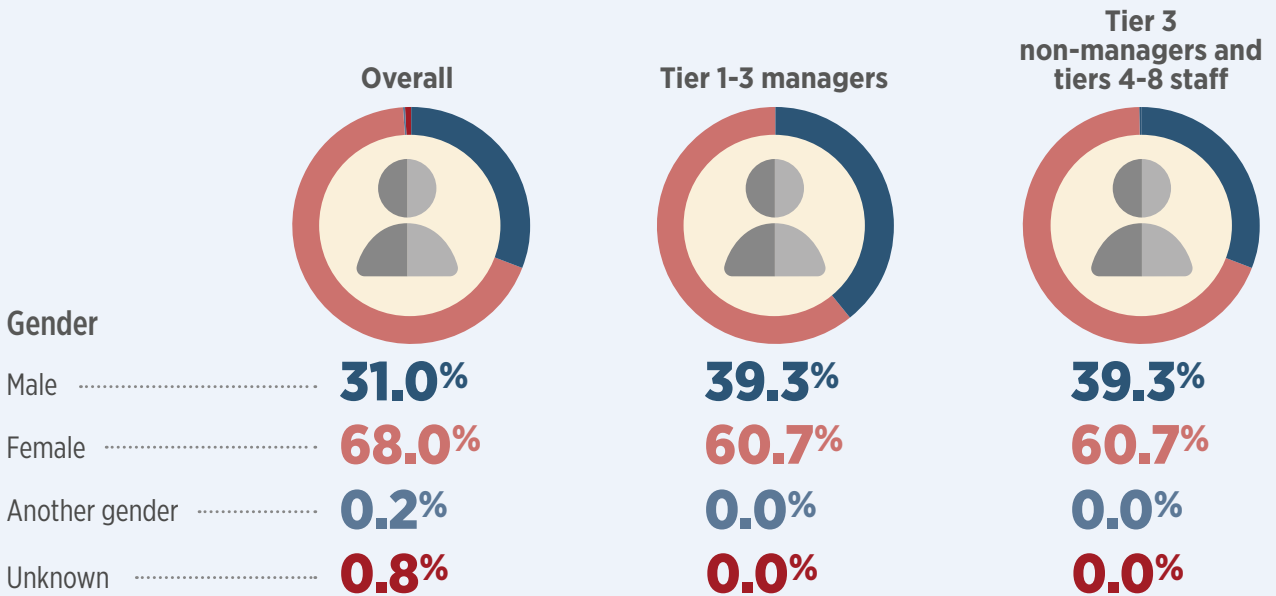
Developed a Māori Leadership Mentoring Programme to support the development and progression of kaimahi Māori.



Promoted nine Pacific Language Weeks and organised cultural events at Ministry locations across the country.

²³Run by Te Aka Wāhine o Aotearoa – the Government Women's network, the summit provides professional development and network opportunities to help women to achieve their full potential, lift workplace engagement, inspire, motivate, and create professional connections.

OUR PEOPLE



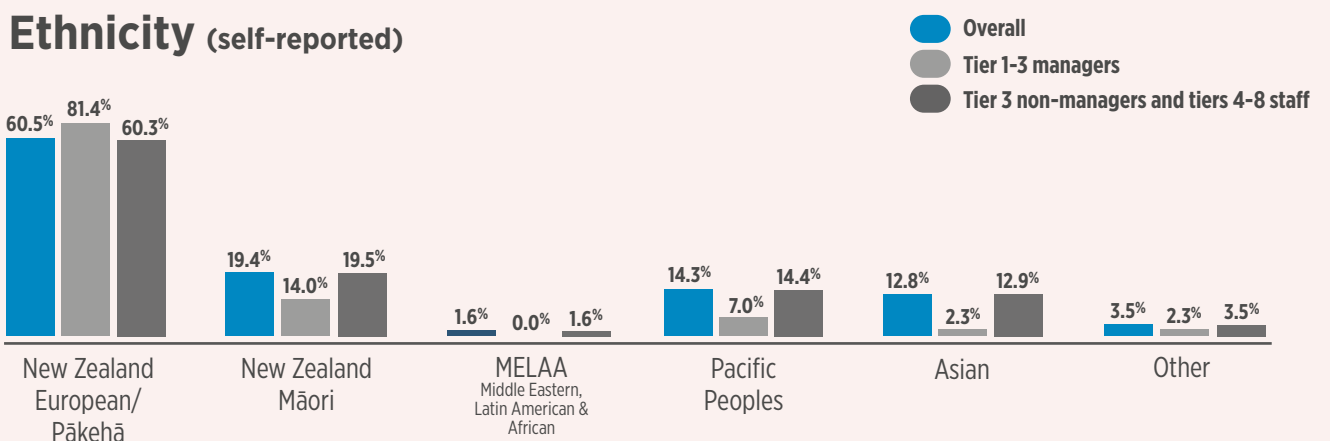
66.1% of our people work in **Operations and Service Delivery (OSD)**

Total number of OSD employees 3,036

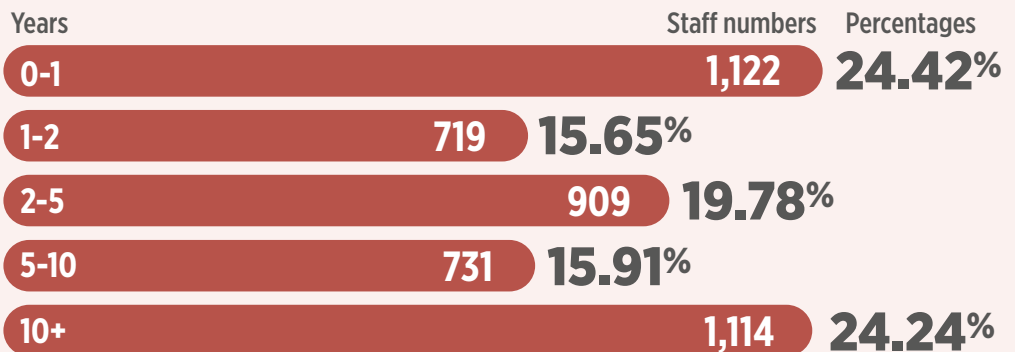
4,595 people work at our **Ministry**

FTE (full-time equivalent) 4,460

Ethnicity (self-reported)



Breakdown of staff length of service



Growing inclusive and diverse leadership

Rangatahi Māori Emerging Leaders Programme

This 10-month development initiative supports rangatahi²⁴ Māori across the Public Service who want to move into leadership and governance roles. The programme's core objectives are to empower participants to lead and serve effectively in their communities and the Public Service, equip them with the tools to navigate their professional development, and establish a supportive network of Māori leaders across the public sector.

In 2022/23, the programme included comprehensive learning experiences at quarterly three-day development wānanga. A new intake of 30 emerging Māori leaders from across the public sector started the programme in 2022/23. This is the second year the Ministry has participated in the programme; our Ministry and Te Arawhiti had 3 staff members join the 2022 cohort, and our Ministry had 5 staff members join the 2023 cohort.

Te Kaitaki New Leader of Leaders programme

In 2022/23, Ara Poutama Aotearoa - Department of Corrections invited the Ministry to participate in this cross-agency 8-month programme. It is designed to develop leadership skills such as strategic and systems thinking, as well as Māori-Crown capability and a unified and inclusive leadership mindset.

Aspire Women's Leadership Development programme

The Aspire programme recognises the differences for women in their path towards senior leadership. It focuses on equipping women with the skills and tools needed to step up into leadership roles. The programme was held over eight half-days, with workshops focusing on mindset, vulnerability, power and influence, resilience, and strategies for continuing growth.

Supporting a positive workplace

Implementing our Wellbeing Strategy

Hei Puāwaitanga Mō Tātou Katoa - Flourishing For All is our Ministry's mental health and wellbeing strategy for 2022 - 2025. The strategy provides four interconnected focus areas for the future - the impact of wellbeing on our people, our performance as an organisation, the services we provide and those we support:

Āwhina mai, āwhina atu	Cultural safety
This is our leaders' ability to support and nurture wellbeing through listening, understanding, making the time, being compassionate and showing that they care. Leaders who care prioritise our people's wellbeing through a holistic approach which embeds all aspects of Te Whare Tapa Whā.	This is how our people from all cultures can express themselves and their cultural identity as they go about their work. As a Ministry we want to create an environment where everyone can flourish, and together explore, celebrate, and recognise the diverse cultures of Aotearoa.
Wellbeing by default	Safe to speak
Our people want to see wellbeing become 'just how we do things' at our Ministry. This will be achieved through making wellbeing easy to access and implement and normalising the discussion and practice of wellbeing.	This is about creating an environment where everyone feels able to contribute, to speak their mind and share ideas knowing that they will be respected, listened to, and heard.

In implementing this strategy in 2022/23, we commissioned an independent, voluntary assessment of staff wellbeing. This helped us understand the different wellbeing needs and how we can work together to support all kaimahi. A total of 2,178 respondents completed the assessment:

- 53% of respondents indicated high workload as a common work stressor
- 80% of respondents indicated low to moderate psychological distress
- 60% of respondents indicated that the most common non-work stressor was financial.

The overall assessment findings and results will inform a Wellbeing programme for 2023/24. Our commitment to building a workplace culture that promotes respect, inclusion and diversity also saw us:

- take a stand against bullying with teams and sites across the country participating in Pink Shirt Day²⁵ 2023 to celebrate diversity and kindness in workplaces
- celebrate New Zealand Sign Language week in May to increase awareness of the Deaf community and NZSL

²⁴Indicative age 18 to 28 years.

²⁵Pink Shirt Day is led by the Mental Health Foundation with support from InsideOUT, the Peace Foundation, New Zealand Post Primary Teachers' Association (PPTA), Te Kaha O Te Rangatahi Indigenous Youth Hub, Te Kāhui Tika Tangata - the Human Rights Commission, Bullying-Free NZ Week, Cook Islands Development Agency.

Case study: supporting and protecting our people from domestic violence

The prevalence of family violence in New Zealand is well known and we know that some of our people will be impacted. We want to support our people who are impacted by family violence and any of our people who are concerned about harmful behaviour within a family relationship.

Our workplace family violence programme recognises that a variety of situations may impact our people and those close to them. We know that what happens in our personal lives can have an impact at work (and vice versa). Good progress was made with delivering and developing this programme in 2022/23:

- our Family Violence Contact People (FVCPs) received their annual training from Shine²⁶ and support from the Workplace, Culture and Learning Team so they are prepared to support employees affected by family violence as well as managers with affected team members
- we helped managers understand the tools needed to support kaimahi who may be affected by family violence, working with Shine to provide online learning and in-person workshops within the Ministry.

Our programme includes maintaining the Ministry's Workplace Family Violence Policy and providing training and information online within the Ministry about how to access family violence workplace support. This includes a list of FVCPs and family violence specialist helplines.

We will continue to progress and develop the programme's key components. As a DVFREE Tick²⁷ accredited agency, we are aiming to have 70% of our managers complete the DVFREE manager training by April 2024.

- commemorate White Shirt Day to recognise the importance of stopping violence from men against women
- celebrate International Women's Day to recognise the social, economic, cultural, and political achievements of women
- promote the importance of mental health through:
 - › Mental Health Awareness Week²⁸, to promote the Mental Health Foundation's annual campaign to help Kiwis understand what boosts their wellbeing and improves mental health
 - › Neurodiversity Week to recognise the many talents and advantages of being neurodivergent
 - › webinars to help kaimahi understand and manage anxiety.

Recognising excellence

Te Rā Ratonga Tūmatanui - The Public Service Day Awards

Te Rā Ratonga Tūmatanui - Public Service Day awards are an opportunity to recognise public servants who exemplify spirit of service and are making a real difference through their everyday work for Aotearoa New Zealand or New Zealanders. Several of our people received one of the two awards in 2022/23:

Te Tohu Ratonga Tūmatanui o Aotearoa | The New Zealand Public Service Medal

Carl Crafar, our Chief Operating Officer, received the Te Tohu Ratonga Tūmatanui o Aotearoa | The New Zealand Public Service Medal from Te Kawa Mataaho - Public Service Commission. This award recognises Carl as a true public servant who has dedicated his career of more than 35 years to improving the lives of New Zealanders. From frontline to senior leadership roles, his spirit of service to the community has been a driving force. In 2022, Carl stepped up to lead the whole-of-government COVID-19 response in implementing the summer readiness programme²⁹. His work has made key contributions to Aotearoa New Zealand's response to the pandemic and touched the lives of millions. His colleagues describe him as going above and beyond to deliver results, with a strong sense of determination and integrity.

²⁶Shine is a specialist domestic violence service provider that has been helping people who experience domestic violence to become safe since 1990.

²⁷The DVFREE Tick is a mark of confidence that an employer has taken meaningful steps to achieve goals of a DVFREE workplace.

²⁸MHAW has been run annually by the Mental Health Foundation since 1993. MHAW is endorsed by the World Federation for Mental Health and is marked in over 150 countries at different times of the year.

²⁹This programme was focused on the anticipated increase in COVID-19 cases and making sure agencies were collectively ready to prepare New Zealanders for COVID-19 in summer.

Te Tohu Amorangi a Te Kawa Mataaho - Public Service Commissioner's Commendation for Excellence

<p>Shelley Barwick Courts Service Manager, National Domestic Violence Programmes Team</p>	<p>Shelley has been instrumental in developing family and sexual violence programmes through the training of staff and the creation of resources for communities. Her mahi has increased whānau engagement with safety programmes and the overall responsiveness of the courts.</p>
<p>Maggie Drennan Court Registry Officer</p>	<p>During the COVID-19 anti-mandate protests, Maggie ensured protestors received justice support, while protecting those around them. She stayed engaged with Ngā Pirihiimana o Aotearoa – New Zealand Police throughout, to continuously improve the response.</p>
<p>Fraser Gibbs Former General Manager, Commercial and Property</p>	<p>Fraser has been at the forefront of innovative co-design of court buildings. This has ensured new buildings are responsive to community needs and provide a safe space for services. During the pandemic, he supported courts to continue operating, keeping staff safe across the country. His deep respect for Te Tiriti o Waitangi and the aspirations of iwi have been a strong theme within his work.</p>
<p>Caroline Greaney Director, Justice System Kaupapa Inquiry</p>	<p>Caroline has been instrumental in policy and law advice surrounding significant sensitive topics, with an ongoing commitment to Te Tiriti o Waitangi. Caroline's colleagues applaud her stewardship and ability to stay focused on the bigger picture. In response to COVID-19, she was seconded to Manatū Hauora - Ministry of Health Vaccination Programme where she supported the flow of information to Ministers, and governance arrangements.</p>
<p>Moana Ieremia Manager, Te Ao Mārama</p>	<p>Throughout her varied career, Moana has helped to progress the 'Te Ao Mārama/Enlightened Justice for all' kaupapa, the vision for the District Court of New Zealand. Through strong collaboration, Moana has played a lead role in lifting court performance, increasing positive engagement, and making justice accessible for South Auckland communities.</p>
<p>Richard Paul Williams Regional Manager, Courts and Tribunals</p>	<p>Richard served as the Essential Services Lead³⁰ in the COVID-19 response and supported the sentencing following the Christchurch terrorist attack. He also advocates for Court Victim Advisors at a senior level, supporting their crucial role in the court system.</p>

³⁰This role ensures an essential service is able to continue operating during a pandemic or other public health emergency. They work with the government, other essential service leads, and their own organisation to develop and implement plans to keep staff and customers safe, and to ensure the service can continue to operate even if there are disruptions to the supply chain or other challenges.

2021/22 Chief Executive Award recipients recognised

Our Chief Executive Awards formally recognise the outstanding contribution our people make to our Ministry. The mahi our people carry out is diverse and wide ranging, and the Chief Executive Awards provide a great opportunity to recognise and celebrate this. The previous year's recipients received their awards in 2022/23.

2022 Leadership Awards Ngā Pou o te Tāhu

These awards were introduced by our Strategic Leadership Team to recognise outstanding leadership across the Ministry and celebrate leaders who are going above and beyond to help make the Ministry a great place to be.

Court security staff recognised

The contribution of our court security staff deployed to high-risk court proceedings (terrorist attack on Christchurch masjidain - RvT and Operation Silk³¹) was acknowledged and celebrated at a ceremony at Wellington High Court. Recipients received ribbons to wear on their uniforms in recognition of their service.

Progressing our Digital Strategic Plan

Our Digital Strategic Plan is our vision for technology and outlines our approach for adopting digital services over three horizons covering the short, medium and long-term:

- Horizon One: moves us towards being operationally excellent, putting the digital foundations in place to support the work to come
- Horizon Two: working with business groups in the Ministry to understand what they need and providing innovative and agile digital solutions to meet those needs
- Horizon Three: looks to how digital services might support the justice sector.

In 2022/23 we focused on strengthening our digital foundations so we can build modern digital services. We now have:

- reliable and secure network and Wi-Fi access across all our locations, meaning our people can access the tools they need to do their jobs without delay
- a new information management tool for a large part of the Ministry, which also helps our people collaborate
- a renewed and people-centric approach with one of our key technology suppliers, which has introduced new channels for our people to access support for IT problems
- a modern identity and access management capability, which has improved the security of our systems, ensuring the Ministry is better protected against threats and vulnerabilities.

This foundational mahi gives us a sound base to work from as we progress towards Horizon Two.

³¹Operation Silk was a large scale Police investigation of the Mongols gang in the Bay of Plenty.

Managing our corporate responsibilities



Providing governance

The Strategic Leadership Team (SLT) is collectively responsible for the Ministry's organisational performance. SLT sets out our long-term strategic direction, ensuring good foundations and aligned investment decision-making, and provides assurance over operational performance, so we can meet our strategic objectives.

The Risk and Assurance Committee provides independent advice and observations to the Secretary for Justice on the quality of our risk management processes; internal control mechanisms; internal and external audit functions; integrity of performance information; business improvement initiatives; governance framework and processes; and policies and processes adopted to ensure compliance with legislation, policies, and procedures. Our governance model is made up of the following:

- **Board** - responsible for setting and monitoring progress towards our strategic direction and priorities
- **Business Committee** - provides a weekly update of key business and operational events and news, which can include approval of time-critical governance or operational decisions if required
- **Health, Safety and Security Committee** - leads our health, safety and protective security arrangements. It oversees delivery of our obligations under relevant legislation and internal policies, and makes recommendations to achieve our health, safety and security objectives
- **Investment Committee** - helps ensure that investment in projects is made visible and governed in a consistent way across the organisation. It oversees the delivery of projects and sub-portfolios to support the realisation of our strategic priorities.

Managing risk

Effective risk management is critical to achieving our strategic objectives and responsibilities to Aotearoa New Zealand. Our SLT reviews strategic risks on a quarterly basis, with supporting analysis helping them make decisions to strengthen mitigation activities. We have refreshed our strategic risks in line with our refreshed strategy to ensure we remain focused on the most important risks to delivering on our priorities.

Business groups manage operational risks, and projects manage risks associated with transformational initiatives. The enterprise risk framework ensures this all happens in a clear, consistent, and holistic manner.

Our internal audit programme provides independent assurance to the Secretary for Justice and senior managers that our system of internal control is operating effectively. The Risk and Assurance Committee provides independent advice and supports the Secretary for Justice on risk management. Specific fiscal risks are reported to Treasury on a regular basis.

We collaborate with our justice sector partners to understand and manage sector-wide risks, while our continuous improvement approach to risk management sees us regularly refreshing our risk related policies and processes.

The Ministry operates a security operations centre function which makes use of security technologies and automated processes to prevent and detect anomalies, and to monitor and respond to cyber security threats and incidents.

Maintaining cyber security

The cyber security threat environment is continuously evolving and becoming more sophisticated and, because of the speed and sophistication in the way that malicious actors are moving, there will always be an element of risk derived from yet unknown threats. Examples of the activities we're committed to, which strengthen our defence against such risk, include:

- providing security assurance over our technology services including penetration testing, vulnerability scans and certification & accreditation (C&A) to provide confidence that information security risks are mitigated
- deploying technology capabilities to provide a real time view of the status of security risk and associated controls
- working through a Security Governance Committee to provide direction to the technology security teams and oversee ongoing improvement programmes
- maintaining a comprehensive and effective Security Incident Response Plan.

Carbon Neutral Government Programme

The government declared a climate emergency in 2020 and launched the Carbon Neutral Government Programme (CNGP) to accelerate emissions reductions across the public sector and offset remaining gross emissions from 2025 to achieve carbon neutrality.

Independent verification

Our emissions have been independently verified by Toitū Envirocare (Toitū) since 2020/21 and we have achieved Toitū carbonreduce certification³² for the past three years. We will continue to measure, manage and aim to reduce our carbon emissions in line with international standard ISO14064-1:2018.

We are committed to the CNGP and playing our part in reducing carbon emissions across Ministry operations.

Total annual emissions

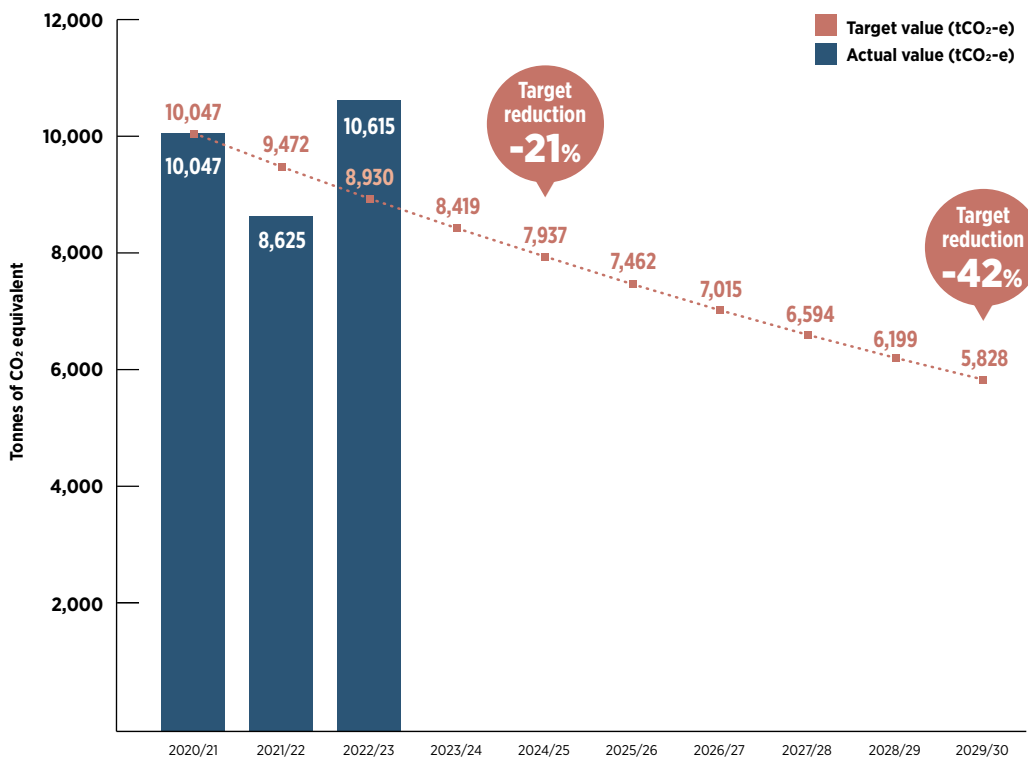


Figure 1

In our 2020/21 base year, we emitted 10,047 tonnes of carbon dioxide equivalent (tCO₂e). In the following year our emissions decreased to 8,625 tCO₂e, as our operations were impacted by COVID-19 more significantly than the previous year due to regional lockdowns. This year our emissions increased to 10,615 tCO₂e.

³²A Toitū carbonreduce certified organisation has measured and managed the operational emissions of its organisation, including business travel, electricity, vehicles and offices, in accordance with ISO 14064-1:2018 and the GHG Protocol.

Emissions intensity by FTE and expenditure

KPI	Unit	2020/21	2021/22	2022/23
Emissions per full-time equivalent	tCO ₂ -e per FTE	2.37	1.98	2.38
Total gross GHG emissions per Operating revenue (\$Millions)	tCO ₂ -e per million (\$)	13.12	10.23	13.05

Table 1

Emissions by Category

Category	Activities	Emissions (tCO ₂ -e)		
		2020/21	2021/22	2022/23
Category 1	Direct emissions:	1,642	2,340	2,516
	• Natural Gas			
	• LPG			
	• Mobile combustion – Petrol & Diesel			
	• Stationary combustion – Diesel			
	• Refrigerants leakage			
Category 2	Indirect emissions from imported energy:	3,943	3,972	3,979
	• Electricity			
Category 3	Indirect emissions from transportation:	3,889	1,787	3,424
	• Air travel			
	• Freight			
	• Rental cars			
	• Taxis			
	• Public transport			
	• Accommodation			
	• Working from home			
Category 4	Indirect emissions from products used by the organisation:	573	526	695
	• Waste to landfill			
	• Electricity transmission & distribution losses			
	• Natural gas transmission & distribution losses			
	• Paper use			
	• Water supply			
	• Wastewater treatment			
Category 5: Indirect emissions associated with the use of products from the organisation	None measured	0	0	0
Category 6: Indirect emissions from other sources	None measured	0	0	0
Total gross emissions		10,047	8,625	10,615
Change in gross emissions from previous year			-14.16%	23.07%
Change in gross emissions since base year			-14.16%	5.64%

Table 2

Table 2 shows our greenhouse gas emissions broken down by the four categories³³ applicable to the Ministry. Emissions from electricity (Category 2) are consistently our largest emissions source due to our large number of sites. Direct emissions (Category 1) have increased due to improved data accuracy for some sources. Transportation emissions (Category 3) have increased from last year but decreased from our baseline year.

Emissions profile broken down by emissions source

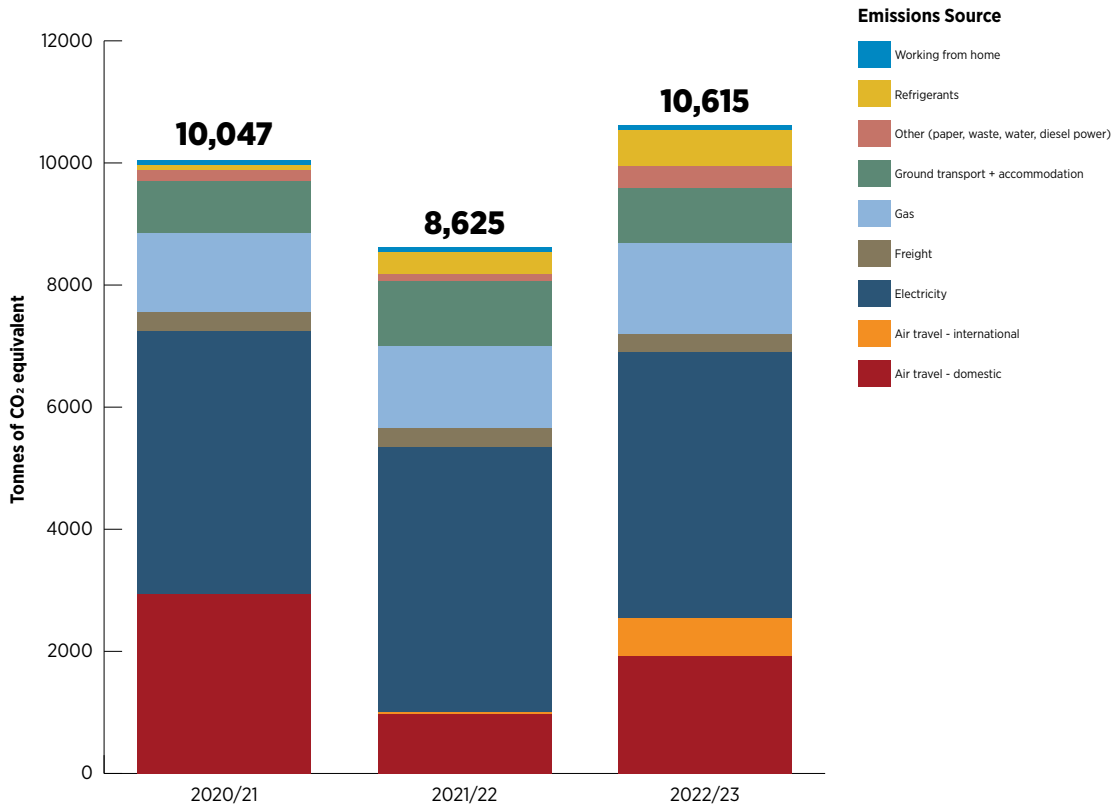


Figure 2

Figure 2 shows our emissions for the past three years broken down by source. The increase between 2021/22 and 2022/23 is mostly due to operational travel resuming close to pre-COVID-19 levels following regional lockdowns in cities we most frequently fly to, such as Auckland. We also reported an increase in refrigerant emissions which are associated with our air conditioning systems. Electricity and gas are consistently large emissions sources across all years due to our large number of sites.

Our emissions reduction targets

We have set the following gross emissions reduction targets, as shown in Figure 1:

- Reduce gross emissions by 21 percent by June 2025 (from 2020/21 baseline year)
- Reduce gross emissions by 42 percent by June 2030 (from 2020/21 baseline year)

Our targets are in line with New Zealand's international commitment to limiting the global average temperature increase to 1.5 degrees Celsius above pre-industrial levels.

In 2022/23 we saw an increase in overall emissions of 5.6% from our 2020/21 base year and an increase of 23.1% from 2021/22. This year, our emissions were 25.2% over our 2024/25 target.

³³The terminology of 'categories' is used in ISO 14064-1:2018, to add further definition to the different 'scopes' that are used in the Greenhouse Gas Protocol. Scope 1 and 2 are the same as categories 1 and 2, respectively. Scope 3 includes categories 3, 4, 5 and 6.

Our reduction plan

Last year, we created our first Emissions Reduction Plan, which sets out our high-level intentions and areas of focus for reducing emissions across our operations. We are a large Ministry with complex operational functions. The majority of our emissions are from the energy required to power our large portfolio of courthouses and buildings. This makes our energy emissions a key area of focus for potential reductions going forward. Domestic air travel is a significant emissions source that is also a focus area for reductions.

We have several projects currently underway or completed that will contribute to emissions reductions, including:

- continuing to optimise and transition our fleet vehicles to electric or plug-in hybrid vehicles
- investing in LED lighting upgrades at our National Office
- promoting more efficient modes of work-related travel to staff, such as hybrid or electric rental cars
- investigating the energy consumption of our sites to identify which are operating inefficiently
- continuing detailed data analysis and data improvements to generate greater insights
- pursuing Energy, Efficiency and Conservation Authority (EECA) funding for infrastructure upgrades
- conducting comprehensive waste audits at several sites to understand our waste behaviours and areas for improvements.

We are committed to ongoing improvements in our emissions reporting and implementing emissions reduction initiatives across the Ministry.

Restatement of historical emissions

This year, we have focused on improving overall data accuracy. This process enabled us to identify incorrect assumptions previously used for several emission sources in our historic emissions data. These data improvements resulted in a better understanding of our emissions which will enable us to focus our efforts on achieving reductions. We have recalculated our emissions for both 2020/21 and 2021/22, as shown in table 3. All recalculated emissions sources and our overall emissions totals have been verified by Toitū as part of our 2022/23 carbon emissions audit.

Restatement of emissions

Comparison of previously reported and recalculated emissions

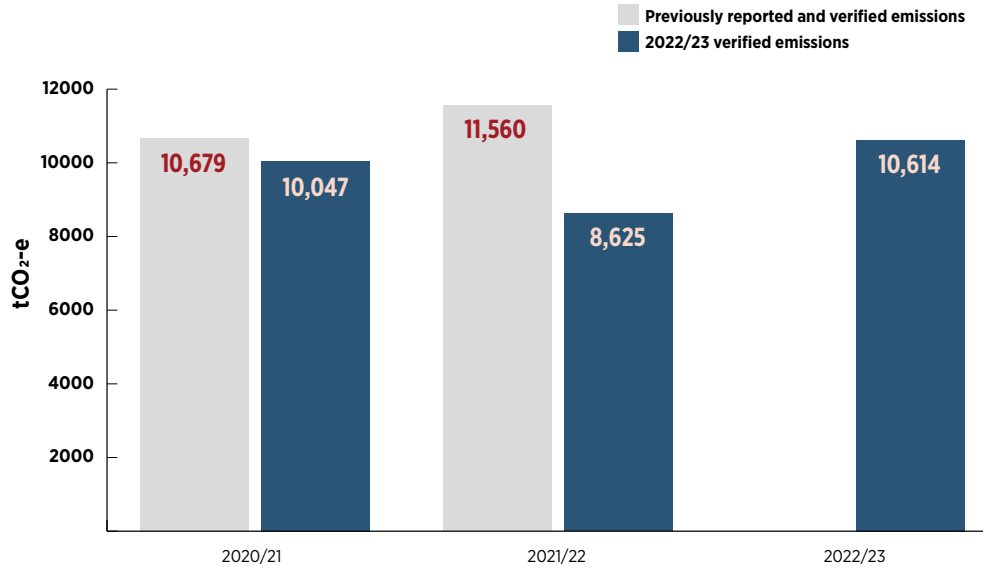


Figure 3

Recalculated emissions sources

Source of emissions	FY2020/21			FY2021/22		
	Past value (tCO ₂ -e)	New value (tCO ₂ -e)	Change (%)	Past value (tCO ₂ -e)	New value (tCO ₂ -e)	Change (%)
Accommodation	78	162	108%	94	95	1%
Waste to landfill	2,314	106	-95%	2,458	106	-96%
Water supply and wastewater treatment	227	7	-97%	234	7	-97%
Freight	425	304	-28%	441	304	-31%
Air travel	1,737	1,892	9%	1,854	584	-69%
Working from home	33	79	139%	22	79	259%

Table 3

Budget Policy Initiatives



The following tables present where information on the policy initiatives across our two Votes can be found in this report.

VOTE JUSTICE		
Name of Initiative	Budget year/s funded	Location of performance information
Wellington District Court and Tauranga Innovative Court: Business Cases	2020, 2021	
Advancing Electoral Law Reform	2020, 2021, 2022, 2023	Page 19
Maintaining Service Levels in a Complex Environment with Increased Resilience	2020, 2021, 2022, 2023, 2024	
Justice Sector Resourcing to Address COVID-19 Related Backlogs	2020	Page 24
Conversion Practices Prohibition Legislation Bill Approval for Introduction	2020, 2021	
Maintaining Funding for Legal Representation for People Who Cannot Afford Legal Services	2020, 2021, 2022, 2023, 2024	Page 27
Strengthening the System to Improve Access to Justice and Reduce Debt for Low-Income New Zealanders	2020, 2021, 2022, 2023, 2024	
Policy Group - New Capability to Make it Functional, Effective and Resilient	2020, 2021, 2022, 2023, 2024	
Meeting Demand for Critical Court and Justice Services	2021, 2022, 2023, 2024	Pages 13, 24
Investment in Infrastructure - Maintaining Critical Technology for Courts and Justice Services	2021, 2022, 2023, 2024	Page 24
Addressing Critical Cost Pressures	2021, 2022, 2023, 2024	
Leading the Response to Justice Sector Kaupapa Inquiries	2021, 2022	Page 20
Preventing Family Violence and Sexual Violence - Maintaining Services for Victims and Perpetrators of Family Violence	2021, 2022, 2023, 2024	
New Zealand Crime and Victims Research	2021, 2022, 2023, 2024	Pages 16, 23
Coronial Services - Improving the Coronial System for Bereaved Families and Whānau	2021	Page 13
Mana Ōrite Partnership with Ināia Tonu Nei	2021, 2022, 2023, 2024	Pages 19, 20

FOR APPROPRIATIONS ADMINISTERED BY THE EXECUTIVE BOARD FOR THE ELIMINATION OF FAMILY VIOLENCE AND SEXUAL VIOLENCE		
Name of Initiative	Budget year/s funded	Location of performance information
Support and Expand Integrated Community-Led Responses	2022, 2023, 2024, 2025	
Engage and Value Communities in Collective Monitoring, Sharing and Learning	2022, 2023	
Building Workforce Capability to Ensure the Right Response Every Time	2022, 2023, 2024, 2025	

THE COURTS		
Name of Initiative	Budget year/s funded	Location of performance information
Justice Property Health and Safety Remediation of priority Courthouses	2020, 2021, 2022	Page 24
Investment in Infrastructure - Maintaining Critical Technology for Courts and Justice Services	2021, 2022, 2023, 2024	Page 24
Meeting Demand for Critical Court and Justice Services	2021, 2022, 2023, 2024	
Court Security - Strengthening Health, Safety, and Security at the Courts of New Zealand	2021, 2022, 2023, 2024	Page 24
Coronial Services - Improving the Coronial System for Bereaved Families and Whānau	2022, 2023, 2024	Page 13
Justice Sector Resourcing - Addressing the Impacts of the Delta COVID 19 Restrictions	2021, 2022, 2023	
Whakaari/White Island Criminal Prosecution - Ensuring Access to Justice	2021, 2022	
Investment in Infrastructure - Ensuring a Secure Technology Environment for Courts and Justice Services	2021, 2022, 2023, 2024	
Criminal Process Improvement Programme - Make Every Event in the Criminal District Court System Meaningful	2021, 2022, 2023, 2024	Pages 15, 24
Continuing the Alcohol and Other Drug Treatment Courts: Waikato, Auckland and Waitakere	2021, 2022, 2023, 2024	
Support for Judicial Branch of Government - Sustainably Expanding Te Kura Kaiwhakawā (Institute of Judicial Studies)	2021, 2022, 2023, 2024	
Preventing Family Violence and Sexual Violence: Foundational FVSV Training for Ministry of Justice Workforce	2021, 2022, 2023, 2024	Page 22
Increasing fees paid to Judicial Officers	2021, 2022, 2023, 2024	
Cultural Capability - Ministry of Justice	2022, 2023, 2024	Page 29
Canterbury Earthquakes Insurance Tribunal - Continuing Operational Funding	2022	
Charities Act 2005 - Implementation of Changes	2021, 2022, 2023, 2024	
Wellington District Courthouse Remediation Project	2023, 2024	

2022/23

Te Pūrongo ā-Tau o Te Arawhiti Our Annual Report

The Office for Māori Crown Relations - Te Arawhiti was established on 1 January 2019 as a departmental agency hosted by Te Tāhū o te Ture – Ministry of Justice.





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Please note the following section is the narrative on 2022/23 year. For the financial and non-financial performance of Te Arawhiti, refer to pages 104-109 and 196-199 of the Ministry of Justice Annual Report.

Te kupu whakataki a tō mātou Tumu Whakarae



Kei aku nui, kei aku rahi, tēnā koutou katoa,

E hihiko ana te hoki mai ki Te Arawhiti i te noho wātea mō te 12 marama ki te Australia New Zealand School of Government (ANZSOG). Kua whitawhita te hiakai i taku hokinga mai, ā, e whakamaioha ana hoki ki ngā taumata rerekē kua tutuki puta noa i Te Moana-nui-ā-Kiwa hei whai i te mana taurite mō ngā iwi taketake. I Aotearoa nei, e whanake ana ngā kōrero (he uaua hoki i ētahi wā) ki te whakapakari i tētahi iwi e whakahōnore ana i te onamata, ā, e hikaka ana ki te noho tahi a te anamata. E hihiri ana au ki te whakapau kaha ki te akiaki i te oati o Te Tiriti o Waitangi mō ngā tāngata katoa o Aotearoa.

I taku korenga, i hikina e Glenn Webber te mānuka. Tēnei au te mihi atu ki ā ia mō āna tohutohu, tōna awahi me tōna ārahi. I roto i te wā, i mātakina e au a Te Arawhiti e hiki ana i te wero ki te ārahi i te Karauna kia pai ake tana noho hei hoa Tiriti. E whakahihī ana au i taku tīma, nā rātou i whai wāhi atu ki ngā kawenga katoa ki te whakawhanake i te hononga a te Māori me te Karauna. I te tau kua pahure, kua rewa te hiranga o tō tātou kaupapa: mā te tauawhi i ngā iwi i ngā pouatinitini o te wā, tae atu ki te kawē i ngā kōrero taumaha i waenganui i te Karauna me te Māori me te whakatau i ngā kerēme Tiriti o nehe. He uaua, engari he mahi hirahira.

Ahakoa ngā wero o te tau, e rongo tonu ana i ngā pānga o te KŌWHEORI-19, ngā pānga a Huripari Gabrielle me ētahi atu hurihanga huarere rerekē, i taea e mātou te whakatutuki i ngā tohu nui ā-Tiriti. Ko te pai o te whakawhanaunga me te whakapūmau i ngā whakataunga te whakaawenga matua atu i te whāwhai me te “whakatutuki noa”.

E mōhio ana au ehara i te mea ko Te Arawhiti noa iho e kawē ana i ngā mahi mō ngā whakataunga Tiriti. Ka mahi tahi mātou ki ngā tini pokapū rerekē ki te whakatutuki i ngā haepapa whakataunga, ā, kia mōhio te katoa ki te hiranga o tēnei mahi. He mea nui te mahi tahi ki ngā iwi e manawanui ana, ā, e aro whakamua ana ki te whakapau kaha ki te whakatau i ngā take taumaha kia pai ake a Aotearoa mō ā tātou tamariki katoa.

Hei kaiārahi whakapakari i ngā kawenga mō te ao Māori i te rāngai tūmatanui, e hiahia ana au ki te whakanui i ōku pia Tumu Whakarae. E 37 o rātou kua hiki i te mānuka i whakatakoto ki te kaupapa o Whāinga Amorangi: Transforming Leadership. I whakarite i te kaupapa nei ki te awahi i ngā Tumu Whakarae ki te whakatutuki i ngā haepapa o te Public Service Act 2020, e mea ana me mahi tahi ngā kaimahi rāngai tūmatanui hei whakapiki ake i ngā putanga mō te Māori.

Ko te mahi e heke mai ana, i tēnei tau i whakarewaina e mātou i ngā papamahi e rua (Engagement with Māori and Te Tiriti/ Aotearoa History) mā ngā kaimahi rāngai tūmatanui katoa. Ko te kaha hiahia o ēnei papamahi e kite ai te hiahia a te iwi ki te mahi i te mea e tika ana. I ētahi wā me whai tohutohu ki te ārahi i ngā wero o te wā mā ngā kaimahi rāngai tūmatanui.

Kua whanake hoki a Te Arawhiti i ngā mahi mō te takutai moana i roto i te tau kua pahure. Mā te mahi tahi ki ngā kaitono e 200 kia tika ai ngā pārongo, ngā rauemi me te pūtea ki te whakatutuki i ngā wawata mō te moana. He mea nui te Pūrongo ā-Tau ki te pupuri i ngā kōrero mō tō mātou mahi mai i te whakahounga o ngā hononga Tiriti ki ngā mahi-e mahia ana e mātou ināianei ki te whakapakari i te hononga a te Māori me te Karauna.

I tēnei tau i whakanuia e mātou te rā whakatā-ā-ture mō Matariki – he kaupapa mā ngā tāngata katoa o Aotearoa kia whai wāhi atu ki te ao Māori, ā, ki te whakapakari i te iwi whānui hei whakahihitanga mā tātou. Inā te whakaihiihi mō tō tātou whenua kia whai rā whakatā-ā-ture e whakapūmau ana i te ao Māori me tōna motuhaketanga ki te ao.

E whakahihī ana au ki ngā mahi kua oti, ā, e hiamō ana te mahi tahi ki a koutou ki te whakatinana i te oati a te Tiriti.

Lil Anderson
Tumu Whakarae

Introduction from our Tumu Whakarae



Kei aku nui, kei aku rahi, tēnā koutou katoa,

It's invigorating to be back at Te Arawhiti after a 12-month sabbatical at the Australia New Zealand School of Government (ANZSOG). I've returned with a renewed sense of urgency and an appreciation that, across the Pacific, we are at different stages in the journey towards equity for indigenous peoples. Here in Aotearoa, we're having the mature (and often difficult) conversations needed to build a nation that honours the past while looking forward to a shared future. I'm eager to get stuck back into helping realise the promise of Te Tiriti o Waitangi for all New Zealanders.

In my absence, Glenn Webber picked up the reins. I thank him for his clear guidance, awahi (support) and leadership. During this period, I watched Te Arawhiti pick up the wero (challenge) and lead the Crown towards becoming a better Treaty partner. I'm incredibly proud of my team, which contributes at every stage of the evolving Māori Crown relationship. Over the past year, the importance of our kaupapa has been in the spotlight: from supporting iwi through adverse weather events to brokering difficult kōrero between the Crown and Māori and settling historical Treaty claims. It's hard but important work.

Despite a year of challenges, including ongoing COVID-19 issues and the effects of Cyclone Gabrielle and other weather events, we were able to achieve significant Treaty milestones. We are motivated to build quality relationships and settlements that last, rather than by speed and merely 'getting it done'.

Treaty settlements are not the job of Te Arawhiti alone. We work with many agencies to ensure settlement commitments are met and that everyone understands the gravity of this work. More importantly we work alongside our patient, gracious and forward-looking iwi partners to resolve difficult issues and build a better Aotearoa New Zealand for all of our tamariki.

As the system lead for building te ao Māori capability across the public sector, I'd like to celebrate the efforts of my fellow Chief Executives. Thirty-seven have stepped up to the challenge set out in our Whāinga Amorangi: Transforming Leadership programme. The programme helps chief executives meet their Public Service Act 2020 responsibilities, which require all public servants to work with Māori to achieve better outcomes.

We launched two new workshop offerings (Engagement with Māori 102 and Te Tiriti/Aotearoa History) for all public servants. The high demand for these workshops is a welcome reminder that people want to do the right thing but sometimes they just need a little guidance to navigate what is a challenging space for many of our public servants.

Te Arawhiti also made great progress with takutai moana (marine and coastal) space over the last year. We have worked with more than 200 applicants to ensure they have information, technical resources and funding to achieve their aspirations for their rohe moana. Our Annual Report is an important record of our progress from restoring the Treaty partnership to the work we are doing to grow the Māori Crown relationship.

This year we celebrated our second ever Matariki public holiday – a chance for all New Zealanders to cross the bridge into te ao Māori and help build a nation we can all be proud of. How exciting for our country to have a public holiday that acknowledges te ao Māori and our unique place in the world.

I'm proud of the work that has been completed and I look forward to working with our partners and public sector colleagues to realise the true promise of the Treaty.

Lil Anderson
Tumu Whakarae



Ngā Uara – Our Values

Towards True Treaty Partnership



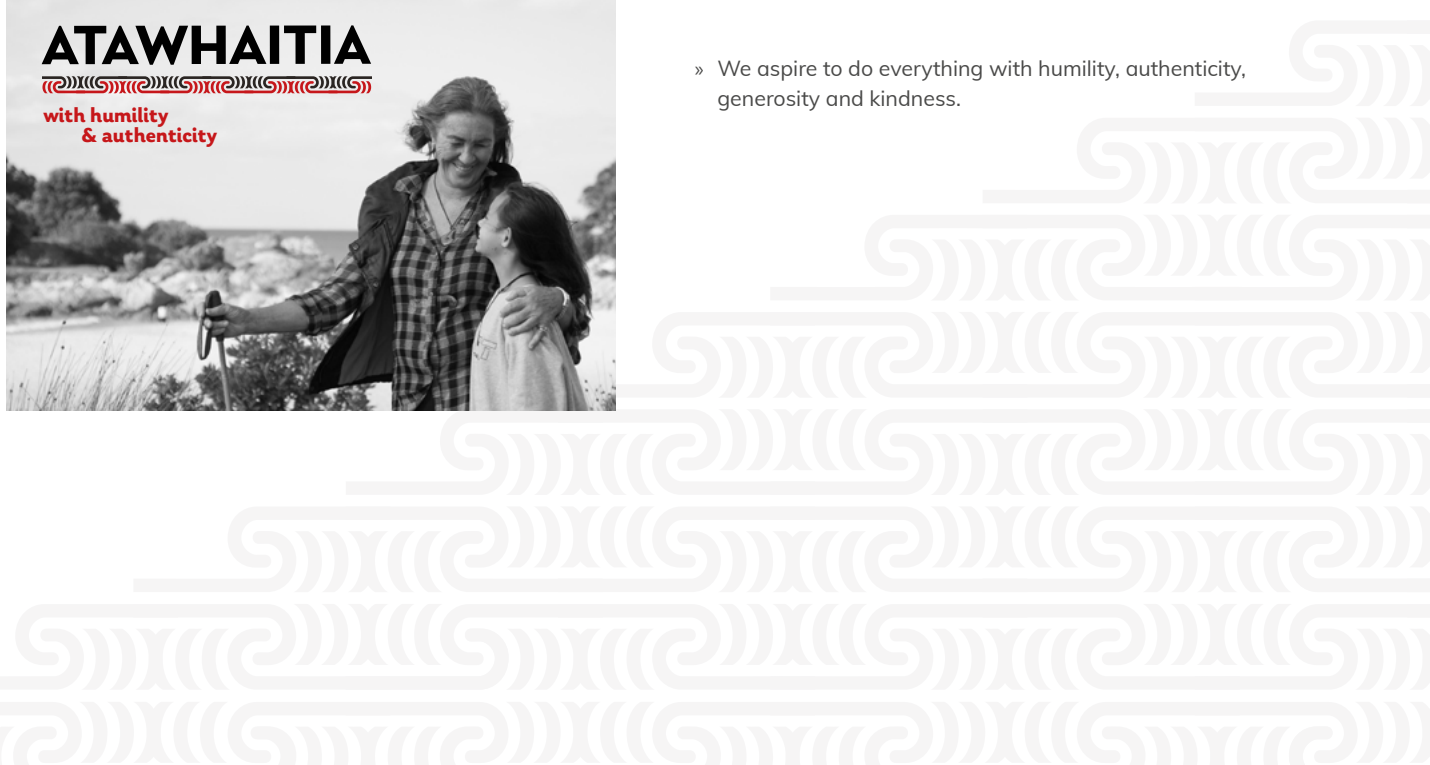
- » We will engage with purpose
- » We will work as one and make sure we have strong relationships - with each other, with Māori, with Ministers and across the public sector
- » We will listen and learn to expand our understanding and lift our capability
- » Manaakitanga and whanaungatanga will be evident in everything that we do.



- » We are committed to our purpose and direction
- » We will learn from the past
- » We will look to the future with optimism
- » We will act with good faith
- » We will work hard to always produce high quality work and achieve great results.



- » We aspire to do everything with humility, authenticity, generosity and kindness.



Te Pūtake - Our Purpose

Our name, Te Arawhiti, means 'the bridge'.

It symbolises the relationship between Māori and the Crown, and the connection between the past and the future. Our establishment signalled a change in the Crown's understanding about its Treaty obligations – as a relationship that requires ongoing effort, rather than a set of wrongs to be settled.

The purpose of Te Arawhiti is to:

- Restore and grow the Māori Crown relationship from historical grievance towards Te Tiriti's promise
- Guide the Crown, as a Treaty partner, across the bridge into te ao Māori and facilitate Māori interactions with the Crown.



Te Arawhiti is the steward for Māori Crown relations across the public service. As the enabling agency, we facilitate the restoration of the Crown's relationship with Māori through settling historical breaches of the Treaty of Waitangi, and helping to recognise existing customary rights to the takutai moana. We work across the system to support the Crown to be a better Treaty partner and in doing so, support better outcomes for Māori and all New Zealanders.

We sustain the Māori Crown relationship by upholding the Crown's settlement commitments and putting the Māori Crown relationship into government policy. We build the Māori Crown relationship by lifting public service capability to engage with and partner with Māori to help realise Māori aspirations in their communities.

Te Arawhiti was established in 2019 following extensive countrywide public engagement on the scope of the Māori Crown Relations: Te Arawhiti ministerial portfolio. Te Arawhiti combined existing functions of the Office of Treaty Settlements with new functions. Our foundations are reflected in our strategic intent, our values, and our priorities.

Our strategic intent is to restore, sustain and build the Māori Crown relationship to realise the promise of the Treaty of Waitangi. Our values – Mahi Tahi (working together), Pono ki te Kaupapa (in good faith) and Atawhaitia (with humility and authenticity) underpin our work. They shape the Māori Crown relationship and give us clear direction to support other public sector agencies to engage with Māori and influence positive outcomes for whānau, hapū, iwi and Māori.



Ngā Tumu – Our Leaders



From left to right:

- Tui Marsh** - Deputy Chief Executive Treaty Reconciliation and Takutai Moana
 - Eru Lyndon** - Deputy Chief Executive Treaty Reconciliation Pourongomau o Ngā Tatau Pounamu
 - Lil Anderson** - Tumu Whakarāe – Chief Executive
 - Warren Fraser** - Deputy Chief Executive Strategy, Policy and Legal
 - Kelly Dunn** - Deputy Chief Executive Partnerships
- Not pictured:
- Mikaere Paki** - Tumu-ā-Tikanga
 - Jacquelyn Shannon** - (Acting) Deputy Chief Executive Organisational Services



Lil Anderson was appointed as the inaugural Chief Executive of The Office for Māori Crown Relations – Te Arawhiti in 2019. She holds a system leadership role across the public service on Māori Crown relations, playing a key role in brokering relationships between government and Māori communities. As Tumu Whakarāe, she leads a team of nearly 200 kaimahi¹ including six Executive Leadership Team members.



Eru Lyndon is the co-leader for the Whakatau kāhui that works with Māori groups to settle their historical Treaty of Waitangi claims. Treaty settlements include historical, cultural, financial, and commercial redress that provide a basis for restoring and strengthening the Māori Crown relationship with the settling groups.



Tui Marsh is the co-leader for the Whakatau kāhui and leads the Takutai Moana kāhui. The Takutai Moana team supports fair, transparent and timely determination of applications to recognise customary marine titles, and protected customary rights or activities, under the Takutai Moana Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 (takutai moana legislation).



Kelly Dunn leads the Hīkina kāhui that works to build public sector capability, ensure public service engagement with Māori is meaningful and coordinate significant Māori Crown events on behalf of the Crown. They also support and broker Māori Crown partnerships, and monitor the health of the Māori Crown relationship. Kelly also leads the Whakamana kāhui who work to safeguard the durability of historical Treaty settlements and key contacts.



Warren Fraser leads the Strategy, Policy and Legal hāpai. The team provides policy and legal advice to Te Arawhiti business groups; advises the government on Treaty rights and interests, and the Māori Crown relationship; and supports the Executive Leadership Team on organisational strategy.



Jacquelyn Shannon manages Organisational Services. Their functions span finance, human resources, contracts and procurement, communications, business planning and reporting, business services, land and implementation, and historian services.



Mikaere Paki guides Te Tima Tikanga, a team dedicated to improving our cultural capability. They ensure our kaimahi have ongoing opportunities to engage in, learn and embrace te ao Māori.

¹For more information about the people who work at Te Arawhiti, go to the section “Ngā kaimahi – Our staff”



Ka Aha - Our Role

Our strategic intent is to restore, sustain and build the Māori Crown relationship. Our work priorities are aligned with these three pou (pillars) and we have structured this Annual Report accordingly.



Our functions include:

- Overseeing Treaty settlement negotiations and policy
- Supporting the Crown to meet its Treaty settlement commitments
- Administering and overseeing the Marine and Coastal Area (Takutai Moana) Act 2011
- Providing strategic advice on the Māori Crown relationship
- Monitoring the health of the Māori Crown relationship across government
- Strengthening public sector capability to meaningfully engage with Māori
- Providing strategic leadership and advice on contemporary Treaty issues
- Brokering solutions to challenging relationship issues with Māori
- Developing collaborative partnership principles to support agencies to deliver optimal social, environmental, cultural economic development solutions
- Providing strategic advice on Māori Crown relationship risks and opportunities
- Co-ordinating significant Māori Crown events on behalf of the Crown.

Ngā whāinga koure - Our highlights 2022/23



July

Te Arawhiti distributed \$4.9m to 60 applicants through the inaugural Matariki Ahunga Nui fund. The fund supports communities around the country to regenerate mātauranga Matariki (knowledge about the Māori New Year).



Whai Hononga funding supported the 50th anniversary of the presentation of the Māori language petition to Parliament. Te Petihana Reo Māori marked the beginning of the contemporary revival of the Māori language and led to te reo Māori becoming an official language of Aotearoa New Zealand.



August

Our Takutai Moana Applicant Management System: Kōrero Kaitono went live. Kōrero Kaitono has helped centralise information online, improving our ability to support applicants by providing information to them faster.



We supported Ministerial attendance at the National Iwi Chairs Forum (Iwi Chairs) Hui in Ruatōrea, East Coast. We worked with the Minister to refresh the way we engage with Iwi Chairs, including resetting the pre-meeting to support a more focused hui.



September

Te Arawhiti hosted more than 650 Maniapoto whānau in Wellington for the 3rd and final reading of the Maniapoto Claims Settlement Bill. This milestone was one of the biggest events managed by Te Arawhiti this year. To mark this occasion, Maniapoto entrusted Parliament with the care of a carved taiaha called Maungarongo for a period of five years, before it is returned to the iwi.



A Ngāti Porou Taumata (forum) attended by the former Prime Minister Rt Hon Jacinda Ardern, nine other Ministers, multiple Chief Executives including our Tumu Whakarae was an opportunity to support the vision and initiatives of the East Coast tribe. These fora are a valuable way of building the Māori Crown relationship.



October

Te Arawhiti staff organised and attended the Crown apology to Ngāti Maru at Te Upoko o te Whenua Marae near Inglewood. The Crown also returned land titles to the Taranaki iwi.



November

The Takutai Moana team from Te Arawhiti provided advice to the Department of Conservation on Sea Change policy to ensure hapū and iwi interests were considered. The change in policy will impact takutai moana groups in and around the Hauraki Gulf.



December

Cabinet approved He Korowai Whakamana – a framework which strengthens the Crown's accountability for upholding its Treaty settlement commitments.



January

Te Arawhiti prepared for the return of in-person celebrations at Waitangi in 2023, the largest Māori Crown relations event of the year.



February

Waitangi week commemorations included the memorialisation of Ōhaewai, an important northern battle site in the New Zealand Wars, and the return of the historic Pākinga Pā to Ngāpuhi.



Te Arawhiti completed public consultation on the application by Ngāti Koata for recognition of a customary marine title for the area around Rangitoto ki te Tonga (D'Urville) Island in Te Moana o Raukawa (Cook Strait). 63 submissions were received from local government, the aquaculture industry and members of the public.



March

The Crown apologised to Ngāti Kahungunu ki Wairarapa Tāmaki Nui-a-Rua at a ceremony to mark the end of their Treaty settlement journey. It has taken the Iwi and the Crown ten years from recognising Ngāti Kahungunu ki Wairarapa Tāmaki Nui ā Rua Trust as the mandated representative of the tribe to negotiating a comprehensive historical Treaty settlement.



Ngā Iwi o Taranaki and the Crown initialled the Taranaki Maunga collective redress deed in South Taranaki. The Taranaki Maunga arrangements provide for recognition of Taranaki and other ancestral mountains in the region to be recognised as a legal person.



April

The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou (Recognition of Customary Marine Title) Amendment Order 2023 came into force. The Amendment Order recognises four further areas of customary marine title on the East Coast of the North Island at Hautai Beach, Port Awanui, Tūpāroa, and Waipiro Bay.



Te Arawhiti contributed Whai Hononga funding to a ceremony at Te Māwhai Railway Crossing to mark the vesting of Te Ara o Tūrongo to Ngāti Maniapoto, and its simultaneous gifting back to the Crown. This agreement was a result of the Maniapoto Claims Settlement Act 2022 and strengthened the partnership between Maniapoto, KiwiRail and the Museum of Transport and Technology.



May

A tōtara sapling, named Te Paimuri which was gifted to the Crown at the Maniapoto apology ceremony in Te Kūiti was planted on Parliament Grounds by the former Prime Minister Rt Hon Jacinda Ardern. This is the only tree from a Treaty settlement to be planted on Parliament Grounds.



Te Arawhiti was instrumental in organising the launch of a Matariki karakia booklet for all New Zealanders. The resource gives whānau and communities simple incantations to support their Matariki commemorations.



June

The Hauraki iwi of Ngāti Hei, Ngāti Paoa and Ngāti Tara Tokanui had the first readings of their Claims Settlement Bill in Parliament.

WHAKAORA



RESTORE



We work to:

- » settle historical Treaty claims
- » resolve longstanding and contemporary issues
- » engage with Māori on Takutai Moana



Settling historical Treaty claims

We partner with hapū and iwi Māori to resolve historical Treaty of Waitangi grievances by negotiating settlements. These settlements include historical, cultural, financial, and commercial redress. Treaty settlements provide a foundation for strengthening the Māori Crown relationship.

Since Te Arawhiti was established in 2019, we have built relationships with iwi Māori with a strong focus on helping the Crown create durable settlements. Building durable settlements is what motivates us, not just speed and getting the job done.

We continue to make steady progress towards settling historical Treaty claims. As at 30 June 2023 almost 100 deeds of settlement were signed, bringing us closer than ever to settling all historic Treaty claims. Settling historical Treaty breaches, establishes a more solid foundation for the Crown's relationship with Māori, and enables whānau, hapū, and iwi to play a more active role in their tribal affairs in wider society.

This year, we achieved the following milestones:

- Implemented settlements for Maniapoto and Ngāti Kahungunu ki Wairarapa
- Passed settlement legislation for Maniapoto, Ngāti Kahungunu ki Wairarapa and Te Rohe o Rongokoko Joint Redress
- Introduced settlement legislation for Ngāti Tara Tokanui, Ngāti Paoa, Ngāti Hei, Hauraki Collective and Whakatōhea
- Initialed deeds of settlement for Te Korowai o Wainuiārua and Taranaki Maunga

- Signed agreements in principle with Ngāti Ruapani, Ngāti Hāua and Ngāti Mutunga o Wharekauri
- Progressed negotiations with Te Whānau ā Apanui, Te Rūnanga o Ngāti Whātua, Te Ākitai Waiohua, Ngāti Rāhiri Tumutumu, Marutūāhu Collective, Ngāti Maru, Ngāti Tamaterā, Ngaati Whanaunga, Ngā Hapū o Ngāti Ranginui, Ngāi Te Rangi, Ngātiwai, Te Whānau a Kai, Ngāti Rehua-Ngātiwai ki Aotea, Waikato-Tainui, Mōkai Pātea, Ngāti Whakahemo, Ngāti Whakauae and Ngāitai ki Tōrere.

As of 30 June, Te Arawhiti is working with Māori on almost 30 deeds of settlement.

This year we continued to work with ngā hapū o Ngāpuhi to support mandate developments in Whangāroa, Waimate-Taiāmai, Hokianga, Te Pēwhairangi and Mangakāhia. Two groupings (Te Whakaaetanga and Te Rūnanga o Ngāti Hine) are developing mandate strategies.

Following the signing of Terms of Engagement in February, we began exploring with Ngāti Rēhia the return of Kororipō Pā, and with the Whatatiri Māori Reserves Trust the return of a Treaty Settlements Landbank Property at Porotī Springs.

We also facilitated the purchase of two highly significant sites - Wharera Pā (in Whangāroa) and an historical site on the Purerua Peninsula - both of which will be held in the Treaty Settlements Landbank and managed by Toitū Te Whenua Land Information New Zealand until future redress discussions with mandated groups are concluded.

Initialling of Te Ruruku Pūtakerongo

This year has seen the initialling of Te Ruruku Pūtakerongo, the Taranaki Maunga collective redress deed in relation to Taranaki Maunga and Egmont National Park. Te Ruruku Pūtakerongo honours a commitment made by the Crown in individual deeds of settlement for the eight iwi of Taranaki.

The Taranaki Maunga arrangements provide for recognising a legal person known as Te Kāhui Tupua (the Ancestral Clan). The collective redress legislation (Te Ture Whakatupua mō Te Kāhui Tupua) will recognise Te Kāhui Tupua as a living and indivisible whole. It covers Taranaki and the other Tūpuna Maunga, including Pouākai and Kaitake, from their peaks down, including all surrounding lands, and incorporating all their physical and metaphysical elements.

The Crown will no longer own the national park – in effect, the maunga will own themselves in perpetuity. In the spirit of partnership envisioned under the Treaty, the Crown and Ngā Iwi o Taranaki will appoint members to the representative entity for Te Kāhui Tupua, known as Te Tōpuni Kōkōrangī. Te Tōpuni Kōkōrangī will be the human face and voice of the legal person in the world.

Following the passage of the legislation, Te Papa-Kura-o-Taranaki will be the official geographic name of Egmont National Park and the first national park in Aotearoa New Zealand to have a sole Te Reo Māori name.

Te Papa-Kura-o-Taranaki will remain a national park administered under the National Parks Act 1980 as amended by Te Ture Whakatupua mō Te Kāhui Tupua. In addition to the requirements under the National Parks Act 1980, Te Papa-Kura-o-Taranaki must be administered and maintained to acknowledge and uphold a set of Maunga Values (known as Ngā Pou Whakatupua) and status of Te Kāhui Tupua. The Department of Conservation will retain its operational management responsibility for budgeting, operational planning and delivery within the national park.

Nothing in the arrangements displaces the rights of hapū and iwi, including the requirement for decision-makers (including the Director-General and the Minister of Conservation) to give effect to the principles of the Treaty of Waitangi in accordance with section 4 of the Conservation Act 1987.

The conclusion of the Taranaki Maunga arrangements signals the close of Treaty of Waitangi negotiations in the Taranaki region and is a significant step towards reconciliation between Ngā Iwi o Taranaki and the Crown.

Resolve longstanding and contemporary issues

As the Crown works to be a better Treaty partner it needs to be prepared to hear and respond to discrete issues raised by Māori. As the steward of the Māori Crown relationship, Te Arawhiti works across the public sector to support the Crown to take a mature and collaborative approach to understanding and responding to Māori issues.

For example, Te Arawhiti has supported the Ministry for the Environment to find a resolution to longstanding Māori concerns about the proposed Kermadec Ocean Sanctuary. Te Ohu Kaimoana and the New Zealand Fishing Industry Association went to court to halt the bill introduced in 2016. They did so on the basis that the proposed sanctuary affected their fishing rights, granted to them under the 1992 Treaty of Waitangi Fisheries Settlement, and that they had not been consulted adequately before the bill's introduction.

Over the course of this year Te Arawhiti and other officials worked collaboratively with Te Ohu Kaimoana and northern iwi to develop changes to the suspended legislation that would protect Māori fishing rights and the integrity of the 1992 settlement. Ultimately, mandated iwi organisations rejected the revised proposal so the issues remain unresolved.

Failure to settle this matter, despite long and intensive efforts, illustrates the complexity and difficulty of our work. Nevertheless, the collaborative approach to seeking resolution also shows a maturing of the Māori Crown relationship – from one where important Māori rights were overlooked and the parties met in court, to one where both parties are prepared to negotiate face-to-face.

Te Arawhiti has also provided expertise and advice to government on other contemporary issues including:

- The Waitangi Tribunal's mini-inquiry into claimant funding named Whakatika ki Runga
- The recognition of Māori interests in telecommunication spectrum
- Government legislative reform
- Recovery efforts following adverse weather events
- Response to COVID-19 by distributing funds, providing tools and resources and connecting iwi with other agencies to help with issues on the ground.

Te Arawhiti also provides support to agencies involved in the Kaupapa inquiry programme. Active inquiries are:

- The Military Veterans Kaupapa Inquiry (Wai 2500)
- The Health Services and Outcomes Kaupapa Inquiry (Wai 2575)
- The Marine and Coastal Area (Takutai Moana) Act Inquiry (Wai 2660)
- The National Fresh Water and Geothermal Resources Inquiry (Wai 2358)
- The Housing Policy and Services Kaupapa Inquiry (Wai 2750)
- The Mana Wāhine Kaupapa Inquiry (Wai 2700)
- The Justice System Kaupapa Inquiry (Wai 3060).



Engage with Māori on Takutai Moana

We support whānau, hapū and iwi groups who apply to have their customary rights recognised under te Takutai Moana Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019. The Takutai Moana legislation provides for two pathways:

- Engaging with the Crown directly
- Applying to the High Court.

Our engagement strategy, developed from applicant feedback and approved by Cabinet in June 2021, takes a coastline approach. It has allowed us to connect with an increasing number of applicant groups. We work with groups when they are ready, in three phases:

- Initial engagement
- Research and evidence
- Recognition & determination.

This year we:

- Supported over 200 applicant groups in seven coastal areas to having customary interests recognised
- Distributed \$10.8m to applicants to progress their applications'
- Provided focused support across seven coastal areas
- Helped applicants understand the application process
- Delivered historical research reports across five coastlines.

In addition, we maintained our public Geographic Information System (GIS) platform: Te Kete Kōrero a Te Takutai Moana Information Hub (Kōrero Takutai). The platform allows applicants and the public to access data rich, dynamic coastline maps for research and gathering evidence.

We also supported the Attorney-General in the High Court by providing historical research, GIS mapping, and other relevant information. We supported policy reform work across government too, policies that affect the rights and interests of takutai moana applicants.

Specifically, we have:

- Recognised four additional customary marine title areas for Ngā Hapū o Ngāti Porou
- Launched Te Kete Kōrero o ngā Kaitono a Te Ture Takutai (Kōrero Kaitono) – a system that allows us to better manage takutai moana applications and improve our engagement with whānau, hapū and iwi
- Developed and implemented revised settings for the Takutai Moana Financial Assistance Scheme, leading to a more relationship-focused and applicant-led approach that better aligns with our takutai moana engagement strategy
- Supported Ngāti Koata and Rongomaiwahine to progress public consultation, part of the final stage for recognising their customary marine title areas
- Advised the Ministry for the Environment on how the Resource Management Act can uphold the rights of applicants recognised by Te Takutai Moana Act 2011.

The role of research in recognising customary rights in Takutai Moana

Research is a critical part of the process for whānau, hapū and iwi to have their customary interests in the takutai moana recognised. Applicant research will focus on their customary interests in an area whilst the Crown's research focuses on identifying other users that have an interest in that coastline.

Kōrero Takutai, is our online mapping tool which enables users to view a wide range of geospatial data relating to the takutai moana. This exciting resource continues to be drawn on by our historians and by applicants as they work through their research. We produce map books for engagements and court hearings, and we assist the Court, counsel, and applicants with mapping and spatial data queries. Our GIS team are continuously looking for ways to enhance the tool to improve the user experience.

Ultimately, our research helps to inform the High Court Judge or Minister to determine whether the applicant groups have held the area in accordance with tikanga; and has exclusively used and occupied it from 1840 to the present day without substantial interruption. If a determination is made, applicant groups receive recognition of their customary rights in the form of customary marine title or protected customary rights.

This year, we produced a research report and map book for the first stage of the East Coast Wairarapa High Court hearing that started in September 2023. We have completed or commissioned reports covering Whangārei Harbour and Whangarei Coast. These reports will be used in upcoming High Court hearings, the first of which will commence in Whangarei in February 2024.

We have completed or commissioned reports covering the Te Roroa coast, South Kaipara Harbour, and Tāmaki Makaurau, to inform engagement with applicant groups in these coastlines.

We continue to prepare historical research and geospatial information in advance of multiple Takutai Moana engagements. Currently work is underway on Northern Taranaki, the Whanganui coast, and the southern South Island.

WHARAPŪMAU



SUSTAIN



We work to:

- » uphold the Crown's Treaty settlement commitments
- » support Crown agencies to effectively engage with Māori
- » place the Māori Crown relationship at the heart of policy development

Uphold the Crown's Treaty settlement commitments

Te Arawhiti is the public service system lead for upholding the durability of all Treaty settlements. Treaty settlements provide a platform for Māori Crown relations so it is critical that iwi Māori have confidence that commitments made by the Crown are honoured.

We do this by maintaining clear expectations for Crown settlement commitment holders, Cabinet agreed to pathways for resolving significant settlement issues as they arise and we provide oversight of the delivery of Crown settlement commitments. We also partner with iwi to ensure they have visibility of this work.

In December 2022, Cabinet approved a framework, called He Korowai Whakamana, which enhances the Crown's accountability for its Treaty settlement commitments.

Cabinet directed core Crown agencies to enter the status of Treaty commitments they are responsible for on Te Haeata (an online portal) by 22 December 2023. Those agencies with less than 1,000 commitments were to complete this by 30 June 2023 and those with more than 1,000 commitments had until 22 December 2023.

- Twenty agencies had until 30 June 2023 to update the status of their commitments on Te Haeata. Seventeen of 20 agencies had completed updating all of their relevant commitments on Te Haeata, with the remaining three agencies completing their updates by 12 July. These 20 agencies constitute 56% of all Crown commitments

- Four agencies (the Department of Conservation, Land Information New Zealand, the Ministry of Education and Te Arawhiti) have until 22 December 2023 to update the status of their commitments on Te Haeata
- Two agencies, with one commitment each (Social Wellbeing Agency and Crown Law Office) have until 30 June 2024 to update the status of their commitments on Te Haeata, because their commitments were published on Te Haeata after He Korowai Whakamana was approved by Cabinet
- Fourteen agencies are not currently responsible for any commitments so there is no practical effect of He Korowai Whakamana timeframes.

Te Arawhiti finished updating the status of our commitments before the 22 December 2023 deadline.

Our next steps are to collate the information collected through He Korowai Whakamana framework and develop a whole-of-system report. Cabinet has agreed that the first whole-of-system report will be provided to the Minister for Māori Crown Relations: Te Arawhiti in 2024.

Holding Crown agencies accountable for their Treaty commitments

He Korowai Whakamana, the Cabinet-approved framework for enhancing accountability for the Crown's Treaty settlement commitments drew on feedback from engagement with post-settlement governance entities.

Cabinet directed core Crown agencies to enter the status of Treaty commitments they are responsible for on Te Haeata by 22 December 2023. Cabinet also directed core Crown agencies to begin reporting on the status of their commitments from the financial year 2023/24 in their annual reports. Through this approval, Cabinet endorsed post-settlement issue resolution pathways and provided a foundation to strengthen the Crown's capability to uphold Treaty settlements.

Between October 2022 and June 2023, Te Arawhiti engaged intensively with agencies through direct agency contacts and agency chief executives. We consulted on the He Korowai Whakamana framework, had regular check-ins with agencies, held numerous Te Haeata training sessions, sat with agencies while they updated their statuses, clarified responsibility for specific commitments and helped gather evidence where agencies had exhausted all other options.

The He Korowai Whakamana framework and Te Haeata platform give us important oversight of Crown agency commitments to Māori. This oversight is an important building block for true Treaty partnership as we can hold Crown agencies accountable for their commitments.

Actively support Crown agencies to engage effectively with Māori

At Te Arawhiti, we know that supporting the Crown to engage with Māori effectively is a key factor in developing good legislation, policy and programmes. It has long been recognised that our communities have the solutions to combat the issues facing them. The ability to engage effectively, build and sustain relationships is fundamental. Te Arawhiti has seen an increase in the need to draw on these relationships over the last few years, particularly when managing emergency responses and where Crown agencies have not undertaken good engagement. The more achievements we make in this space the closer we get to realise the promise of the Treaty between Māori and the Crown.

Engagement Advice

Engagement advice continues to be a focus for Te Arawhiti. We have provided 373 pieces of specific engagement advice, including 51 new engagement processes and reviewed 96 draft cabinet papers. We encourage Crown agencies to send people to the Engagement workshops to develop core skills for effective engagement with Māori.

Engagement Workshops

This year, Te Arawhiti has continued to provide Introduction to Engagement with Māori 101 workshops however we have changed the delivery approach. Workshop dates are now set for the year, enabling public servants and Crown agencies to plan well in advance. We have held 15 Introduction to Māori Engagement 101 workshops, servicing 23 core agencies and nine Crown entities with high registration rates. We have also included

a keynote speaker to provide participants with practical feedback on how the Crown's engagements impact on our communities.

- This year, Te Arawhiti developed two new workshop products for core public servants:
 - Te Tiriti o Waitangi Aotearoa New Zealand History workshop
 - 102 Engagement with Māori Planning workshop.



Assisting in the reclaiming of the 28th Māori Battalion medals

For two years from February 2021, Aotearoa New Zealand saw previously unclaimed medals of 28th Battalion (Māori Battalion) service personnel presented to the whānau and descendants of service personnel who fought in World War II. The Māori Battalion comprised of 3,600 volunteers who fought in North Africa, Crete, Greece and Italy between 1940 and 1945. Many service personnel of World War II, both Māori and Pākehā, did not claim their medals after the war for various reasons.

David Stone of Te Mata Law represented several claimants in the Military Veterans Kaupapa Inquiry. He partnered with the New Zealand Defence Force (NZDF) to honour the soldiers of the 28th Māori Battalion by presenting their whānau with those unclaimed war medals. In late 2022, we supported their collaborative effort to honour the soldiers of the Māori Battalion.

On 3 December 2022, in Rotorua at Te Papaiouru Marae, more than 1,500 people watched as Ministers of the Crown and officers from the New Zealand Defence Force presented medals to the whānau of service personnel. This ceremony also commemorated Tā Robert 'Bom' Gillies as an active supporter of the kaupapa to return unclaimed medals, and celebrated his knighthood for services to Māori and war commemoration.

On 17 December 2022, medals were presented to the whānau of 24 Māori Battalion soldiers. These ceremonies recognise the mana they brought to themselves, their families and Aotearoa New Zealand.

Similar medal ceremonies have been held in Hawke's Bay, Gisborne, Burnham and Upper Hutt. A final medal ceremony will take place on 28 October 2023 at the Waitangi Treaty Grounds.

Put the Māori Crown relationship at the heart of policy development

We provide advice across government to ensure there is a clear understanding of Māori rights and interests and how the Treaty of Waitangi affects policy in the contemporary context. Ministers and agencies are responsible for ensuring their policies are consistent with the Treaty and Māori rights and interests, but as the agency dedicated to advancing the Māori Crown relationship, Te Arawhiti has a leadership role in supporting government entities and lifting the capability of the public service in this space.

We do this by contributing:

- To lead agency thinking during their policy development, particularly when Treaty interests really matter (see the case study below).
- Providing a second opinion on Cabinet papers and other policy documents.
- Developing guidance for agencies to deepen their Treaty understanding and to apply in their policy development and decision-making. For example, in early 2022, we worked with other key agencies, to create the guidance document *Providing for the Treaty of Waitangi in legislation and supporting policy design*. The document guides policy-makers on when and how to provide for the Treaty in legislation.

We encourage early and broad engagement with Māori throughout policy development. Meaningful engagement helps the Crown to be informed, leading to better policy and a stronger Māori Crown relationship.

This year, we have:

- Provided advice on 22 Bills or legislative proposals since April 2022 through the Treaty Provisions Oversight Group
- Provided secondary policy advice on 214 Cabinet papers.

The impact of Te Arawhiti's advice on natural resources policy

Over the last year the Government progressed initiatives with wide-ranging implications for the Māori Crown relationship in the natural resources, conservation and local government sectors. These initiatives include reforming the resource management and water infrastructure systems, responding to the impact of extreme weather events, developing national direction on protecting indigenous biodiversity, supporting parliamentary inquiries into climate adaptation and an independent review of the local government system.

These initiatives intersect with significant tangata whenua rights and responsibilities on natural resources which are protected by Te Tiriti. Treaty settlements, recognise moana legislation and other instruments also recognise these rights and responsibilities. They provide roles for tangata whenua in managing and caring for environmental taonga such as rivers, maunga and the coast.

Across the work programmes, we put the Treaty at the heart of policy-making by helping agencies and Ministers understand and uphold relevant Māori rights and responsibilities. For example, our advice has ensured that mechanisms are in place to uphold Treaty settlement arrangements and takutai moana rights in reforming the resource management system.

We helped provide for tangata whenua involvement in local decision making under the National Policy Statement on Indigenous Biodiversity, and flexibility for Māori land and managing of taonga species. In responding to extreme weather events, and future planning, we helped ensure that the Government understood the differential impacts on Māori land and communities, and developed solutions together with those communities.

WHAKAPAKARI



BUILD



We work to:

- » Lift public sector capability to work with Māori
 - » Broker Māori Crown partnerships
- » Partner in COVID-19 response and recovery

Lift public sector capability to work with Māori

To help build the bridge between Māori and the Crown, we have set expectations and benchmarks to strengthen the public sector's capability to work with Māori.

Whāinga Amorangi, the framework developed to support Chief Executives to meet their Māori Crown Relations responsibility under the Public Service Act, has been in implementation for two years. This cross-government framework provides a co-ordinated and consistent approach to building Māori Crown Relations capability.

Previously, Te Arawhiti took a targeted approach to building public sector capability, initially focusing on six core agencies. We now take a more strategic and comprehensive approach to reaching 37 agencies with capability-building support and advice.

This year:

- We have extended monthly Community of Practice hui to support to 37 agencies to implement their Whāinga Amorangi plans (we have had a medium to high level of engagement with most of the agencies attending)
- We have provided 33 pieces of targeted advice to core Crown agencies on request, a total of 22 engagements since March 2023 when we first commenced measuring targeted support
- One new agency has developed their Whāinga Amorangi plan.

In addition, we have:

- Added new features on to the online portal Te Haeata. These features assist agencies in understanding the status of their Treaty commitments, including a dashboard and deferred selection property updates
- Produced three He Korowai Whakamana framework guidance documents on Crown expectations, resolving issues and updating the status of commitments
- Produced Right of First Refusal Guidance, Whāinga Amorangi Annual Reporting Guidance
- Created a Whāinga Amorangi resourcing hub.

Agencies are required to provide more information on their investment in Whāinga Amorangi and staff uptake.

Te Tauanaki Public Service Census 2022 shows encouraging signs that the public service is lifting their capability to engage with Māori:

- 65% of public servants feel encouraged and supported to engage with Māori to ensure Māori views and perspectives are considered
- 69% of public servants are encouraged to use te reo Māori at work
- 67% of public servants agree that leaders in their agency show a commitment to strengthening relations between Māori and the Crown.



Broker Māori Crown partnerships

The government remains committed to supporting opportunities for partnerships. This year, Te Arawhiti focussed on supporting partnerships between iwi and the Crown to make new and existing partnerships work effectively.

This work often requires us to engage with Māori, and this engagement is largely kanohi-ki-te-kanohi (face to face).

While COVID-19 created an opportunity for us to engage digitally with each other and with our Treaty partners, kanohi-ki-te-kanohi continues to be an important principle for how we operate. This year, we have brought leadership together kanohi-ki-te-kanohi to forge and sustain relationships. In a true show of brokering Māori Crown relationships, Waitangi 2023 included a commemoration close to Kaikohekohe, marking the return of privately owned land at Pākinga Pā to Ngāti Tautahi and Ngāti Ueoneone.

This was also present at the Te Arawhiti launch of the Matariki karakia booklet to support whānau and community celebrations of Te Rā Aro ki a Matariki. The booklet titled 'Mānawatia a Matariki: Matariki Karakia', contains karakia for each of the nine stars of Matariki and has been sent to schools and communities across Aotearoa.

This year we have:

- Provided key support facilitating over 130 brokering hui and associated pieces of advice, largely related to advising on COVID-19 and related health issues, and severe adverse weather events.
- Engaged closely and frequently with iwi in response to COVID-19 and related health issues, and adverse weather events
- Continued to lead the NICF-Crown Statement of Engagement and provide leadership for how the Crown engages with the NICF. This has involved oversight of the Rangatira ki te Rangatira work programme, which has included a refresh of the mutual priorities and several engagement processes
- Successfully completed Matariki Ahunga Nui inaugural funding. A total of \$4.9m distributed to 60 applicants across four workstreams
- Launched the Matariki karakia booklet to support whānau and community celebrations of Te Rā Aro ki a Matariki
- Transitioned Te Rā Aro ki a Matariki workstreams to Manatū Taonga – the Ministry for Culture and Heritage
- Partnered on 12 Whai Hononga: Supporting Significant Māori Crown Events in 2022/23, noting that Waitangi Week is counted as one, not the individual events that make up the week
- Supported Waitangi 2023 celebrations – the largest Māori Crown relations event of the year. This year included the Ohaeawai Memorialisation event and the commemoration to mark the return of Pākinga Pā.

Creating the Matariki Karakia booklet

Introduced into the national public holiday calendar in 2022, Te Rā Aro ki a Matariki is an illustration of how mātauranga Māori is becoming an integral part of our national identity. While formal responsibility for leading Te Rā Aro ki a Matariki workstreams has transitioned to the Ministry of Culture and Heritage, Te Arawhiti has continued to support the embedding and implementation of the Matariki Public Holiday.

2023 saw Te Arawhiti supporting the development of a Matariki karakia booklet that will help to safeguard and share the mātauranga underpinning Te Rā Aro ki a Matariki. With karakia written by Chief Advisor – Mātauranga Matariki, Professor Rangi Matamua, ONZM, and Sir William Te Rangiuā 'Pou' Temara, KNZM, the booklet has helped to make mātauranga Matariki more accessible to all. It is being used by whānau and communities to inform their Matariki celebrations, now and in the future.



Partner in COVID-19 response and recovery

COVID-19 Funding

When Covid-19 first sent Aotearoa New Zealand into level four lockdown in 2020, we played a vital role in supporting iwi, both directly and through our mahi across government to support engagement with Māori. We used our experience and relationships to support a system-wide approach. This ensured broader engagement with, and responsiveness to, Māori.

In 2020 and 2021, Te Arawhiti administered separate COVID-19 funds, to support iwi respond to the pandemic. In 2020 we provided \$0.470m to 42 groups and in 2021 we provided \$1,215m to 72 groups (114 groups funded in total).

This funding enabled iwi to:

- Create (and update) pandemic response plans
- Communicate with whānau
- Support vaccine uptake.

Māori Communities COVID-19 Fund

Last year alongside Te Puni Kōkiri, Te Whatu Ora and the Ministry of Health, Te Arawhiti supported the delivery of the Māori Communities COVID-19 Fund (MCCF). The purpose of the fund was to achieve high levels of vaccination and community resilience. The MCCF supported 250 kaitono (applicants) across the country including iwi, iwi collectives, hapū, marae, hauora providers, Whānau Ora agencies and Māori organisations. Te Arawhiti provided \$41.5m to 40 kaitono of the 250 kaitono.

Māori Community COVID-19 Fund (MCCF)



Te Arawhiti assistance during adverse weather events

Broker Māori Crown partnerships: Te Arawhiti assistance during Cyclone Gabrielle

Early in 2023, several severe weather events had a devastating effect on communities, particularly in Te Tai Tokerau, Tāmaki Makaurau, Tairāwhiti, Bay of Plenty, Waikato and Hawke's Bay.

Through engagements with iwi, we saw a need for immediate and longer-term funding to support iwi and Māori communities to respond. Te Arawhiti was empowered to provide \$3.0m directly to iwi organisations, to support iwi to engage in the recovery effort and build resilience.

This funding enabled iwi in affected areas to fund broad recovery efforts in a way that met community needs. The flexibility of our funding allowed iwi to appropriately respond and ensure community needs were met.

Te Arawhiti developed funding guidelines that set out the types of activities funding would support:

- 1. Communications outreach** – support for Māori relationship activities, strategic leadership and coordination. For example, communicating with wider Māori communities, including developing custom communications material, updating websites and staffing for wellbeing calls.
- 2. Response work** – support for iwi to fund programmes of work outside the other funding initiatives required to recover from recent adverse weather events in their region.
- 3. Engagement** – support for iwi in particularly impacted areas to engage in wider Crown recovery initiatives.

Applications for funding closed on 26 April 2023. The \$3.0m of funding was disbursed to iwi around the motu as per the map on the following page.

This funding enabled iwi to do the following:

- Develop bespoke communications
- Engage specialist communications support
- Conduct wellbeing calls
- Develop recovery plans
- Train whānau in health and safety
- Engage with local government and civil defence response.

“Being able to engage our own person – who is familiar with their communities, knows who the key contacts are, is connected with agencies and organisations – does help with providing and sharing critical information. It cuts down response times and ensures resources can reach where they are most needed.”

“The mobilisation of funding support gave us some breathing room to reflect on emergency response in a strategic way and put things in place to help ensure we have a solid plan and systems in place by the time the next event comes around.”*

*These quotes came from iwi spokespeople who received support from Te Arawhiti during adverse weather events.

2023 Iwi Response Funding for Adverse Weather Events fund Funding breakdown

Iwi Response Funding for Adverse Weather Events Fund

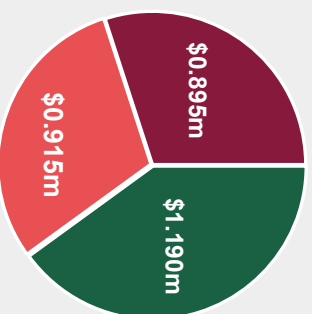
- As of 10 May all of the \$3m allocation is committed for funding across 26 iwi.
- We adopted a regional funding allocation threshold for regions more severely impacted by adverse weather: Hawkes Bay and Te Tairāwhiti regions.
- \$1m in funding was allocated to Te Tairāwhiti, and \$1m in funding was allocated to the Hawke's Bay. Iwi in other regions were able to access the remaining funding of \$1m.
- Te Arawhiti shared investment information with other Government agencies regularly to co-ordinate efforts and to ensure there was no duplication of funding.

Investment Focus Areas

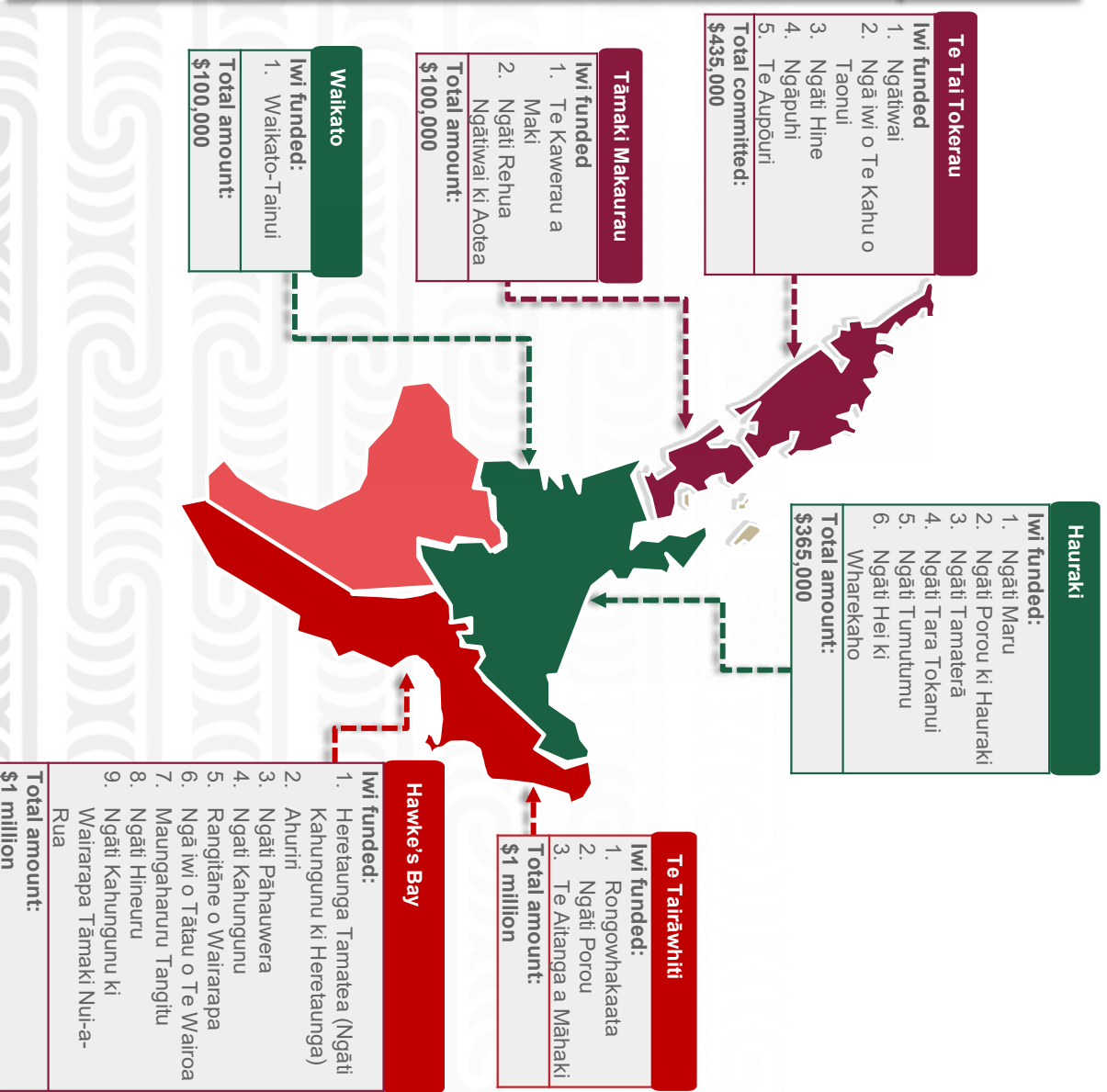
The funding allowed iwi in affected areas to fund programmes of work to support the recovery within the following focus areas*:

- communications outreach
- engagement
- response work

*Where applications address more than one focus area, the contract value has been averaged across the focus areas.



- Communications outreach (\$1.190m)
- Engagement (\$0.895m)
- Response work (\$0.915m)





Ngā kaimahi – Our staff

This year's focus has been on consolidating who we are and what we do. Our workforce grew in the 2021/22 year as we sought to build capability and capacity to deliver our commitments.

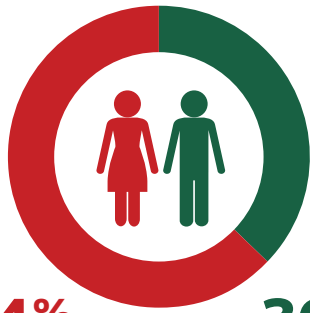
In 2022/23, we have seen no change in overall staff numbers, with 189.5 full time equivalent positions. We have, however, appointed a Tumu-ā-Tikanga role to build our cultural and Māori Crown relations capability internally.

This year's tight labour market has presented more opportunities for staff and we continued to see a 20%-25% turnover in our workforce this year. The skills and experience our staff have is highly sought after across the public service and broader job market. However, as the general job market starts to slow in certain occupations, we are seeing a corresponding decrease in our turnover, dipping just below 20% in June 2023.

Our commitment to diversity and inclusion is evident in everything that we do. Diversity brings a wide range of experiences and views, which enhances our collective strengths. Our staff who have provided ethnicity details, 34.5% identify as Māori, an increase of 17% on last year. We have seen an increase in female staff to 62.4%, and 61.5% of our management positions are filled by staff who identify as female.

We continue to work collaboratively with Te Tāhū o te Ture – the Ministry of Justice, our host agency, to address the Gender Pay Action plan. Te Tāhū o te Ture continues to lead the plan, which we fully supported. The current gender pay gap is 8.5%, which is 1.1% better than last year. We expect the gap to close as the gender action plan Kia Toipoto is implemented.

Gender (overall)



62.4%

Manager: 24
Non-manager: 97
Total: 121

36.6%

Manager: 11
Non-manager: 60
Total: 71

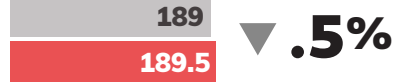
Growth and maturity of our organisation

2021/22 2022/23

Headcount



FTE (Full time equivalent)



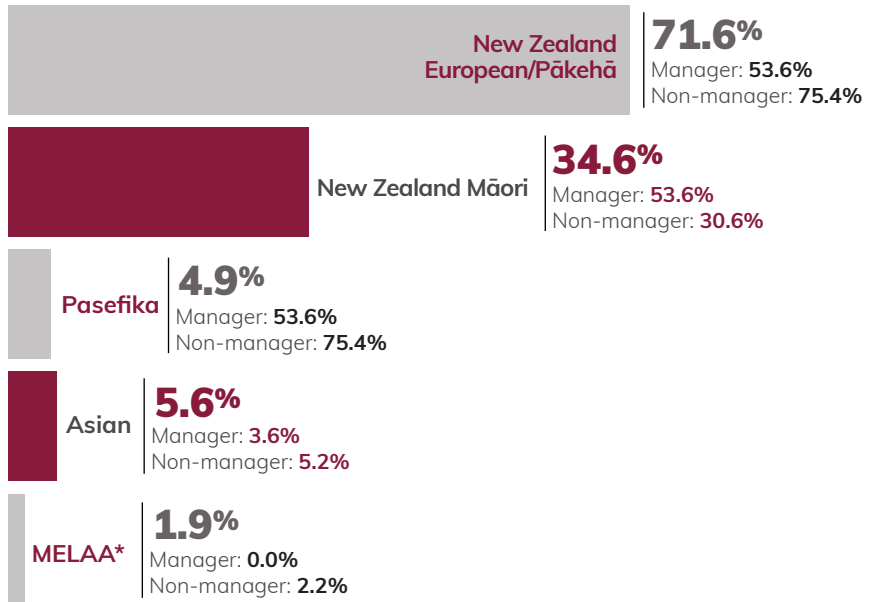
8.5%

Te Arawhiti gender pay gap
1.1% smaller than last year

Ethnicity

2023

(Results are self-reported and staff can belong to more than one ethnicity group, so result may not total 100% in all years)



*Middle Eastern/Latin American/African

Occupation (headcount)

	All Managers	Policy Analysts/ Information Professionals	Social, Health & Education Workers*	Legal, HR & Finance Professionals	Clerical & Admin Workers	Other
2021/22	37	113	20	4	20	0
2022/23	39	111	20	5	19	0
#/%	▲ 5.4%	▼ 1.8%	◄ 0.0%	▲ 25.0%	▼ 5.0%	◄ 0.0%

*Our historians are categorised by NZSCO (Australian and New Zealand Standard Classification of Occupations) as social, health and education workers.

Tō Mātou whakahaere - Our organisation

He Tangata - Our People Strategy 2021-2024

Our people strategy continues to focus on building a strong people foundation. Sound processes and systems help grow our capability, as do our values and commitment to Whāinga Amorangi. Whāinga Amorangi: Transforming Leadership is a multi-year cross-agency programme to improve the public service's Māori Crown relationship capability.

Activity this year has included:

- Introducing a stronger sense of Te Arawhiti through our recruitment process by enhancing our job advertisements, enhancing our performance and development planning to capture more of our people's future aspirations and development needs, with greater focus on Whāinga Amorangi requirements
- Continually improving induction process for our new kaimahi
- Embedding our approach to regular working from home days for kaimahi and managers.

Engagement and culture

Our Te Arawhiti values and strategy underpin our culture. Our strategy sets the strategic intentions to restore, sustain and build the Māori Crown relationship. This has formed the foundation of 'Our Goals 2019-2024', which is our input to Te Tāhū o te Ture Statement of Intent 2019-2024. The statement sets out how we will deliver on our broader mandate of improving the Māori Crown relationship. Our values support our strategy: we are working towards true Treaty partnership by working together in good faith with humility and authenticity.

As an organisation, we assist other agencies to develop and build their capability to engage and partner with Māori. We also acknowledge that we need to be a role model and take the lead on empowering and building our people's capability. Our own internal Whāinga Amorangi plan is the vehicle to developing our cultural capability and lifting the Māori Crown relations skills of our people. This has seen the appointment of a team in 2023 to continue implementing our plan and accelerating the capability of our people.

Health and Safety

Health and Safety along with wellbeing remains a top priority for Te Arawhiti. A review into our health and safety system in 2021/22 led to a programme of work to develop a full suite of policies and procedures to meet our legislative requirements under the Health and Safety Work Act 2015.

This work programme has continued in 2022/23 with the appointment of a permanent Wellbeing, Health and Safety Senior Advisor position. We have focused this year on:

- Developing an overarching wellbeing, health and safety strategy called Te Rautaki Haumarū
- Strengthening our wellbeing, health and safety committee, Te Kapa Haumarū, with terms of reference; a worker participation agreement and position description for the Wellbeing, Health and Safety role
- Developing increased reporting to the Executive Leadership Team. This activity has also been supported by an Engaging Leaders training programme rolled out to our managers.

No incidents causing serious harm have been reported in the past year. Te Arawhiti received nine reports of incidents, five of which resulted in injury. This represents a 19% drop in incidents reported from the previous year.



Building our Māori Crown relationship capability

Te Whakatū i te Whare Tikanga o Te Arawhiti – Our journey to implement Whāinga Amorangi: Building our Whare

Since Te Arawhiti was established in 2019, we have always encouraged and empowered our kaimahi to grow their cultural understanding and capability, and to implement this learning into professional practice. This year we have focused on further developing this area of the organisation by establishing our Whare tikanga and the building of our pou (pillars) of internal Māori capability. Our pou are Hitori and Te Tiriti o Waitangi – The History and Treaty of Waitangi, Tikanga and Kawa - and Te Reo Māori – Māori language learning. These pou link into our competency areas that we measure our progress against.

COMPETENCY AREAS	AOTEAROA NEW ZEALAND HISTORY & TE TIRITI O WAITANGI/TREATY OF WAITANGI	TIKANGA AND KAWA	TE REO MĀORI
MEASURE How we will know when our aspiration has been achieved	60% of staff <ul style="list-style-type: none"> will have high level general knowledge of Aotearoa New Zealand history and can link it to their mahi are familiar with the text and meaning of Te Tiriti o Waitangi and the Treaty of Waitangi and link it to their mahi have knowledge of the ongoing impacts of colonisation and institutional racism. 	100% of staff attend basic tikanga and kawa training. Increase in number of hui that start and end with karakia and waiata where relevant. 75% of staff can recite a simple mihimihī, karakia and are confident in participating in singing of at least two waiata. Staff can articulate Te Arawhiti values and relate to Te Arawhiti and external tikanga and kawa. Manuhiri feel welcome and are personally attended to.	100% of staff can use basic greetings in Te Reo Māori. Leaders seen actively promoting, learning and using Te Reo Māori in their communications. Activities such as waiata and kapa haka attract a minimum of 25% or more active and consistent participants.

Alongside these proficiencies we also have our Te Arawhiti Māori Language Plan. This focuses on raising the status of Te Reo Māori through it being highly valued in all that we do. This is reflected in all our thinking and normalised in our mahi as we build our learning opportunities to ensure we expand our capability and resources.

To support the implementation of Whāinga Amorangi and our language plan we have appointed a Tumu-ā-Tikanga (Tikanga Leader) and two Senior Māori Capability advisors who form Te Tīma Tikanga (the Tikanga Team). A core function of this group is to create further opportunities for kaimahi to authentically engage in te ao Māori, grow internal capability, and develop confidence to engage externally.

Progress on our Whāinga Amorangi plan

Competency: Aotearoa New Zealand History/Te Tiriti o Waitangi

Te Arawhiti has created a bespoke Te Tiriti o Waitangi/Aotearoa History workshop that is compulsory for all staff. The workshop gives participants an insight into Aotearoa New Zealand's history from the first-hand experiences of Te Arawhiti and The Office of Treaty Settlements kaimahi. The aim is to create or reaffirm a deep and multi-faceted level of understanding of why Te Arawhiti work is necessary and important; to empower future aspirations and ideas; and to extend an invitation for attendees to become leaders in the Māori Crown relations space on behalf of the Crown and our agencies in working with tangata whenua of Aotearoa, New Zealand.

Our target set in our Whāinga Amorangi plan was to have 60% of Te Arawhiti staff undertake capability building activities in this competency area. So far 70% of Te Arawhiti staff (126 people) have participated with a further 13% (25 people) involved in the creation of the workshop. With attendance and understanding of the workshop we intend to meet our goal of 60% of our staff comfortable with their understanding of Te Tiriti o Waitangi/ Aotearoa New Zealand History.

Competency: Tikanga and Kawa

Through recruitment this year we have made strong progress in weaving tikanga into our everyday practices. We have established weekly opportunities for kaimahi to engage with Te Ao Māori including karakia and waiata sessions throughout the week for all staff. These sessions provide context for the appropriate use of particular karakia and waiata, and allow teams to take part in these practices, in a safe and supported learning environment. Kaimahi have noted that these sessions have increased their confidence in externally participating in these aspects of tikanga. A growing number of our staff participate in our internal sessions, with close to 25% of staff attending regularly.

With our dedicated team now in place to drive Māori capability building, we expect activities within this competency area to increase in the next year, bringing us closer to our target of 100% of staff attending a basic tikanga and kawa training.

Competency: Te Reo Māori

Level 1 and 2 online Te Reo Māori courses have been made available to all kaimahi as a key part of our commitment to make learning te reo a priority and normalised in Te Arawhiti. These are regular weekly classes that have been used as a foundation for developing Māori language capability throughout Te Arawhiti. Practical usage of the learning is encouraged within the Tikanga/ Kawa sessions and our weekly waiata and karakia. Success of this is seen in the growing number of kaimahi who feel capable and comfortable to recite mihimihi, along with leading karakia and waiata in internal hui as we work toward reaffirming the importance of Te Reo within Te Arawhiti and our goal of 100% of staff being able to use basic greeting in Te Reo Māori. Since implementing our Whāinga Amorangi plan, 50% of staff (91) have participated in internal Te Reo training, including the 13% of staff (31) who participated in external Te Reo Māori courses in this financial year.

Te Reo language learning stats					
Year	Level of previous knowledge	Provider	Completion date	# of learners	% of staff
2021/22	Unfamiliar learners	Haemata Ltd	March	40 learners	20% of all staff
	Unfamiliar learners	Te Wānanga o Aotearoa	June	20 learners	10% of all staff
2022/23	Unfamiliar learners	Haemata Ltd	March	91 learners	50% of all staff
	Unfamiliar learners	External Reo Māori	June	31 learners	13% of all staff

Te Arawhiti continues to support Te Reo Attestation Allowance, which financially recognises the contribution of staff who have a level of fluency in te reo Māori as certified by Te Taura Whiri i te Reo Māori (Māori Language Commission).

Engaging with Māori

Outside our current Whāinga Amorangi targets, our staff have been building their capability to engage with Māori. Twenty-two percent of staff (41) have attended either an Introduction to Engagement with Māori workshop (23 staff) or a Planning for Engagement with Māori workshop (18 staff), which are facilitated by Te Arawhiti and available across the public service.

Understanding racial equity and institutional racism

Fifteen staff were also provided an opportunity, in conjunction with the Te Tāhū o te Ture - Ministry of Justice, to participate in the Wall Walk Workshop. The purpose of the workshop is to support kaimahi to grow their understanding of events in the history of the Māori Crown relationship and the ongoing impacts of colonisation and institutional racism.

Looking ahead

While Te Arawhiti is at a good point in our understanding of te ao Māori as an organisation, we still have plenty of room for development. It's important that our kaimahi are confident during external engagements with iwi and across the public service. We also want to create a culturally safe workspace for all our current and future staff. To advance our Whāinga Amorangi plan, Te Arawhiti is creating a system in which kaimahi can self-report their learning and capability levels.

Opportunities for development include:

- Level 3 and 4 te reo Māori classes to be made available for all kaimahi
- More learning resources available to staff supporting kaupapa Māori events and initiatives
- All-staff and ELT wānanga to safely explore aspects of te ao Māori
- Staff events to celebrate Matariki
- Wānanga ora, tikanga and te reo Māori learning opportunities
- Further self-identified reporting.

We are working towards operating in a way that naturally includes te ao Māori in our day-to-day practice, ensuring we can deliver on the expectations of Te Arawhiti as the system leader for Māori-Crown relations.

Our Carbon Neutral reporting

The Carbon Neutral Government Programme came into effect in 2020/21, placing expectations on all agencies to accelerate the reduction of emissions within the public sector. This programme is part of the Government's commitment to take urgent action on climate change. We acknowledge, our emissions reporting requirements under the Programme and are working towards meeting them.

This year we have been focusing on improving our data quality and understanding our emissions profile better. Since our last annual report, we have changed our base years to 2018/19 and verified our emissions data for the past four years (including our base year). We have improved our data collection for our waste to landfill and working from home emissions sources. We have started measuring our air travel by plane type. Additionally, we have identified possible projects to improve data for rental cars and freight. These projects will be led by Te Tāhū o te Ture - Ministry of Justice, as our host agency.

In 2022/23, we emitted 214 tCO₂-e (tonnes of carbon dioxide equivalent). This is a 19.9% decrease from our previous year and a 28.2% decrease from our base year.

This decrease in our total emissions is because of better data analysis of our air travel and rental car data, and a change in Ministry for the Environment's emissions factors. We are using more detailed supplier data which allows us to report by aircraft and car type. The reduction is purely statistical from using a more accurate emissions factor than previous years.

We have seen a 27% increase in the kilometers travelled by air travel since last year. This increase was anticipated in our last Carbon Neutral Government Programme report, as we returned to normal travel practices since the removal of Covid-19-related travel restrictions. Our emissions will be verified on 29 August 2023.

Te Arawhiti emissions profile

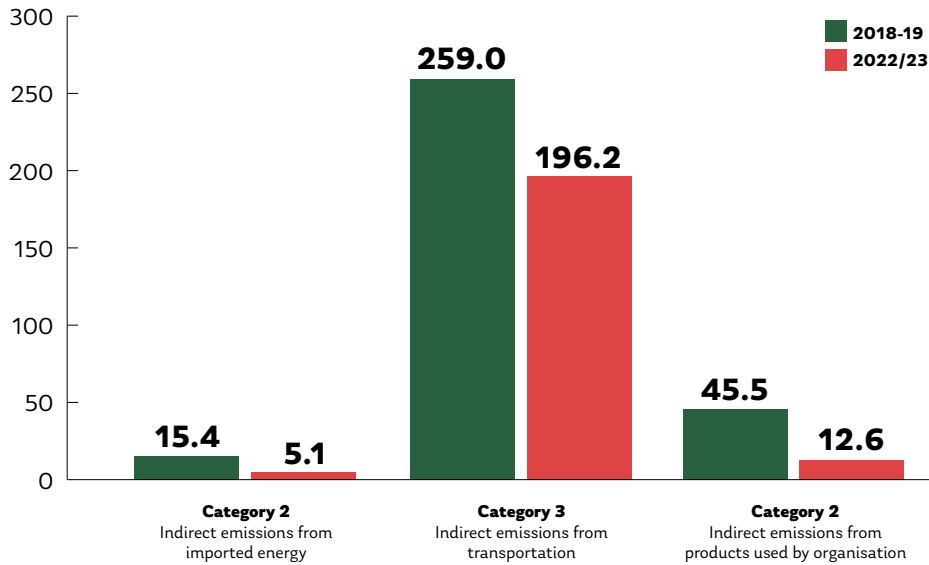
Total annual emissions compared to base year and previous year			
	2018/19	2021/22	2022/23
Total annual emissions	298	267	214

Total annual emissions compared to base year and previous year ²		
Category	Scope	tCO ₂ e
1. Direct emissions	Scope 1	0
2. Indirect emissions from inputted energy	Scope 2	5.1
3. Indirect emissions from transportation	Scope 3	196.2
4. Indirect emissions from products and services used by organisation	Scope 3	12.6
5. Indirect emissions associated with the use of products and services from the organisation	Scope 3	0
6. Indirect emissions from other sources	Scope 3	0



²Our total annual emissions figures for 2021/22 are verified totals. These are different from those in our last annual report, which included pre-verified figures.

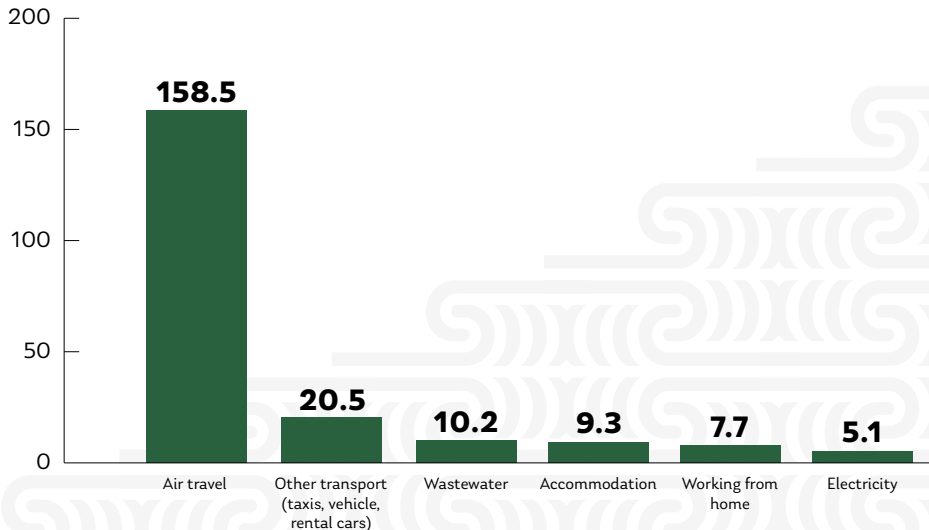
Emissions (tCO₂-e) breakdown by category



2022/23 emissions breakdown by source

Source	tCO ₂ e	Percentage
Air travel	158.5	74%
Other transport (taxi, fleet, rental car)	20.5	10%
Freight	10.2	5%
Electricity	9.3	4%
Wastewater services	7.7	4%
Working from home	5.1	2%
Accommodation	0.9	> 0
Transmission and distribution losses (electricity)	0.8	> 0
Water supply	0.7	> 0
Waste to landfill	0.2	> 0

Total emissions (tCO₂-e) by major sources for 2022/23



Our emissions per FTE, per million dollars of revenue and per millions dollars of expenditure for 2022/23 against our baseline year.

Emission intensity by FTE, expenditure and revenue		
Emissions per KPI	2018/19	2022/23
Total gross emissions per FTE in tCO ₂ e	2.08	1.13
Total gross emissions per million dollars of expenditure in tCO ₂ e	7.39	4.20
Total gross emissions per million dollars of revenue in tCO ₂ e	6.96	3.95
Water supply	0.7	> 0
Waste to landfill	0.2	> 0

Te Arawhiti reduction targets

We are committed to science-based gross emissions reduction targets that are consistent with a 1.5°C pathway, as required under the Carbon Neutral Government Programme. We have committed to reduce our gross emissions by 21% by 2025 and by 42% by 2030 from our base year (2018/19). We are on track to meet our 2025 target, but we will need to make significant travel-related emissions reductions to meet our 2030 target.

Progress towards 2025 and 2030 targets compared with base year	
Target	Current performance
21% reduction by 2025	91%
42% reduction by 2030	124%



Te Arawhiti reduction projects

We published our first emissions reduction plan in December 2022. This plan focused on waste and travel emissions, and on projects to better understand our emissions portfolio.

Minimising waste

Our first waste audit in February 2023, gave us a better understanding of our waste diversion and contamination rates. This waste audit shaped the development of our 2023 Waste Minimisation Plan.

Reducing travel emissions

We have developed a new travel booking form. The new travel booking form acknowledges our commitment to operating sustainably and minimising our environmental footprint. It encourages staff to:

- Take direct flights where possible
- Book low emission vehicles
- Travel economy class for all flights lasting 10 hours or less.

Additionally, we have revised our Working From Home Policy to acknowledge the environmental benefits of working from home.

Next steps

As our December 2022 plan was our first emissions reduction plan, it only covered six months. We are developing a new emissions reduction plan to help us reach our emissions reduction targets, focusing on further reducing our travel emissions.

Reducing our travel emissions will be challenging given our role as the bridge between the Crown and Māori. Our mahi requires us to engage with Māori across the country kanohi-ki-te-kanohi (face to face). Kanohi-ki-te-kanohi is an important principle for building trust, establishing, sustaining and maintaining relationships, and for addressing matters of significance to Māori.

Our performance measures summary

Over the past four years we have implemented and developed our performance measures, always striving to meet them. In summary, for 2022/23 Te Arawhiti had a total of 27 performance measures:

- We achieved our target for 23 measures (85%)
- We did not achieve our targets for four measures (15%).

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of settlement date obligations met	100%	90%	100%	48%	This measure was not achieved due to interruptions from Cyclone Gabrielle.
Deeds of Mandate recognised	New measure	New measure	1	0	This measure was not achieved as there were no Deeds of Mandate forecast to be recognised during the 2022/23 year.
Percentage of policy advice papers that are assessed score 4 or higher out of 5	40%	45%	40%	15%	This measure was not achieved due to the increase in the volume of papers.
An average score for policy advice papers that are assessed	3.5/5	3.6/5	3.5/5	3.4/5	

Of the 27 performance measures, we also receive feedback from both the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Treaty of Waitangi Negotiations as follows:

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23
The satisfaction of the Minister for Treaty of Waitangi Negotiations with progress towards negotiation milestones	At least 8/10	9/10	At least 8/10	8/10
The satisfaction of the Minister for Treaty of Waitangi Negotiations with ministerial services, as per the common satisfaction survey	At least 8.5/10	10/10	At least 8.5/10	10/10
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Treaty Negotiations with the strengthening of the relationship between Māori and the Crown, as per the common satisfaction survey	At least 8/10	9.5/10	At least 8/10	9/10
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti with the policy advice service, as per the common satisfaction survey	At least 4/5	4.8/5	At least 4/5	4.95/5
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti with ministerial services, as per the common satisfaction survey.	At least 8/10	9/10	At least 8/10	9/10

Our financial performance summary

Vote Te Arawhiti is made up of three appropriations. An appropriation is a legislative provision that permits amounts of expenses or capital expenditure to be incurred for activities that fall within the defined scope of the provision.

For Te Arawhiti, our three appropriations are:

- Crown Response to Wakatū Litigation and Related Proceedings
- Treaty Negotiations and Marine and Coastal Area Customary Interests
- Māori Crown Relations (which is a multi-category appropriation).

To see full details of our financial performance, please see pages 104-109 of the Ministry of Justice annual report.

E whai ake nei



Kia huri te aro ki te tau 2023/24, ka hoki mahara ki ngā whakaaro o ngā tāngata o Aotearoa i whakatū i te kaupapa o Te Arawhiti e whā tau ki muri. He mea nui ki a mātou kia aropū mātou ki ngā hiahia a ngā tāngata i a mātou.

Ka tō mātou wawata ko te whakatinana i te oati o Te Tiriti o Waitangi mō ngā tāngata katoa o Aotearoa. Ka whakatūtukihia e mātou mā te whakaora, mā te whakapūmau, mā te whakatipu hoki o te hononga o Te Karauna ki a Ngāi Māori.

E rima ngā aronga a Te Arawhiti:

- Whakaoti te whakatau i ngā kerēme Tiriti o nehe katoa
- Whakamana i ngā tikanga ture takutai moana
- Whakauruhi i ngā kawenga a te Karauna ki te whakatutuki i ngā haepapa whakataunga Tiriti
- Whakapakari i te āheinga a te Karauna ki te mahi tahi me te Māori kia pai ake hei hoa Tiriti
- Mā te arataki i te Kāhui Minita, ngā Minita me te rāngai tūmatanui ki te whakamana i ngā kaupapa here pai hei hāpai ake i te mana me ngā hiahia a te Māori.

Kia whai i te ia o ngā aronga o runga ake, ka mahi tahi mātou ki te whai i ngā whāinga a te kāwanatanga i tēnei tau, ko te whakatau i ngā kerēme Tiriti o Waitangi o nehe. Ka āta mātai mātou me te whakauruhi i te kāwanatanga ki te kawē i ngā haepapa whakataunga, ā, kia puta ngā raru i raro i te whakawhanaungatanga, kei reira mātou ki te awahi. Ka whakamahia e mātou tō mātou puna ipurangi mō ngā whakataunga a Te Haeata, kei reira he putu raraunga o ngā kawenga a te Karauna ki te Tiriti, he whakawhanake i tētahi pūnaha pūrongo mō te pūāhua o ngā kawenga katoa.

Ko te takutai moana tētahi o ngā kaupapa matua mā mātou, i a mātou e whakawhanake ana i tō mātou rautaki whakapāpātanga me te aro ki ngā hui kanohi ki te kanohi. He pai ki tō mātou tīma te mahi tahi ki ngā whānau puta noa i te motu i a mātou e whanake ana i tēnei mahi.

Ka whakatipu tonu mātou i te āheinga a te rāngai tūmatanui mō te ao Māori mā tō mātou kaupapa Whainga Amorangi: Transforming Leadership me ngā papamahi, he kore utu ēnei mā ngā kaimahi rāngai tūmatanui katoa. Mā te hiki i ngā āheinga hei kaimahi rāngai tūmatanui, e whakamana ana mātou i Te Tiriti o Waitangi me tāna i oati ai ki ngā tāngata katoa o Aotearoa. Kāore e tutuki i tēnei i te pō kotahi, engari kei te huri te tai.

Ka ū tonu a Te Arawhiti ki tana mahi hei ārahi i te whakatipu i te āheinga a te Māori me te Karauna, hei whakaū i te mana me ngā hiahia a te Māori i roto i ngā mahi kaupapa here, ture me ngā whakatau matua a te kāwanatanga. Ka ū tonu mātou ki te whakaawe i te wairua whakaute i te rāngai tūmatanui, he māngai e whakahīhi ana i te Tiriti, ā, e rite ana ki te mahi tahi me ngā whānau, ngā hapū, ngā iwi me te Māori.

He wawata nui i roto i a mātou mahi, ā, i ētahi wā e whīwhīhi ana. Ko te hua nui ko te anamata e whakaritea ana e mātou mō ā tātou mokopuna. Kia tiki ake i ngā kōrero a Tā Hemi Henare o Ngāti Hine, 1989: Kua tawhiti kē tō haerenga mai, kia kore e haere tonu. He tino nui rawa ōu mahi, kia kore e mahi nui tonu. You have come too far not to go further. You have done too much not to do more.”

What's next



As we head into the 2023/24 year, we continue to reflect on the whakaaro of many New Zealanders who helped shaped the establishment of Te Arawhiti four years ago. It is important to us that we base everything we do on what people said they needed from us.

Our vision is to realise the promise of te Tiriti o Waitangi for all New Zealanders. We will do this through restoring, sustaining, and growing the Māori Crown relationship.

Te Arawhiti will focus on five priorities:

- Complete the settlement of all historical Treaty claims
- Enable the recognition of customary takutai moana legislative rights
- Enforce requirements on the Crown to meet its Treaty settlement commitments
- Build the Crown's capability to engage with Māori to achieve better outcomes
- Being the strategic advisor to Cabinet, Ministers, and the public service to enable good policy decisions that uphold Māori rights and interests.

As set out in the priorities above, this year we will work towards the goal of successive governments, which is to settle historical Treaty of Waitangi claims. We will actively monitor and enforce the government's delivery of settlement commitments, and step in to support when relationship issues arise. We will use our online settlement portal Te Haeata, which provides a database of the Crown's Treaty commitments, to develop a whole-of-system report on the status of all of the Crown's Treaty commitments.

Takutai moana remains a key kaupapa for us, as we further implement our engagement strategy and focus on regional and face-to-face engagements. Our team continue to enjoy engaging with our whānau across the country as we progress this mahi.

We will continue to grow public sector te ao Māori capability through our Whaingā Amorangi: Transforming Leadership programme and workshops, which are available free of charge to all public servants. By lifting our capability as public servants, we honour Te Tiriti o Waitangi and what it promises to all people of Aotearoa. It is not a change that will happen overnight, but change is occurring.

Te Arawhiti will continue its role as system lead for Māori Crown relations capability, ensuring Māori rights and interests are front of mind in policy, legislation, and key government decisions. We will continue to influence a respectful public service, who are proud advocates of the Treaty and well equipped to engage with whānau, hapū, iwi and Māori.

We have an ambitious programme and the work is often complex. The reward is the future we are building collectively for our mokopuna. To quote the late Tā Hemi Henare (Sir James Henare), Ngāti Hine, 1989: "Kua tawhiti kē to haerenga mai, kia kore e haere tonu. He tino nui rawa ou mahi, kia kore e mahi nui tonu. You have come too far not to go further. You have done too much not to do more."

Statement of responsibility

I am responsible, as Tumu Whakarae – Chief Executive of The Office for Māori Crown Relations – Te Arawhiti (Te Arawhiti), for:

- the accuracy of any end-of-year performance information on the appropriation administered by the Ministry of Justice on behalf of Te Arawhiti is provided in accordance with sections 19A to 19C, whether or not that information is included in the annual report; and
- the accuracy of any end-of-year performance information prepared by Te Arawhiti, whether or not that information is included in the annual report of the Ministry of Justice.

In my opinion, the Annual Report fairly reflects the operations, progress, and organisational health and capability of Te Arawhiti.



Lil Anderson

Tumu Whakarae – Chief Executive
The Office for Māori Crown Relations – Te Arawhiti

29 September 2023



Published by: The Office for Māori Crown Relations – Te Arawhiti

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October 2023

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Section Three:

Reporting on financial and performance information

Statement of responsibility

I am responsible, as Secretary for Justice and Chief Executive of the Ministry of Justice (the Ministry), for:

- the preparation of the Ministry's financial statements, and statements of expenses and capital expenditure, and for the judgements expressed in them
- having in place a system of internal controls designed to provide reasonable assurance as to the integrity and reliability of financial reporting
- ensuring that end-of-year performance information on each appropriation administered by the Ministry is provided in accordance with sections 19A to 19C of the Public Finance Act 1989, whether or not that information is included in this annual report
- the accuracy of any end-of-year performance information prepared by the Ministry, whether or not that information is included in the annual report.

In my opinion:

- the annual report fairly reflects the operations, progress, and the organisational health and capability of the Ministry
- the financial statements fairly reflect the financial position of the Ministry as at 30 June 2023 and its operations for the year ended on that date
- the forecast financial statements fairly reflect the forecast financial position of the Ministry as at 30 June 2024 and its operations for the year ending on that date.



Andrew Kibblewhite

Secretary for Justice and Chief Executive

29 September 2023

Independent Auditor's report

To the readers of the Ministry of Justice's annual report for the year ended 30 June 2023

The Auditor-General is the auditor of the Ministry of Justice (the Ministry). The Auditor-General has appointed me, Kelly Rushton, using the staff and resources of Audit New Zealand, to carry out, on his behalf, the audit of:

- the financial statements of the Ministry on pages 119 to 146, that comprise the statement of financial position, statement of commitments, statement of contingent liabilities and contingent assets as at 30 June 2023, the statement of comprehensive revenue and expense, statement of changes in equity, and statement of cash flows for the year ended on that date and the notes to the financial statements that include accounting policies and other explanatory information;
 - the performance information for the appropriations administered by the Ministry for the year ended 30 June 2023 on pages 98 to 117, and page 177;
 - the statements of expenses and capital expenditure of the Ministry for the year ended 30 June 2023 on pages 167 to 175; and
 - the schedules of non-departmental activities which are managed by the Ministry on behalf of the Crown on pages 147 to 166 that comprise:
 - › the schedules of assets; liabilities; commitments; and contingent liabilities and assets as at 30 June 2023;
 - › the schedules of expenses; and revenue for the year ended 30 June 2023;
 - › the statement of trust monies for the year ended 30 June 2023; and
 - › the notes to the schedules that include accounting policies and other explanatory information.
- the performance information for the appropriations administered by the Ministry for the year ended 30 June 2023:
 - › presents fairly, in all material respects:
 - what has been achieved with the appropriation; and
 - the actual expenses or capital expenditure incurred as compared with the expenses or capital expenditure that were appropriated or forecast to be incurred; and
 - › complies with generally accepted accounting practice in New Zealand.
 - the statements of expenses and capital expenditure of the Ministry are presented, in all material respects, in accordance with the requirements of section 45A of the Public Finance Act 1989.
 - the schedules of non-departmental activities which are managed by the Ministry on behalf of the Crown present fairly, in all material respects, in accordance with the Treasury Instructions:
 - › the assets; liabilities; commitments; and contingent liabilities and assets as at 30 June 2023; and
 - › expenses and revenue for the year ended 30 June 2023; and
 - › the statement of trust monies for the year ended 30 June 2023.

Our audit was completed on 29 September 2023. This is the date at which our opinion is expressed.

The basis for our opinion is explained below. In addition, we outline the responsibilities of the Secretary of Justice and Chief Executive (the Secretary) and our responsibilities relating to the information to be audited, we comment on other information, and we explain our independence.

Basis for our opinion

We carried out our audit in accordance with the Auditor General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. Our responsibilities under those standards are further described in the responsibilities of the auditor section of our report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion:

- the financial statements of the Ministry:
 - › present fairly, in all material respects:
 - its financial position as at 30 June 2023; and
 - its financial performance and cash flows for the year ended on that date; and
 - › comply with generally accepted accounting practice in New Zealand in accordance with Public Benefit Entity Reporting Standards.

Responsibilities of the Chief Executive for the information to be audited

The Secretary is responsible on behalf of the Ministry for preparing:

- financial statements that present fairly the Ministry's financial position, financial performance, and its cash flows, and that comply with generally accepted accounting practice in New Zealand.
- performance information that presents fairly what has been achieved with each appropriation, the expenditure incurred as compared with expenditure expected to be incurred, and that complies with generally accepted accounting practice in New Zealand.
- statements of expenses and capital expenditure of the Ministry, that are presented fairly, in accordance with the requirements of the Public Finance Act 1989.
- schedules of non-departmental activities, in accordance with the Treasury Instructions, that present fairly those activities managed by the Ministry on behalf of the Crown.

The Secretary is responsible for such internal control as is determined is necessary to enable the preparation of the information to be audited that is free from material misstatement, whether due to fraud or error.

In preparing the information to be audited, the Secretary is responsible on behalf of the Ministry for assessing the Ministry's ability to continue as a going concern. The Secretary is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless there is an intention to merge or to terminate the activities of the Ministry, or there is no realistic alternative but to do so.

The Secretary's responsibilities arise from the Public Finance Act 1989.

Responsibilities of the auditor for the information to be audited

Our objectives are to obtain reasonable assurance about whether the information we audited, as a whole, is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor-General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers, taken on the basis of the information we audited.

For the budget information reported in the information we audited, our procedures were limited to checking that the information agreed to the Ministry's statement of intent.

We did not evaluate the security and controls over the electronic publication of the information we audited.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risks of material misstatement of the information we audited, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Ministry's internal control.
- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Secretary.
- We evaluate the appropriateness of the reported performance information for the appropriations administered by the Ministry.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Secretary and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Ministry's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the information we audited or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Ministry to cease to continue as a going concern.
- We evaluate the overall presentation, structure and content of the information we audited, including the disclosures, and whether the information we audited represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Secretary regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Our responsibilities arise from the Public Audit Act 2001.

Other information

The Secretary is responsible for the other information. The other information comprises the information included on pages 1 to 97, 118, 178 to 186, but does not include the information we audited, and our auditor's report thereon.

Our opinion on the information we audited does not cover the other information and we do not express any form of audit opinion or assurance conclusion thereon.

Our responsibility is to read the other information. In doing so, we consider whether the other information is materially inconsistent with the information we audited or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on our work, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Independence

We are independent of the Ministry in accordance with the independence requirements of the Auditor General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: International Code of Ethics for Assurance Practitioners (including International Independence Standards) (New Zealand) (PES 1) issued by the New Zealand Auditing and Assurance Standards Board.

Other than in our capacity as auditor, we have no relationship with, or interests, in the Ministry.



Kelly Rushton

Audit New Zealand
On behalf of the Auditor-General
Wellington, New Zealand

Risk and Assurance Committee report for the Period of 1 July 2022 to 30 June 2023

Background

Our Ministry's Risk and Assurance Committee first met on 6th June 1998 (as the Department for Court's Audit Committee). Since then, the Committee has been a key mechanism to support our Chief Executive and Strategic Leadership Team in managing and improving our Ministry's corporate governance environment.

The Committee provides independent critical review, insights and advice on:

- strategic thinking
- key business initiatives
- transformation projects
- risk management processes
- internal control mechanisms
- responsible resource management
- internal and external audit functions
- integrity of performance information
- governance framework and processes
- compliance with legislation, policies, and procedures.

The Committee plays an advisory role only. Primary responsibility for resolving issues and implementing Committee recommendations sits with our Chief Executive and Strategic Leadership Team.

Current Members

The Committee comprises four independent external members:

- Lyn Provost (Chair)
- Traci Houpapa
- Brendan Boyle
- Jim Donovan

Naomi Ferguson completed her tenure at the end of the year and has been replaced by Brendan Boyle. Naomi's valuable contribution to the Committee is acknowledged and appreciated.

Our Ministry's Chief Executive and/or Deputy Secretary Strategy, Governance & Finance attended all Committee meetings. A representative from Audit New Zealand (the Ministry's external auditor) updated the Committee at most of the meetings. The Committee is supported by the Ministry's Manager Governance, and Manager Risk & Assurance.

Report of the Audit and Risk Committee

Between 1 July 2022 and 30 June 2023, the Committee met formally on five occasions to fulfil its duties and responsibilities.

There were four regular meetings and a meeting on the 8th of September 2022 to consider the Ministry's draft Annual Report prior to it being signed by the Chief Executive.

The Committee provided critical review and insights on:

- key parts of the Ministry's programme of work and responsibilities, including:
 - › Policy stewardship (September 2022)
 - › Risk and governance arrangements at Te Arawhiti (September 2022)
 - › Ministry of Justice strategy refresh (November 2022)
 - › Honouring our responsibilities to Māori (November 2022)
 - › Staff wellbeing (November 2022)
 - › Enterprise risk maturity assessment (November 2022)
 - › Te Whaiao Outcomes Framework (strategy and plan for improving justice outcomes for Māori) (March 2023)
 - › Digital strategic plan (March 2023)
 - › Internal control framework (June 2023)
 - › Criminal Process Improvement Programme (June 2023)
 - › Te Au Reka / Digital Case Management (June 2023)
- strategic and operational risks
- the internal audit work programme for the year
- progress on resolving findings from internal audit reports
- the legislative compliance programme and mitigation of fraud risks
- external auditors audit planning and reporting
- the Ministry's Annual Report and provided advice to the Chief Executive and CFO on content and disclosure.

In addition to its formal meetings, the Committee Chair liaised directly with our Chief Executive on relevant matters as appropriate.

The Committee regularly reviews its performance to ensure that it continues to be focused, effective, and provides a quality service to our Chief Executive.

Our Performance

Disclosure of Judgments

Reporting entity

The Ministry of Justice (the Ministry) is a government department as defined by section 5 of the Public Service Act 2020. The relevant legislation governing the Ministry's operations includes the Public Finance Act 1989 (PFA), Public Service Act 2020. The Ministry's ultimate parent is the New Zealand Crown. The Ministry is domiciled and operates in New Zealand.

The Ministry's primary objective is to provide services to the New Zealand public. The Ministry does not operate to make a financial return. The Ministry has designated itself as a public benefit entity (PBE) for the purposes of complying with generally accepted accounting practice (GAAP).

The Ministry is responsible for the following core functions:

- the delivery of operational services, including court and tribunal-related services, collections and electoral services
- the negotiations for settling historical Treaty of Waitangi claims
- the provision of support to the Judiciary
- the provision of policy advice
- leadership of the justice sector.

The Ministry administers these functions under three Votes: Justice and Courts and Te Arawhiti.

The Executive Board for the Elimination of Family Violence and Sexual Violence – Te Puna Aonui

Te Puna Aonui was established on 24 March 2022 by Orders in Council under the Public Service Act 2020 and the Ombudsmen Act 1975.

From 1 July 2022, Te Puna Aonui has administered the Elimination of Family Violence and Sexual Violence appropriation in Vote Justice. As such, performance information for Te Puna Aonui is disclosed in Te Puna Aonui's Annual Report from 2022/23.

The Office for Māori Crown Relations – Te Arawhiti (Te Arawhiti)

In January 2019, the Office for Māori Crown relations – Te Arawhiti was established as a departmental agency as defined by section 2 of the PFA, which is hosted within the Ministry.

Performance information for Te Arawhiti can be found within the Ministry's performance section.

Crown entity monitoring

The Ministry of Justice monitors seven Crown entities. These are the Office of the Privacy Commissioner, the Law Commission, the Independent Police Conduct Authority, the Human Rights Commission, the Real Estate Agents Authority, the Criminal Cases Review Commission, and the Electoral Commission.

The Crown Entities Act sets out the requirements of monitoring agencies, most of which orient around monitoring agencies responsibilities to their respective Ministers, holding the entities accountable to the government and the overarching provisions of their appropriations. The Ministry also administers and annually evaluates the Memorandums of Understanding (MoUs) between the Ministry and the entities.

These MoUs establish the standard requirements under the Crown Entities Act, particularly concerning the independent entities (excluding the Real Estate Authority) and their receipt of Crown payments throughout the fiscal year.

Performance information for these Crown Entities can be found in each Crown Entity's respective Annual Report.

Statement of compliance

The performance information of the Ministry and Te Arawhiti is for the year ended 30 June 2023.

The performance information has been prepared in accordance and complies with Tier 1 Public Benefit Entity (PBE) reporting standards, which have been applied consistently throughout the report.

Outputs are specified in the 2022/23 Estimates of Appropriations and the 2022/23 Supplementary Estimates of Appropriations across Votes Justice, Courts and Te Arawhiti.

Purpose and strategic priorities

The Ministry's purpose is working together for a fair and safe Aotearoa New Zealand. Our priorities show both the shorter and longer-term opportunities and challenges we face to make Aotearoa New Zealand a better place for everyone. This provides the context to the 11 strategic priorities detailed below that help us work towards achieving this purpose:

Enduring priorities:

- Honouring our responsibilities to Māori
- Maintaining the integrity of the courts and tribunals
- Providing sector leadership and policy stewardship

Transformational opportunities:

- Leading the transformation of the criminal justice system
- Addressing family violence and sexual violence
- Improving access to justice

Culture and capability priorities:

- Making the ministry a great place to be
- Enabling our people to succeed
- Building capability to engage and partner with Māori
- Using evidence and insights to deliver better services and outcomes
- Engaging and listening to communities

The Ministry is committed through its own work and through collaborative work with the justice sector to achieve positive outcomes for New Zealand.

By their very nature, the Ministry cannot control these outcomes, but the Ministry does play an important leadership role across the sector to shape, guide and influence their achievement.

The outcome orientated indicators the Ministry uses, and the desired trends they seek to achieve are consistent with and are clearly linked to the Ministry's overall purpose and strategic priorities.

Service performance

The Ministry's service performance information is spread throughout several sections of the Annual Report and can be located on the following pages:

- The Ministry's report on appropriations can be found on pages 97-117
- The Ministers' reports on non-departmental appropriations can be found on pages 187-199

- The Ministry's statement of intent indicators can be found throughout section 1 and 2 of the Annual Report as well as on page 167

All identified service performance information has been prepared in accordance with PBE Standards.

Reporting judgements, estimates and assumptions

Performance measures have been selected for activities under each appropriation for Vote Justice, Vote Courts and Vote Te Arawhiti.

Judgement has been used in selecting, aggregating and presenting performance measures to determine which aspects of performance information are relevant to the users of the performance report. Some of the judgements that have had the most significant impacts are disclosed as follows:

Department of the Prime Minister and Cabinet's Policy Quality Framework

Ministerial satisfaction measures

The Ministry and Te Arawhiti utilise the Ministerial Satisfaction Survey developed by the Department of the Prime Minister and Cabinet (DPMC)¹ and their methodology, to measure Ministry and Te Arawhiti Vote Ministers' general satisfaction with the quality of policy advice received and, overall performance. The Ministry and Te Arawhiti use this to ensure the approach is consistent with other agencies and to improve performance and support government decision making.

Quality of policy advice

To show a fuller picture, the Ministry and Te Arawhiti have also adopted measures regarding the distribution of scores to offer a more comprehensive assessment of the quality of policy advice. These indicators provide a standardised score for technical quality reviews of policy advice, which are undertaken by a third-party assessor. The review may include an assessment of clarity, accuracy, analytical rigour, fitness for purpose, and relevance.

Service delivery and customer satisfaction

Many of the Ministry's Non-Departmental Appropriations are measured through qualitative surveys, as these provide direct feedback, quantifiable data, and actionable insights that help the Ministry improve its products, services, and customer experiences.

New Zealand Crime and Victims Survey²

The Ministry of Justice runs the New Zealand Crime and Victims Survey, which collects information about New Zealanders' experience of crime. The Ministry utilises this valuable resource for understanding the nature and level of victimisation in Aotearoa New Zealand. The survey also provides critical insights to help government agencies to create safer neighbourhoods and communities and inform future investments and interventions to support victims.

¹Guide to the Ministerial Policy Satisfaction Survey (dpmc.govt.nz).

²New Zealand Crime & Victims Survey (NZCVS) | New Zealand Ministry of Justice

Measure selection and notes

The Ministry and Te Arawhiti have used judgement when determining contextual comparative narrative and descriptive information in cases of variances, to offer a more comprehensive view of reporting practices.

The Ministry and Te Arawhiti have also used judgement when identifying factors that have had the most substantial influence over performance information.

This includes the extent to which external and internal dynamics have affected the performance information, the extent to which consultation with users influenced the performance information, the extent to which qualitative characteristics and pervasive constraints influenced performance information as well as the impact of external events such as COVID-19 and extreme weather conditions.

The Ministry and Te Arawhiti reported service performance information is consistent with the data utilized for internal decision-making processes.

Other Judgements include those made in determining the cost of outputs, these can be found within the statement of cost allocation accounting policies on page 167.

Reporting against appropriations

For the year ended 30 June 2023

Our outputs are specified in the 2022/23 Estimates of Appropriations and the 2022/23 Supplementary Estimates of Appropriations across Votes Justice, Courts and Te Arawhiti.

Where applicable, an explanation is provided for service performance with negative variances of more than 5%. Where there is a range for a standard, a variance explanation is provided for results outside the forecast range. Where applicable, an explanation has been provided for positive variances of more than 10%.

MINISTRY OF JUSTICE

Vote Justice

Administration of Legal Services

Scope of Appropriation

This appropriation is limited to the administration of community, legal and related services, and the management and collection of related debt.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve increased trust in the justice system by providing responsive and accessible legal services.

Measure Selection

These measures were chosen because they monitor whether expected demand for the legal aid service is being met, which is linked to inflow across the courts in all jurisdictions. These measures help the Ministry assess the orderly and efficient delivery of legal aid services and reflects one of the Ministry's strategic priorities, of improving access to justice.

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of legal aid applications processed	80,000-90,000	70,131	80,000-90,000	80,488	Legal aid applications are demand driven. In 2021/22, COVID-19 restrictions impacted the number of legal aid applications processed. This decrease was largely seen in criminal cases, consistent with lower inflows into the criminal jurisdiction. In 2022/23, court inflows have trended upwards, with results in line with expectations.
Legal aid applications for criminal cases assessed within one working day (see Note 1)	90%	95%	90%	96%	
Legal aid applications for family cases assessed within three working days (see Note 1)	90%	95%	90%	93%	
Legal aid applications for civil cases assessed within five working days- excluding Waitangi Tribunal proceedings applications (see Note 1)	90%	93%	90%	92%	

Note 1 - Applications that are incomplete when received are excluded from this measure.

Output class statement – Administration of legal services

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
31,952	Crown	31,785	33,323	31,785	34,386
146	Departmental	129	93	93	93
70	Other	67	24	24	24
32,168	Total Revenue	31,981	33,440	31,902	34,503
31,125	Total Expenses	31,531	33,440	31,902	34,503
1,043	Net surplus/(deficit)	450	-	-	-

Justice and Emergency Agencies Property and Shared Services

Scope of Appropriation

This appropriation is limited to the provision of property and shared services to other agencies in Christchurch.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve a public facility with justice and emergency services that are modern, accessible, resilient and people-centred, and provide for improved joint outcomes and service delivery.

Measure Selection

This measure was chosen as it provides an indication of whether or not the Ministry is meeting the service standards agreed between the agencies housed in the Christchurch Justice & Emergency Services Precinct. Ensuring adherence to these standards highlights the Ministry's dedication to strengthening collaborative outcomes and enhancing service delivery efficiency.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Services meet the standards agreed with the other agencies	Achieved	Achieved	Achieved	Achieved	

Output class statement – Justice and Emergency Agencies Property and Shared Services

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
26,181	Crown	26,547	22,097	26,547	26,609
8,011	Departmental	8,108	9,564	9,583	9,583
3,402	Other	3,567	3,339	3,339	3,339
37,594	Total Revenue	38,222	35,000	39,469	39,531
33,413	Total Expenses	39,273	35,000	39,469	39,531
4,181	Net surplus/(deficit)	(1,051)	-	-	-

Justice Policy Advice

Scope of Appropriation

This appropriation is limited to the provision of advice and ministerial support to Ministers on government policy matters relating to law and the justice sector.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve efficient and effective policy advice, legal and ministerial services to support Ministers in discharging their portfolio responsibilities.

Measure Selection

Agencies with a policy appropriation must report on the performance of their agency's policy advice using the Department of the Prime Minister and Cabinet's Policy Quality Framework. The Ministry uses these quality standards to improve performance and to support government decision making. To show a fuller picture, the Ministry has also adopted measures regarding the distribution of scores to offer a more comprehensive assessment of the quality of policy advice.

Justice Policy Advice

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The satisfaction of the Minister of Justice ³ with the policy advice service, as per the common satisfaction survey	At least 4/5	Not Measured (see Note 1)	At least 4/5	4.3	
Average score for policy advice papers that are assessed (see Notes 2 and 3)	3.5/5	3.6/5	3.5/5	3.7	
Percentage of policy advice papers that are assessed score 3 or higher out of 5 (see Notes 2 and 3)	80%	93%	80%	93%	
Percentage of policy advice papers that are assessed score 4 or higher out of 5 (see Notes 2 and 3)	40%	45%	40%	40%	This variance represents just over 2 fewer papers scoring 4 or higher in 2022/23 than in 2021/22.
Percentage of policy advice papers that are assessed score 2.5 or less out of 5 (see Notes 2 and 3)	<20%	7%	<20%	6.7%	

Note 1 - The Ministerial Policy Satisfaction Survey was not reported on in 2021/22 due to the recent appointment of the Minister, who had not held the portfolio for a sufficient duration to be able to respond at that time.

Note 2 - This indicator provides a standardised score for technical quality reviews of policy advice, which are undertaken by a third-party assessor. The review may include an assessment of clarity, accuracy, analytical rigour, fitness for purpose, and relevance.

Note 3 - These results are based on assessing 45 papers. While 46 papers were selected for assessment in 2022/23, the final paper was decided not to be included.

³While not a non-financial measure in Vote Justice, the Ministry also surveyed the Minister for Courts using the same survey; his end-of-year result was 3.9.

Output class statement – Justice Policy Advice

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
32,954	Crown	42,846	37,711	42,846	38,769
653	Departmental	726	113	409	113
33	Other	17	75	75	75
33,640	Total Revenue	43,589	37,899	43,330	38,957
31,566	Total Expenses	40,342	37,899	43,330	38,957
2,074	Net surplus/(deficit)	3,247	-	-	-

Public Defence Service

Scope of Appropriation

This appropriation is limited to the provision of legal services by the Public Defence Service.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve increased trust in the justice system by providing a high quality, responsive, accessible and cost-effective Public Defence Service to the New Zealand public.

Measure Selection

These measures were chosen as they focus on providing high quality legal services in a cost-effective manner and access to justice for those people involved in the criminal justice system through Legal Aid. These measures also reflect one of the Ministry's strategic priorities, of improving access to justice.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of hours per annum Public Defence Service provides duty lawyer supervision and duty lawyer service in courts where the Public Defence Service operates	16,000-17,000 hours	23,161 hours	19,000-20,000 hours (see Note 1)	23,033 hours	(see Notes 1 and 2)
Average cost of PAL 1 cases (see Note 3)	<=\$1,200.00	\$1,144.00	<=\$1,400.00	\$1,272.00	(see Note 4)
Number of new cases accepted during the year (see Note 5)	15,000-16,000	10,886	12,000-13,000	11,214	
Number of new cases received during the year (see Note 6)	15,000-16,000	11,861	12,000-13,000 (see Note 7)	12,428	

Note 1 - The standard has increased for 2022/23 by 3,000 hours to align to the actual hours that have been completed over the last two financial years. This standard was determined before the system error was found.

Note 2 - An error was detected in the Business Intelligence system that collected duty lawyer hours from the Public Defence Service records. This created an undercount when duty lawyer hours were subsequently reported on over the 2020/21 and 2021/22 financial years. This reporting error was corrected when identified this year and previous figures have been corrected to include all of the duty lawyer hours the Public Defence Service have completed. Business Intelligence have completed a review of the Ministry's data warehouse and found no other instances of the error. The old figures were: 20,085 for 2020/21 and 20,904 for 2021/22.

Note 3 - PAL 1 cases are less serious charges, usually heard by a judge alone. PAL is the Provider/Lawyer approval level of a case. Cost is accounted for using criminal legal aid fixed fee rates.

Note 4 - The standard has increased for 2022/23 by \$200 to align with the recent changes to hourly rates paid to legal aid private providers. Any further changes to recruitment, retention, the legal aid fixed fee framework, provider hourly rates, court delays, changes in judicial behaviour or charge input will impact this measure.

Note 5 - This measure was intended to be replaced with 'the number of new cases received during the year' from the 2022/23 Supplementary Estimates for Vote Justice. This will be amended in the 2023/24 Supplementary Estimates of Appropriations. As such, the Ministry has reported on both measures for this Annual Report.

Note 6 - The number of new cases received during the year refers to cases assigned to the Public Defence Service from Legal Aid but have had minimal work completed on them and may be reassigned due to conflicts or assigned to the Public Defence Service in error.

Note 7 - The standard has decreased for 2022/23 by 3,000 cases to align to the actual number of new cases received over the past two financial years.

Output class statement – Public Defence Service

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
42,143	Crown	45,051	42,135	45,051	48,326
25	Departmental	26	98	98	98
41	Other	39	16	16	16
42,209	Total Revenue	45,116	42,249	45,165	48,440
40,480	Total Expenses	44,788	42,249	45,165	48,440
1,729	Net surplus/(deficit)	328	-	-	-

Sector Leadership and Support

Scope of Appropriation

This appropriation is limited to advice and services focused on the Ministry's leadership role in the justice sector. This covers enhancing the Ministry's coordination with other sector and government agencies, advice and information about judicial and statutory appointments and monitoring specific crown entities.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve timely advice and support by the Ministry of Justice to the Justice Sector.

Measure Selection

These measures were chosen because they demonstrate the teamwork among Justice Sector agencies through the Justice Sector Leadership Board. They bring together information and opinions from all of these agencies, showing the Ministry's dedication to lead and coordinate efforts across the justice sector.

By sharing data and insights proactively, the Ministry provides strong evidence to contribute to public discussions and to help inform the way we provide justice services. This evidence also helps the Ministry keep focused on one of its main objectives, reducing harm for victims and their families.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The satisfaction of the Justice Sector Leadership Board with the leadership, advice and support provided by the Ministry	At least 8/10	6.9/10 (see Note 1)	At least 8/10	8/10 (see Note 1)	
An annual prison population projection report is published on the Ministry of Justice website	Published by 31 March 2022	Published on 31 March 2022	Published by 31 March 2023	Published on 28 March 2023	
Publish two reports to inform debate (see Note 2)	Achieved	Achieved	Achieved	Achieved	

Note 1 - The scores detailed for 2021/22 and 2022/23 do not include the results from one of the representatives of the Board as they did not respond.

Note 2 - The Ministry of Justice published the following two reports over 2022/23: Controlling behaviours and help-seeking for family violence, which was released in March 2023 and, Impact of the COVID-19 pandemic on crime and victimisation, which was released in June 2023.

Output class statement – Sector Leadership and Support

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
10,557	Crown	11,304	10,936	11,304	13,075
1,410	Departmental	474	485	685	142
(103)	Other	9	23	23	23
11,864	Total Revenue	11,787	11,444	12,012	13,240
11,484	Total Expenses	11,774	11,444	12,012	13,240
380	Net surplus/(deficit)	13	-	-	-

THE OFFICE FOR MĀORI CROWN RELATIONS — TE ARAWHITI

Vote Te Arawhiti

Crown Response to Wakatū Litigation and Related Proceedings

Scope of Appropriation

This appropriation is limited to the development and delivery of a Crown response to the Wakatū litigation and any related proceedings. Te Arawhiti works alongside other public sector agencies to engage with Māori and influence positive outcomes for whānau, hapū, iwi and communities throughout Aotearoa.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the development and delivery of a coordinated Crown response to the Wakatū litigation and related proceedings.

Measure Selection

This measure was selected as it measures the achievement of the development and delivery of a coordinated Crown response to the Wakatū litigation and related proceedings.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Te Arawhiti convenes regular hui with the interagency panel to ensure agencies contribute appropriately to the development of the Crown response to the Wakatū proceedings	Achieved	Achieved	Achieved	Achieved	

Output class statement – Crown Response to Wakatū Litigation and Related Proceedings

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
400	Crown	2,994	1,300	2,300	2,783
-	Departmental	-	-	-	-
-	Other	-	-	-	-
400	Total Revenue	2,994	1,300	2,300	2,783
400	Total Expenses	2,994	1,300	2,300	2,783
-	Net surplus/(deficit)	-	-	-	-

Treaty Negotiations and Marine and Coastal Area Customary Interests

Scope of Appropriation

This appropriation is limited to departmental expenses incurred in settling historical Treaty of Waitangi claims, determining customary interests in marine and coastal areas, and implementing such settlements of claims and determinations of interests.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve supporting the Crown in the negotiation, administration and implementation of historical Treaty of Waitangi settlement claims and Marine and Coastal Area customary interests.

Measure Selection

The following measures were chosen to ensure the Minister is satisfied with progress of negotiation milestones. They seek to track those who are actively engaging with Te Arawhiti, whether it be applicants through the High Court or the Crown Engagement pathway.

Assessing Performance - Services to Ministers

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The satisfaction of the Minister for Treaty of Waitangi Negotiations with progress towards negotiation milestones	At least 8/10	9/10	At least 8/10	8/10	
The satisfaction of the Minister for Treaty of Waitangi Negotiations with ministerial services, as per the common satisfaction survey	At least 8.5/10	10/10	At least 8.5/10	10/10	
Percentage of fast-track consent applications advised on within the time agreed with the Minister's office (see Note 2)	95%	100%	95%	98%	

Note 1 - Agreed time is to enable the Minister to meet the ten-day statutory timeframe for providing response.

Assessing Performance - Representation – Waitangi Tribunal and Courts

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The Crown is represented at 100% of current Waitangi Tribunal District inquiries	100%	100%	100%	100%	

Assessing Performance - Treaty Negotiations and Marine and Coastal Area Act

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of settlement date obligations met	100%	90%	100%	48%	This measure was not achieved due to interruptions from Cyclone Gabrielle.
Deeds of Mandate recognised (see Notes 2 and 3)	New measure	New measure	1	0	This measure was not achieved as there were no Deeds of Mandate forecast to be recognised during the 2022/23 year.
Agreements in Principle signed (see Notes 2 and 4)	1	0	1	3	Agreements in Principle were signed with Ngāti Ruapani, Ngāti Hāua and Ngāti Mutunga o Wharekauri.
Deeds of Settlement initialled (see Notes 2 and 5)	2	1	2	2	
Number of applicants in active discussions with Te Arawhiti regarding the progression of their customary interests in the takutai moana as part of the Crown Engagement Strategy (see Note 6)	New measure	New measure	20	124	This measure has significantly exceeded the target. Te Arawhiti have been able to achieve this through a combination of a new and effective Engagement strategy which included the successful introduction of regional staff that work with applicants in the field, an increased focus on making applicant access to funding clearer, and a maturing of Kōrero Takutai which has increased the number of mapping layers. This has led to an increase in engagement activity and further commitments from applicants to collaborate collectively.
The Crown is represented at 100% of current High Court hearings in relation to takutai moana cases	100%	100%	100%	100%	

Note 2 - Te Arawhiti does not have full control over the achievement of these measures as it is partially reliant on claimant groups undertaking the work required by them to achieve a mandate to negotiate, broadly agree to the Crown's offer and move steadily towards the conclusion of negotiations.

Note 3 - This new performance indicator for 2022/23 which replaces the old measure 'Terms of Negotiation signed' to better reflect the negotiation process and work programme. This does not include mandates that are in the process of being refreshed or renewed.

Note 4 - An Agreement in Principle is agreed between the Crown and a claimant group. The document describes the broad outline of a settlement package and is signed by the claimant group and the Minister for Treaty of Waitangi Negotiations.

Note 5 - A Deed of Settlement is the complete, detailed and formal settlement agreement between the Crown and the claimant group.

Note 6 - This new performance measure was introduced in 2021/22, to replace the old measure 'Number of applications in formal engagement processes with the Crown regarding customary interests in the takutai moana' due to a change in the Crown Engagement Strategy, the old measure is no longer relevant.

Output class statement – Treaty Negotiations and Marine and Coastal Area Customary Interests

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
39,448	Crown	39,168	37,404	39,168	36,636
388	Departmental	436	97	97	97
54	Other	36	35	35	35
39,890	Total Revenue	39,640	37,536	39,300	36,768
36,561	Total Expenses	37,361	37,536	39,300	36,768
3,329	Net surplus/(deficit)	2,279	-	-	-

Māori Crown Relations (multi-category appropriation)

Overarching Purpose Statement

The single overarching purpose of this appropriation is to support the strengthening of the relationship between Māori and the Crown.

Scope of Appropriation

The Policy Advice - Māori Crown Relations category is limited to advice (including second opinion advice and contributions to policy led by other agencies) to support decision making by Ministers on government policy matters relating to Māori Crown relations.

The Services to Ministers category is limited to the provision of support, information and services to Ministers to enable them to discharge their portfolio (other than policy decision-making) responsibilities on matters relating to the Māori Crown relationship.

The Strengthening Crown Capability category is limited to the provision of services to strengthen Crown capability in building sustainable and productive Māori Crown relationships.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve strong, ongoing and effective relationships between Māori and the Crown. This appropriation contributes to our goals to resolve longstanding and contemporary issues, uphold the Crown's Treaty settlement commitments, actively support Crown agencies to engage effectively with Māori, put the Māori Crown relationship at the heart of policy development, lift public sector capability to work with Māori and broker Māori Crown partnerships. To enable the shift from grievance to partnership, we are focusing on three foundations of partnership that help shape the Māori Crown relationship – Restore, Sustain, and Build. These foundations of partnership have informed our strategic priorities for the next four years, giving us a clear direction to support the public sector and communities in progressing true Treaty partnership.

Measure Selection

These measures were selected to ensure the Ministers are satisfied with the advice and service they receive from Te Arawhiti as well as the progress towards building and strengthening the relationship between Māori and the Crown.

Assessing Performance – Performance of the multi-category appropriation as a whole

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Treaty Negotiations with the strengthening of the relationship between Māori and the Crown, as per the common satisfaction survey	At least 8/10	9.5/10	At least 8/10	9/10	

Assessing Performance - Policy Advice - Māori Crown Relations

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti with the policy advice service, as per the common satisfaction survey	At least 4/5	4.8/5	At least 4/5	4.9/5	
An average score for policy advice papers that are assessed (see Note 1)	3.5/5	3.6/5	3.5/5	3.4/5	
Percentage of policy advice papers that are assessed score 3 or higher out of 5 (see Note 1)	80%	95%	80%	90%	
Percentage of policy advice papers that are assessed score 4 or higher out of 5 (see Note 1)	40%	45%	40%	15%	This measure was not achieved due to the increase in the volume of papers.
Percentage of policy advice papers that are assessed score 2.5 or less out of 5 (see Note 1)	<20%	5%	<20%	10%	

Note 1 - This performance indicator provides a standardised score for technical quality reviews of policy advice. This review may include an assessment of clarity, accuracy, analytical rigour, fitness for purpose, and relevance.

Assessing Performance - Services to Ministers

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The satisfaction of the Minister for Māori Crown Relations: Te Arawhiti with ministerial services, as per the common satisfaction survey.	At least 8/10	9/10	At least 8/10	9/10	
Percentage of fast-track consent applications advised on within the time agreed with the Minister's office (see Note 1)	95%	100%	95%	100%	

Note 1 - The agreed time is to enable the Minister to meet the ten-day statutory timeframe for providing response.

Assessing Performance - Strengthening Crown Capability

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of engagement processes advised on	50	61	50	53	
Number of Māori Crown engagement workshops	15	15	15	18	Te Arawhiti delivered 15 101 Engagement workshops, two Te Tiriti o Waitangi and Aotearoa History workshops and one 102 Engagement workshop.
Percentage of core agencies that have a Whāinga Amorangi plan	100%	100%	100%	100%	
Number of people signed up to use Te Haeata (see Note 1)	900	991	900	1,231	This year, under the He Korowai Whakamana framework, agencies were required to access Te Haeata to update the status of their commitments within certain deadlines. To meet these deadlines, more individuals from each agency needed access to Te Haeata to action updates. We expect the number of registrations to continue to grow.
Percentage of all legislated settlements published on Te Haeata within 6 months of settlement date (except where Post Settlement Governance Entities have asked to pause publication of the settlement)	100%	98%	100%	100%	

Note 1 - Te Haeata - the Settlement Portal, is an online record of Treaty settlement commitments, to help agencies and settled groups to search for and manage settlement commitments. Over time the goal is for the number of people signed up to increase. Registered users are reviewed annually to ensure all email addresses remain valid.

Output class statement – Treaty Negotiations and Marine and Coastal Area Customary Interests

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
13,562	Crown	12,589	10,850	12,589	10,825
143	Departmental	132	-	-	-
18	Other	10	-	-	-
13,723	Total Revenue	12,731	10,850	12,589	10,825
13,274	Total Expenses	10,626	10,850	12,589	10,825
449	Net surplus/(deficit)	2,105	-	-	-

MINISTRY OF JUSTICE

Vote Courts

Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services (multi-category appropriation)

Overarching Purpose of Appropriation

The single overarching purpose of this appropriation is to provide courts, tribunals and other authorities services, including the collection and enforcement of fines and civil debts services.

Scope of Appropriation

The Collection and Enforcement of Fines and Civil Debts Services category is limited to the purchase of collection and enforcement of fines and civil debts services.

The District Court Services category is limited to the provision of services in regard to the work of the District Court, including the Youth Court and Family Court.

The New Zealand Support of International Jurisdictions category is limited to the provision of services that support the courts, tribunals and other authorities of International jurisdictions.

The Senior Court Services category is limited to the provision of services in regard to the work of the Supreme Court, Court of Appeal, and High Court.

The Specialist Courts, Tribunals and Other Authorities Services category is limited to the provision of services in regard to the work of New Zealand's specialist courts, tribunals and authorities.

What is Intended to be Achieved with this Appropriation

The Collection and Enforcement of Fines and Civil Debts Services category is intended to achieve efficient, accessible and responsive collections of fines, reparations and civil debt services that are trusted by the public.

The District Court Services category is intended to achieve efficient, accessible and responsive District Courts services that are trusted by the public.

The New Zealand Support of International Jurisdictions category is intended to achieve a stable, prosperous and resilient Pacific through support for the development of accessible, fair, responsive and efficient justice systems.

The Senior Court Services category is intended to achieve efficient, accessible and responsive Senior Courts services that are trusted by the public.

The Specialist Courts, Tribunals and Other Authorities Services category is intended to achieve efficient, accessible and responsive specialist courts, tribunals and other authorities' services that are trusted by the public.

Measure Selection

The Collection and Enforcement of Fines and Civil Debts Services category measures were chosen because they look at the orderly and efficient conduct of the collection and enforcement of fines and civil debt services.

The District Court Services category measures were chosen because they look at the orderly and efficient conduct of business of the District Court. The Family Court and Youth Court are each part of the District Court.

The New Zealand Support of International Jurisdictions category measure was chosen because it looks at progress on the work the Ministry is doing in partnership with the Ministry of Foreign Affairs and Trade to ensure a stable, prosperous and resilient Pacific through support for the development of accessible, fair, responsive and efficient justice systems.

The Senior Court Services category measures were chosen because they look at the orderly and efficient conduct of business of the Senior Courts. This includes the Supreme Court, the Court of Appeal, and the High Court.

The Specialist Courts, Tribunals and Other Authorities Services category measures were chosen because they look at the orderly and efficient conduct of business of the specialist courts, tribunals, and other authorities'.

Assessing Performance – Performance of the multi-category appropriation as a whole

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Satisfaction of court users with court services and facilities	80%	Not measured (see Note 1)	80%	76%	
Percentage of juror survey responses that rate overall juror satisfaction as "satisfied" or better	90%	Not measured (see Note 2)	90%	89%	
Percentage of category 3 and 4 criminal cases disposed within 12 months	90%	77%	90%	74%	In 2022/23, there has been an increase in new cases. Since 2017, the amount of work required to dispose criminal cases has significantly increased. At the same time, external factors such as COVID-19 and extreme weather events have limited the court's ability to progress this work, contributing to an increasing number of cases before the District Court.

Note 1 - The survey did not take place over 2021/22 as this is conducted biennially.

Note 2 - The uncertainty of COVID-19 presented a challenge for achieving a satisfactory sample size in 2021/22. Surveying jurors under the new court protocols was unlikely to achieve a result that is comparable with previous non-pandemic years.

Collection and enforcement of fines and civil debts services

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Total amount of fines collected	>\$180 million	\$165.5 million	>\$180 million	\$172 million	Since COVID-19 restrictions began in 2020, activities to collect and enforce fines have been reduced. There has also been fewer amounts of fines and infringements lodged by authorities, which has reduced the amount available to be received by the courts.
Civil enforcement applications processed in 3 days	90%	72%	90%	75%	In 2021/22, the processing of applications was notably impacted by COVID-19 restrictions, as the service relies on on-site staff for handling paper-based applications. In 2022/23, there has been an increase in application volumes, with capacity and resourcing limitations to process these applications.
Percentage of Offender Levy collected or placed under arrangement within 4 months	75%	66%	75%	59%	Over 2021/22 and 2022/23, activities to collect and enforce fines were reduced in response to external factors such as COVID-19 and extreme weather events.
Percentage of debt that is under arrangement	45%	37%	45%	39%	Over 2021/22 and 2022/23, activities to collect and enforce fines were reduced in response to external factors such as COVID-19 and extreme weather events.
Average time to answer calls to the Collections Contact Centre (mm:ss)	1:30	1:04	1:30	0:39	Outbound calls generate incoming calls. Due to external factors such as COVID-19 and extreme weather events, outbound campaigns were reduced. As a result, there were fewer inbound calls.

Output class statement – Collection and Enforcement of Fines and Civil Debts Services

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
48,940	Crown	53,305	50,153	53,305	56,765
54	Departmental	92	534	534	534
1,363	Other	2,060	4,496	4,496	4,496
50,357	Total Revenue	55,457	55,183	58,335	61,795
51,482	Total Expenses	62,889	55,183	58,335	61,795
(1,125)	Net surplus/(deficit)	(7,432)	-	-	-

District Court Services

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of Care of Children Act cases disposed within 12 months in the Family Court	75%	69%	75%	68%	There has been an increase in the proportion of defended cases in recent years. This has affected the ability to progress applications quickly in cases where hearings are required.
Percentage of category 2 criminal cases disposed within 3 months	70%	60%	70%	63%	There has been an increase in new category 2 cases. External events such as extreme weather has also affected the District Courts ability to dispose of these cases.
Number of District Court criminal cases (including youth) disposed	>110,000	91,989	>110,000	105,793	In 2022/23, the District Court disposed of more criminal cases compared to the prior year. External events such as extreme weather have affected the District Courts ability to dispose of these cases.
Number of civil cases disposed	>16,000	15,736	>16,000	20,502	The increased number of civil cases disposed of in 2022/23 can be attributed to the increased expansion of major debt collection agencies operations resulting in more proceedings being lodged.
Number of Family Court substantive applications disposed (see Note 1)	>55,000	54,661	>55,000	57,671	
Number of calls received by the 0800 victims of crime information line	17,000-19,000	17,636	17,000-19,000	15,299	New processes implemented by Victim Support in 2022/23 have contributed to a reduction in the number of call-backs received by Victim Support from victims, thereby reducing the overall number of calls received.
Percentage of calls answered by the 0800 victims of crime information line answered within 30 seconds	80%	67%	80%	73%	In 2021/22 and 2022/23, capacity and resourcing limitations as well as external factors such as COVID-19 and extreme weather events have impacted the measure not being met.
Average time to answer calls to the Registry Contact Centre (mm:ss)	1:30	2:51	1:30	1:57	In 2021/22, higher call volumes were experienced due to participants seeking information during changes in COVID-19 alert levels. In 2022/23, there was also an increase in call volumes paired with capacity and resourcing limitations.

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Dissolution of marriage applications processed within 6 days	90%	67%	90%	75%	In 2021/22, the processing of these applications was affected by COVID-19 restrictions as the service is dependent on staff being on-site to process paper-based applications. In 2022/23, this measure was impacted by an increase in the volume of applications received, paired with capacity and resourcing limitations.
Applications to commence civil proceedings processed within 6 days	90%	58%	90%	71%	In 2021/22, the processing of these applications was affected by COVID-19 restrictions as the service is dependent on staff being on-site to process paper-based applications. In 2022/23, this measure was impacted by an increase in the volume of applications received, paired with capacity and resourcing limitations.

Note 1 - A substantive application is an application that initiates the proceedings and identifies the issue that the court is asked to determine.

Output class statement – District Court Services

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
300,666	Crown	334,840	319,561	334,840	378,612
366	Departmental	479	1,252	1,252	1,252
17,087	Other	21,068	18,307	18,307	18,307
318,119	Total Revenue	356,387	339,120	354,399	398,171
315,252	Total Expenses	333,621	339,120	354,399	398,171
2,867	Net surplus/(deficit)	22,766	-	-	-

New Zealand Support of International Jurisdictions

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Milestones delivered as agreed in the Pacific Justice Sector Programme memorandum of understanding between the Ministry of Justice and the Ministry of Foreign Affairs and Trade (see Note 1)	75%	92%	90% (see Note 2)	94%	

Note 1 - The category 'New Zealand Support of International Jurisdictions' was introduced in 2021/22, with a measure created to reflect progress with the work the Ministry is doing in partnership with the Ministry of Foreign Affairs and Trade.

Note 2 - The standard has increased for 2022/23 by 15 percent due to the programme being in its second year compared to the lower standard set for the first year of the programme.

Output class statement – New Zealand Support of International Jurisdictions

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
-	Crown	84	-	84	190
1,136	Departmental	2,764	2,500	3,314	2,500
-	Other	1	-	-	-
1,136	Total Revenue	2,849	2,500	3,398	2,690
1,137	Total Expenses	3,164	2,500	3,398	2,690
(1)	Net surplus/(deficit)	(315)	-	-	-

Senior Court Services

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of Supreme Court civil and criminal applications for leave to appeal and appeals disposed	100-200	175	100-200	150	There are a number of factors that will impact the number of appeals disposed, such as the type, length, and complexity of the appeal. The Ministry does not have control over disposals, as they are largely in the hands of the judiciary.
Number of Court of Appeal civil and criminal appeals disposed	570-730	608	570-730	629	
Number of High Court civil and criminal appeals disposed	1,400-1,700	1,545	1,500-1,750 (see Note 1)	1,703	
Number of High Court civil and criminal cases disposed	2,100-2,700	1,953	2,100-2,700	2,176	There are a number of factors that will impact the number of cases disposed, such as the type, length, and complexity of the case. In 2021/22, COVID-19 restrictions, as reflected in the judicial protocols, affected the High Court's ability to dispose of civil and criminal cases. Judicial protocols are set by Heads of Bench. The Ministry does not have control over disposals, as they are largely in the hands of the judiciary.

Note 1 - The budget standard for 2022/23 has increased due to an upward trend in the number of appeals being disposed. This is due to more bail appeals being filed.

Output class statement – Senior Court Services

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
85,066	Crown	89,466	86,402	89,466	91,035
80	Departmental	110	680	680	680
9,547	Other	10,830	10,221	10,221	10,221
94,693	Total Revenue	100,406	97,303	100,367	101,936
91,348	Total Expenses	103,865	97,303	100,367	101,936
3,345	Net surplus/(deficit)	(3,459)	-	-	-

Specialist Courts, Tribunals and Other Authorities Services

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Accident Compensation Appeals District Court Registry (ACA DCR)					
Percentage of Accident Compensation Appeals District Court Registry cases disposed	85%	160%	85%	162%	In 2021/22 and 2022/23, the Registry disposed of more cases than it received. This is due to some cases being settled before they progress to the hearing stage and, older cases from prior years being disposed as well as cases from 2022/23. Cases that are withdrawn are still considered disposed.
Alcohol Regulatory Licensing Authority					
Percentage of Alcohol Regulatory Licensing Authority appeals and enforcements disposed within 6 months	75%	79%	75%	75%	
Coronial Services Unit					
Number of coronial cases closed	>3,100	2,942	>3,100	3,342	The increase in the number of coronial cases closed in 2022/2023 is due to an increase in the number of non-inquiry cases closed that year. This aligns with an increase in natural cause deaths accepted into the Coroners Court in the same year, with non-inquiry cases typically disposed of within a year of being reported to the coroner.
Percentage of coronial cases on hand aged under 12 months	60%	44%	60%	42%	The majority of coronial cases on hand are over 12 months old, and the number of coronial cases on hand is increasing. The Coroners Court is a priority jurisdiction and the Ministry and judiciary are working hard to reduce delays felt by friends and whanau. The Ministry's Coronial Work Programme, established in 2022, aims to improve timeliness, reduce the number of cases unnecessarily entering the coronial jurisdiction, and reduce and maintain the caseload at a sustainable level.

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Disputes Tribunal					
Number of Disputes Tribunal claims disposed	>12,000	10,476	>12,000	11,019	Availability of hearing dates has affected the number of disposals over 2021/22 and 2022/23. A bi-monthly scheduling roster was recently implemented to provide more hearing date options for cases to be set down without delay. Additionally, 26 new Referee appointments have been made over 2022/23 to help increase disposal rates.
Percentage of Disputes Tribunal claims disposed within 3 months	75%	65%	70% (see Note 1)	61%	Availability of hearing dates has affected the number of disposals over 2021/22 and 2022/23. A bi-monthly scheduling roster was recently implemented to provide more hearing date options for cases to be set down without delay. Additionally, 26 new Referee appointments have been made over 2022/23 to help increase disposal rates.
Disputes Tribunal applications processed within 6 days	85%	80%	85%	83%	
Employment Court					
Number of Employment Court cases disposed	>150	202	>150	203	In 2021/22 and 2022/23, several related cases were completed by one judgment, which all contributed to the number of cases recorded as completed. A number of cases were also re-opened, which are counted again in the overall disposal numbers for the year.
Percentage of Employment Court cases on hand aged under 12 months	75%	72%	75%	73%	
Environment Court					
Number of Environment Court cases disposed	>350	301	>350	407	Over 2022/23, the Environment Court has returned to a full complement of judges, which has contributed to the increase in disposals.
Percentage of Environment Court cases on hand aged under 18 months	75%	38%	75%	40%	Approximately half of the current workload of the Environment Court relates to plan appeals. Typically, these take a number of years to dispose. The court is still actively managing a large number of Council Plan appeals that were lodged in 2018.
Human Rights Review Tribunal					
Percentage of Human Rights Review Tribunal cases disposed	80%	117%	80%	94%	A new practice for releasing decisions was introduced in September 2022, with the clearance of older cases an area of specific focus. A new Deputy Chair has also recently been appointed, which will increase resource availability for more cases to be heard.
Immigration and Protection Tribunal					
Percentage of Immigration and Protection Tribunal cases disposed	90%	95%	90%	98%	
Māori Land Court					
Number of Māori Land Court and Māori Appellate Court applications disposed	>5,000	5,088	>5,000	3,950	In 2022/23, Te Kooti Whenua Māori (the Māori Land Court) implemented legislative change and a new digital solution for the court. This included changes to the way applications are processed and a new online portal (Pātaka Whenua) to enable landowners and court users to file applications and access court record information anytime. Significant resources were required over an extended period to support development, training and implementation.

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of Māori Land Court and Māori Appellate Court applications disposed within 12 months	80%	67%	80%	60%	In 2021/22, external factors such as COVID-19 and extreme weather events impacted disposals times. In 2022/23, Te Kooti Whenua Māori (the Māori Land Court) implemented legislative change and a new digital solution for the court. This included changes to the way applications are processed and a new online portal (Pātaka Whenua) to enable landowners and court users to file applications and access court record information anytime. Significant resources were required over an extended period to support development, training and implementation.
Tenancy Tribunal					
Number of Tenancy Tribunal applications disposed	>18,300	9,718	>18,300	11,536	The number of disposals is dependent on the number of new cases received. In 2022/23, the Tenancy Tribunal disposed of more applications than it received. Applications received have continued to trend upwards after a long period of decrease. There are a number of factors that can influence the number of applications received, such as legislative change, changes to the Kāinga-Ora business model, and the wider housing supply and demand environment which directly impacts the supply of rental properties.
Waitangi Tribunal					
Percentage of Waitangi Tribunal claims processed within 30 days	90%	93%	90%	46%	Not all applications received by the Waitangi Tribunal are registered as a claim. A claim must meet certain criteria under section 6 the Treaty of Waitangi Act 1975 and be approved by a Judge. The low volume of claims registered means the percentage of claims processed can vary significantly. The Tribunal's ability to process claims within 30 days is influenced by the volume and complexity of claims received, judicial availability, and the number of applications for urgent hearing under consideration.

Note 1 - The standard decreased for 2022/23 by five percent due to the jurisdiction of the Disputes Tribunal significantly increasing, with claims up to \$30,000 now considered by the Tribunal.

Output class statement – Specialist Courts, Tribunals and Other Authorities Services

Actual 2022 \$000	Revenue and expenses	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
99,480	Crown	115,968	106,355	115,968	117,034
141	Departmental	157	2,282	2,282	2,282
12,441	Other	11,699	13,227	12,843	12,709
112,062	Total Revenue	127,824	121,864	131,093	132,025
116,290	Total Expenses	128,910	121,916	131,421	132,583
(4,228)	Net surplus/(deficit)	(1,086)	(52)	(328)	(558)

Our financial statements

Departmental financial statements

Statement of comprehensive revenue and expense

For the year ended 30 June 2023

Actual 2022 \$000		Notes	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
Revenue						
786,198	Crown		805,947	758,227	805,253	855,045
13,383	Department		33,299	17,698	39,542	39,293
43,961	Other revenue	2	49,403	49,763	49,379	49,245
843,542	Total revenue		888,649	825,688	894,174	943,583
Expenses						
415,492	Personnel costs	3	474,291	377,250	472,405	506,338
242,414	Operating costs	4	230,043	269,387	251,273	263,769
73,577	Capital charge	6	76,403	73,838	76,403	77,113
95,497	Depreciation, amortisation and impairment	8,9	89,806	105,265	92,421	96,921
826,980	Total expenses		870,543	825,740	892,502	944,141
16,562	Net surplus/(deficit)		18,106	(52)	1,672	(558)
Other comprehensive revenue and expense						
<i>Item that will not be reclassified to net surplus/(deficit)</i>						
56,648	Gain on property revaluations		80,805	-	-	-
56,648	Total other comprehensive revenue and expense		80,805	-	-	-
73,210	Total comprehensive revenue and expense		98,911	(52)	1,672	(558)

Explanations of significant variances against budget are detailed in note 17.

The accompanying notes form part of these financial statements.

Statement of financial position

As at 30 June 2023

Actual 2022 \$000	Notes	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
Assets					
Current assets					
47,807	Cash and cash equivalents	37,729	44,392	44,111	44,747
208,271	Receivables	214,727	178,365	182,671	189,200
5,703	Prepayments	5,795	7,488	5,703	5,703
261,781	Total current assets	258,251	230,245	232,485	239,650
Non-current assets					
1,330,643	Property, plant and equipment	1,439,491	1,260,835	1,333,915	1,333,313
66,333	Intangible assets	77,826	77,432	77,040	87,123
1,396,976	Total non-current assets	1,517,317	1,338,267	1,410,955	1,420,436
1,658,757	Total assets	1,775,568	1,568,512	1,643,440	1,660,086
Liabilities					
Current liabilities					
56,072	Payables and deferred revenue	67,594	35,004	40,070	40,070
42,419	Employee entitlements	50,769	34,239	43,421	43,386
1,183	Provisions	1,265	1,454	885	885
15,894	Return of operating surplus	17,698	-	2,000	-
115,568	Total current liabilities	137,326	70,697	86,376	84,341
Non-current liabilities					
10,502	Employee entitlements	11,264	9,455	10,502	10,502
2,868	Provisions	1,740	2,801	2,866	2,866
13,370	Total non-current liabilities	13,004	12,256	13,368	13,368
128,938	Total liabilities	150,330	82,953	99,744	97,709
1,529,819	Net assets	1,625,238	1,485,559	1,543,696	1,562,377
Equity					
948,572	Taxpayers' funds	962,778	962,018	963,712	982,393
1,261	Memorandum accounts	1,669	-	-	-
579,986	Property revaluation reserves	660,791	523,541	579,984	579,984
1,529,819	Total equity	1,625,238	1,485,559	1,543,696	1,562,377
1,658,757	Total equity and liabilities	1,775,568	1,568,512	1,643,440	1,660,086

Explanations of significant variances against budget are detailed in note 17.

The accompanying notes form part of these financial statements.

Statement of changes in equity

For the year ended 30 June 2023

Actual 2022 \$000		Notes	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
1,467,288	Equity as at 1 July		1,529,819	1,472,550	1,529,818	1,543,696
73,210	Total comprehensive revenue and expense		98,911	(52)	1,672	(558)
Owner transactions						
5,215	Capital contribution from the Crown		14,206	13,061	14,206	19,239
(15,894)	Return of operating surplus to the Crown	13	(17,698)	-	(2,000)	-
1,529,819	Equity as at 30 June	14	1,625,238	1,485,559	1,543,696	1,562,377

Explanations of significant variances against budget are detailed in note 17.

The accompanying notes form part of these financial statements.

Statement of cash flows

For the year ended 30 June 2023

Actual 2022 \$000	Notes	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
Cash flows from operating activities					
728,167	Receipts from the Crown	805,031	729,910	833,224	847,810
12,970	Receipts from departments	27,129	17,698	38,171	39,999
46,321	Receipts from other revenue	50,033	49,763	48,379	49,245
(1,692)	Goods and services tax (net)	(1,416)	-	-	-
(406,520)	Payments to employees	(463,981)	(378,285)	(471,404)	(506,373)
(222,083)	Payments to suppliers	(228,283)	(269,387)	(267,573)	(263,769)
(73,577)	Payments for capital charge	(76,403)	(73,838)	(76,403)	(77,113)
83,586	Net cash flows from operating activities	112,110	75,861	104,394	89,799
Cash flows from investing activities					
16	Receipts from sale of property, plant and equipment	-	-	-	-
(66,773)	Purchase of property, plant and equipment	(96,925)	(63,230)	(82,860)	(82,860)
(19,978)	Purchase of intangible assets	(23,575)	(27,000)	(23,542)	(23,542)
(86,735)	Net cash flows from investing activities	(120,500)	(90,230)	(106,402)	(106,402)
Cash flows from financing activities					
5,215	Capital injections	14,206	13,061	14,206	19,239
(8,751)	Return of operating surplus	(15,894)	-	(15,894)	(2,000)
(3,536)	Net cash flows from financing activities	(1,688)	13,061	(1,688)	17,239
(6,685)	Net increase/(decrease) in cash held	(10,078)	(1,308)	(3,696)	636
54,492	Cash and cash equivalents at the beginning of the year	47,807	45,700	47,807	44,111
47,807	Cash and cash equivalents at the end of the year	37,729	44,392	44,111	44,747

Explanations of significant variances against budget are detailed in note 17.

The accompanying notes form part of these financial statements.

Reconciliation of net surplus/(deficit) to net cash flows from operating activities

Actual 2022 \$000		Actual 2023 \$000
16,562	Net surplus/(deficit)	18,106
Add/(less) non-cash items		
95,497	Depreciation, amortisation and impairment	89,806
95,497	Total non-cash items	89,806
Add/(less) items classified as investing and financing activities		
22	Net (gains)/losses on disposal of property, plant and equipment, and intangibles	-
22	Total movement in investing and financing activities	-
Add/(less) movements in statement of financial position items		
(56,085)	(Increase)/decrease in receivables	(6,456)
1,786	(Increase)/decrease in prepayments	(92)
17,463	Increase/(decrease) in payables and deferred revenue	2,680
8,545	Increase/(decrease) in employee entitlements	9,112
(204)	Increase/(decrease) in provisions	(1,046)
(28,495)	Total movements in statement of financial position items	4,198
83,586	Net cash flows from operating activities	112,110

The accompanying notes form part of these financial statements.

Statement of commitments

As at 30 June 2023

Commitments

Capital commitments

Capital commitments are the aggregate amount of capital expenditure contracted for the acquisition of property, plant and equipment and intangible assets that have not been paid for or not recognised as a liability at balance date.

Cancellable capital commitments that have penalty or exit costs explicit in the agreement on exercising that option to cancel are reported below at the lower of the remaining contractual commitment and the value of those penalty or exit costs (that is, the minimum future payments).

Non-cancellable operating lease commitments

The Ministry leases property in the normal course of its business.

The Ministry's non-cancellable operating leases have varying terms, escalation clauses, and renewal rights.

The majority of these leases are for premises that have a non-cancellable leasing period ranging from 1 to 33 years, with regular rent reviews.

There are no restrictions placed on the Ministry by any of its leasing arrangements.

The total of minimum future sublease payments expected to be received under non-cancellable subleases at balance date is \$1.650 million (2022: \$1.747 million).

Actual 2022 \$000		Actual 2023 \$000
Capital commitments		
4,341	Buildings ¹	5,129
133	Fitout/leasehold improvements	3,534
-	Furniture and fittings, office equipment	2,327
1,153	Computer equipment	284
682	Intangibles - software	546
6,309	Total capital commitments	11,820
Operating leases as lessee		
The future aggregate minimum lease payments to be paid under non-cancellable operating leases are as follows:		
26,095	Not later than one year	26,748
74,529	Later than one year and not later than five years	79,469
116,600	Later than five years	105,549
217,224	Total non-cancellable operating lease commitments	211,766
223,533	Total commitments	223,586

¹2022 capital commitments have been restated into the relevant class of asset based on the nature of the asset. Previously the total commitments figure was disclosed as buildings.

The accompanying notes form part of these financial statements.

Statement of contingent liabilities and contingent assets

As at 30 June 2023

Quantifiable contingent liabilities

Actual 2022 \$000		Actual 2023 \$000
60	Personal grievances	30
165	Legal proceedings and disputes	295
225	Total quantifiable contingent liabilities	325

Personal grievances

Personal grievances represent amounts claimed by employees for personal grievances cases.

Legal proceeding and disputes

Legal proceedings and disputes represent the amounts claimed by plaintiffs in relation to the performance of the Ministry's statutory role and estimated associated legal costs. The Ministry is currently disputing these claims.

Unquantifiable contingent liabilities

The Ministry has no unquantifiable contingent liabilities (2022: nil).

Contingent assets

The Ministry has no contingent assets (2022: nil).

The accompanying notes form part of these financial statements.

Notes to the financial statements

Note 1 Statement of accounting policies

Reporting entity

The Ministry of Justice (the Ministry) is a government department as defined by section 5 of the Public Service Act 2020. The relevant legislation governing the Ministry's operations includes the Public Finance Act 1989 (PFA) and the Public Service Act 2020. The Ministry's ultimate parent is the New Zealand Crown. Office for Māori Crown relations - Te Arawhiti (Te Arawhiti) is a departmental agency as defined by section 2 of the PFA, which is hosted within the Ministry. Unless explicitly stated references to the Ministry covers both the Ministry and Te Arawhiti.

The Ministry is domiciled and operates in New Zealand. These financial statements have been prepared pursuant to section 45B of the PFA.

In addition, the Ministry has reported on Crown activities and trust monies that it administers in the non-departmental statements and schedules on pages 147-163.

The Ministry's primary objective is to provide services to the New Zealand public. The Ministry does not operate to make a financial return.

The Ministry has designated itself as a public benefit entity (PBE) for the purposes of complying with generally accepted accounting practice (GAAP).

The Ministry is responsible for the following core functions:

- the delivery of operational services, including court and tribunal-related services, collections and electoral services
- the negotiations for settling historical Treaty of Waitangi claims
- the provision of support to the Judiciary
- the provision of policy advice
- leadership of the justice sector

The Ministry administers these functions in three Votes: Justice, Courts, and Te Arawhiti.

The financial statements of the Ministry are for the year ended 30 June 2023, and were authorised for issue by the Chief Executive on 29 September 2023.

Basis of preparation

The financial statements have been prepared on a going-concern basis, and the accounting policies have been applied consistently throughout the period.

Statement of compliance

The financial statements of the Ministry have been prepared in accordance with the requirements of the PFA, which includes the requirement to comply with New Zealand generally accepted accounting practices (NZ GAAP) and Treasury instructions.

The financial statements have been prepared in accordance with and comply with Tier 1 PBE accounting standards.

Presentation currency and rounding

The financial statements are presented in New Zealand dollars, and all values are rounded to the nearest thousand dollars (\$000). The functional currency of the Ministry is New Zealand dollars.

Measurement base

The financial statements have been prepared on a historical cost basis, modified by the revaluation of land and buildings and certain financial instruments at fair value.

New or amended standards adopted

PBE IPSAS 41 Financial Instruments

In March 2019, the External Reporting Board (XRB) issued PBE IPSAS 41 Financial Instruments, which supersedes both PBE IFRS 9 Financial Instruments and PBE IPSAS 29 Financial Instruments: Recognition and Measurement. The Ministry has adopted PBE IPSAS 41 for the first time this year. There has been little change as a result of adopting the new standard, because the requirements are similar to those contained in PBE IFRS 9.

PBE FRS 48 Service Performance Reporting

This Standard establishes new requirements for the selection and presentation of service performance information. The Ministry has adopted PBE FRS 48. The main change between PBE FRS 48 and PBE IPSAS 1 Presentation of Financial Statements is that PBE FRS 48 requires additional information to be disclosed on the judgements that have the most significant effect on the selection, measurement, aggregation, and presentation of service performance information. This is disclosed on pages 94-96 of the service performance information.

Other changes in accounting policies

There have been no other changes in the Ministry's accounting policies since the date of the last audited financial statements.

Comparatives

When presentation or classification of items in the financial statements is amended or accounting policies are changed voluntarily, comparative figures are restated to ensure consistency with the current period unless it is impracticable to do so.

Standards issued and not yet effective and not adopted early

Standards and amendments, issued but not yet effective that have not been early adopted, and which are relevant to the Ministry are:

Disclosure of Fees for Audit Firms' Services

An amendment to PBE International Public Sector Accounting Standard 1 Presentation of Financial Reports (PBE IPSAS 1) requires entities to disclose the fees incurred for services received from audit or review firms, and a description of each service, using the specified categories. The amendment is effective for the year ending 30 June 2025, with early application permitted. This amendment will result in additional disclosures. The Ministry does not intend to early adopt the amendment.

Onerous Contracts

An amendment to PBE International Public Sector Accounting Standard 19 Provisions, Contingent Liabilities and Contingent Assets (PBE IPSAS 19) clarifies the costs of fulfilling a contract that an entity includes when assessing whether a contract will be loss-making or onerous, and therefore whether a provision needs to be recognised. The amendment is effective for the year ending 30 June 2024, with early application permitted. This Ministry has assessed the impact on the financial statements is likely to be minimal. The Ministry does not intend to early adopt the amendment.

Summary of significant accounting policies

Significant accounting policies are included in the notes to which they relate.

Significant accounting policies that do not relate to a specific note are outlined below.

Revenue Crown

The Ministry is primarily funded from the Crown. Revenue from the Crown is measured based on the Ministry's funding entitlement for the reporting period. The funding entitlement is established by Parliament when it passes the Appropriation Acts for the financial year. The amount of revenue recognised takes into account any amendments to appropriations approved in the Appropriation (Supplementary Estimates) Act for the year and certain other unconditional funding adjustments formally approved prior to balance date.

There are no conditions attached to the funding from the Crown. However, the Ministry can incur expenses only within the scope and limits of its appropriations.

The fair value of revenue Crown has been determined to be equivalent to the funding entitlement.

Cash and cash equivalents

Cash and cash equivalents include cash on hand, cash in transit and funds held in bank accounts. All cash held in bank accounts is held in on demand accounts. The Ministry is only permitted to expend its cash and cash equivalents within the scope and limits of its appropriations.

Goods and services tax (GST)

The statement of financial position is exclusive of GST, except for receivables and payables, which are GST inclusive. All other statements are GST exclusive.

The amount of GST owed to or from the Inland Revenue Department at balance date, being the difference between output GST and input GST, is shown as a current asset or current liability as appropriate in the statement of financial position.

The amount of GST paid to, or received from, the Inland Revenue Department, including GST relating to investing and financing activities, is classified as a net operating cash flow in the statement of cash flows.

Commitments and contingencies are disclosed exclusive of GST.

Income tax

Government departments are exempt from income tax as public authorities. Accordingly, no charge for income tax has been provided for.

Critical accounting estimates and assumptions

In preparing these financial statements the Ministry has made estimates and assumptions about the future. These estimates and assumptions may differ from the subsequent actual results. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year are as follows:

- Estimating the fair value of land and buildings – see note 8.
- Assessing the useful lives of software – see note 9.
- Accounting for Software-as-a-Service contracts – see note 9.
- Measuring long service leave and retirements gratuities – see note 11.

Budget and forecast figures

Basis of the budget and forecast figures

The 2023 budget figures are for the year ended 30 June 2023 and were published in the 2022 annual report. They are consistent with the Ministry's best estimate financial forecast information submitted to Treasury for the Budget Economic and Fiscal Update (BEFU) for year ended 30 June 2023.

In addition, the financial statements also present the updated budget information for 2023 submitted to Treasury for the Supplementary Estimates.

The 2024 forecast figures are for the year ending 30 June 2024, which are consistent with the best estimate financial forecast information submitted to Treasury for the BEFU for the year ending 30 June 2024.

The forecast financial statements have been prepared as required by the PFA to communicate forecast financial information for accountability purposes and have been prepared in accordance with PBE FRS 42 Prospective Financial Statements and comply with PBE FRS 42.

The budget and forecast figures are unaudited and have been prepared using the accounting policies adopted in preparing these financial statements.

The forecast financial statements were approved for issue by the Chief Executive on 11 April 2023. The Chief Executive is responsible for the forecast financial statements, including the appropriateness of the assumptions underlying them and all other required disclosures.

While the Ministry regularly updates its forecasts, updated forecast financial statements for the year ending 30 June 2024 will not be published.

Significant assumptions used in preparing the forecast financials

The forecast figures contained in these financial statements reflect the Ministry's purpose and activities and are based on a number of assumptions on what may occur during the 2024 year. The forecast figures have been compiled on the basis of existing government policies and Ministerial expectations at the time the Budget was finalised.

The main assumptions, which were adopted as at 11 April 2023, were as follows:

- The Ministry's activities and output expectations will remain substantially the same as the previous year focusing on the Government's priorities.
- Personnel costs were based on over 5,000 full-time equivalent staff, which takes into account staff turnover.
- Operating costs were based on historical experience and other factors that are believed to be reasonable in the circumstances and are the Ministry's best estimate of future costs that will be incurred.
- Remuneration rates are based on current wages and salary costs, adjusted for anticipated remuneration changes.
- Due to uncertainty and volatility in the New Zealand property market it is difficult to accurately budget for movements in the value of Ministry property. It is therefore assumed, when preparing the forecast, that there will be no gain or loss from property revaluations.
- Estimated year-end information for 2023 was used as the opening position for the 2024 forecasts.

The actual financial results achieved for 30 June 2024 are likely to vary from the forecast information presented, and the variations may be material.

Since the approval of the forecasts, the only significant change or event that would have a material impact on the forecasts has been the revaluation of land and buildings at 30 June 2023. This resulted in a revaluation increase of approximately 6%.

Note 2 Other revenue

Other revenue

Departmental and other revenues are from the supply of goods and services to other government departments and third parties. This revenue is exchange revenue whereby the Ministry receives assets or services, or has liabilities extinguished, and directly gives approximately equal value (primarily in the form of cash, goods, services or use of assets) to another entity in exchange.

Revenue from filing and similar fees is recognised when the obligation to pay the fee is incurred. Rental income is recognised on a straight-line basis over the term of the lease. Lease incentives granted are recognised evenly over the term of the lease as a reduction in total rental income.

Interest revenue

Interest revenue is accrued using the effective interest rate method.

Actual 2022 \$000		Actual 2023 \$000
25,203	Filing fees	29,723
18,504	Other	18,052
254	Interest	1,628
43,961	Total other revenue	49,403

Note 3 Personnel costs

Salaries and wages

Salaries and wages are recognised as an expense as employees provide services.

Superannuation schemes

Obligations for contributions to the State Sector Retirement Saving Schemes, KiwiSaver and the Government Superannuation Fund are accounted for as defined contribution schemes and are expensed in the surplus or deficit as incurred.

Actual 2022 \$000		Notes	Actual 2023 \$000
361,482	Salaries and wages		410,542
21,811	Contractors	5	30,931
10,791	Employer contributions to defined contribution plans		12,131
8,656	Increase/(decrease) in employee entitlements		6,935
12,752	Other		13,752
415,492	Total personnel costs		474,291

Note 4 Operating costs

Operating leases

An operating lease is a lease that does not transfer substantially all the risks and rewards incidental to ownership of an asset. Lease payments under an operating lease are recognised as an expense on a straight-line basis over the lease term. Lease incentives received are recognised in the surplus or deficit as a reduction of rental expense over the lease term.

Other expenses

Other expenses are recognised as goods and services are received.

Actual 2022 \$000		Notes	Actual 2023 \$000
56,634	Computer and telecommunications		65,714
34,595	Professional services		35,216
29,807	Property related costs		31,117
22,676	Property operating lease expense		24,338
8,265	Staff and judicial travel		18,043
14,184	Maintenance of facilities		15,895
6,458	Printing, stationery and postage		8,184
5,427	Consultants	5	7,530
5,224	Judicial library and information services		5,298

Actual 2022 \$000		Notes	Actual 2023 \$000
1,492	Ministry library and information services		2,128
570	Audit fees for financial statements audit		620
5	Audit fees for other services		-
9	Allowance for credit losses on receivables		61
41,496	Māori Communities COVID-19 Fund ¹		-
5,214	Jurors fees and expenses ²		-
22	Loss on disposal of assets		-
10,336	Other operating costs		15,899
242,414	Total operating costs		230,043

¹Māori Communities COVID-19 Fund expenses in 2022 relate to the agreement with Te Puni Kōkiri for costs against the Māori Communities COVID-19 Fund MCA and totals \$41.756 million, however \$0.222 million is recorded within contractor costs in note 3, and \$0.038 million is recorded in consultants costs in note 4.

²Jurors fees and expenses are classified as a non-departmental expenses for 2023 and are recognised under Crown expenditure in Vote Courts.

Note 5 Contractors and consultants

The Ministry uses contractors and consultants to provide backfill for vacant positions or cover short-term demand, where specialist skills or independent external advice are needed (such as for specific programmes or projects), and in periods of peak demand.

A contractor is a person who is not considered an employee, providing backfill or extra capacity in a role that exists within the Ministry or acts as an additional resource for a time-limited piece of work.

A consultant is a person or firm who is not considered a contractor or employee, engaged to perform a piece of work with a clearly defined scope and provide expertise, in a particular field, not readily available from within the Ministry.

Actual 2022 \$000		Notes	Actual 2023 \$000
Operating expense			
21,811	Contractors	3	30,931
5,427	Consultants	4	7,530
27,238	Total operating expense - contractors and consultants		38,462
Capital expense			
5,845	Contractors and consultants capitalised to assets		8,056
33,083	Total contractors and consultants		46,518

Note 6 Capital charge

The capital charge is recognised as an expense in the financial year to which the charge relates.

The Ministry pays a capital charge to the Crown on its equity (adjusted for memorandum accounts and the retention of \$500,000 of the 2013 surplus) as at 31 December and 30 June each year. The capital charge rate for the year ended 30 June 2023 was 5% (2022: 5%).

Note 7 Receivables

Short-term receivables are recorded at the amount due, less an allowance for expected credit losses (ECL). The Ministry applies the simplified ECL model of recognising lifetime ECLs for short-term receivables.

In measuring ECLs, short-term receivables have been assessed on a collective basis because they possess shared credit risk characteristics. They have then been grouped based on the days past due.

Short-term receivables are written off when there is no reasonable expectation of recovery. Indicators that there is no reasonable expectation of recovery include the debtor being in liquidation.

Actual 2022 \$000		Actual 2023 \$000
186,009	Debtor Crown	203,848
22,294	Other receivables	10,963
(32)	Less: allowance for expected credit losses	(84)
22,262	Total other receivables	10,879
208,271	Total receivables	214,727
Total receivables comprise:		
22,262	Receivables from exchange transactions	10,879
186,009	Receivables from non-exchange transactions	203,848
208,271	Total receivables	214,727

The allowance for credit losses was determined as follows:

Gross 2022 \$000	Life time expected credit loss 2022 \$000	Expected credit loss rate 2022 %	Receivable days past due	Gross 2023 \$000	Life time expected credit loss 2023 \$000	Expected credit loss rate 2023 %
206,582	-	0.0%	Current	212,289	-	0.0%
1,443	(2)	0.1%	Receivables < 6 months	1,419	(1)	0.1%
174	(4)	2.3%	Receivables > 6 months but < 1 year	509	(9)	1.7%
80	(15)	18.8%	Receivables > 1 year but < 2 year	555	(57)	10.3%
24	(11)	45.8%	Receivables > 2 years	39	(17)	43.3%
208,303	(32)		Total	214,811	(84)	

The movement in the allowance for credit losses is as follows:

Actual 2022 \$000		Actual 2023 \$000
79	Balance as at 1 July	32
24	Additional provisions made during the year	66
(8)	Less: reversal of prior year provision	(4)
(63)	Less: receivables written off during the year	(10)
32	Balance as at 30 June	84

Note 8 Property, plant and equipment

Property, plant and equipment consist of the following asset classes: land, buildings, fitout/leasehold improvements, computer equipment, furniture and fittings, office equipment and motor vehicles. Assets under construction are included in the relevant asset class.

Land is measured at fair value. Buildings, excluding assets under construction, are measured at fair value less accumulated depreciation and impairment losses. All other asset classes are measured at cost, less accumulated depreciation and impairment losses.

Asset revaluation

Land and buildings are revalued with sufficient regularity to ensure that the carrying amount does not differ materially from their fair value. Land and buildings are valued annually by a registered valuer. Land and buildings are inspected by the valuer on a rolling three yearly basis. For the remaining properties a desktop valuation is undertaken.

Land and building revaluation movements are accounted for on a class-of-asset basis. The net revaluation results are credited or debited to other comprehensive revenue and expense and are accumulated to an asset revaluation reserve in equity for that class of asset. Where this would result in a debit balance in the asset revaluation reserve, this balance is not recognised in other comprehensive revenue and expense but is recognised in the surplus or deficit. Any subsequent increase on revaluation that reverses a previous decrease in value recognised in the surplus or deficit will be recognised first in the surplus or deficit up to the amount previously expensed, and then recognised in other comprehensive revenue and expense.

Accumulated depreciation at revaluation date is eliminated against the gross carrying amount so that the carrying amount after revaluation equals the revalued amount.

Additions

The cost of an item of property, plant and equipment is recognised as an asset only when it is probable that future economic benefits or service potential associated with the item will flow to the Ministry and the cost of the item can be measured reliably.

Assets under construction are recognised at cost less impairment and are not depreciated.

In most instances, an item of property, plant, and equipment is initially recognised at its cost. Where an asset is acquired through a non-exchange transaction, it is recognised at its fair value as at the date of acquisition.

Individual assets are capitalised if their cost is \$5,000 or more. Grouped assets are capitalised if their cost is \$5,000 or more.

Disposal of property, plant and equipment

Gains and losses on disposals are determined by comparing the disposal proceeds with the carrying amount of the asset. Gains and losses on disposals are included in the surplus or deficit. When a revalued asset is sold, the amount included in the property revaluation reserve in respect of the disposed asset is transferred to taxpayers' funds.

Subsequent costs

Costs incurred subsequent to initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to the Ministry and the cost of the item can be measured reliably.

The costs of day-to-day servicing of property, plant, and equipment are recognised in the surplus or deficit as they are incurred.

Depreciation

Depreciation is provided on a straight-line basis on all property, plant and equipment, other than land, at rates that will write off the cost (or valuation) of the assets to their estimated residual values over their useful lives.

The useful lives and associated depreciation rates of major classes of property, plant and equipment have been estimated as follows:

Asset class	Asset life (years)	Residual value
Buildings	Up to 100	Nil
Fit-out/leasehold improvements	Lesser of the lease term or the remaining life, up to 25	Nil
Computer equipment	Up to 7	Nil
Furniture and fittings, office equipment	Up to 10	Nil
Motor vehicles	Up to 7	10% of cost

The residual value and useful life of an asset is reviewed at each financial year end and adjusted, if applicable.

Impairment

The Ministry does not hold any cash-generating assets. Assets are considered cash-generating where their primary objective is to generate a commercial return.

The carrying amounts of property, plant and equipment and intangible assets are reviewed at least annually to determine if there is any indication of impairment. Where an asset's recoverable amount is less than its carrying amount, it will be reported at its recoverable amount and an impairment loss will be recognised. Losses resulting from impairment are reported in the surplus or deficit unless the asset is carried at a revalued amount, in which case any impairment loss is treated as a revaluation decrease.

	Land \$000	Buildings \$000	Fitout/ leasehold improvements \$000	Computer equipment \$000	Furniture and fittings, office equipment \$000	Motor vehicles \$000	Total \$000
Year ended 30 June 2023							
Cost	241,448	1,007,602	58,709	78,781	148,200	6,790	1,541,530
Accumulated depreciation	-	-	(52,139)	(56,928)	(99,131)	(2,689)	(210,887)
Opening net book value	241,448	1,007,602	6,570	21,853	49,069	4,101	1,330,643
Additions	18,866	55,197	7	10,926	15,812	6,176	106,984
Transfers	(830)	733	507	(1,427)	1,238	(1,544)	(1,323)
Revaluation	2,301	24,429	-	-	-	-	26,730
Disposals	-	-	(19,958)	(15,874)	(36,543)	-	(72,375)

	Land \$000	Buildings \$000	Fitout/ leasehold improvements \$000	Computer equipment \$000	Furniture and fittings, office equipment \$000	Motor vehicles \$000	Total \$000
Depreciation and impairment	-	(54,928)	(1,824)	(8,140)	(11,751)	(975)	(77,618)
Depreciation on disposals	-	-	19,958	15,874	36,543	-	72,375
Accumulated depreciation reversed on revaluation	-	54,075	-	-	-	-	54,075
Cost	261,785	1,087,108	39,260	72,405	128,691	11,422	1,600,671
Accumulated depreciation and impairment	-	-	(34,000)	(49,193)	(74,323)	(3,664)	(161,180)
Closing net book value	261,785	1,087,108	5,260	23,212	54,368	7,758	1,439,491
Includes assets under construction	295	78,382	108	4,664	20,934	5,019	109,402
Year ended 30 June 2022							
Cost	243,855	958,355	58,800	82,603	134,878	6,649	1,485,140
Accumulated depreciation	-	-	(50,283)	(60,469)	(85,980)	(1,810)	(198,542)
Opening net book value	243,855	958,355	8,517	22,134	48,898	4,839	1,286,598
Additions	14,614	30,160	24	7,797	13,300	262	66,157
Transfers	-	(22)	-	196	22	-	196
Revaluation	(17,021)	20,283	-	-	-	-	3,262
Disposals	-	-	(115)	(11,816)	-	(121)	(12,051)
Depreciation and impairment	-	(54,560)	(1,971)	(8,232)	(13,151)	(988)	(78,903)
Depreciation on disposals	-	-	115	11,774	-	109	11,998
Accumulated depreciation reversed on revaluation	-	53,386	-	-	-	-	53,386
Cost	241,448	1,007,602	58,709	78,781	148,200	6,790	1,541,530
Accumulated depreciation and impairment	-	-	(52,139)	(56,928)	(99,131)	(2,689)	(210,887)
Closing net book value	241,448	1,007,602	6,570	21,853	49,069	4,101	1,330,643
Includes assets under construction	38	41,459	452	5,921	8,126	387	56,383

There are no restrictions over the title of the Ministry's property, plant and equipment, nor are any of these assets pledged as security for liabilities.

The Ministry has assets valued at \$190.106 million listed under the Heritage New Zealand Pouhere Taonga Act 2014 (2022: \$161.208 million), which are included in the assets above.

Land at 46 Cameron Road and 26 McLean Street, Tauranga, and 57 Campbell Street, Whanganui will be transferred upon enactment of a Treaty settlement.

Impairment

The Ministry has recognised an impairment loss of \$0.875 million (2022: \$1.174 million) for assets under construction. The impairment relates to project investigation and other costs that were identified as operational in nature and projects that will no longer proceed.

Critical accounting estimates and assumptions

The land and buildings were valued at fair value as at 30 June 2023 by an independent valuer, Grant Austin, MPINZ, NZIV Registered Valuer, Senior Valuer and Divya Patel, MPINZ, NZIV Registered Valuer, Senior Valuer of Beca Projects NZ Limited.

Land fair value

Land is valued at fair value using market-based evidence based on its highest and best use with reference to comparable land values. Adjustments have been made to the unencumbered land value where there is a designation against the land, or the use of the land is restricted because of reserve or endowment status.

These adjustments are intended to reflect the negative effect on the value of the land where a potential owner or buyer is unable to use the land more intensely.

Restrictions on the Ministry's ability to sell land would normally not impair the value of the land because the Ministry has operational use of the land for the foreseeable future and will substantially receive the full benefits of outright ownership.

Buildings fair value

Where an active market is present, the Ministry's buildings are valued at fair value using market-based evidence. Market rents and capitalisation rate methodologies were applied in determining the fair value of buildings across the Ministry's national portfolio.

- Market rents range from \$185 to \$719 per square metre.
- Capitalisation rates are market-based rates of return and range from 5% to 10%.

Where there is no active market, the Ministry's remaining buildings (including specialised buildings) have been valued at fair value using depreciated replacement cost because no reliable market data is available for such buildings. This approach is used for buildings which are deemed to be seldom traded on an open market or have a restricted market for the use of the asset.

Depreciated replacement cost is determined using a number of significant assumptions, including:

- The replacement asset is based on the replacement with modern equivalent assets with adjustments where appropriate for optimisation due to over-design or surplus capacity.
- The replacement cost is derived from recent construction contracts of similar assets. Construction costs range from \$3,350 to \$21,950 per square metre, depending on the nature of the specific asset valued.
- The remaining useful life of assets is estimated after considering factors such as the condition of the asset, future maintenance and replacement plans, and experience with similar buildings.
- Straight-line depreciation has been applied in determining the depreciated replacement cost value of the asset.

A comparison of the carrying value of building using depreciated replacement cost and buildings valued using market-based evidence is as follows:

Actual 2022 \$000		Actual 2023 \$000
569,285	Depreciated replacement cost	755,680
438,317	Market - based evidence	331,428
1,007,602	Total carrying value of buildings	1,087,108

Note 9 Intangible assets

Intangible assets are initially recorded at cost. Acquired computer software licenses are capitalised on the basis of the costs incurred to acquire and bring to use the specific software. Costs that are directly associated with the development of software for internal use by the Ministry are recognised as an intangible asset. Direct costs include the costs of services, software development employee costs, and an appropriate portion of relevant overheads. Staff training costs are recognised as an expense when incurred.

Costs associated with maintaining computer software are recognised as an expense when incurred. Costs of software updates or upgrades are only capitalised when they increase the usefulness or value of the software. Costs associated with development and maintenance of the Ministry's website are recognised as an expense when incurred.

Intangible assets with finite lives are subsequently recorded at cost, less any amortisation and impairment losses. Amortisation is charged to the surplus or deficit on a straight-line basis over the useful life of the asset. Estimated useful lives are:

Asset category	Asset life (years)
Acquired software	Up to 7
Internally generated software	Up to 7

Impairment

Note 8 contains the impairment approach for both property, plant and equipment, and intangible assets.

	Acquired Software \$000	Internally Generated Software \$000	Total \$000
Year ended 30 June 2023			
Cost	76,621	234,687	311,308
Accumulated amortisation	(39,023)	(205,952)	(244,975)
Opening net book value	37,598	28,735	66,333
Additions	10,914	11,444	22,358
Transfers	(25,373)	26,696	1,323
Disposals	(1,448)	(42,402)	(43,850)
Amortisation and impairment	(1,056)	(11,132)	(12,188)
Amortisation on disposals	1,448	42,402	43,850
Cost	60,219	230,029	290,248
Accumulated amortisation & impairment	(38,136)	(174,286)	(212,422)
Closing net book value	22,083	55,743	77,826
Includes assets under construction	6,792	8,279	15,071
Year ended 30 June 2022			
Cost	72,564	225,543	298,107
Accumulated amortisation	(38,625)	(194,867)	(233,492)
Opening net book value	33,939	30,676	64,615

	Acquired Software \$000	Internally Generated Software \$000	Total \$000
Additions	8,931	9,851	18,782
Transfers	26	(222)	(196)
Disposals	(4,900)	(485)	(5,385)
Amortisation and impairment	(5,094)	(11,500)	(16,594)
Amortisation on disposals	4,696	415	5,111
Cost	76,621	234,687	311,308
Accumulated amortisation & impairment	(39,023)	(205,952)	(244,975)
Closing net book value	37,598	28,735	66,333
Includes assets under construction	21,486	5,100	26,586

There are no restrictions over the title of the Ministry's intangible assets, nor are any intangible assets pledged as security for liabilities.

Impairment

The Ministry has recognised an impairment loss of \$0.495 million for acquired software and \$0.396 million for internally generated software (2022: \$4.543 million for acquired software software). The impairment relates to project costs that were identified as operational in nature, a project classified as a SaaS initiative and projects that will no longer proceed.

Critical accounting estimates and assumptions

Useful life of software

The useful life of software is determined at the time the software is acquired and brought into use and is reviewed at each reporting date for appropriateness. For computer software licenses, the useful life represents management's view of the expected period over which the Ministry will receive benefits from the software, but not exceeding the licence term. For internally generated software developed by the Ministry, the useful life is based on historical experience with similar systems as well as anticipation of future events that may impact the useful life, such as changes in technology.

Software-as-a-Service

Software-as-a-Service (SaaS) arrangements are service contracts providing the Ministry with the right to access the cloud provider's application software over the contract period. Costs incurred to configure or customise, and the ongoing fees to obtain access to the cloud provider's application software, are recognised as operating expenses when the services are received.

Some of these costs incurred are for the development of software code that enhances or modifies, or creates additional capability to, existing on-premises systems and meets the definition of and recognition criteria for an intangible asset. These costs are recognised as intangible assets.

Judgement has been applied in determining whether contracts are SaaS arrangements, and if configuration and customisation costs associated with the arrangement meet the asset recognition criteria under PBE IPSAS 31 Intangible Assets. Contract terms and conditions are reviewed to determine the accounting treatment.

Note 10 Payables and deferred revenue

Short-term creditors and other payables are recorded at the amount payable.

Actual 2022 \$000		Actual 2023 \$000
Payables and deferred revenue under exchange transactions		
27,775	Creditors and other payables	29,594
24,654	Accrued expenses	36,260
492	Deferred revenue for cost recovered services	-
52,921	Total payables and deferred revenue under exchange transactions	65,854
Payables and deferred revenue under non-exchange transactions		
3,151	Taxes payable (eg GST)	1,740
56,072	Total payables and deferred income	67,594

Note 11 Employee entitlements

Short-term employee entitlements

Employee entitlements that are expected to be settled before 12 months after the end of the reporting period in which the employee renders the related service are measured based on accrued entitlements at current rates of pay.

These include salaries and wages accrued up to balance date, annual leave earned but not yet taken at balance date, retiring and long service leave entitlements expected to be settled within 12 months, and sick leave.

The Ministry recognises a liability and an expense for performance payments where it is contractually obliged to pay them, or where there is a past practice that has created a constructive obligation.

Long-term employee entitlements

Employee entitlements that are not expected to be settled before 12 months after the end of the reporting period in which the employee renders the related service, such as long service leave and retiring leave, are calculated on an actuarial basis.

The calculations are based on:

- likely future entitlements accruing to staff, based on years of service, years to entitlement, the likelihood that staff will reach the point of entitlement and contractual entitlements information; and
- the present value of the estimated future cash flows.

Presentation of employee entitlements

Vested and non-vested long service leave and retirement gratuities expected to be settled after 12 months of balance date are classified as a non-current liability. All other classifications of employee entitlements are classified as a current liability.

Actual 2022 \$000		Actual 2023 \$000
Current liabilities		
30,262	Annual leave	35,139
7,693	Salaries	10,586
4,464	Retirement and long-service leave	5,044
42,419	Total current liabilities	50,769
Non-current liabilities		
10,502	Retirement and long-service leave	11,264
10,502	Total non-current liabilities	11,264
52,921	Total provision for employee entitlements	62,033

Critical accounting estimates and assumptions

The present value of the retirement and long service leave obligations depends on a number of factors that are determined on an actuarial basis using a number of assumptions. Two key assumptions used in calculating this liability include the discount rate and the salary inflation factor. Any changes in these assumptions will impact on the carrying amount of the liability. Expected future payments are discounted using discount rates derived from the yield curve of New Zealand government bonds. The discount rates used have maturities that match, as closely as possible to, the estimated future cash outflows. The discount rate used was 5.28% with 4.26% salary inflation for year one of the projection (2022: 2.96% with 5.02% salary inflation).

If the discount rate was 1% lower from the Ministry's estimates, with all other factors held constant, the carrying amount of the liability would be an estimated \$907,000 higher.

If the salary inflation factor was 1% higher from the Ministry's estimates, with all other factors held constant, the carrying amount of the liability would be an estimated \$906,000 higher.

The valuations of long service leave and retirement leave as at 30 June 2023 were conducted by an independent actuary, Simon Ferry, FIA FNZSA, of AON New Zealand.

Note 12 Provisions

The Ministry recognises a provision for future expenditure of uncertain amount and timing when there is a present obligation (either legal or constructive) as a result of a past event, it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation and a reliable estimate can be made of the amount of the obligation.

Provisions are not recognised for net deficits from future operating activities.

Provisions are measured at the present value of the expenditure expected to be required to settle the obligation, using a pre-tax discount rate that reflects current market assessments of the time value of money and the risks specific to the obligation. The increase in the provision due to the passage of time is recognised as an interest expense and is included in "finance cost".

Restructuring

A provision is recognised when an approved detailed formal plan for the restructuring has either been announced publicly to those affected, or for which implementation has already commenced.

	Make Good \$000	Restructuring \$000	Other Provision \$000	Total \$000
Year ended 30 June 2023				
Opening balance	2,868	779	404	4,051
Additional provisions made	-	12	-	12
Amount utilised	(556)	(431)	-	(987)
Unused provisions reversed	(71)	-	-	(71)
Closing balance	2,241	360	404	3,005
Current portion	501	360	404	1,265
Non-current portion	1,740	-	-	1,740
Year ended 30 June 2022				
Opening balance	3,052	1,009	194	4,255
Additional provisions made	-	409	210	619
Amount utilised	-	(294)	-	(294)
Unused provisions reversed	(184)	(345)	-	(529)
Closing balance	2,868	779	404	4,051
Current portion	-	779	404	1,183
Non-current portion	2,868	-	-	2,868

The make-good provision relates to contractual obligations resulting from the Ministry entering into lease contracts. The lease obligations require the Ministry to make good the condition of the land and buildings upon terminating the lease and vacating the premises. The Ministry has the option to renew these leases, which may change the timing of the expected cash outflows to make good the premises.

Restructuring provisions are the expected costs arising from the restructuring within the Ministry.

The other provision are costs associated with remediating and maintaining compliance with the Holidays Act 2003.

Note 13 Return of operating surplus

Actual 2022 \$000		Actual 2023 \$000
16,562	Net surplus/(deficit)	18,106
(668)	(Surplus)/deficit of memorandum accounts	(408)
15,894	Total return of operating surplus	17,698

The net operating surplus from the delivery of outputs must be repaid by 31 October of each year.

Note 14 Equity

Equity is the Crown's investment in the Ministry and is measured as the difference between total assets and total liabilities. Equity is disaggregated and classified as taxpayers' funds, memorandum accounts and property revaluation reserves.

Memorandum accounts

Memorandum accounts reflect the cumulative surplus/(deficit) on those departmental services provided that are intended to be fully cost recovered from third parties through fees, levies or charges. The balance of each memorandum account is expected to trend toward zero over time.

Property revaluation reserves

These reserves relate to the revaluation of land and buildings to fair value.

Capital management

The Ministry's capital is its equity, which comprises taxpayers' funds, memorandum accounts and revaluation reserves. Equity is represented by net assets.

The Ministry manages its revenue, expenses, assets, liabilities and general financial dealings prudently. The Ministry's equity is largely managed as a by-product of managing income, expenses, assets, liabilities and compliance with the government budget processes, Treasury's Instructions and the PFA.

The objective of managing the Ministry's equity is to ensure the Ministry effectively achieves the goals and objectives for which it has been established, whilst remaining a going concern.

Actual 2022 \$000		Actual 2023 \$000
Taxpayers' funds		
943,152	Balance at 1 July	948,572
16,562	Surplus/(deficit)	18,106
(15,894)	Return of operating surplus to the Crown	(17,698)
5,215	Capital contribution from the Crown	14,206
(668)	Transfer of memorandum account net (surplus)/deficit	(408)
205	Transfer realised revaluation from property valuation reserves	-
948,572	Balance at 30 June	962,778
Memorandum accounts		
593	Balance at 1 July	1,261
668	Net memorandum account surplus/(deficit) for the year	408
1,261	Balance at 30 June	1,669

Actual 2022 \$000		Actual 2023 \$000
Property revaluation reserves		
523,543	Balance at 1 July	579,986
56,648	Revaluation gains	80,805
(205)	Transfer realised revaluation to taxpayers' funds	-
579,986	Balance at 30 June	660,791
Property revaluation reserves consist of:		
67,712	Land revaluation reserve	70,013
512,274	Buildings revaluation reserve	590,778
579,986	Total property valuation reserves	660,791
1,529,819	Total equity	1,625,238

Memorandum accounts

Actual 2022 \$000		Actual 2023 \$000
Second Hand Dealers and Pawnbrokers		
603	Balance at 1 July	526
151	Revenue	132
(228)	Expenses	(232)
(77)	Surplus/(deficit)	(100)
526	Balance at 30 June	426
Legal Complaints Review Officers		
(10)	Balance at 1 July	735
2,207	Revenue	1,965
(1,462)	Expenses	(1,457)
745	Surplus/(deficit)	508
735	Balance at 30 June	1,243

These memorandum accounts summarise financial information related to the accumulated surpluses and deficits incurred by the Ministry on a full cost recovery basis. The use of these accounts enables the Ministry to take a long-run perspective to fee setting and cost recovery. The balance of each memorandum account is expected to trend towards zero over a reasonable period of time, with interim deficits being met either from cash from the Ministry's statement of financial position, or by seeking approval for a capital contribution from the Crown. Capital contributions will be repaid to the Crown by way of cash payments throughout the memorandum account cycle.

The Second Hand Dealers and Pawnbrokers and Legal Complaints Review Officers memorandum accounts require separate recognition within the financial statements. The Second Hand Dealers and Pawnbrokers account records the financial activities around the licensing of second hand dealers and pawnbrokers and the certification of certain employees of licence holders.

The Legal Complaints Review Officers (LCRO) account records the financial activities of the LCRO, which provides independent oversight and review of the decisions made by the standards committees of the New Zealand Law Society and the New Zealand Society of Conveyancers.

Note 15 Related party transactions and key management personnel

The Ministry is a wholly owned entity of the Crown.

Related party disclosures have not been made for transactions with related parties that are within a normal supplier or client/recipient relationship on terms and conditions no more or less favourable than those that it is reasonable to expect the Ministry would have adopted in dealing with the party at arm's length in the same circumstances. Further, transactions with other government agencies (for example, government departments and Crown entities) are not disclosed as related party transactions when they are consistent with the normal operating arrangements between government agencies and undertaken on the normal terms and conditions for such transactions.

Key management personnel compensation

Ministry Actual 2022 \$000	Te Arawhiti Actual 2022 \$000		Ministry Actual 2023 \$000	Te Arawhiti Actual 2023 \$000
3,004	1,667	Remuneration	2,802	1,808
7.5	5.5	Full-time equivalent staff	7.0	5.6

The above key management personnel disclosure excludes the Minister of Justice, Minister for Courts, the Minister for Treaty of Waitangi Negotiations and the Minister for Māori Crown Relations: Te Arawhiti. The Ministers' remuneration and other benefits are not received only for their roles as members of key management personnel of the Ministry. The Ministers' remuneration and other benefits are set by the Remuneration Authority under the Members of Parliament (Remuneration and Services) Act 2013 and are paid under Permanent Legislative Authority, and not paid by the Ministry of Justice.

The Ministry has reviewed the definition of compensation within employment contracts for the key management personnel compensation disclosure. The 2022 comparative compensation for Te Arawhiti has been restated to reflect the same definition used for 2023.

Note 16 Financial instruments

Categories of financial instruments

The carrying amounts of financial assets and liabilities in each of the PBE IPSAS 41 financial instrument categories are as follows:

Actual 2022 \$000		Notes	Actual 2023 \$000
Financial assets measured at amortised cost			
47,807	Cash and cash equivalents		37,729
208,271	Debtors and other receivables	7	214,727
256,078	Total financial assets measured at amortised cost		252,456
Financial liabilities measured at amortised cost			
52,429	Payables (excluding deferred revenue and taxes payable)	10	65,854
52,429	Total financial liabilities measured at amortised cost		65,854

Fair value

The fair value of financial assets and liabilities is equivalent to the carrying amount disclosed in the statement of financial position.

Financial instrument risk**Market risk***Currency risk and interest rate risk*

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate due to changes in foreign exchange rates.

Interest rate risk is the risk that the cash flows from a financial instrument will fluctuate because of changes in market interest rates. The Ministry has no exposure to these risks because it has no financial instruments measured in a foreign currency or issued at variable interest rates.

Credit risk

Credit risk is the risk that a third party will default on its obligation to the Ministry, causing the Ministry to incur a loss.

In the normal course of Ministry business, credit risk arises from receivables and deposits with banks.

The Ministry is permitted to deposit funds only with Westpac (Standard and Poor's credit rating of AA-), a registered bank. For its other financial instruments, the Ministry does not have significant concentrations of credit risk.

The Ministry's maximum credit exposure for each class of financial instrument is represented by the total carrying amount of cash and cash equivalents and receivables. There is no collateral held as security against these financial instruments, including those instruments that are overdue or impaired.

Liquidity risk

Liquidity risk is the risk that the Ministry will encounter difficulty raising liquid funds to meet commitments as they fall due.

In meeting its liquidity requirements, the Ministry closely monitors its forecast cash requirements with the expected cash drawdown as negotiated with the New Zealand Debt Management Office through Treasury. The Ministry maintains a target level of available cash to meet liquidity requirements.

The Ministry has financial liabilities of \$65.854 million payable within six months from balance date (2022: \$52.429 million). The carrying value equals the contractual cash flow for these liabilities.

Note 17 Explanation of major variances against budget

Explanations for major variances from the Ministry's original 2023 budget figures are as follows:

Statement of comprehensive revenue and expense

Crown revenue was \$47.720 million higher than budgeted. This was due to approved increases in the Ministry's budget during the 2022/23 financial year. This includes improving remuneration for Ministry of Justice employees to ensure core justice services are maintained, funding for a digital case management system to reduce delays and improve access to information, and joint Minister approved transfers from the 2021/22 financial year for initiatives that continued in 2022/23.

Department revenue was \$15.601 million higher than budgeted and \$6.243 million lower than the supplementary estimates. The variance from the budget was primarily attributed to a memorandum of understanding between Te Puna Aonui and the Ministry regarding the costs against the Elimination of Family Violence and Sexual Violence appropriation. This agreement was made after the budget has been established. The variance to the supplementary estimates is mainly due to a decrease in court revenue, which was a result of lower activity.

Personnel costs were \$97.041 million higher than budgeted. This was mainly due to approved increases in the Ministry's budget for additional staff and improving remuneration for Ministry of Justice employees.

Operating expenses were \$39.344 million lower than budgeted and \$21.230 million lower than the supplementary estimate. This was mainly due to changes in phasing of projects and work programmes. A number of underspends were anticipated and approvals in-principle were obtained to carry these forward to 2023/24.

Depreciation, amortisation and impairment costs were \$15.459 million lower than budgeted. This was mainly due to timing of asset capitalisation being later than anticipated.

Due to uncertainty and volatility in the New Zealand property market it is difficult to accurately budget for movement on property valuations. It is therefore assumed, when preparing the budget, that there will be no gain or loss from property revaluations.

Statement of financial position

Cash and cash equivalents were \$6.663 million lower than budgeted and \$6.382 million lower than the supplementary estimates. This is mainly due to timing of land purchase settlement for future redevelopment and also reflects the surplus on operating costs.

Receivables were \$36.362 million higher than budgeted and \$32.056 million higher than the supplementary estimate. This is mainly due to higher Crown Debtor balance as at 30 June than expected and a large receivables balance for a memorandum of understanding with Te Puna Aonui.

Property, plant and equipment was \$178.656 million higher than budgeted and \$105.576 million higher than the supplementary estimate. This is due to the recognition of the increases in value from the revaluation of the Ministry's land and building assets and timing of asset additions and disposals.

Payables and deferred revenue were \$32.590 million higher than budgeted and \$27.524 million higher than the supplementary estimate. This was mainly due to timing difference for goods and services received but not yet paid. This was also driven by an increase of costs including property costs resulting from the North Island weather events and investment in Te Au Reka.

Current and non-current employee entitlements were \$18.339 million higher than budgeted and \$8.110 million higher than the supplementary estimate. This is mainly due to the annual leave provision being higher than budgeted due to lower leave taken during the year and increases in salaries, as well as higher salaries and wages accrued at year-end than was budgeted.

Property revaluation reserves were \$137.250 million higher than budgeted and \$80.807 million higher than the supplementary estimate. The variances are due to the property valuations not being included in the budget.

Statement of cash flows

Variances in the statement of cash flows are in line with variances in the statement of comprehensive revenue and expense and statement of financial position as explained above.

Note 18 Summary analysis of the Ministry and Te Arawhiti

On 18th September 2018, Cabinet approved the establishment of a new Crown Agency, Office for Māori Crown relations Te Arawhiti (Te Arawhiti) and the scope of the portfolio [CAB-18-MIN-0456]. The new Crown Agency was established on 1 January 2019 and is housed within the Ministry and brings together the Office of Treaty Settlements, the Marine and Coastal Area (Takutai Moana) Unit, the Post Settlement Commitments Unit and the Crown/Māori Relations Roopu.

The Ministry's financial statements include Te Arawhiti. Te Arawhiti does not have any separately identifiable assets or liabilities. A reconciliation between the revenue and expenses of the Ministry and Te Arawhiti is shown as follows.

Ministry Actual 2022 \$000	Te Arawhiti Actual 2022 \$000	Total Actual 2022 \$000		Ministry Actual 2023 \$000	Te Arawhiti Actual 2023 \$000	Total Actual 2023 \$000
Revenue and expenses						
Revenue						
691,032	95,166	786,198	Crown	751,196	54,751	805,947
12,852	531	13,383	Department	32,732	567	33,299
43,888	73	43,961	Other revenue	49,357	46	49,403
747,772	95,770	843,542	Total revenue	833,285	55,364	888,649
Expenses						
384,082	31,410	415,492	Personnel costs	441,675	32,616	474,291
183,409	59,005	242,414	Operating costs	213,157	16,886	230,043
73,321	256	73,577	Capital charge	76,189	214	76,403
94,266	1,253	95,497	Depreciation, amortisation and impairment	88,558	1,248	89,806
735,056	91,924	826,980	Total expenses	819,579	50,964	870,543
12,716	3,846	16,562	Net surplus/(deficit)	13,706	4,400	18,106

Note 19 Events after balance date

There have been no significant events after balance date.

Non-departmental statements and schedules

The following non-departmental statements and schedules record the revenue, capital receipts, expenses, assets, liabilities, commitments, contingent liabilities, contingent assets, and trust accounts that the Ministry manages on behalf of the Crown.

Schedule of non-departmental revenue

For the year ended 30 June 2023

Actual 2022 \$000		Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000
98,073	Court fines	117,146	111,173	111,173
9,135	Community Law Centre receipts	40,795	4,800	38,800
13,322	Legal Aid debt established	20,091	12,904	12,904
2,095	Offender levies	2,361	3,663	3,663
3,055	Recovery of judicial salaries	1,999	956	2,965
664	Interest on treaty settlement prepaid lease	638	708	708
715	Family Court Cost Contribution Orders	345	1,600	1,600
-	Money forfeited to the Crown	-	200	200
9,299	Other revenue	10,003	9,374	9,374
136,358	Total non-departmental revenue	193,378	145,378	181,387

Schedule of non-departmental capital receipts

No capital receipts were received by the Ministry on behalf of the Crown during the year ended 30 June 2023 (2022: nil).

Explanations of significant variances against budget are detailed in note 8.

The accompanying notes form part of these statements and schedules.

For a full understanding of the Crown's financial position and the results of its operations for the year, refer to the consolidated Financial Statements of the Government for the year ended 30 June 2023.

Schedule of non-departmental expenses

For the year ended 30 June 2023

Actual 2022 \$000		Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000
158,982	Personnel costs Vote Courts	178,909	168,521	179,718
554	Personnel costs Vote Justice ¹	660	644	664
342,476	Crown expenditure Vote Justice	497,686	487,719	528,054
140,462	Crown expenditure Vote Courts	156,036	167,310	162,504
238,471	Crown expenditure Vote Te Arawhiti	110,856	131,549	118,646
68,488	GST expense	87,845	55,115	91,795
949,433	Total non-departmental expenditure	1,031,992	1,010,858	1,081,381

¹The Ministry has reviewed the categories of non-departmental expenses. The 2022 comparative has been restated to reflect the same categories used in 2023.

Further split of non-departmental expenses can be found in the 'statement of budgeted and actual non-departmental expenses and capital expenditure incurred against appropriations' schedules on pages 168-175.

Explanations of significant variances against budget are detailed in note 8.

The accompanying notes form part of these statements and schedules.

For a full understanding of the Crown's financial position and the results of its operations for the year, refer to the consolidated Financial Statements of the Government for the year ended 30 June 2023.

Schedule of non-departmental assets

As at 30 June 2023

Actual 2022 \$000		Notes	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000
Current assets					
37,628	Cash and cash equivalents		28,446	53,924	43,587
16,002	Legal Aid receivables	2	15,903	15,330	16,002
68,805	Fines and other receivables	3	73,148	72,401	71,805
7,080	Prepayments		4,989	-	2,286
129,515	Total current assets		122,486	141,655	133,680
Non-current assets					
38,898	Legal Aid receivables	2	48,505	44,554	38,896
80,944	Fines and other receivables	3	83,051	86,884	80,944
3,876	Assets held for Treaty of Waitangi settlements	4	3,876	8,577	3,876
123,718	Total non-current assets		135,432	140,015	123,716
253,233	Total non-departmental assets		257,918	281,670	257,396

Te Arawhiti monitors the Ngāpuhi Investment Fund Ltd as a Crown Company. The Crown's investment in this entity is consolidated in the Financial Statements of the Government on a line-by-line basis. The investment in this entity is not included in this schedule.

The Ministry of Justice monitors seven Crown entities. These are the Office of the Privacy Commissioner, Law Commission, Independent Police Conduct Authority, Human Rights Commission, Real Estate Agents Authority, Te Kāhui Tātari Ture | Criminal Cases Review Commission, and the Electoral Commission. The investment in these entities is consolidated in the Financial Statements of the Government on a line-by-line basis. The investment in these entities is not included in this schedule.

Explanations of significant variances against budget are detailed in note 8.

The accompanying notes form part of these statements and schedules.

For a full understanding of the Crown's financial position and the results of its operations for the year, refer to the consolidated Financial Statements of the Government for the year ended 30 June 2023.

Schedule of non-departmental liabilities

As at 30 June 2023

Actual 2022 \$000		Notes	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000
Current liabilities					
318,123	Treaty settlements payables		69,167	287,742	233,867
76,863	Creditors and other payables	5	93,678	71,376	75,635
38,231	Judges' entitlements	6	37,969	56,335	39,102
433,217	Total current liabilities		200,814	415,453	348,604
Non-current liabilities					
234,824	Treaty settlements payables		265,913	61,071	56,175
35,111	Judges' entitlements	6	34,176	38,999	33,111
269,935	Total non-current liabilities		300,089	100,070	89,286
703,152	Total non-departmental liabilities		500,903	515,523	437,890

Schedule of non-departmental commitments

As at 30 June 2023

The Ministry on behalf of the Crown has no non-cancellable capital or lease commitments (2022: nil).

Explanations of significant variances against budget are detailed in note 8.

The accompanying notes form part of these statements and schedules.

For a full understanding of the Crown's financial position and the results of its operations for the year, refer to the consolidated Financial Statements of the Government for the year ended 30 June 2023.

Schedule of non-departmental contingent liabilities and contingent assets

As at 30 June 2023

Quantifiable contingent liabilities

Actual 2022 \$000		Actual 2023 \$000
Contingent liabilities		
-	Legal proceedings and disputes	3
1,065	Māori Land Court	1,360
220,000	Waitangi Tribunal recommendations	220,000
221,065	Total contingent liabilities	221,363

Vote Courts

Legal proceedings and disputes

Legal proceedings and disputes represent the amounts claimed by plaintiffs in relation to judicial functions. Subsequent to 30 June this case has been dismissed.

Māori Land Court

Māori Land Court contingent liabilities arise from orders made by the Court where any costs that arise from the order will be a charge against the Māori Land Court Special Aid Fund in terms of section 98 of the Te Ture Whenua Māori Act 1993.

Vote Te Arawhiti

Waitangi Tribunal Recommendations

On 29 September 2021, the Waitangi Tribunal issued interim recommendations under section 8A of the Treaty of Waitangi Act 1975 in relation to the transfer of 7,676 hectares of the Mangatu Crown Forest Licensed land to a trust comprising Te Aitanga a Māhaki, Ngā Uri o Tamanui and Te Whānau a Kai. Should the recommendation become final, compensation will be payable to the recipients under Schedule 1 to the Crown Forests Assets Act 1989. The current value of the compensation, as per the Tribunal's indications, is approximately \$220 million. The Crown sought a judicial review and in February 2023, the High Court found the Tribunal erred in its approach to recommending the maximum compensation. The claimants have appealed that finding to the Court of Appeal. No hearing date has been set.

Unquantifiable contingent liabilities

Vote Justice

Justices of the Peace, Community Magistrates and Disputes Tribunal Referees

Section 50 of the District Court Act 2016, Section 4F of the Justices of the Peace Act 1957, and Section 58 of the Disputes Tribunal Act 1988 require the Crown to indemnify Community Magistrates and Justices of the Peace, respectively, against damages or costs awarded against them as a result of them exceeding their jurisdiction, provided a High Court judge certifies that they have exceeded their jurisdiction in good faith and ought to be indemnified. Section 58 of the Disputes Tribunal Act 1988 confers a similar indemnity on Disputes Tribunal Referees.

Criminal Proceeds (Recovery) Act

The Ministry of Justice is responsible for administering the Criminal Proceeds (Recovery) Act 2009. The Act requires the Crown to give an undertaking as to damages or costs in relation to asset restraining orders. In the event that the Crown is found liable, payment may be required.

Vote Te Arawhiti

Treaty of Waitangi claims

Under the Treaty of Waitangi Act 1975, any Māori may lodge certain claims relating to land or actions counter to the principles of the Treaty with the Waitangi Tribunal. Where the Tribunal finds a claim is well founded, it may recommend to the Crown that action be taken to compensate those affected. The Tribunal can make recommendations that are binding on the Crown with respect to land which has been transferred by the Crown to a State-owned Enterprise (SOE) or tertiary institution or is subject to the Crown Forest Assets Act 1989.

On occasion, Māori claimants pursue the resolution of claims against the Crown through higher courts. Failure to successfully defend such actions may result in a liability for historical Treaty grievances in excess of that currently anticipated.

Treaty of Waitangi claims – settlement relativity payments

The Deeds of Settlement negotiated with Waikato-Tainui, and Ngāi Tahu include a relativity mechanism. The mechanism provides that, where the total redress amount for all historical Treaty settlements exceeds \$1 billion in 1994 present-value terms, the Crown is liable to make payments to maintain the real value of Waikato-Tainui's, and Ngāi Tahu's settlements as a proportion of all Treaty settlements. The agreed relativity proportions are 17 percent for Waikato-Tainui and approximately 16 percent for Ngāi Tahu.

As the relativity mechanism has been triggered additional costs are likely to be incurred, in future years, in accordance with the relativity mechanism as Treaty settlements are reached. However, no value can be placed on these at this point in time, as there is uncertainty as to when each negotiation will settle, and the value of any settlement when reached. There is also uncertainty on how various disputes concerning the interpretation of the mechanism will be resolved.

Stafford litigation

Crown Law is acting for the Attorney-General on behalf of the Crown in right of New Zealand in *Stafford v Attorney-General* (CIV 2010-485-181), in which it is claimed that the Crown breached trust, fiduciary and other equitable obligations relating to land transactions in the top of the South Island in the 1840s. The plaintiff seeks the return of land he says the Crown holds on trust for the successors of the original owners and compensation, or other relief, for alleged breach of trust, fiduciary and other equitable obligations. In February 2017, the Supreme Court held that the Crown owed a fiduciary duty in relation to the land transactions concerned, but remitted matters of breach, defences and remedy to the High Court for a further hearing or hearings. The High Court trial started in August 2023. The matter is large and complex and could take up to a further 10 years to resolve.

Contingent assets

The Ministry on behalf of the Crown has no contingent assets (2022: nil).

The accompanying notes form part of these statements and schedules.

For a full understanding of the Crown's financial position and the results of its operations for the year, refer to the consolidated Financial Statements of the Government for the year ended 30 June 2023.

Statement of trust monies

For the year ended 30 June 2023

The following trust money was administered on behalf of the Crown under Section 66 of the Public Finance Act 1989 (PFA). The transactions through these accounts and their balances are not included in the Ministry's annual financial statements.

	Court Law \$000	Fines \$000	Employment Court \$000	Māori Land Court \$000	Prisoners' and Victims' Claims \$000	Supreme Court \$000	Foreign currency \$000
Year ended 30 June 2023							
Opening cash balance	8,178	43,844	463	174	231	241	7,695
Contributions	6,924	172,539	329	26	240	72	-
Distributions	(6,088)	(168,721)	(328)	(3)	(197)	(40)	(7,695)
Closing cash balance	9,014	47,662	464	197	274	273	-
Year ended 30 June 2022							
Opening cash balance	10,210	39,197	270	146	418	111	10,133
Contributions	6,627	165,824	464	28	121	180	-
Distributions	(8,659)	(161,177)	(271)	-	(308)	(50)	(2,438)
Closing cash balance	8,178	43,844	463	174	231	241	7,695

Court law trust account

This trust account holds deposits made by individuals filing for action in the District Court, the High Court or the Court of Appeal. There are 56 individual Law Trust accounts, which are managed by the individual courts and collections offices.

Fines trust account

This trust account holds deposits for all fines collected and associated fees prior to disbursement back to the Crown and local authorities or victims. Fines collected are court-imposed (including reparations) and infringements collected on behalf of New Zealand Police, local authorities and other prosecuting agencies.

Employment court trust account

This trust account holds deposits as security for costs against outstanding proceedings, as required by the Employment Relations Authority and the Employment Court under the Employment Relations Act 2000.

Māori land court trust account

This trust account holds money for security for costs and for other matters associated with proceedings of the court.

Prisoners' and Victims' Claims Act trust account

This trust account is established under section 50 of the Prisoners' and Victims' Claims Act 2005. This account holds payments of compensation money.

Supreme court trust account

This trust account holds deposits made by individuals filing for action and to allow the Supreme Court to administer proceedings.

Foreign currency trust accounts

These trust accounts, on instruction from court judges, hold deposits made from time to time where the final outcome of cases is yet to be determined. There is one trust account for US Dollars and one for Euros. Both Trust accounts have a nil balance as at 30th June 2023 (2022: \$7.695 million in the USD account and nil in the Euro account).

Other trust accounts

Legal complaints review trust account

This trust account holds levies received by the Ministry to reimburse the costs of the Legal Complaints Review process. This trust account has a nil balance (2022: nil).

The accompanying notes form part of these statements and schedules.

For a full understanding of the Crown's financial position and the results of its operations for the year, refer to the consolidated Financial Statements of the Government for the year ended 30 June 2023.

Notes to the non-departmental financial statements and schedules

Note 1 Statement of significant accounting policies

Reporting entity

These non-departmental statements and schedules present financial information on public funds managed by the Ministry on behalf of the Crown.

These non-departmental balances are consolidated into the Financial Statements of the Government for the year ended 30 June 2023. For a full understanding of the Crown's financial position, results of operations, and cash flows for the year, refer to the Financial Statements of the Government for the year ended 30 June 2023.

Basis of preparation

The non-departmental statements and schedules have been prepared in accordance with the accounting policies of the Financial Statements of the Government, Treasury Instructions, and Treasury Circulars.

Measurement and recognition rules applied in the preparation of these non-departmental statements and schedules are consistent with New Zealand generally accepted accounting practice (tier 1 Public Benefit Entity (PBE) Accounting Standards) as appropriate for public benefit entities.

Presentation currency and rounding

The non-departmental financial statements and schedules are presented in New Zealand dollars, and all values are rounded to the nearest thousand dollars (\$000). The functional currency is New Zealand dollars.

Measurement base

The non-departmental statements and schedules have been prepared on a historical cost basis, modified by the revaluation of certain financial instruments at fair value.

Accounting standards and other changes in accounting policies

The following items are the same as disclosed in the departmental financial statements. This information can be found in Note 1 to the departmental financial statements:

- New or amended standards adopted
- Other changes in accounting policies
- Standards issued and not yet effective and not adopted early.

Summary of significant accounting policies

Significant accounting policies are included in the notes to which they relate.

Significant accounting policies that do not relate to a specific note are outlined below.

Revenue from non-exchange transactions

Court fines and legal aid debt established

Revenue from fines is recognised when the notice of fine is issued. Revenue from legal aid is recognised when a case is finalised, and the amount to be recovered from the customer has been agreed. For open legal aid cases an accrual is made for expected recoveries.

Revenue is measured at fair value. Fair value is determined using a model that uses past experience to forecast the expected collectability and timing of receipts and discounts these to present value using an appropriate discount rate. The initial fair value write-down is netted off against the revenue recognised.

Community law centre receipts

In accordance with section 298 of the Lawyers and Conveyancers Act 2006 the New Zealand Law Society distributes interest on the Special Fund to the Ministry for the purpose of funding community law centres. Receipts are recognised as revenue upon entitlement.

Revenue from exchange transactions

All other revenue is deemed exchanged. Revenue is measured at fair value. The revenue recognition point is when the obligation to pay has been incurred.

Cash and cash equivalents

Cash and cash equivalents include cash on hand, cash in transit and funds held in bank accounts administered by the Ministry. All cash held in bank accounts is held in on demand accounts and no interest is payable to the Ministry.

Treaty settlement payables

Treaty settlement payables are recorded when a treaty settlement deed has been initialled. These are recorded at the amount payable. These are classified as non-exchange payables.

Goods and services tax (GST)

All items in the non-departmental financial statements and schedules, including appropriation statements, are stated exclusive of GST, except for receivables and payables, which are stated on a GST-inclusive basis as applicable. In accordance with Treasury instructions, GST is returned on revenue received on behalf of the Crown, where applicable. However, no input tax deduction is claimed on non-departmental expenditure. Instead, the amount of GST applicable to non-departmental expenditure is recognised as a separate expense and eliminated against GST revenue on consolidation of the Financial Statements of the Government.

Critical accounting estimates and assumptions

In preparing these non-departmental financial statements and schedules, the Ministry on behalf of the Crown has made estimates and assumptions about the future. These estimates and assumptions may differ from the subsequent actual results. Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable in the circumstances. The estimates and assumptions that have a risk of causing an adjustment to the carrying amount of assets and liabilities within the next financial year are:

- Estimating the fair value of legal aid receivable – see note 2
- Estimating the allowance for credit losses for fines receivable – see note 3
- Valuation of legal aid accrual – see note 5
- Measuring retirement gratuities and sabbatical leave – see note 6.

Budget figures

Basis of the budget figures

The 2023 budget figures are for the year ended 30 June 2023 and are consistent with the Ministry's best estimate financial forecast information submitted to The Treasury for the Budget Economic and Fiscal Update (BEFU) for the year ended 30 June 2023.

In addition, the financial statements also present the updated budget information for 2023 submitted to The Treasury for the Supplementary Estimates.

Note 2 Legal Aid receivables

Legal aid receivables arise from granting of legal aid under the Legal Services Act. Legal aid receivables are designated at fair value through surplus or deficit under PBE IPSAS 41 Financial Instruments.

The nominal balance of the receivable is the sum of all obligations that borrowers have including legal aid loan principal and interest. The carrying value represents the fair value of these receivables.

Actual 2022 \$000		Actual 2023 \$000
Fair value		
59,884	Fair value as at 1 July	54,900
51,350	Nominal value of new legal aid debt	62,922
(31,886)	Fair value write-down on new debt	(40,531)
(20,574)	Legal aid debt repaid	(21,794)
3,346	Time value of money adjustment	5,168
(7,220)	Fair value remeasurement	3,743
54,900	Fair value as at 30 June	64,408
16,002	Current portion	15,903
38,898	Non-current portion	48,505
Fair value consists of:		
17,726	Secured	22,001
37,174	Unsecured	42,407
54,900	Fair value as at 30 June	64,408
Nominal value		
221,898	Nominal value of legal aid debt	235,886

Critical accounting estimates and assumptions

The Ministry engaged PwC to estimate the impaired value of the legal aid receivables as at 30 June 2023. Key assumptions used by the actuary in the valuation are explained below:

Forecast cash flows are based on the repayment rate experience of the portfolio. Repayment rate experience is primarily based on the average repayment ratio over past years. The fair value of legal aid receivable has been determined on an actuarial basis by discounting the expected flow of repayments. The fair value of the legal aid receivable is dependent on ongoing repayment rates as well as the discount rate utilised in the valuation. This assessment takes into account whether the debt is secured against property and receipts to date against the debt.

The discount rate used was 8.60% (2022: 9.27%). The discount rate is made up of the 2 components, a risk-free rate and a risk premium rate. The risk-free rate of 4.67% (2022: 3.72%) is based on a weighted average of the four and five-year government yield as at 30 June 2023. The risk premium rate of 3.93% (2022: 5.55%) has been estimated by finding traded debt with a comparable default rate to the default rate of the outstanding debt and determining a risk premium based on that debt.

Sensitivity analysis

If the repayment factors were to improve by 10%, with all other factors held constant, the fair value of legal aid receivable would increase by \$5.200 million. If the repayment factors were to decrease by 10%, with all other factors held constant, the fair value of the legal aid receivable would decrease by \$5.400 million.

If the discount rate was 1% higher from the Ministry's estimates, with all other factors held constant, the fair value of legal aid receivable would decrease by \$1.700 million. If the discount rate was 1% lower, with all other factors held constant, the fair value of legal aid receivable would increase by \$1.800 million.

The fair value was calculated by Ben Coulter, Actuary, FNZSA, FIAA, of PricewaterhouseCoopers as at 30 June 2023.

Note 3 Fines and other receivables

Short term receivables are recorded at the amount due, less an allowance for expected credit losses (ECL). The Ministry applies the simplified ECL model of recognising lifetime ECLs for short-term receivables.

In measuring ECLs, short-term receivables have been assessed on a collective basis as they possess shared credit risk characteristics. They have been grouped based on the days past due.

Short-term receivables are written off when there is no reasonable expectation of recovery. Indicators that there is no reasonable expectation of recovery include the debtor being in liquidation.

Actual 2022 \$000		Actual 2023 \$000
317,931	Fines receivable	321,570
(193,931)	Less: Allowance for credit losses on fines receivable	(192,570)
124,000	Carrying value of fines receivable	129,000
10,632	Receivables from fines trust	10,495
18,396	Other receivables	19,923
(3,279)	Less: Allowance for credit losses on other receivables	(3,219)
149,749	Total fines and other receivables	156,199
68,805	Current portion	73,148
80,944	Non-current portion	83,051
Total receivables comprise:		
2,322	Receivables from exchange transactions	2,253
147,427	Receivables from non-exchange transactions	153,946
149,749	Total fines and other receivables	156,199

The allowance for credit losses was determined as follows:

Gross Actual 2022 \$000	Life time expected credit loss Actual 2022 \$000	Expected credit loss rate Actual 2022 %	Receivable days past due	Gross Actual 2023 \$000	Life time expected credit loss Actual 2023 \$000	Expected credit loss rate Actual 2023 %
33,473	(5,843)	17.5%	Current	37,969	(6,931)	18.3%
51,120	(31,272)	61.2%	Receivables < 6 months	56,066	(33,719)	60.1%
51,136	(31,272)	61.2%	Receivables > 6 months but < 1 year	56,066	(33,719)	60.1%
70,243	(42,941)	61.1%	Receivables > 1 year but < 2 year	60,566	(36,426)	60.1%
140,987	(85,882)	60.9%	Receivables > 2 years	141,321	(84,994)	60.1%
346,959	(197,210)		Total	351,988	(195,789)	

The movement in the allowance for credit losses is as follows:

Fines receivable Actual 2022 \$000	Other receivables Actual 2022 \$000		Fines receivable Actual 2023 \$000	Other receivables Actual 2023 \$000
194,207	3,338	Balance at 1 July	193,931	3,279
41,746	370	Additional provisions made during the year	34,229	417
(20,042)	-	Less: reversal of prior year provision	(15,258)	-
(21,980)	(429)	Less: receivables written off during the year	(20,332)	(477)
193,931	3,279	Balance at 30 June	192,570	3,219

Critical accounting estimates and assumptions

The Ministry engaged PwC to estimate the impaired value of the fines receivables as at 30 June 2023. Key assumptions used by the actuary in the valuation are explained below:

The allowance for credit losses of fines receivable has been determined on an actuarial basis by discounting the expected flow of repayments. The credit losses of fines receivable are dependent on ongoing repayment rates as well as the discount rate utilised in the valuation.

Forecast cash flows are based on the repayment rate experience of the portfolio. Repayment rate experience is primarily based on the weighted average repayment ratios over the last five years.

The discount rate used was rounded to 7.5% (2022: 7.5%). The discount rate is made up of the 2 components of a risk-free rate and a risk premium rate. The risk-free rate of 5.0% (2022: 3.5%) is based on the 30-month spot rate as issued by Treasury. The risk premium rate of 2.5% (2022: 4.0%) reflecting traded risky debt with similar characteristics to the fines debt.

Sensitivity analysis

If the repayment factors were to improve by 10%, with all other factors held constant, the carrying value of fines receivable would increase by \$9.200 million. If the repayment factors were to decrease by 10%, with all other factors held constant, the carrying value of fines receivable would decrease by \$9.700 million.

If the discount rate was 2% higher from the Ministry's estimates, with all other factors held constant, the carrying value of fines receivable would decrease by \$4.400 million. If the discount rate was 2% lower, with all other factors held constant, the carrying value of fines receivable would increase by \$4.900 million.

The allowance for credit losses was calculated by Ben Coulter, Partner, FNZSA, FIAA, of PricewaterhouseCoopers as at 30 June 2023.

Note 4 Assets held for Treaty of Waitangi settlements

The Minister for Treaty of Waitangi Negotiations, on behalf of the Crown, holds a proportion of shares in Kaweka Gwavas Forestry Company Limited and Patunamu Forest. The Crown proportion will be used to settle any outstanding well-founded claims to the Kaweka and Gwavas Crown Forest Licensed Lands and Patunamu Forest.

Note 5 Creditors and other payables

Short-term payables are recorded at the amount payable.

Actual 2022 \$000		Actual 2023 \$000
26,712	Legal aid accrual	43,329
35,628	Accrued expenses	41,640
10,835	Creditors	4,257
3,474	Taxes payable	4,069
214	Other payables	383
76,863	Total creditors and other payables	93,678
Total creditors and other payables comprise:		
73,389	Payables from exchange transactions	89,609
3,474	Payables from non-exchange transactions	4,069
76,863	Total creditors and other payables	93,678

Critical accounting estimates and assumptions

The Ministry engaged PwC to assist the Ministry to calculate the legal aid accrual figure as at 30 June 2023. Key assumptions used by the actuary in the valuation are explained below:

- The model excludes cases determined as inactive based on a probability mechanism that assesses the likelihood a case will have an additional claim.
- The cost of service still to be incurred is based on estimates of the total cost of the case (based on the law type, matter type and average case length) less invoices paid.

At each balance date, the Ministry also produces an accrual for legally aided cases before the Waitangi Tribunal. The unique nature of each individual Waitangi legal aid case means it is not possible to calculate this accrual using the actuarial model. The accrual for Waitangi legal aid is based on the average monthly invoice amount for active cases multiplied by the number of months since the last invoice was received.

Note 6 Judges' entitlements

Short-term entitlements

Judges' entitlements that are due to be settled within 12 months after the end of the period in which the judge renders the related service are measured based on accrued entitlements at current rates of pay.

These include salaries and wages accrued up to balance date, annual leave earned but not yet taken at balance date, retiring and sabbatical leave entitlements expected to be settled within 12 months.

Long-term entitlements

Judges' entitlements that are due to be settled beyond 12 months after the end of the reporting period in which the judge renders the related service, such as retiring and sabbatical leave entitlements, are calculated on an actuarial basis.

The calculations are based on:

- likely future entitlements accruing to judges', based on years of service, years to entitlement, the likelihood that judges will reach the point of entitlement and contractual entitlements information; and
- the present value of the estimated future cash flows.

Presentation of judges' entitlements

Vested and non-vested retirement gratuities and sabbatical leave expected to be settled after 12 months of balance date are classified as a non-current liability. All other classifications of judges' entitlements are classified as a current liability.

Actual 2022 \$000		Actual 2023 \$000
Current liabilities		
29,062	Retiring and sabbatical leave	27,710
6,158	Annual leave	6,565
3,011	Salaries	3,694
38,231	Total current liabilities	37,969
Non-current liabilities		
35,111	Retiring and sabbatical leave	34,176
35,111	Total non-current liabilities	34,176
73,342	Total provision for judges' entitlements	72,145

Critical accounting estimates and assumptions

The present value of the retirement gratuities and sabbatical leave obligations depends on a number of factors that are determined on an actuarial basis using a number of assumptions. Two key assumptions used in calculating this liability include the discount rate and the salary inflation factor. Any changes in these assumptions will impact on the carrying amount of the liability.

Expected future payments are discounted using discount rates derived from the yield curve of New Zealand government bonds. The discount rates used have maturities that match, as closely as possible to the estimated future cash outflows. The discount rate used was 5.28% with 4.26% salary inflation for year 1 of the projection (2022: 2.96% with 5.02% salary inflation).

Sensitivity analysis

If the discount rate was 1% lower than the Ministry's estimates, with all other factors held constant, the carrying value of the liability would be an estimated \$2.465 million higher.

If the salary inflation factor was 1% higher than the Ministry's estimates, with all other factors held constant, the carrying amount of the liability would be an estimated \$2.467 million higher.

The valuation of retirement gratuities and sabbatical leave was conducted by an independent actuary, Simon Ferry, FIA FNZSA, of AON New Zealand as at 30 June 2023.

Note 7 Financial instruments

Categories of financial instruments

The carrying amounts of financial assets and financial liabilities in each of the financial instrument categories are as follows:

Actual 2022 \$000		Notes	Actual 2023 \$000
Financial assets measured at amortised cost			
37,628	Cash and cash equivalents		28,446
10,467	Other receivables ¹		9,751
3,876	Assets held for Treaty of Waitangi settlements		3,876
51,971	Total financial assets measured at amortised cost		42,073
Financial assets measured at fair value through surplus or deficit			
54,900	Legal Aid receivables	2	64,408
54,900	Total Financial assets measured at fair value through surplus or deficit		64,408
Financial liabilities measured at amortised cost			
552,947	Treaty settlements payables		335,080
73,389	Creditors and other payables (excluding taxes payable)	5	89,609
626,336	Total financial liabilities measured at amortised cost		424,689

¹Other receivables excludes fines and receivables arising from the exercise of sovereign power as these items do not meet the definition of a financial instrument.

Fair value

The fair value of financial assets and liabilities is equivalent to the carrying amount disclosed in the schedule of non-departmental assets and the schedule of non-departmental liabilities.

Fair value hierarchy

For those instruments recognised at fair value, fair values are determined according to the following hierarchy:

- Quoted market prices (level 1)
- Valuation techniques using observable inputs (level 2)
- Valuation techniques with significant non-observable inputs (level 3)

Legal aid receivables were valued at fair value using non-observable inputs (level 3).

There were no transfers between the different levels of the fair value hierarchy.

Financial Instrument risk

Market Risk

Currency risk and interest rate risk

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate due to changes in foreign exchange rates. Interest rate risk is the risk that the cash flows from a financial instrument will fluctuate because of changes in market interest rates. The Ministry on behalf of the Crown has no exposure to these risks because it has no financial instruments measured in a foreign currency or issued at variable interest rates.

Credit risk

Credit risk is the risk that a third party will default on its obligation to the Ministry on behalf of the Crown, causing the Ministry on behalf of the Crown to incur a loss.

In the normal course of its business, the Ministry, on behalf of the Crown, incurs credit risk from receivables, including legal aid receivables, and deposits with banks.

Funds must be deposited with Westpac, a registered bank.

The maximum credit exposure for each class of financial instrument is represented by the total carrying amount of cash and cash equivalents, legal aid receivables and other receivables. There is collateral held as security for some legal aid receivables as shown in note 2. Other than Westpac bank, there are no significant concentrations of credit risk. The Standard & Poor's credit ratings for cash and cash equivalents held at Westpac is AA-. Although cash and cash equivalents as at 30 June 2023 are subject to the expected credit loss requirements of PBE IPSAS 41, no loss allowance has been recognised because the estimated loss allowance for expected credit losses is trivial.

Liquidity risk

Liquidity risk is the risk that the Ministry on behalf of the Crown will encounter difficulty raising liquid funds to meet commitments as they fall due.

In meeting its liquidity requirements, the Ministry closely monitors its forecast cash requirements with the expected cash drawdowns as negotiated with the New Zealand Debt Management Office through Treasury. The Ministry maintains a target level of available cash to meet liquidity requirements.

Contractual maturity analysis of financial liabilities

At balance date, the remaining periods to the contractual maturity dates were less than 6 months for all creditors and other payables. The amounts, disclosed above, are the contractual undiscounted cash flows.

For treaty payables initial payments are made in line with the treaty settlement deed and final payments made on settlement date, as included in the relevant settlement legislation. As settlement legislation has not been enacted for all treaty payables at balance date, the below maturity analysis is based on average timeframes and the current status of the claim.

Carrying amount 2022 \$000	Expected cash flow 2022 \$000	Treaty payables	Carrying amount 2023 \$000	Expected cash flow 2023 \$000
317,744	317,744	Within 1 year	69,168	69,168
230,363	235,784	Between 1 year and 2 years	244,996	255,863
4,461	4,461	Greater than 2 years	20,916	20,916
552,568	557,989	Total	335,080	345,947

Note 8 Explanations of major variances against budget

Explanations for major variances from the Ministry's non-departmental budget figures are as follows:

Schedule of revenue and schedule of expenses

Court fines was \$5.973 million higher than budget and the supplementary estimate. Higher fines reflect the rise in court activities and increased impositions from local authorities and other agencies.

Legal Aid Debt established was \$7.187 million higher than budget and the supplementary estimated. This was mainly due to legal aid eligibility setting changing on 1 January 2023.

Community law centre receipt was \$35.995 million higher than budget. Interest received by the Ministry from the Lawyers and Conveyancers Special Fund was higher due to increasing interest rates.

Personnel costs in Vote Courts was \$10.388 million higher than budget. The increase was mainly attributed to the establishment of five new appropriations during the year according to the Remuneration Authority Legislation Act 2022 (the Act). The Act changed the remuneration determination for certain judicial and statutory officers, and these changes have now been incorporated into this category.

Crown Expenditure in Vote Justice was \$9.967 million higher than budget and \$30.368 million lower than the supplementary estimate. This variance to includes:

- impairment of Crown assets expenses \$17.155 million lower than budget and the supplementary estimate. Impairment expense is based on an independent valuation as at 30 June. The expense is driven by several factors including repayment assumptions and discount rate movements during the financial year; and
- expenditure on legal aid was \$8.941 million lower than budget and \$7.922 million lower than the supplementary estimate. Legal aid expenditure is driven by demand from legal aid applicants and the progress of court activities. The lower expenditure is due to case backlogs in the courts resulting in cases unable to progress and not incurring the anticipated costs.

The variance to budget is offset by:

- additional expenditure of \$38.712 million for a transfer to the People's Republic of China of relevant seized assets that was approved after the budget was set.

Crown Expenditure in Vote Courts was \$11.274 million lower than budget and \$6.468 million lower than the supplementary estimate. The variance to budget is mainly due to the Remuneration Authority Legislation Act 2022 changes the remuneration determination for certain judicial and statutory officers, this expenditure is now reported under the Personnel costs Vote Courts category. The variance to supplementary estimate is mainly due to lower tribunal related fees and expenses. This included fewer cases heard in Tribunals and lower travel cost due to work being done remotely.

Crown expenditure in Vote Te Arawhiti was \$20.693 million lower than budget and \$7.790 million lower than the supplementary estimate. The variance to budget and supplementary estimate was due to lower than expected Treaty settlement expenses which by their nature, are hard to predict with accuracy in terms of timing and amount. The variance to budget was offset by specific redress expense of \$35 million approved after the budget was set.

GST expense was \$32.730 million higher than budgeted. The budget is based on historical trends. The actual GST expense reflected the actual expenses incurred and the nature of these expenses.

Schedule of assets and schedule of liabilities

Cash and cash equivalents were \$25.478 million lower than budgeted and \$15.141 million lower than the supplementary estimate. This is mainly due to the timing of Crown receipts and payments.

The total for Legal Aid receivables was \$4.524 million higher than budgeted and \$9.510 million higher than the supplementary estimate. The actual figure for 2023 is based on an independent valuation as at 30 June. The movement in fair value is mainly driven by new debt incurred, repayment assumptions and discount rate movements.

The total for Treaty settlement payables was \$13.733 million lower than budget and \$45.038 million higher than the supplementary estimate. This is due to lower than expected Treaty settlement expenses which by their nature, are hard to predict with accuracy in terms of timing and amount. The current and non-current split are based on average timeframes for settlements to occur and the current status of the claim. The variance to the supplementary estimates is mainly due to the specific redress expense of \$35 million that was not paid out by end-year as anticipated.

Creditors and other payables were \$22.302 million higher than budgeted and \$18.043 million higher than the supplementary estimate. The increase is mainly due to timing of invoice receipts and payments.

The total for judges' entitlements was \$23.189 million lower than budgeted. This was mainly due to the annual valuation of judges' entitlements impacted by increasing interest rates resulting in a reduction in the liability.

Note 9 Events after the Balance Date

There have been no significant events after balance date.

Te Puna Aonui

The Executive Board for the Elimination of Family Violence and Sexual Violence, Te Puna Aonui, was established on 24 March 2022 by Orders in Council under the Public Service Act 2020 and the Ombudsmen Act 1975.

From 1 July 2022, Te Puna Aonui administers the Elimination of Family Violence and Sexual Violence appropriation in Vote Justice. The appropriation was established for a whole-of-government approach to prevent, address and eliminate family violence and sexual violence.

The Minister of Finance granted Te Puna Aonui an exemption from including financial statements in its annual report for the 2022/2023 to 2024/2025 financial years under section 45AB of the Public Finance Act 1989. The financial information for Te Puna Aonui is disclosed in the Ministry's annual report as below.

Financial information for Te Puna Aonui from 24 March 2022 to 30 June 2022 was included in the Ministry's 2022 financial statements. Expenditure against appropriation was reported under the departmental output expense Reducing Family Violence and Sexual Violence appropriation administered by the Ministry of Justice, see page 144 in the [Ministry of Justice Annual Report 2021/22](#).

Summary of revenue and expenses

For the year ended 30 June 2023

	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
Revenue				
Crown	20,515	20,768	20,515	21,919
Total revenue	20,515	20,768	20,515	21,919
Expenses				
Personnel costs	10,187	12,985	10,901	12,880
Operating costs ¹	9,479	7,783	9,614	9,039
Total expenses	19,666	20,768	20,515	21,919
Net surplus/(deficit)	849	-	-	-

¹The operating costs comprise all expenditure excluding personnel costs. This primarily includes consultancy costs, travel, computer related costs, and telecommunication expenditures.

Summary of assets and liabilities

As at 30 June 2023

	Actual 2023 \$000	Unaudited budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
Assets				
Current Assets				
Cash and cash equivalents	2,279	-	2,500	2,109
Receivables	4,592	-	150	-
Total current assets	6,871	-	2,650	2,109
Total assets	6,871	-	2,650	2,109
Liabilities				
Current liabilities				
Payables and deferred revenue	6,022	-	2,650	2,109
Return of operating surplus	849	-	-	-
Total current liabilities	6,871	-	2,650	2,109
Total liabilities	6,871	-	2,650	2,109
Net Assets	-	-	-	-

Other information

Key management personnel compensation

	Actual 2023 \$000
Leadership Team	
Remuneration	972
Full-time equivalent staff	2.8

Te Puna Aonui is led by the Interdepartmental Executive Board for the Elimination of Family Violence and Sexual Violence, which brings together leaders of the member agencies to align the whole-of-government strategy, policy and investment to eliminate family violence and sexual violence. Board members do not receive any remuneration from Te Puna Aonui.

Key management personnel include the Chief Executive and the two members of the leadership team. The number of individuals on the Leadership team is determined on a full-time equivalent basis.

The above key management personnel disclosure excludes the Minister for the Prevention of Family Violence and Sexual Violence. The Ministers' remuneration and other benefits are not received only for her role as member of key management personnel of Te Puna Aonui. The Ministers' remuneration and other benefits are set by the Remuneration Authority under the Members of Parliament (Remuneration and Services) Act 2013 and are paid under Permanent Legislative Authority, and not paid by Te Puna Aonui.

Explanation of major variances against budget

Explanations for major variances from the Te Puna Aonui original 2023 budget figures are as follows:

Summary of revenue and expenses

Crown revenue was \$0.253 million lower than budgeted. This was due to a transfer from 2022/23 to 2023/24 to reflect the engagement costs with communities that would enable the collective implementation and monitoring of Te Aorerekura (The National Strategy to Eliminate Family Violence and Sexual Violence) and its related action plan. This was offset by an approved increase during the year to ensure core deliverables are maintained by improving remuneration for employees.

Total expenses were \$1.102 million lower than budgeted and \$0.849 million lower than the supplementary estimate. This was mainly due to lower costs for the Enduring Māori Crown relationships and Workforce work programmes. The variance between personnel costs and operating costs is due to the constraints on the availability of some resources and the nature of work being performed.

Summary of assets and liabilities

A zero 2023 budget was entered for the statement of financial position. This was due to the operations of Te Puna Aonui still being confirmed when the budget was prepared, and balances assumed to be minimal. Subsequent budgets have since included the statement of financial position.

Appropriation statements

The following statements report information about the expenses and capital expenditure incurred against each appropriation administered by the Ministry for the year ended 30 June 2023. They are prepared on a GST exclusive basis.

Statement of cost accounting policies

The Ministry derives the costs of outputs using the cost allocation system outlined below.

Direct costs are those costs that can be directly attributed to an output. Indirect costs are those that cannot be identified in an economically feasible manner to a specific output.

Direct costs are charged to output classes as and when they occur. Indirect costs are accumulated and allocated to output classes based on cost drivers, such as assessment of personnel time, building area occupied or asset utilisation, which reflect an appropriate measure of resource consumption usage. Costs identified to overhead areas are accumulated and allocated to output classes based on resource consumption usage, where possible (such as full-time equivalent staff numbers), or in proportion to the direct and indirect charges made to the output class.

There have been no changes in cost accounting policies, since the date of the last audited financial statements.

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000	Appropriation title	Expenditure including Remeasurements 2023 \$000	Remeasurements ^A 2023 \$000	Expenditure excluding Remeasurements 2023 \$000	Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
Vote Justice						
Departmental Output Expenses						
31,125	Administration of Legal Services	31,517	14	31,531	31,902	1
33,413	Justice and Emergency Agencies Property and Shared Services	39,273	-	39,273	39,469	1
31,566	Justice Policy Advice	40,331	11	40,342	43,330	1
40,480	Public Defence Service	44,774	14	44,788	45,165	1
12,463	Reducing Family Violence and Sexual Violence	-	-	-	-	
11,484	Sector Leadership and Support	11,770	4	11,774	12,012	1
160,531	Total Departmental Output Expenses	167,665	43	167,708	171,878	
Departmental Other Expenses						
5,348	Software as a Service intangible asset derecognition (write-off)	-	-	-	-	
5,348	Total Departmental Other Expenditures	-	-	-	-	
Departmental Capital Expenses						
86,751	Ministry of Justice - Capital Expenditure PLA	128,224	-	128,224	106,402	1
86,751	Total Departmental Capital Expenditure	128,224	-	128,224	106,402	
Non-Departmental Output Expenses						
28,075	Electoral Services	20,726	-	20,726	20,726	2
-	General Election and Electoral Services (MYA Expense)	63,224	-	63,224	63,224	2
1,220	Inspector-General of Intelligence and Security	1,109	-	1,109	1,389	3
211,582	Legal Aid	272,905	-	272,905	292,827	4

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations (continued)

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000	Appropriation title	Expenditure including Remeasurements 2023 \$000	Remeasurements ^A 2023 \$000	Expenditure excluding Remeasurements 2023 \$000	Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
3,077	Provision of Protective Fiduciary Services	3,335	-	3,335	3,967	5
3,987	Services from the Criminal Cases Review Commission	3,987	-	3,987	3,987	6
14,545	Services from the Human Rights Commission	15,329	-	15,329	15,329	7
6,497	Services from the Independent Police Conduct Authority	9,492	-	9,492	9,492	8
3,993	Services from the Law Commission	3,993	-	3,993	3,993	9
7,392	Services from the Privacy Commissioner	7,392	-	7,392	7,392	10
-	Tangata whenua-led initiatives	450	-	450	450	3
280,368	Total Non-Departmental Output Expenses	401,942	-	401,942	422,776	
Non-Departmental Other Expenses						
-	Compensation for Wrongly Convicted Individuals	108	-	108	109	3
795	Impairment of Crown Assets	(3,643)	3,643	-	13,512	3
554	Remuneration for the Inspector-General and the Deputy Inspector-General of Intelligence and Security PLA	661	-	661	664	3
-	Transfer to Other Governments of Relevant Seized Assets	38,712	-	38,712	38,712	3
1,349	Total Non-Departmental Other Expenses	35,838	3,643	39,481	52,997	

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations (continued)

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000		Expenditure including Remeasurements 2023 \$000		Expenditure excluding Remeasurements 2023 \$000		Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
	Appropriation title		Remeasurements ^A 2023 \$000				
Multi-Category Expenses and Capital Expenditure							
54,280	Community Justice Support and Assistance MCA	60,566	-	60,566	64,945		4
	Non-Departmental Output Expenses						
21,471	- <i>Community Harm Reduction</i>	24,983	-	24,983	26,933		
16,455	- <i>Community Legal Assistance</i>	17,098	-	17,098	16,597		
6,800	- <i>Community Resolution</i>	7,307	-	7,307	8,135		
	Non-Departmental Other Expenses						
9,554	- <i>Victim Entitlements</i>	11,178	-	11,178	13,280		
54,280	Total Multi-Category Expenses and Capital Expenditure	60,566	-	60,566	64,945		
588,627	Total Vote Justice	794,235	3,686	797,921	818,998		

^AA remeasurement is generally the movement in the value of an asset or liability that is outside the control of the Ministry as defined by the Public Finance Act 1989. Remeasurements do not require an appropriation. The remeasurements shown above are the result of changes to discount rates used in the valuation of the legal aid debt and valuation of employee entitlements.

^BThis includes adjustments made in the supplementary estimates.

^CThe numbers in this column represent where the end-of-year performance information has been reported for each appropriation administered by the Ministry, as detailed below:

1. The Ministry of Justice annual report.
2. Electoral Commission annual report.
3. No reporting due to an exemption obtained under section 15D of the Public Finance Act.
4. Reported by the Minister of Justice in a report appended to the Ministry of Justice's annual report.
5. Public Trust annual report.
6. Criminal Case Review Commission annual report
7. Human Rights Commission annual report.
8. Independent Police Conduct Authority annual report.
9. Law Commission annual report.
10. Privacy Commissioner annual report.
11. Reported by the Minister for Courts in a report appended to the Ministry of Justice's annual report.
12. Tupu Tonu annual report.
13. Reported by the Minister for Treaty of Waitangi Negotiations in a report appended to the Ministry of Justice's annual report.

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations (continued)

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000	Appropriation title	Expenditure including Remeasurements 2023 \$000	Remeasurements ^A 2023 \$000	Expenditure excluding Remeasurements 2023 \$000	Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
Vote Courts						
Non-Departmental Other Expenses						
-	Assistance to Victims of Crime	-	-	-	40	3
1,088	Community Magistrates Salaries and Allowances PLA	2,104	-	2,104	1,449	3
10,297	Coroners Salaries and Allowances PLA	10,863	16	10,879	12,067	3
123,611	Court and Coroner Related Costs	146,507	-	146,507	148,701	11
-	Disputes Tribunal Referees' Salaries and Allowances PLA	3,544	-	3,544	1,850	3
97,067	District Court Judges' Salaries and Allowances PLA	97,875	368	98,243	100,768	3
3,081	Employment Court Judges' Salaries and Allowances PLA	3,014	16	3,030	4,367	3
-	Environment Commissioners and Deputy Commissioners' Salaries and Allowances PLA	1,761	-	1,761	1,800	3
-	Human Rights Review Tribunal Chairperson and Deputy Chairpersons' Salaries and Allowances PLA	719	-	719	380	3
-	Immigration and Protection Tribunal Deputy Chair and Other Members' Salaries and Allowances PLA	2,344	-	2,344	1,500	3
450	Justices of the Peace Association	450	-	450	450	3
6,458	Māori Land Court Judges' Salaries and Allowances PLA	7,906	47	7,953	7,950	3
44,955	Senior Courts Judges' Salaries and Allowances PLA	45,757	211	45,968	46,507	3
-	Tenancy Tribunal Adjudicators' Salaries and Allowances PLA	3,021	-	3,021	1,080	3
16,401	Tribunal Related Fees and Expenses	9,079	-	9,079	13,313	3
303,408	Total Non-Departmental Other Expenses	334,944	658	335,602	342,222	

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations (continued)

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000	Appropriation title	Expenditure including Remeasurements 2023 \$000	Remeasurements ^A 2023 \$000	Expenditure excluding Remeasurements 2023 \$000	Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
Multi-Category Expenses and Capital Expenditure						
575,509	Courts, Tribunals and Other Authorities Services, including the Collection and Enforcement of Fines and Civil Debts Services MCA	632,248	201	632,449	647,920	1
Departmental Output Expenses						
51,482	- Collection and Enforcement of Fines and Civil Debts Services	62,855	34	62,889	58,335	
315,252	- District Court Services	333,524	97	333,621	354,399	
1,137	- New Zealand Support of International Jurisdictions	3,164	-	3,164	3,398	
91,348	- Senior Courts Services	103,838	27	103,865	100,367	
116,290	- Specialist Courts, Tribunals and Other Authorities Services	128,867	43	128,910	131,421	
575,509	Total Multi-Category Expenses and Capital Expenditure	632,248	201	632,449	647,920	
878,917	Total Vote Courts	967,192	859	968,051	990,142	

^AA remeasurement is generally the movement in the value of an asset or liability that is outside the control of the Ministry as defined by the Public Finance Act 1989. Remeasurements do not require an appropriation. The remeasurements shown above are the result of changes to discount rates used in the valuations of employee entitlements and judges' entitlements.

^BThis includes adjustments made in the supplementary estimates.

^CThe numbers in this column represent where the end-of-year performance information has been reported for each appropriation administered by the Ministry, as detailed below:

1. The Ministry of Justice annual report.
2. Electoral Commission annual report.
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7. Human Rights Commission annual report.
8. Independent Police Conduct Authority annual report.
9. Law Commission annual report.
10. Privacy Commissioner annual report.
11. Reported by the Minister for Courts in a report appended to the Ministry of Justice's annual report.
12. Tupu Tonu annual report.
13. Reported by the Minister for Treaty of Waitangi Negotiations in a report appended to the Ministry of Justice's annual report.

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations (continued)

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000		Expenditure including Remeasurements 2023 \$000		Expenditure excluding Remeasurements 2023 \$000		Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
	Appropriation title		Remeasurements ^A 2023 \$000				
Vote Te Arawhiti							
Departmental Output Expenses							
400	Crown Response to Wakatū Litigation and Related Proceedings (MYA Expense)	2,994	-	2,994	2,300	1	
36,561	Treaty Negotiations and Marine and Coastal Area Customary Interests	37,344	17	37,361	39,300	1	
36,961	Total Departmental Output Expenses	40,338	17	40,355	41,600		
Non-Departmental Output Expenses							
2,390	Operations of Ngāpuhi Investment Fund Limited	2,050	-	2,050	2,050	12	
2,390	Total Non-Departmental Output Expenses	2,050	-	2,050	2,050		
Non-Departmental Other Expenses							
-	Ancillary redress: financial assistance for beneficiaries	-	-	-	750	3	
6,114	Claimant Funding	4,669	-	4,669	7,102	13	
-	Cyclone Gabrielle - Māori Community Engagement in Response to Cyclone Gabrielle	3,000	-	3,000	3,000	3	
2,174	Crown Contribution to Facilitate the Transfer of Landcorp Assets to Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua	-	-	-	-	-	
7,659	Financial Assistance Toward Determining Customary Interests in the Marine and Coastal Area	12,088	-	12,088	12,088	13	
-	Funding to Address Waitangi Tribunal Recommendations	-	-	-	500	3	
214,480	Historical Treaty of Waitangi Settlements (MYA Expense) ^D	51,787	-	51,787	350,000	3	
-	Specific Redress Arrangements	35,000	-	35,000	35,000	3	
3,324	Supporting Matariki Kaupapa	1,372	-	1,372	1,420	1	
233,751	Total Non-Departmental Other Expenses	107,916	-	107,916	409,860		

Statement of budgeted and actual expenses and capital expenditure incurred against appropriations (continued)

For the year ended 30 June 2023

Expenditure excluding Remeasurements 2022 \$000		Expenditure including Remeasurements 2023 \$000		Expenditure excluding Remeasurements 2023 \$000		Approved Appropriation ^B 2023 \$000	Location of end-of-year performance information ^C
	Appropriation title		Remeasurements ^A 2023 \$000				
Multi-Category Expenses and Capital Expenditure							
15,604	Māori Crown Relations MCA	11,517	-	11,517	14,259		1
Departmental Output Expenses							
13,274	- Strengthening Crown Capability	10,626	-	10,626	12,589		
Non-Departmental Output Expenses							
1,115	- Supporting Significant Māori Events	891	-	891	1,670		
Non-Departmental Other Expenses							
1,215	- Enabling Iwi Māori-led responses to COVID-19	-	-	-	-		
15,604	Total Multi-Category Expenses and Capital Expenditure	11,517	-	11,517	14,259		
288,706	Total Vote Te Arawhiti	161,821	17	161,838	467,769		

^AA remeasurement is generally the movement in the value of an asset or liability that is outside the control of the Ministry as defined by the Public Finance Act 1989. Remeasurements do not require an appropriation. The remeasurements shown above are the result of changes to discount rates used in the valuation of employee entitlements.

^BThis includes adjustments made in the supplementary estimates.

^CThe numbers in this column represent where the end-of-year performance information has been reported for each appropriation administered by the Ministry, as detailed below:

1. The Ministry of Justice annual report.
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5. Public Trust annual report.
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7. Human Rights Commission annual report.
8. Independent Police Conduct Authority annual report.
9. Law Commission annual report.
10. Privacy Commissioner annual report.
11. Reported by the Minister for Courts in a report appended to the Ministry of Justice's annual report.
12. Tupu Tonu annual report.
13. Reported by the Minister for Treaty of Waitangi Negotiations in a report appended to the Ministry of Justice's annual report.

^DHistorical Treaty of Waitangi Settlements. This multi-year appropriation reflects the Crown's commitment to settling historical Treaty of Waitangi claims. The Supplementary Estimates for 2021/22 established the \$1,400 million for the period 30 June 2022 to 30 June 2026 and replaced the unexpended balances of the appropriation covering the period 30 June 2021 to 30 June 2022. Actual expenditure over the last five years was:

	2023 \$000	2022 \$000	2021 \$000	2020 \$000	2019 \$000	Total \$000
Historical Treaty of Waitangi Settlements	51,787	214,480	205,307	17,316	51,793	540,683

Statement of expenses and capital expenditure incurred without, or in excess of, appropriation or other authority

For the year ended 30 June 2023

Expenses and capital expenditure incurred in excess of appropriation

The Ministry did not incur any expenditure in excess of appropriations. (2021/2022: nil).

Expenses and capital expenditure incurred without appropriation or outside scope or period of appropriation

There has been no expenses and capital expenditure incurred without appropriation or outside the scope or period of appropriation. (2021/2022: nil).

Statement of departmental capital injections

For the year ended 30 June 2023

Actual 2022 \$000	Appropriation title	Actual 2023 \$000	Approved Appropriation ^B 2023 \$000
Vote Justice			
5,215	Ministry of Justice - Capital Injection	14,206	14,206
5,215	Total Capital Injections	14,206	14,206

^BThis includes adjustments made in the supplementary estimates.

Statement of departmental capital injections without, or in excess of, authority

For the year ended 30 June 2023

The Ministry has not received any capital injections during the year without, or in excess of, authority. (2021/2022: nil).

Additional performance information

Statement of Intent indicators³

As at 30 June 2023

Achieving our purpose

Our justice system is trusted, has a high level of integrity and helps to provide safe communities.

The indicators used, and the desired trends are set out below. Progress towards achieving our purpose is reported in the Ministry's Annual Report.

Primary strategic priority it contributes to	Key indicators	Desired trend	Result
Our purpose	From the New Zealand Crime and Victims Survey: Proportion of adults who have experienced one or more victimisation incidents in the past year (victimisation prevalence)	Decrease over time	2023: 31% 2022: 29% 2021: 29%

Achieving our strategic priorities

The indicators used, and the desired trend are set out below. The Ministry regularly reports its performance to the Ministry's Strategic Leadership Team. A summary is included in the Ministry's Annual Report.

Primary strategic priority it contributes to	Key indicators	Desired trend	Result
Honouring our responsibilities to Māori	Institutional Trust – trust by Māori in the courts as measured by the New Zealand General Social Survey	Increase over time	NZ GSS 2023: Not measured (see Note 1) NZ GSS 2022: NZ GSS 2022 43.6% of Māori have a high level of trust in the Courts NZ GSS 2021: Not measured (see Note 1)

Note 1 - The General Social Survey is conducted biennially.

Maintaining the integrity of the courts and tribunals	Institutional Trust – trust in the courts as measured by the New Zealand General Social Survey	Increase over time	NZ GSS 2023: Not measured (see Note 2) NZ GSS 2022: 64.2% of New Zealanders have a high level of trust in the Courts NZ GSS 2021: Not measured (see Note 2)
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Note 2 - The General Social Survey is conducted biennially.

Make the Ministry a great place to be	Employee engagement score	Maintain or improve	2022/23: Not measured (see Note 3) 2021/22: Not measured (see Note 4) 2020/21: 68%
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Note 3 - An engagement survey was not undertaken in the 2022/23 financial year. This was originally intended to take place in February 2023; however, a wellbeing survey was undertaken at the end of 2022 instead. Consideration is currently being given to the cycle of surveys in 2023/24 and beyond to accommodate both a wellbeing and engagement survey.

Note 4 - Te Kawa Mataaho ran its first Public Service Census in 2021/22. This survey provided the Ministry of Justice with some insights into diversity demographics, and how Ministry staff felt about inclusion, Māori-Crown relations capability, opportunities for skills and development and flexible work options. Given the insights gained through the Public Service Census and known planned activities for 2022, the decision was made not to run the engagement survey in the 2021/22 financial year.

Make the Ministry a great place to be	Unplanned turnover rate	Maintain or improve	2022/23: 19.7% 2021/22: 20.8% 2020/21: 15.8%
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³The Statement of Intent indicators show the results from previous two financial years. For past results, please refer to the previous Ministry of Justice Annual Reports.

Asset Performance Measures⁴

Information and communications technology portfolio

Treasury Performance Indicator	Performance Measure	2020/21 Actual	2021/22 Actual	2022/23 Target	2022/23 Actual	Variance Commentary
Asset Class: Software application services (see Note 1)						
Utilisation	Availability over total business days (see Note 2)	99.70%	99.92%	99.92%	99.85%	
Condition	The number of Priority 1 incidents experienced across the core 15 applications	59	25	Less than 55	38	
Functionality	Software applications with a functionality rating of 'green' (see Note 3)	47%	53%	30%	40%	<p>Of the core 15 software application services 6 have a 'green' rating, 7 have an 'amber' rating and 1 has a 'red' rating.</p> <p>The difference between the 2021/22 result and the 2022/23 result, is due to two application ratings being revised from a 'green' to an 'amber' status (Mahi and Ready Government Contact Centre). This is due to increased business expectations over and above the current functionality of these applications.</p>
Asset Class: ICT infrastructure services (see Note 4)						
Utilisation	Availability over total business days (see Note 5)	99.90%	99.78%	99.78%	99.99%	
Condition	The number of Priority 1 incidents experienced across the core 9 infrastructure services (see Note 6)	28	51	Less than 40	94	<p>69% of infrastructure priority 1 incidents related to court room technologies. This included equipment related issues i.e., microphones, cameras, touch panels and trolleys not working.</p> <p>Court room technologies have experienced challenges relating to aging assets and the significant volumes of participants utilising these services during and post COVID-19 restrictions. This is being addressed by ongoing work programmes.</p>

⁴The 2020/21 and 2021/22 asset performance measure actual results were incorrectly reported in the 2021/22 Ministry of Justice Annual Report. The results noted here for the 2020/21 and 2021/22 financial years are the correct results.

Treasury Performance Indicator	Performance Measure	2020/21 Actual	2021/22 Actual	2022/23 Target	2022/23 Actual	Variance Commentary
Functionality	Infrastructure with a functionality rating of 'green' (see Note 7)	27%	30%	45%	44%	<p>The overall infrastructure functionality rating has improved by 14% since 2021/22. This is a reflection on the progress made against the strategic roadmap to strengthen our digital foundations.</p> <p>The Ministry has upgraded the network to be faster, more secure and ensure all Ministry sites have access to Wi-Fi.</p> <p>Devices have been upgraded from old desktops to new laptops to ensure devices are fit-for-purpose.</p>

Note 1 - The 15 applications included in this asset class are the Case Management System, Collect, Hub2, National Transcription Service (which includes Transcript Service Manager, Transcription File Manager and Automated Workflow Distributor), For the Record, Judicial Decision Interface, Māori Land Information System, Ready Government Contact Centre, Exchange (e-mail and calendar), Financial Management Information System, Electronic Operating Model (iBench), Mahi, Microsoft 365 (Office 365, Word, Excel, Outlook), JET, Ministry websites.

Note 2 - Due to the nature of the Ministry's ICT assets, where these need to be available but not necessarily utilised, the Ministry will use 'availability' as a proxy for 'utilisation'.

Note 3 - The overall functionality of an application is based on three criterion - utilisation (availability), condition and functionality.

Note 4 - The nine core ICT infrastructure included in this asset class are network/domain access service, end-user devices (desktops and laptops), home agent environment, Microsoft desktop operating system, standard operating environment, meeting room technology, regional servers (including shared drives), mobile devices, courtroom technology (audio visual link, video conferencing, sound).

Note 5 - Due to the nature of the Ministry's ICT assets, where these need to be available but are not necessarily utilised, the Ministry will use 'availability' as a proxy for 'utilisation'.

Note 6 - The Infrastructure Service 'National Transcription Service Archive Server' was decommissioned in 2021/22. As a result, the number of core infrastructure services being measured and reported on has dropped from 10 to 9.

Note 7 - The overall functionality of core infrastructure is based on three criteria - utilisation (availability), condition and functionality.

Property measures

Property portfolio⁵

Treasury Performance Indicator	Performance Measure	2020/21 Actual	2021/22 Actual	2022/23 Target	2022/23 Actual	Variance Commentary
Availability	Courthouses available and suitable for use (see Note 1)	99.9%	99.2%	99.5%	99.9	
Condition	The average Asset Condition Rating of the assets on a site compared to their baseline Asset Condition Rating	1.97%	1.87%	Less than 2%	2.07%	The asset condition rating reflects the aging infrastructure within the justice property estate.
Functionality	Maintenance of Critical Assets – available at all times (see Note 2)	98%	89%	95%	95.3%	
Utilisation	Offices using > 89% of footprint (see Note 3)	97%	101%	89% across all offices	97%	

Note 1 - Excluded from this dataset were closures due to natural events beyond control, i.e., flooding and service disruptions, such as power outages.

Note 2 – Critical Assets across the Property portfolio have been defined as:

- Building Management Systems
- Chilled Water Systems
- Condenser Water systems
- Gas Flooding Systems
- Heating Systems
- Lifts
- Power Conditioning
- Power Generation
- Switchboards and Miniature Circuit Breakers.

Note 3 - Offices considered in this calculation consist of:

- National Office
- Ellerslie Contact Centre
- Hamilton Data Capture
- Gilmer Terrace Contact Centre
- Assumed ratio of 14sqm per FTE.

The Asset Performance measures and results are being reported in line with Cabinet Circular CO (19) 6: Investment Management and Asset Performance in the State Services rather than the Public Finance Act 1989 and are therefore not subject to audit.

⁵The 2020/21 and 2021/22 asset performance measure actual results were incorrectly reported in the 2021/22 Ministry of Justice Annual Report. The results noted here for the 2020/21 and 2021/22 financial years are the correct results.

Official Correspondence

For the year ended 30 June 2022

Performance measure ⁶	Actual 2021/22	Standard 2022/23	Actual 2022/23
Number of ministerial correspondence replies drafted	1,121	N/A	1,115
Percentage of draft replies to ministerial correspondence submitted to Ministers within required timeframes	91%	95%	85%
Number of Official Information Act 1982 requests responded to	831	N/A	902
Percentage of replies to Official Information Act 1982 requests completed within statutory timeframes	94%	100%	94%
Number of replies drafted in response to written parliamentary questions	1,940	N/A	2,038
Percentage of draft replies to written parliamentary questions submitted to Ministers within required timeframes	99%	100%	99%
Number of Privacy Act (2020) requests responded to	189	N/A	218
Percentage of replies to Privacy Act (2020) requests completed within statutory timeframes	94%	100%	92%
Number of formal replies drafted in response to external complaints	698	N/A	953
Percentage of replies drafted in response to external complaints within required timeframes	95%	95%	91%

Note - Where a standard states 'N/A' this is because the measure is demand driven and as such, no standard is in place.

⁶These measures are excluded from the Audit Opinion.

Report on our Approved Information Sharing Agreement (AISA) with Statistics New Zealand

The purpose of this Approved Information Sharing Agreement (AISA) is to support research using the Integrated Data Infrastructure (IDI) at Statistics New Zealand. The AISA provides the legal framework for sharing specific court information to support research within the IDI, helping inform solutions to solve social issues affecting New Zealanders. The Senior Courts Act 2016 requires the use of the AISA mechanism to approve the sharing arrangement.

Scope of the information shared

This AISA came into force on the 27th of April 2017. In the period from commencement until 30th June 2023, the Ministry shared information about 8,142,119 criminal charges. This represents all the criminal charges finalised in New Zealand from January 1992 to December 2022 and includes information about 1,298,147 personal identities and organisations.

Benefits of the information sharing

The information sharing continues to deliver significant benefits. Access to the court charges information has been requested by 128 research projects since the AISA came into force, 79 are currently active, which are listed below:

- MAA2012-10 Tertiary education sector performance analysis
- MAA2013-11 Associations between justice sector outcomes and other indicators
- MAA2013-16 Citizen pathways through human services
- MAA2014-11 Investing in better outcomes
- MAA2015-36 Safe and effective justice
- MAA2015-49 Families and whanau wellbeing research programme
- MAA2016-05 Health pathways and outcomes
- MAA2016-23 Vulnerable children investment approach microdata project
- MAA2016-45 Porirua City housing needs analysis
- MAA2016-46 Housing first
- MAA2017-16 What happens to young people with mental health conditions – evidence from the New Zealand data infrastructure
- MAA2017-25 Raraunga a iwi (iwi Data Project)
- MAA2017-31 Tertiary graduate outcomes 3 and 5 years' post-graduation
- MAA2017-60 Education system performance for pre-school and school-age children
- MAA2018-08 Improving the prediction of cardiovascular events and health costs using machine learning and detailed datasets
- MAA2018-100 Investigating risk and resilience factors of impaired physical and mental wellbeing
- MAA2018-38 Measuring the wellbeing of Ngāi Tahu Whanui
- MAA2018-48 Modelling social outcomes
- MAA2018-54 An empirical investigation of the New Zealand crime curve
- MAA2018-56 In-work poverty
- MAA2018-63 Analysis for pathways to first episode psychosis and Outcomes in Māori – project one
- MAA2018-66 Neighbourhood exposure effect on intergenerational mobility
- MAA2018-72 The intergenerational effects of parental incarceration
- MAA2018-73 Chronic opioid use following joint replacement surgery
- MAA2018-75 Outcomes for New Zealand prisoners with serious mental illness or addictions: a feasibility study

- MAA2018-80 Are child safety seats effective at reducing traffic fatalities and injuries
- MAA2018-82 Developing homelessness as an official statistic
- MAA2018-83 Understanding characteristics of Housing New Zealand tenant and household member population
- MAA2018-84 Improving outcomes for young adults through effective service delivery
- MAA2018-86 Characteristics of different subpopulations experiencing injury and their access to ACC services
- MAA2019-05 Student pathways and outcomes
- MAA2019-101 High use of health and social services: Intergenerational transmission and implications for population mortality
- MAA2019-14 Impact of head injury on economic outcomes
- MAA2019-25 Causes and consequences of criminal activities in New Zealand
- MAA2019-34 Predicting suicide and self-harm risk in linked administrative data
- MAA2019-41 The primary care management and impact of osteoarthritis: learning from big data
- MAA2019-56 Refugee settlement trajectories and labour market outcomes
- MAA2019-58 The impacts of sinking lid policies on gambling behaviour in New Zealand
- MAA2019-59 Transport and wellbeing
- MAA2019-61 Impacts of sexual harm on health and wellbeing outcomes
- MAA2019-71 He Ture Kia Tika: let the law be right
- MAA2019-79 Neurodevelopmental impairment in the justice sector
- MAA2019-85 Equity index of socioeconomic disadvantage in education
- MAA2019-91 The expression, experience and transcendence of low-skill in Aotearoa New Zealand
- MAA2019-93 Examining the social origins of school exclusions, and the associated social costs
- MAA2019-96 Measuring the long-term impact of health shocks on socio-economic well-being
- MAA2020-09 Well-being and social welfare: a study of social housing tenants in New Zealand
- MAA2020-11 Predicting diabetes complications risks and costs using machine learning with equity analysis
- MAA2020-17 Health outcomes after release from prison for Māori
- MAA2020-37 Data for communities
- MAA2020-51 Determinants and consequences of crime victimisation in New Zealand
- MAA2020-57 Māori economic and social wellbeing response to COVID-19
- MAA2020-61 Data for iwi
- MAA2020-66 The New Zealand justice system: an intersectional perspective
- MAA2020-67 Integrated community models improving well-being outcomes for charity recipients
- MAA2020-81 Be kind: domestic violence and mental health during a strict COVID-19 lockdown
- MAA2021-15 Building a strong, sustainable and diverse education workforce to ensure that all tamariki/children and ākonga/ students are engaged, thrive and able to succeed
- MAA2021-27 A micro-data approach to establishing an evidence base and understanding causal drives of hate crimes in Aotearoa New Zealand
- MAA2021-55 Wellbeing trends and patterns across Aotearoa
- MAA2021-60 Improving public services for New Zealanders who are not currently using services and may need more help

- MAA2021-64 Te Pūkenga learner and whānau success
- MAA2021-67 The healthy iwi project (Ngāti Whātua Ōrākei)
- MAA2022-02 Health and social harms from alcohol: what does NZ's data tell us
- MAA2022-19 Short and long term effects of graduating during recession
- MAA2022-27 Supporting people living with disadvantage – analysing the effects of disadvantage on the wellbeing on individuals and whānau
- MAA2022-33 Māori economic, social wellbeing and resilience in relation to climate change
- MAA2022-47 Community immunity, identifying communities at risk of vaccine preventable disease
- MAA2022-48 Prevalence of infection and burden of COVID-19 by population groups and characteristics
- MAA2022-50 Social determinants of Māori wellbeing outcomes
- MAA2022-66 Drivers of rental cost in low-income households
- MAA2022-67 Pacific wellbeing outcomes reporting
- MAA2023-04 The impact of driver licensing regulatory changes
- MAA2023-05 Crime in New Zealand: general trends and policy evaluations
- MAA2023-06 Understanding how individuals and households respond to health and economic shocks in New Zealand
- MAA2023-19 Trends in employment, people, places and businesses in Urban West-Auckland
- MAA2023-20 Wellbeing of veterans
- MAA2023-21 Māori economic, social and cultural wellbeing and resilience
- MAA2023-23 Examining the impacts of incarceration on income and employment in Aotearoa New Zealand
- MAA2023-27 Has the genesis social bond intervention improved outcomes for rangatahi at risk of reoffending.

Assurance

The agreement is operating effectively. No complaints have been received about alleged interference with privacy. There have been no alleged privacy breaches. No amendments have been required to the agreement since it was approved.

Report on our Approved Information Sharing Agreement (AISA) with Crown Law

Scope of the information shared

The AISA came into force on 15 September 2017. In the period from commencement to 30 June 2023 the Ministry shared information about 2,290,612 criminal charges and 1,310,240 criminal cases (1,292,152 criminal cases, 18,088 appeals) with the Crown Law Office. This includes details of criminal cases from 1 July 2013 on and appeals from 1 January 2009 onwards.

Benefits of the information sharing

The information is being used to assist in maintaining an efficient and effective criminal justice system, to improve the quality of public prosecutions and to enable better management of the budget for Crown prosecutions.

Assurance

The agreement is operating effectively. No significant difficulties have been experienced. No complaints have been received. No additional safeguards have been required to protect the privacy of individuals. No amendments have been required to the agreement since it was approved.

Appendix:

What has been achieved
with non-departmental
appropriations

Minister of Justice's reports on non-departmental appropriations – B.14 (Vote: Justice)

For the year ended 30 June 2023

The following pages of this document meet the requirement, set out in the supporting information to the 2022/23 Estimates or 2022/23 Supplementary Estimates, for information on certain non-departmental appropriations to be reported by the Minister of Justice.

Although the reports are presented in the same document as the Ministry of Justice Annual Report, they do not constitute as part of the Ministry of Justice Annual Report for the year ended 30 June 2023 (including reporting by the Ministry of Justice on appropriations for that year).

Where applicable, an explanation is provided for service performance negative variances of more than 5%. Where there is a range for a standard, a variance explanation is provided for results outside the forecast range. Where applicable, an explanation has been provided for positive variances of more than 10%.

MINISTRY OF JUSTICE

Vote Justice

Community Justice Support and Assistance (multi-category appropriation)

Overarching Purpose of Appropriation

The single overarching purpose of this appropriation is to support community-based justice services.

Scope of Appropriation

The Community Harm Reduction category is limited to services to prevent or reduce crime and services that reduce harm and victimisation as a result of crime.

The Community Legal Assistance category is limited to community-based legal advice, assistance, and representation services.

The Community Resolution category is limited to mediation, restorative practices and resolution services.

The Victim Entitlements category is limited to entitlements, including counselling and financial assistance, for victims of crime.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to provide effective community-based justice services.

The Community Harm Reduction category is intended to achieve a reduction in victimisation and harm by supporting victims of crime, and a reduction in crime, victimisation and harm, by the delivery of services that focus on increasing community safety and reducing crime.

The Community Legal Assistance category is intended to achieve responsive, accessible and cost effective community legal services for people who lack sufficient means to pay for legal services and, where possible, to prevent problems from escalating to the courts and other parts of the justice system.

The Community Resolution category is intended to achieve the provision of support and services for separating families.

The Victims Entitlements category is intended to achieve a reduction in victimisation and harm by providing funding for entitlements and services for victims of crime.

Measure Selection

The Community Harm Reduction category measures were chosen because they look at whether the services are achieving a reduction in victimisation and harm by supporting victims of crime, and a reduction in crime, victimisation and harm, by the delivery of services that focus on increasing community safety and reducing crime.

The Community Legal Assistance category measures were chosen because they focus on providing responsive, accessible and cost-effective community legal services for people who lack sufficient means to pay for legal services and, where possible, to prevent problems from escalating to the courts and other parts of the justice system.

The Community Resolution category measures were chosen because they focus on monitoring services that provide support and services for families going through the challenges of separation.

The Victims Entitlements category measures were chosen because they focus on monitoring services that are aimed at supporting a reduction in victimisation and harm through funding for entitlements and services for victims of crime.

Assessing Performance – Performance of the multi-category appropriation as a whole

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
The number of community-based justice services supported (see Note 1)	At least 9	9	At least 9	9	

Note 1 - The contracted justice service types are Community Law Centres, Family Dispute Resolution, Harmful Digital Communications, Matariki Court, Parenting Through Separation, Restorative Justice, Victim Assistance Scheme, Victim Support and Whānau Protect.

Community Harm Reduction

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of victims who report overall satisfaction in restorative justice services, as measured through the victim satisfaction survey	75%	Not measured (see Note 1)	75%	79%	
Total number of victims supported	22,000-28,000	43,407	22,000-28,000	45,324	The total number of victims supported has continued to increase in line with demand. In April 2023, Cabinet approved an increase of \$3.4m in funding for Victim Support to help meet the increased demand for their services.
Percentage of complainants who report they are satisfied with the Harmful Digital Communications Act service (see Note 2)	New measure	New measure	70%	87%	Satisfaction with Netsafe's services has exceeded expectations and the Ministry will continue to monitor satisfaction with Netsafe in line with service expectations.
Percentage of victims rating the support provided by Victim Support as being either 'helpful' or 'very helpful'	90%	92%	90%	95%	

Note 1 - This is measured bi-annually.

Note 2 - This is a new performance indicator for 2022/23 and replaces the old measure 'Percentage of harmful digital communication complaints resolved' to ensure the measure is more accurately capturing satisfaction with the service and is aligned with the service contract.

Output class statement – Community Harm Reduction

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
21,471	24,983	28,772	26,933	30,934

Community Legal Assistance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of individual Community Law Centre clients assisted with legal advice, assistance and representation	30,000-35,000	35,374	30,000-35,000	40,042	Over 2022/23, there has been a steady increase in demand for legal advice and assistance across the country.
Percentage of casework clients who report that the service helped them understand their options	95%	99%	95%	99%	
Percentage of Community Law Centre law-related education sessions delivered to local Māori, rūpū, hapū and iwi and community groups or providers who aim to support and develop Māori	45%	58%	45%	57%	Over 2021/22 and 2022/23, Community Law Centres have continued to exceed the target for law-related education sessions to local Māori.

Output class statement – Community Legal Assistance

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
16,455	17,098	16,597	16,597	15,906

Community Resolution (see Note 1)

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of participants completing parenting through separation	4,800-5,200	3,893	4,800-5,200	3,826	The Ministry is working with providers to understand why demand for this service has been in decline for the last two financial years.
Percentage of Family Dispute Resolution mediations completed with all or some matters resolved	80%	76%	80%	74%	According to suppliers, this measure failed to achieve the standard because of case complexity and parties withdrawing from mediation prematurely. The Ministry is working with suppliers to understand why this is happening, with a view to adjusting mediation support accordingly if required.

Note 1 – Two measures ‘Hours to manage and advise on small estates and trusts’ and, ‘Hours to manage and advise individuals under the Protection of Personal Property Rights Act’ have been removed for 2022/23 due to the reporting on these areas being covered by performance indicators for the Provision of Protective Fiduciary Services appropriation, which is reported on by the Public Trust.

Output class statement – Community Resolution

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
6,800	7,307	8,135	8,135	9,158

Victim Entitlements

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of victims who received grants	2,500-3,500	3,211	2,500-3,500	4,675	2022/23 saw a significant increase in the number of victims who received grants. This reflects the changes to the Victim Assistance Scheme criteria and its increased promotion.
Number of Whānau Protect clients who received a home safety upgrade	724	1,030	724	655	The number of Whānau Protect clients who received a home safety upgrade is demand driven. All clients received a safety alarm and safety planning services, and 655 clients received a full home safety upgrade. As the provider is bulk funded for this service, exceeding the target has no budget implications.
Percentage of Whānau Protect clients reporting no further family violence at home at the point of service conclusion	85%	83%	85%	82%	

Output class statement – Victim Entitlements

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
9,554	11,178	10,753	13,280	16,970

Vote Justice

Legal Aid

Scope of Appropriation

This appropriation is limited to the payments of legal aid to approved providers.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve responsive and accessible services by ensuring that people who need legal services and cannot pay for them are able to access legal advice and representation.

Description of Activities

The services and activities under this category cover the provision of legal advice and representation to people that are unable to pay for these services, and:

- are facing criminal charges, or
- have a civil legal problem or family dispute (including family matters) that may go to court, or
- are involved in Waitangi Tribunal proceedings.

The services are contracted by the Ministry of Justice from approved private providers.

Measure Selection

This measure was chosen because it reflects the Ministry's commitment to maintain access to justice and to ensure individuals who need legal services and cannot pay for them are able to access legal advice and representation from approved private providers.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of legal aid cases granted (excluding the Public Defence Service)	61,000-67,000	60,112	61,000-67,000	65,598	Independent legal aid decision-making for case grants is variable and depend on many different factors.

Output class statement – Legal Aid

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
211,582	272,905	281,846	292,827	303,578

Minister for Courts' reports on non-departmental appropriations – B.14 (Vote: Courts)

For the year ended 30 June 2023

The following pages of this document meet the requirement, set out in the supporting information to the 2022/23 Estimates or 2022/23 Supplementary Estimates, for information on certain non-departmental appropriations to be reported by the Minister for Courts.

Although the reports are presented in the same document as the Ministry of Justice Annual Report, they do not constitute as part of the Ministry of Justice Annual Report for the year ended 30 June 2023 (including reporting by the Ministry of Justice on appropriations for that year).

Where applicable, an explanation is provided for service performance negative variances of more than 5%. Where there is a range for a standard, a variance explanation is provided for results outside the forecast range. Where applicable, an explanation has been provided for positive variances of more than 10%.

Vote Courts

Court and Coroner Related Costs

Scope of Appropriation

This appropriation is limited to meeting the costs of professional services directed by or provided to courts (including coroners), including costs required to be met by the Crown under legislation, remuneration of Lay Members and Visiting Justices, and payments ordered from the Maori Land Court Special Aid Fund.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve effective professional and administrative services to ensure that court users receive appropriate support and representation, and the judiciary have sufficient information to proceed with cases.

Description of Activities

This appropriation funds several activities, including:

Children Young Persons and Their Families Professional Services include appointments of lawyers to represent the views of the children or to assist the court, often when the natural parents are unrepresented, and specialist report writers, e.g., for psychological/psychiatric reports.

Domestic Violence Professional Services include Stopping Violence programmes with referrals from both the Criminal and Family Courts.

Family Court Professional Services include Court-appointed lawyers to represent a child, so their views are heard; Lawyer to assist the court and provide mediation services; Counselling to help resolve relationship or guardianship disputes; and Specialist report writers (psychologists) to provide written reports for the court.

Measure Selection

These measures were chosen because they focus on ensuring that court users receive appropriate support and representation, and the judiciary have sufficient information to proceed with cases.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Number of external professional services appointed in the Family Court (see Note 1)	>13,000	12,392	>13,000	13,395	
Percentage of people who started a non-violence programme who completed the programme	65%	75%	65%	73%	Preliminary feedback from providers has indicated that remote delivery options and support sessions increased initial and continued engagement with the programme, supporting more clients to complete the programme.
Percentage of people who completed a safety programme and met the objectives of the programme	70%	72%	70%	72%	

Note 1 - The services include court appointed counsel, such as lawyer for child, lawyer to assist the court and specialist report writers. These services are demand driven and professional service providers are engaged when the judge determines there is a need. An application can have more than one type of service provision appointment.

Output class statement – Court and Coroner Related Costs

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
123,611	146,507	146,897	148,701	154,753

Minister for Māori Crown Relations: Te Arawhiti reports on non-departmental appropriations – B.14 (Vote: Te Arawhiti)

For the year ended 30 June 2023

The following pages of this document meet the requirement, set out in the supporting information to the 2022/23 Estimates or 2022/23 Supplementary Estimates, for information on certain non-departmental appropriations to be reported by the Minister for Māori Crown Relations: Te Arawhiti.

Although the reports are presented in the same document as the Ministry of Justice Annual Report, they do not constitute as part of the Ministry of Justice Annual Report for the year ended 30 June 2023 (including reporting by the Ministry of Justice on appropriations for that year).

Where applicable, an explanation is provided for service performance negative variances of more than 5%. Where there is a range for a standard, a variance explanation is provided for results outside the forecast range. Where applicable, an explanation has been provided for positive variances of more than 10%.

Vote Te Arawhiti

Non-Departmental Other Expenses – B.14

Claimant Funding

Scope of Appropriation

This appropriation is limited to payment of claimant funding related to the settlement of historical Treaty of Waitangi claims.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve an effective process for providing financial assistance for claimant groups, to achieve durable historical Treaty of Waitangi settlements.

Description of Activities

Claimant funding provides a financial contribution to mandated groups towards the cost of negotiating and settling historical Treaty of Waitangi claims. Payments can also be made in certain circumstances to groups seeking a mandate.

Measure Selection

This measure was selected to ensure payments are made within 10 working days as per the target set for all government agencies.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of payments made to groups within 10 working days of approval of claim	95%	95%	95%	99%	

Output class statement – Claimant Funding

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
6,114	4,669	7,602	7,102	7,602

Vote Te Arawhiti

Non-Departmental Other Expenses – B.14

Financial Assistance Toward Determining Customary Interests in the Marine and Coastal Area**Scope of Appropriation**

This appropriation is limited to providing financial assistance to applicant groups to investigate their customary interests in the marine and coastal area.

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve supporting an efficient process for providing financial assistance for the investigation of applicant groups' customary rights in the Marine and Coastal Area

Description of Activities

This appropriation contributes to the costs of engagement with the Crown or High Court under the Marine and Coastal Area (Takutai Moana) Act 2011. Financial help is tailored to the individual circumstances of each group taking into account the type of rights applied for, the size of the applicant group and the size and complexity of the application area. Maximum amounts of financial help are available for specified costs tagged to milestones. It does not cover all costs.

Measure Selection

This measure was selected to ensure payments are made within 10 working days as per the target set for all government agencies.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Percentage of funding payments made to groups within 10 days of approval of claim	95%	95%	95%	99%	

Output class statement – Financial Assistance Toward Determining Customary Interests in the Marine and Coastal Area

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
7,659	12,088	8,095	12,088	12,023

Vote Te Arawhiti

Non-Departmental Other Expenses – B.14

Supporting Matariki Kaupapa

Scope of Appropriation

This appropriation is limited to providing funding for resources and events that acknowledge and support understanding of Matariki.

What is Intended to be Achieved with this Appropriation

The appropriation is intended to enable iwi Māori to develop and lead regionally diverse recognition of Matariki.

Measure Selection

This measure is a one-off record of the number of iwi groups that would receive funding to recognise Matariki.

Assessing Performance

Performance measure	Standard 2021/22	Actual 2021/22	Standard 2022/23	Actual 2022/23	Variance explanation
Total number of iwi Māori groups supported to develop and lead regionally diverse events and resources that recognise Te Kāhui o Matariki	20	60	20	60	This was a one-off appropriation and fund to support the rejuvenation of mātauranga Matariki and celebrate the inaugural public holiday on 24 June 2022. This measure was achieved in 2021/22 but has rolled over due to several contracts extending past the end of the 2021/22 financial year.

Output class statement –Supporting Matariki Kaupapa

Actual 2022 \$000	Actual 2023 \$000	Unaudited Budget 2023 \$000	Unaudited supplementary estimate 2023 \$000	Unaudited forecast 2024 \$000
3,324	1,372	1,420	1,420	-

