

VOTE *Attorney- General*

Attorney-General

Overview

Appropriations sought for Vote Attorney-General in 2001/02 total \$38.675 million. This is intended to be spent as follows:

- \$13.164 million (34.0% of the Vote) on providing legal advice and representation services directly to central government departments and Crown agencies.
- \$22.742 million (58.8% of the Vote) on providing a national Crown prosecution service, which conducts and administers criminal trials on indictable offences and appeals against conviction and sentences arising out of summary prosecutions.
- \$1.377 million (3.6% of the Vote) on the conduct of appeals arising from criminal trials on indictment and from Crown appeals against sentence.
- \$1.392 million (3.6% of the Vote) on providing legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their statutory functions and responsibilities.

Details of spending on appropriations appear in Parts B and C.

Attorney-General

VOTE MINISTER: Attorney-General

ADMINISTERING DEPARTMENT: Crown Law Office

The Attorney-General is the Responsible Minister for the Crown Law Office

Part A - Statement of Objectives and Trends

Part A1 - Objectives for Vote Attorney-General

Vote Attorney-General will contribute to the key Government goals for the public sector in particular those which are aimed at restoring trust in government by building safe communities and through the promotion of a strong and effective public service. Achievement of those goals is assisted by the contribution made by Vote Attorney-General to:

- protecting the Crown's legal interests
- supporting the responsibilities of the Crown and its agencies
- the maintenance of law and order
- the maintenance of public interest factors in the application of the law.

The appropriations in Vote Attorney-General provide for the purchase of the following services:

- Legal advice and representation services to central government departments and Crown agencies.
- A national Crown prosecution service which undertakes criminal trials on indictment, and appeals arising out of summary prosecutions.
- Conduct of appeals arising from criminal trials on indictment and from Crown appeals against sentence.
- Legal and administrative services for the Attorney-General and Solicitor-General in the exercise of Principal Law Officer functions.

The relationship of these services to the key Government goals are set out in the following table:

Output Class	Key Government Goals
Legal Advice and Representation	Contributes to promoting a strong and effective public service by protecting the legal interests and the responsibilities of the Crown and Crown agencies.
Supervision and Conduct of Crown Prosecutions	Contributes to building safe communities by assisting in the maintenance of law and order.
Conduct of Criminal Appeals	Contributes to building safe communities by assisting in the maintenance of law and order.

Output Class	Key Government Goals
The Exercise of Principal Law Officer Functions	Contributes to building safe communities by assisting in the maintenance of law and order and contributing to the maintenance of public interest factors in the application of the law.

Part A2 - Trends in Vote Attorney-General

The trends in Vote Attorney-General are largely influenced by the demand for legal advice and representation services by clients of the Crown Law Office and the volume and cost associated with providing a national Crown prosecution service.

The demand for legal advice and representation services provided by the Office has continued to grow during the period of the trend analysis. This trend is measured, in part, by the number of new instructions received. The instructions, however, vary considerably in nature, size and complexity and do not properly reflect the amount of legal resource, in the form of counsel and legal support staff, that is required to manage a variety of large and small litigation matters as well as address requests for complex and often urgent advice. Resources within the Office, in terms of legal staff, support structures and research services and technologies, have been increased and their effectiveness improved over the period, in response to client demands for a timely and responsive service.

The Crown prosecution service comprises a network of Crown Solicitors whose responsibilities include the conduct of all trials of indictable crime and appeals arising out of summary prosecutions. There has been an increase in the volume, and a change in the mix, of trials and appeals over the trend analysis period. Costs have also increased, although sometimes at a slightly higher rate reflecting the particular nature and complexity of some trials and appeals. The trends in volumes and expenditure on trial and appeal activity are influenced by the charges brought by New Zealand Police and other prosecution agencies, the nature, severity and complexity of the cases brought and the capacity of the courts to conduct trials and appeals in each year.

The trends in appropriations for Vote Attorney-General are set out in the following table.

Trends in Vote Attorney-General - Summary of Appropriations and Crown Revenue

Types of Appropriation	2001/02 Appropriations to be Used										
	1996/97	1997/98	1998/99	1999/2000	2000/01		By the Department Administering the Vote			For Non-Departmental Transactions	
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Budget \$000	Estimated Actual \$000	Annual \$000	Other \$000	Annual \$000	Other \$000	Total \$000
Operating Flows											
Classes of Outputs to be Supplied	31,300	33,704	34,750	37,341	38,087	37,846	38,675	-	-	-	38,675
Benefits and Other Unrequited Expenses	-	-	-	-	-	-	N/A	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-	-	N/A	N/A	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-
Capital Flows											
Capital Contributions	-	-	-	-	-	-	-	-	-	-	-
Purchase or Development of Capital Assets	-	-	-	-	-	-	N/A	N/A	-	-	-
Repayment of Debt	-	-	-	-	-	-	N/A	N/A	-	-	-
Total Appropriations	31,300	33,704	34,750	37,341	38,087	37,846	38,675	-	-	-	38,675
Total Crown Revenue and Receipts	-	-	-	-	-	-	N/A	N/A	N/A	N/A	-

Part B - Statement of Appropriations

Part B1 - Details of 2001/02 Appropriations

Appropriations	2000/01			2001/02		
	Vote		Estimated Actual	Vote		Other \$000
	Annual \$000	Other \$000		Annual \$000	Other \$000	
Departmental Output Classes (Mode B Gross)						
D1 Legal Advice and Representation	13,182	-	12,940	13,164	-	Description of 2001/02 Appropriations
D2 Supervision and Conduct of Crown Prosecutions	22,133	-	22,134	22,742	-	Providing legal advice and representation services to central government departments and Crown agencies.
D3 Conduct of Criminal Appeals	1,378	-	1,378	1,377	-	Provision of a national Crown prosecution service which undertakes criminal trials on indictment, and appeals arising out of summary prosecutions.
D4 The Exercise of Principal Law Officer Functions	1,394	-	1,394	1,392	-	Conducting appeals arising from criminal trials on indictment and from Crown appeals against sentence.
Total Appropriations for Departmental Output Classes (Mode B Gross)	38,087	-	37,846	38,675	-	Providing legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions.
Total Appropriations	38,087	-	37,846	38,675	-	

Part C - Explanation of Appropriations for Output Classes

Part C1 - Departmental Output Classes

For more detailed analysis of Departmental Output Classes, including financial and non-financial performance measures, please refer to the Crown Law Office's Departmental Forecast Report (DFR).

Output Class D1 - Legal Advice and Representation

Description

This output class comprises the provision of legal advice and representation services to central government departments and agencies with special emphasis on constitutional and other matters of public and administrative law, including Treaty of Waitangi and revenue issues.

The legal advice and representation services provided take into account the responsibility of the Government to conduct its affairs in accordance with the law and the underlying role of the Office to discharge the responsibilities of the Attorney-General and Solicitor-General to act in the public interest.

Output Class D2 - Supervision and Conduct of Crown Prosecutions

Description

This output class involves the provision of a national Crown prosecution service which undertakes criminal trials on indictment and related appeals, the supervision of the network of Crown Solicitors, who deliver the prosecution service in centres where District Court and High Court jury trials are conducted throughout New Zealand, and the provision of advice on criminal law matters to other government agencies and Crown Solicitors.

The advice on criminal law matters includes undertaking work in the following areas: proceeds of crime, mutual assistance, blood sampling for DNA, requests for Crown appeals arising out of summary prosecutions, consents to prosecute, applications for stays and immunity from prosecution.

Output Class D3 - Conduct of Criminal Appeals

Description

This output class involves the conduct of all appeals which arise out of criminal trials on indictment and from Crown appeals. The clear majority of appeals are brought by the offender. They involve pre-trial applications and appeals against sentence and conviction. The decision on whether to take a Crown appeal is a statutory function of the Solicitor-General.

Output Class D4 - The Exercise of Principal Law Officer Functions

Description

This output class covers the provision of legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions, the provision of legal advice to Government and Ministers of the Crown including advice on constitutional and governance related issues, and advice to the judiciary regarding legal processes.

The particular services provided include monitoring the enforcement and application of the law, supervision of charities, representation of the public interest, relator proceedings, vexatious litigant proceedings, and the exercise of a variety of powers, duties and authorities arising from statutory requirements and constitutional conventions. This output class also involves the review of legislation for compliance with the Bill of Rights Act 1990, advice on the appointment processes for judges and Queens Counsel and the provision of secretarial services to the Rules Committee, which is responsible for the review and development of procedures for use in the High Court and Court of Appeal.

Part E - Explanation of Appropriations for Capital Flows

Net Worth of Entities Owned

Statement of Estimated and Forecast Net Worth

	Balance Date	Estimated Net Worth 2001 \$ million	Forecast Net Worth 2002 \$ million
Crown Law Office	30 June	2.081	2.081