



Cabinet

CAB Min (07) 12/1(14)

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Minister for Courts

Copies to:

Prime Minister
Deputy Prime Minister
Minister of Finance
Hon Jim Anderton
Associate Minister of Finance
(Hon Trevor Mallard)
Controller and Auditor-General

2007 Budget Package: Vote Courts

On 19 April 2007, Cabinet:

1. **approved** the Budget initiatives for the above Vote for inclusion in the 2007 Budget package, as listed in the summary below and detailed in the attached initiative documents;

Summary of initiatives included in the attached initiative documents:

Operating Initiatives (Impact on Operating Balance)

Initiative ID	Initiative Name	\$m - increase/(decrease)				
		2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
3911	1,000 Additional Police: Flow on Impacts	-	1.681	1.521	1.521	1.521
3948	Implementing the Coroners Act 2006	-	5.729	4.493	3.812	3.812
3984	Judicial Officers Remuneration	0.694	1.093	1.093	1.093	1.093
3985	Justice Field Staff Remuneration	-	17.801	18.513	19.254	19.254
4022	Christchurch Area Court Accommodation	-	1.000	-	-	-
4025	Supreme Court Accommodation	-	0.508	1.816	4.074	4.074
4047	Waitangi Tribunal - Meeting the 2020 Settlement Deadline	-	1.757	1.969	1.969	1.969
Total Operating		0.694	29.569	29.405	31.723	31.723

Capital Initiatives (Impact on Debt)

Initiative ID	Initiative Name	\$m - increase/(decrease)				
		2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Total Capital		-	-	-	-	-

2. **agreed** to establish new appropriations where required to implement these initiatives, as described in the attached initiative documents;
3. **approved** the changes to appropriations and/or projected balances of net assets of the administering department (where applicable) to implement the initiatives, as set out in the attached initiative documents;
4. **approved** the additional recommendations (where applicable) to give effect to the initiatives, as set out in the attached initiative documents;
5. **agreed** that the proposed changes to appropriations and/or projected balances of net assets for 2006/07 above be included in the 2006/07 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
6. **authorised** the Minister of Finance and the Vote Minister to approve jointly any technical adjustments to baselines necessary to remove any errors or inconsistencies identified while finalising the 2006/07 Supplementary Estimates, the 2007/08 Estimates and the fiscal forecasts;
7. **noted** that all communications relating to the 2007 Budget are co-ordinated by a Budget communications committee, and that any requests for early announcement will need to have both the written approval of the Minister of Finance and sign-off from the Prime Minister's office;
8. **agreed** that the initiatives in the following table be set aside as contingency items, that corresponding funding for them be set aside in the between-Budget spending contingency, and that they be submitted to Cabinet for consideration at a later stage;

[Information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]

Weathertight Homes Tribunal Technical Adjustment

9. **noted** on 24 July 2006 Cabinet agreed to constitute a new Weathertight Homes Tribunal to be administratively supported by the Ministry of Justice;
10. **noted** that there was a technical error in CAB Min (06) 36/1 which appropriated funding for adjudicators to a Departmental Output Expense and that these expenses should be met from within the non-departmental output expense: Tribunal Members' Fees & Expenses;
11. **agreed** to the following fiscally neutral transfer to correct the error noted in paragraph 10 above with, no impact on the operating balance:

Vote Courts	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Minister for Courts					
Departmental Output Expense: Specialist Courts, Tribunals and Other Authorities Services (funded by revenue Crown)	-	(1.665)	(1.665)	(1.665)	(1.665)
Other Expenses to be Incurred by the Crown: Tribunal Members' Fees and Expenses	-	1.665	1.665	1.665	1.665
Total Operating	-	-	-	-	-

Secretary of the Cabinet

Reference: CAB (07) 135, CAB (07) 135A

Vote: Courts

Title: 1,000 Additional Police: Flow on Impacts

Description: Provision for the appointment of one additional District Court and one additional High Court judge to manage the expected demands resulting from the first tranche of 1,000 additional police resources provided as part of the government's confidence and supply agreement.

Theme: Families - Young and Old

Theme Objective: Non-specific

Performance Information

Performance Table

	Unit of Measurement	Performance Specification				
		2006/07	2007/08	2008/09	2009/10	2010/11
Quantity						
Percentage Increase	%	0.5%	2.5%	2.5%	2.5%	2.5%
Current Number of prosecutions managed by the Courts	Prosecutions	119,474	119,474	119,474	119,474	119,474
Additional prosecutions managed by the courts as a result of the 1st tranche of additional Police	Prosecutions	553	3,038	3,038	3,038	3,038

Performance Text

To process the increased caseload expected the courts will require one additional District Court judge, one additional High Court judge in 07/08, and six additional FTE staff.

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11 & Outyears
Operating Balance Impact	-	1.681	1.521	1.521	1.521
Debt Impact	-	-	-	-	-
No Impact	-	0.005	0.010	0.010	0.010
Total	-	1.686	1.531	1.531	1.531

Initiative No: 3911

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11 & Outyears
Departmental Output Expenses (General):					
District Court Services (funded by Revenue Crown)	-	0.410	0.412	0.412	0.412
Higher Court Services (funded by Revenue Crown)	-	0.393	0.376	0.376	0.376
Total Operating	-	0.803	0.788	0.788	0.788
Total Capital	-	-	-	-	-

Additional Recommendations

noted the following changes to appropriations in accordance with s.9A of the Judicature Act 1908 for the salaries and allowances of one District Court judge and one High Court judge, which are required to meet the expected demands resulting from the first tranche of 1,000 additional police, with a corresponding impact on the operating balance:

	\$m – increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11 & Outyears
Other Expenses to be Incurred by the Crown:					
Judges' Salaries and Allowances	-	0.883	0.743	0.743	0.743

noted that capital funding for this initiative is being sought from Vote Justice initiative no. 3910.

Initiative No: 3948

Vote: Courts

Title: Implementing the Coroners Act 2006

Description: Implementation of the Act beginning 1 July 2007 including; supporting the new Chief Coroner and Coroners to be appointed under the legislation, ensuring consistently applied coronial processes, and better recognising cultural and spiritual sensitivities.

Theme: Families - Young and Old

Theme Objective: Non-specific

Performance Information

Performance Table

	Unit of Measurement	Performance Specification				
		2006/07	2007/08	2008/09	2009/10	2010/11
Quality						
Coronial enquiries processed	Cases	0	4000	4000	4000	4000

Performance Text

Establishing the Office of the Chief Coroner, 9 Coronial offices around the country with 14 full-time Coroners and a new Coronial Services Unit in the Ministry. Development of a case management tool and provision for electronic publication of all findings made by Coroners.

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Operating Balance Impact	-	5.729	4.493	3.812	3.812
Debt Impact	-	-	-	-	-
No Impact	-	0.211	0.422	0.422	0.422
Total	-	5.940	4.915	4.234	4.234

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Departmental Output Expenses (General):					
Specialist Courts, Tribunals and Other Authorities Services (funded by Revenue Crown)	-	3.347	3.621	3.620	3.620
Other Expenses to be Incurred by the Crown:					
Coroner Related Fees and Expenses	-	2.593	1.294	0.614	0.614
Total Operating	-	5.940	4.915	4.234	4.234
Total Capital	-	-	-	-	-

Additional Recommendation

noted that capital funding for this initiative is being sought in Vote Justice initiative no. 3945.

Vote: Courts

Title: Judicial Officers Remuneration

Description: Payments to Certifying Consultants for services under the Contraception, Sterilisation and Abortion Act 1977 and increased remuneration payable to Judicial and Statutory Officers.

Theme: Families - Young and Old

Theme Objective: Non-specific

Performance Information

Performance Text

To fund remuneration rate increases for Certifying Consultants for providing services under the Contraception, Sterilisation and Abortion Act 1977 s.33 and to fund proposed increases in remuneration payable to Judicial and Statutory Officers.

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Operating Balance Impact	0.694	1.093	1.093	1.093	1.093
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	0.694	1.093	1.093	1.093	1.093

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Departmental Output Expenses (General):					
Specialist Courts, Tribunals and Other Authorities Services (funded by Revenue Crown)	-	0.367	0.367	0.367	0.367
Other Expenses to be Incurred by the Crown:					
Abortion Supervisory Committee - Certifying Consultants Fees	0.694	0.706	0.706	0.706	0.706
Motor Vehicle Disputes Tribunal Adjudicator Remuneration and Assessors Costs	-	0.020	0.020	0.020	0.020
Total Operating	0.694	1.093	1.093	1.093	1.093
Total Capital	-	-	-	-	-

Vote: Courts

Title: Justice Field Staff Remuneration

Description: Support for a new remuneration and performance management system for Ministry of Justice field staff to be implemented from 1 July 2007.

Theme: Families - Young and Old

Theme Objective: Non-specific

Performance Information

Performance Text

A new performance and remuneration system for approximately 2,280 field staff. Remuneration increases will be targeted to address issues as identified in the Baseline Review.

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Operating Balance Impact	-	17.801	18.513	19.254	19.254
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	17.801	18.513	19.254	19.254

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Departmental Output Expenses (General):					
Collection and Enforcement of Fines and Civil Debts Services (funded by Revenue Crown)	-	4.515	4.696	4.884	4.884
District Court Services (funded by Revenue Crown)	-	10.319	10.731	11.161	11.161
Higher Court Services (funded by Revenue Crown)	-	0.983	1.022	1.063	1.063
Specialist Courts, Tribunals and Other Authorities Services (funded by Revenue Crown)	-	1.767	1.838	1.911	1.911
Waitangi Tribunal Services (funded by Revenue Crown)	-	0.217	0.226	0.235	0.235
Total Operating	-	17.801	18.513	19.254	19.254
Total Capital	-	-	-	-	-

Vote: Courts

Title: Christchurch Area Court Accommodation

Description: Seed funding for the redevelopment of the Christchurch courts complex.

Theme: Families - Young and Old

Theme Objective: Non-specific

Performance Information

Performance Text

Detailed plans for the redevelopment of the Christchurch courts complex will be produced.

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Operating Balance Impact	-	1.000	-	-	-
Debt Impact	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	1.000	-	-	-

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Departmental Output Expenses (General):					
Collection and Enforcement of Fines and Civil Debts Services (funded by Revenue Crown)	-	0.050	-	-	-
District Court Services (funded by Revenue Crown)	-	0.850	-	-	-
Higher Court Services (funded by Revenue Crown)	-	0.050	-	-	-
Specialist Courts, Tribunals and Other Authorities Services (funded by Revenue Crown)	-	0.050	-	-	-
Total Operating	-	1.000	-	-	-
Total Capital	-	-	-	-	-

Additional Recommendation

[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]

Vote: Courts

Title: Supreme Court Accommodation

Description: Establishment of the Supreme Court permanent premises.

Theme: Families - Young and Old

Theme Objective: Non-specific

Performance Information

Performance Text

New permanent premises will be built for the Supreme Court and the old Wellington High Court will be refurbished. The new building will accommodate the Supreme Courtroom, judicial chambers, the registry and library. The old High Court will accommodate conference rooms, the registry back office and the Chief Justice's administrative staff.

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11 & Outyears
Operating Balance Impact	-	0.508	1.816	4.074	4.074
Debt Impact	-	-	-	-	-
No Impact	-	0.553	2.730	3.439	3.439
Total	-	1.061	4.546	7.513	7.513

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11 & Outyears
Departmental Output Expenses (General): Higher Court Services (funded by Revenue Crown)	-	1.061	4.546	7.513	7.513
Total Operating	-	1.061	4.546	7.513	7.513
Total Capital	-	-	-	-	-

Additional Recommendation

noted that capital funding for this initiative is being sought in Vote Justice initiative no. 4024.

Vote: Courts

Title: Waitangi Tribunal - Meeting the 2020 Settlement Deadline

Description: Increased outputs to ensure that the Waitangi Tribunal can deliver upon the Government's stated policy of settling historical Treaty claims by 2020, as well as meeting the statutory obligation to ensure that the right of claimants who wish to be heard is fulfilled.

Theme: National Identity

Theme Objective: Reconciliation

Performance Information

Performance Table

	Unit of Measurement	Performance Specification				
		2006/07	2007/08	2008/09	2009/10	2010/11
Quantity						
Proposed Increase - Number of report writing support days provided	Person-days	0	1100	1100	1100	1100
Number of report writing support days provided	Person-days	3475	4700	4700	4700	4700
Proposed Increase - Number of research reports/commissions	Number	0	10	10	10	10
Number of research reports/commissions managed	Number	40	50	50	50	50
Proposed increase - Number of research days provided	Person-days	0	1950	1950	1950	1950
Number of research days provided	Person-days	5800	8000	8000	8000	8000
Proposed Increase - Number of research reports/commissions managed	Number	0	10	10	10	10
Number of research reports/commissions managed	Number	40	50	50	50	50

Performance Text

Four FTEs will be added to the frontline research staff, three FTEs will be added to the report writing team and substantially more time will be contracted from external providers, principally for commissioned research and expert report writing support. An additional FTE of member writing time. Provision of full simultaneous Te Reo Maori interpretation cover of hearings and judicial conferences.

Initiative No: 4047

Appropriation Changes

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Operating Balance Impact	-	1.757	1.969	1.969	1.969
Debt Impact	-	-	-	-	-
No Impact	-	0.028	0.056	0.056	0.056
Total	-	1.785	2.025	2.025	2.025

	\$m - increase/(decrease)				
	2006/07	2007/08	2008/09	2009/10	2010/11& Outyears
Departmental Output Expenses (General):					
Waitangi Tribunal Services (funded by Revenue Crown)	-	1.785	2.025	2.025	2.025
Total Operating	-	1.785	2.025	2.025	2.025
Total Capital	-	-	-	-	-

Additional Recommendation

noted that capital funding for this initiative is being sought in Vote Justice initiative no. 4052.