

Treasury Report: Budget 2009: Vote Arts, Culture & Heritage, Attorney General & Treaty Negotiations

Date:	6 March 2009	Report No:	T2009/503
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Action Sought

	Action Sought	Deadline
Associate Minister of Finance (Hon Simon Power)	Read the attached briefing and use it as the basis for taking decisions in your bilateral with Hon Bill English at 7.00 a.m. on 12 March 2009	9.00am Monday 9 March

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st Contact
<i>[information deleted in order to protect the privacy of natural persons, including deceased people]</i>			
Mark Jacobs	Manager - State Sector Management Team	<i>[deleted – privacy]</i>	

Minister of Finance's Office Actions (if required)

None.

Enclosure: No

6 March 2009

Treasury Report: Budget 2009: Vote Arts, Culture & Heritage, Attorney General & Treaty Negotiations

Attached is a briefing for the bilateral between the Minister of Finance and Hon Chris Finlayson at 7.00 a.m. on 12 March 2009 to discuss the Budget initiatives for Votes Arts, Culture and Heritage, Attorney-General, and Treaty Negotiations.

The bilateral briefing is structured as follows:

Vote Treaty Negotiations	p 4
Vote Arts, Culture and Heritage	p. 13
Vote Attorney-General	p. 18

- The major issue for discussion in this bilateral will be funding for **Vote Treaty Negotiations** to meet the government's aspiration to settle historical Treaty claims by 2014.
- We expect the key issues for discussion in **Vote Arts, Culture and Heritage** will be potential for savings and ongoing value for money from non-departmental baselines (currently \$291 million). Treasury's view is that this area has not been adequately explored, *[deleted – confidentiality of advice]*.
- We expect the key issues for discussion in **Vote Attorney-General** will be the amount of savings available; *[deleted – confidentiality of advice]*. Treasury's view is that greater savings are available; *[deleted – confidentiality of advice]*.

Summary of funding sought/savings offered in Votes in this bilateral:

	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Savings	(2.244)	(0.461)	(0.461)	(0.461)	(0.461)
Emergency pressures	1.105	7.380	7.380	7.380	7.380
Policy priorities	-	5.350	<i>[deleted – negotiate without prejudice]</i>		
Total funding requested	(1.139)	12.269	<i>[deleted – negotiate without prejudice]</i>		
<i>Capital (GST excl)</i>					
Savings	(2.888)	-	-	-	-
Emergency pressures	-	-	-	-	-
Policy priorities	-	-	-	-	-
Total funding requested	(2.888)	-	-	-	-

Recommended Action

We recommend that you **read** the attached briefing and use it as the basis for taking decisions in your bilateral with Hon Chris Finlayson at 7.00 a.m. on 12 March 2009.

Mark Jacobs
for Secretary to the Treasury

Hon Bill English
Minister of Finance

Overview of the Vote

VOTE TREATY NEGOTIATIONS

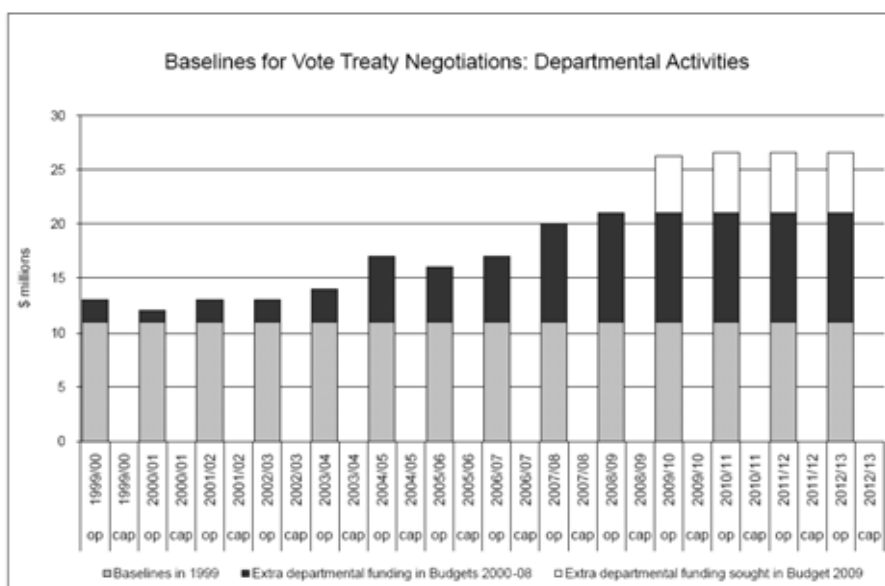
1. As part of the Minister of Finance's request to Vote Ministers to carry out a line-by-line review, submission of emergency pressures and policy priorities, the Minister for Treaty of Waitangi Negotiations submitted the following:

	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Savings	-	-	-	-	-
Emergency pressures	-	-	-	-	-
Policy priorities	-	5.350	<i>[deleted – negotiate without prejudice]</i>		
Total funding requested	-	5.350	<i>[deleted – negotiate without prejudice]</i>		

2. Vote Treaty Negotiations was considered as part of the Ministry of Justice's line-by-line review alongside Votes Justice and Courts. The Ministry did not identify any specific cost savings in Vote Treaty Negotiations. However, it did identify a number of specific ways in which costs could be reduced in Votes Justice and Courts.
3. We do not consider that there are further opportunities for savings in Vote Treaty Negotiations at this time, unless the government chooses to reduce Treaty settlement momentum.

Analysis of Vote

4. Changes in Vote Treaty Negotiations **departmental** funding for the Office of Treaty Settlements are shown in the chart below. The Vote has received increases in departmental funding over the past five years, primarily for increased negotiation activity in order to meet the previous Government's goal of settling all historical Treaty claims by 2020.



5. The main driver of cost increases in Vote Treaty Negotiations is **non-departmental** expenses. These appropriations mainly comprise payments made to claimants to settle their historical Treaty grievances.
6. The size of annual expenditure on settlement redress essentially depends on both the speed of negotiations and the quantum of the redress that the Crown agrees to provide to claimants. The Crown has a framework designed to ensure fairness and consistency between the redress that is offered to different claimants. This funding is outside the scope of value for money analysis.

[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]

Recommendations

Treasury recommends that you:

- (i) **Note** that no savings were submitted for Vote Treaty Negotiations
- (ii) **Note** Treasury's view that a significant reduction in the size of Vote Treaty Negotiations could only be achieved by reducing the momentum of Treaty settlements

Strategic Direction

Impact of recent negotiation activity on the Office of Treaty Settlements

- 8. Last year, in light of the previous government's goal to settle historical Treaty claims by 2020 and the increased settlement momentum required to achieve that goal, the Ministry of Justice completed a review of the Office of Treaty Settlements (OTS). The review concluded that the government's commitments had outstripped the capacity and baseline funding of OTS. If you want to sustain recent settlement momentum and aim for a 2014 settlement deadline, OTS will require an increase in operating expenses.
- 9. Increased negotiation activity has placed significant operational pressure on OTS. For example, in the first four months of 2008/09 OTS completed the equivalent of 120% of its expected annual milestones. Achieving this rate of settlement within current baselines is not sustainable. Cabinet recently agreed to provide additional funding to OTS in the current financial year [CAB Min (09) 6/3 refers], in order to allow OTS to maintain settlement momentum.¹

What does the 2014 aim mean for Vote Treaty Negotiations?

- 10. The main issue that will affect Vote Treaty Negotiations in Budgets 2010/11 and 2011/12 is the increase in funding that will be required to meet the government's aspiration to settle historical Treaty claims by 2014.

Departmental expenses

- 11. OTS has indicated that completing settlements by 2014 would require a 300% increase in departmental operating expenses (based on the current settlement model). To put this in context, the current budget bid seeks a 20% increase in departmental funding.
- 12. Cabinet has agreed that possible changes to the approach for negotiating Treaty settlements should be explored, which may enable more rapid progress in Treaty settlements. The financial implications for OTS of these potential approaches are not yet known.

[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]

¹ \$4.1 million operating and \$0.042 capital in 2008/09.

Vote Treaty Negotiations – Analysis of Policy Priorities

17. The Minister for Treaty of Waitangi Negotiations has submitted two policy priority initiatives, both of which seek funding to maintain the pace of Treaty settlements.

Treasury advice

18. In principle, we support maintaining momentum in Treaty settlements, and we consider that these two bids would need to be funded to maintain momentum. *[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]*

[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]

a Resourcing the Settlement of Historical Treaty Claims

	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Department	-	5.350	5.618	5.618	5.618
Treasury	-	5.350	5.618	5.618	5.618
<i>Capital (GST excl)</i>					
Department	-	0.133	0.133	0.133	0.133
Treasury	-	0.133	0.133	0.133	0.133

21. The Office of Treaty Settlements is seeking funding for additional staff to support the government's aspiration of settling historical Treaty claims by 2014.
22. The funding sought in this bid will not give OTS sufficient resources to settle all claims by 2014 (OTS has stated that it would require a 300% increase in departmental funding to meet this deadline under the current negotiating approach). Rather, it will enable OTS to maintain the momentum established during 2008. Note that OTS recently received a \$4.1 million increase to their 2008/09 baseline. This was because rapid

progress achieved early in the financial year led to them running out of funding to progress negotiations towards the end of the year.

23. Declining this funding may require OTS to put some negotiations on a slower track than has been signalled to iwi. There is a risk that slowing momentum may result in frustration among iwi. If momentum were to slow considerably, a strong communications strategy would be required to manage relationships with iwi.

b Historical Treaty of Waitangi Settlements Multi-Year Appropriation

	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Department	<i>[deleted - negotiate without prejudice]</i>				
Treasury	<i>[deleted - negotiate without prejudice]</i>				
<i>Capital (GST excl)</i>					
Department	-	0.000	0.000	0.000	0.000
Treasury	-	0.000	0.000	0.000	0.000

[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]

Recommendations

On the basis that:

- these initiatives are consistent with the policy of maintaining settlement momentum;
- *[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]*
- *[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]*

Treasury recommends that you:

- (iii) *[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]*

Proposed Changes to the Multi-year Appropriation for Treaty Settlements

Size of the Multi-year Appropriation

28. The amount of the current Multi-year Appropriation (MYA) is \$400 million over five years. In practice, a new \$400 million MYA is established each year (and the balance of the previous MYA is cancelled), so that the full \$400 million is available for the next five-year period.
29. *[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]*

Scope of the Multi-year Appropriation

31. The scope of the current MYA (in respect of interest) is limited to payment of interest on settlements between signing of the Deed of Settlement and Settlement Date, reflecting practice in earlier settlements.
32. A number of settlements negotiated in 2008 included interest from dates earlier than signing of Deed of Settlement. For example, the Deeds for Taranaki Whanui and Ngati Apa provided for interest from date of signing of Agreement in Principle, which was about a year earlier than the Deed of Settlement. Separate appropriations had to be sought for this portion of interest for these settlements, because it was not within the scope of the MYA.
33. We propose that the scope of the MYA be widened to include any simple interest payable on settlements between the date specified in the Deed of Settlement and the Settlement Date.

Recommendations

Treasury recommends that you:

- (iv) **Agree** that the scope of the Vote Treaty Negotiations Multi-year Appropriation be widened to include any simple interest payable on settlements between the date specified in the Deed of Settlement and the Settlement Date;
Agree/Disagree
- (v) *[information deleted in order to enable the Crown to negotiate without disadvantage or prejudice]*

Overview of the Vote

VOTE ARTS, CULTURE AND HERITAGE

34. As part of the Minister of Finance's request to Vote Ministers to carry out a line-by-line review, submission of emergency pressure and policy priorities, the Minister for Arts, Culture and Heritage submitted the following:

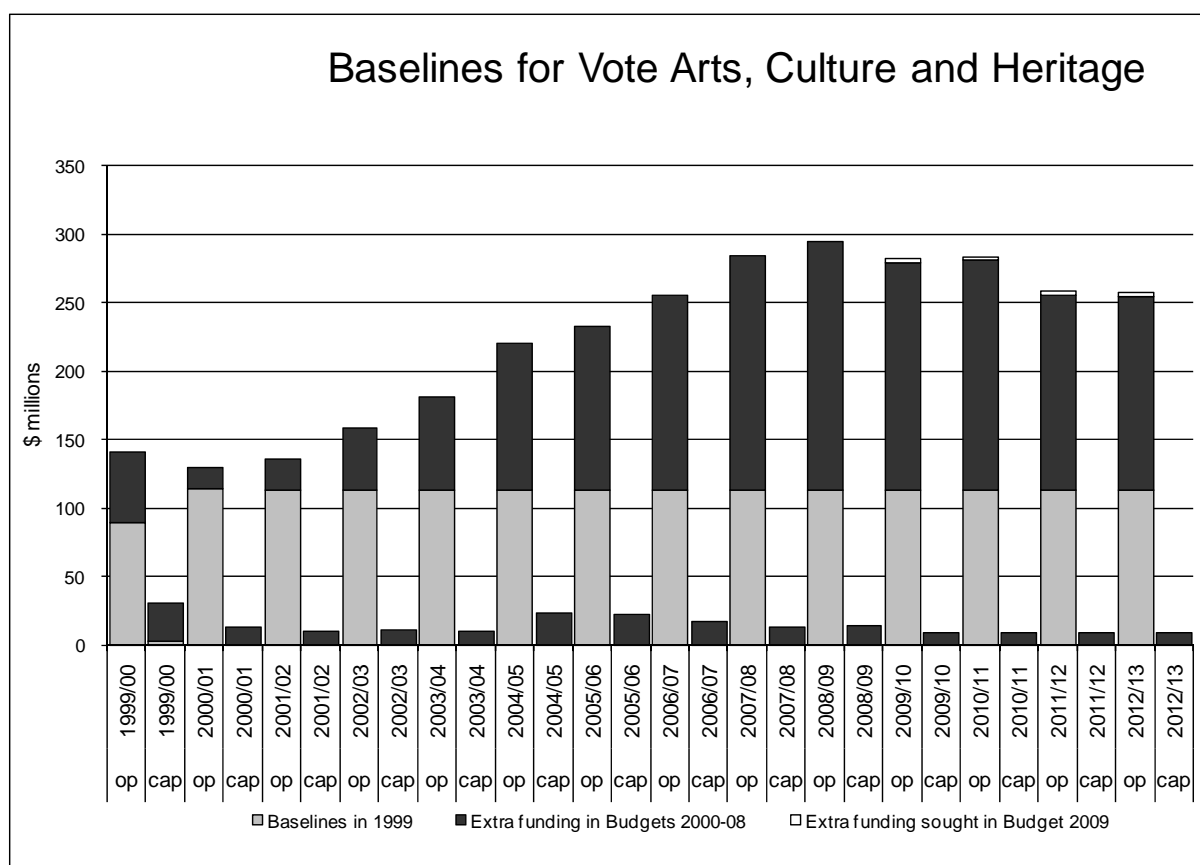
	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Savings	(2.238)	(0.455)	(0.455)	(0.455)	(0.455)
Emergency pressures	-	2.630	2.630	2.630	2.630
Policy priorities	-	-	-	-	-
Total funding requested	(2.238)	2.175	2.175	2.175	2.175
<i>Capital (GST excl)</i>					
Savings	(2.888)	-	-	-	-
Emergency pressures	-	-	-	-	-
Policy priorities	-	-	-	-	-
Total funding requested	(2.888)	-	-	-	-

35. Treasury's view is that the level of departmental savings submitted for the Vote (around \$0.5 million p.a. from 2008/09) is credible, taking into account recent reviews of and identified pressures in the Ministry for Culture and Heritage's departmental baseline (\$15 million ongoing).
36. The level of non-departmental savings identified (less than \$5 million from a Vote baseline of \$291 million in 2008/09, and none in outyears) does not, in our view, go nearly far enough. In particular, we note that funding for Crown entities (\$216 million in 2008/09) has not been investigated at all for savings opportunities – despite explicit Cabinet instruction that government funding to Crown entities be included in line by line reviews.
37. Treasury considers that the level of non-departmental savings could immediately be increased to \$2.489 million p.a. from 2009/10 – through backing out an increase in baseline funding for regional museums that was originally intended to be time-limited (for the Auckland War Memorial Museum) but was later extended, unnecessarily in our view, into outyears. More broadly, given the significant increase in non-departmental baselines (from roughly \$173 million in 1999/2000 to \$291 million in 2008/09), we believe there may be potential for additional savings. *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]*

Analysis of Vote

38. Vote Arts, Culture and Heritage baselines are shown in the graph below. The Vote has received significant, regular funding increases over the past ten years including:

- A large increase in funding for cultural sector entities in 1999/2000 as part of the then incoming government's 'cultural recovery package'. There was a large one-off injection in addition to ongoing new funding (this explains the 'blip' in 1999/2000).
- Further funding increases for Crown and other cultural entities over the period, including significant increases for Creative NZ, NZ Film Commission, Historic Places Trust and Te Papa.
- Increased funding for broadcasting, including regular increases for NZ On Air and new funding for TVNZ (charter and digital channels) and Freeview. Broadcasting expenditure now comprises more than half of Vote Arts, Culture and Heritage baselines.



Recommendations

Treasury recommends that you:

- (vi) Support the savings submitted for Vote Arts, Culture and Heritage
Agree/Disagree
- (vii) Agree additional savings in Vote Arts, Culture and Heritage of \$2.489 million in 2009/10 and outyears, in relation to non-departmental funding for regional museums
Agree/Disagree
- (viii) *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]*
Agree/Disagree
- (ix) *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]*
Agree/Disagree

Emergency Pressure

- 39. The Minister for Arts, Culture and Heritage has submitted an emergency pressure bid totalling \$2.63 million p.a., as outlined in the table on page 13 above, to provide for capability issues facing the Royal NZ Ballet and five performing arts companies recurrently funded through Creative NZ.
- 40. Treasury recognises that the Royal NZ Ballet is an iconic institution with relatively thin resources and facing increased cost pressures. However, in our view the identified funding shortfall (\$0.85 million p.a.) could realistically be met through reprioritisation of other non-departmental baseline funding within the Vote (current baseline \$291 million).
- 41. Creative NZ currently receives around \$16 million p.a. direct government funding for payments to artists and art groups, which represents around one-third of its total revenue (most of the remainder comes from the Lottery Grants Board). While Treasury appreciates that the five recurrently funded performance art groups are under financial pressure, in our view Creative NZ should reprioritise its investment intentions to meet the identified \$1.78 million p.a. funding shortfall from existing resources, if it believes that doing so would best contribute to the government's cultural outcomes.

Recommendations

Treasury recommends that you:

- (x) Do not support any new funding for the emergency pressure bid submitted for Vote Arts, Culture and Heritage
Agree/Disagree
- (xi) Invite the Minister for Arts, Culture and Heritage to identify opportunities to fund the Royal NZ Ballet component of the emergency pressure bid from within those non-departmental baselines within the Vote for which he is responsible, and report back to the next meeting of Budget Ministers with the details of the necessary fiscally neutral changes to baselines
Agree/Disagree

- (xii) Note that Creative NZ has scope to reprioritise its existing investment intentions to fund the recurrently funded performance arts groups component of the emergency pressures bid, if it believes that doing so would best contribute to the government's cultural outcomes

Agree/Disagree

Value for Money

42. The line by line review for Vote Arts, Culture and Heritage concludes that all its programmes and services are "almost wholly consistent with the government's priorities". In Treasury's view this assertion is untested. Regardless, we consider that improved performance and value for money information in relation to the many cultural programmes funded through the Vote will be crucial in helping government to determine where most appropriately to redistribute, or look to scale back, its 'cultural spend', in line with its fiscal objectives.
43. In Treasury's view the Ministry did not provide adequate comment in its line by line review on efficiency, effectiveness, performance information or 'fit' with government priorities of expenditure within the Vote, particularly non-departmental expenditure (which comprises 95% of total baseline). *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]*
44. *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]*

Recommendations

Treasury recommends that you:

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

Agree/Disagree

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

Agree/Disagree

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

Agree/Disagree

Strategic Direction

45. We are not aware of any significant issues likely to affect Vote Arts, Culture and Heritage in Budgets 2010/11 and 2011/12 as a result of decisions taken in this bilateral, *[deleted – confidentiality of advice]*.
46. Some of the smaller Crown and other cultural entities funded through the Vote may require increasing assistance from the Ministry to deliver on administrative activities (e.g. financial reporting, preparing statements of intent) as their operating budgets progressively tighten. We believe that the Ministry would be reasonably well-placed to meet any such challenge.
47. More broadly, in Treasury's view the Ministry should look to take a more strategic approach, focussing on the benefit to NZ from expenditure in the cultural sector. This would allow for better targeting of the government's investment in the sector (e.g. through improved comparative cost-benefit analysis), and thereby improved fiscal, economic and cultural outcomes. The Ministry could also look to take advantage of its central role in order to explore and identify potential synergies and savings opportunities across the wider cultural sector (e.g. reduced duplication of common activities, including preservation and digitisation of material).

Recommendations

Treasury recommends that you:

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

Agree/Disagree

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

Agree/Disagree

VOTE ATTORNEY-GENERAL

48. As part of the Minister of Finance's request to Vote Ministers to carry out a line-by-line review, submission of emergency pressures and policy priorities, the Attorney-General submitted the following:

	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Savings	(0.006)	(0.006)	(0.006)	(0.006)	(0.006)
Emergency pressures	<i>[deleted – confidentiality of advice]</i>				
Policy priorities	<i>[deleted – confidentiality of advice]</i>				
Total funding requested	<i>[deleted – confidentiality of advice]</i>				

49. The line by line review did not discuss where the \$0.006 million savings would come from, nor what other options had been examined for savings; it also did not consider the increase in Vote funding over recent years (detailed below). The Treasury's view is that savings beyond \$0.006 million are possible in Vote Attorney-General due to the small size of the amount offered in relation to the overall Vote baseline, Crown funding, historic underspends in the two smaller appropriations, cash in hand, and significant increases in Crown Law's funding over the last ten years. Treasury recommends that the following savings be realised in Vote Attorney-General:

	2008/09	2009/10	2010/11	2011/12	2012/13
Savings	(0.300)	(0.800)	(0.800)	(0.800)	(0.800)

50. In practice, due to the pressure on Crown Law's largest appropriation, these savings will need to be funded from the two smaller appropriations. Savings for 2008/09 have been scaled to reflect the proportion of the remaining year.

51. If Ministers agree that the above savings are not possible within Vote Attorney-General, Treasury recommends that the following savings be realised in Vote Attorney-General:

	2008/09	2009/10	2010/11	2011/12	2012/13
Savings	(0.100)	(0.250)	(0.250)	(0.250)	(0.250)

Analysis of Vote

52. Vote Attorney-General has the following appropriations (all departmental) in 2008/09:

	\$ million
<i>Revenue Crown</i>	
Conduct of Criminal Appeals	3.294
Supervision and Conduct of Crown Prosecutions	35.742
The Exercise of Principal Law Officer Functions	3.178
Total Revenue Crown	42.214
<i>Revenue Department</i>	
Legal Advice and Representation	21.110
Total Departmental Operating Funding	63.324

53. Vote Attorney-General baselines are shown in the graph below.

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

54. The Vote has received significant increases in Crown funding in the past ten years, due largely to increases in demand pressures:

Year	Increases in outyears (Crown funding only)	\$m
01/02	Crown Solicitors fee increases	0.611
01/02	Increase in volume and complexity of trials	1.560
02/03	Increase in Crown solicitor rate	0.676
02/03	Increased demand for Crown prosecutions	1.300
02/03	Crown Law accommodation	0.136
03/04	Expenditure on Crown Prosecution services	1.500
03/04	Funding of Criminal Appeals	0.595
04/05	Increased Expenditure on Crown Prosecution services	3.561
05/06	Funding the supervision and conduct of Crown Prosecutions	1.239
06/07	Crown Solicitor Fee rate increase	1.000
06/07	Demand-driven cost pressures in the supervision and conduct of Crown prosecutions	2.700
07/08	1,000 extra police: flow on impacts	0.430
07/08	Demand pressures	1.000
07/08	Unavoidable demand pressures	1.900
08/09	Demand pressures impacting on Criminal Prosecutions and Criminal appeals	3.700
	Total	21.908

55. Historic under spends in Vote Attorney-General are:

	2004/05	2005/06	2006/07	2007/08	2008/09 to Jan
\$000	(639)	273	362	2,775	(651)

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

Recommendations

57. Treasury recommends that you:

- (xviii) Do not support the savings submitted for Vote Attorney-General

Agree/Disagree

EITHER

- (xix) *Treasury preferred* Support total savings for Vote Attorney-General as follows:

	2008/09	2009/10	2010/11	2011/12	2012/13
Savings	(0.300)	(0.800)	(0.800)	(0.800)	(0.800)

Agree/Disagree

OR

- (xx) Support total savings for Vote Attorney-General as follows:

	2008/09	2009/10	2010/11	2011/12	2012/13
Savings	(0.300)	(0.800)	(0.800)	(0.800)	(0.800)

Agree/Disagree

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

Agree/Disagree

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

Emergency Pressure

58. The Minister has submitted an emergency pressure bid for demand pressures for Crown prosecutions *[deleted – confidentiality of advice]*, as outlined in the table above.
59. Treasury considers that the component relating to ongoing demand pressures for Crown prosecutions should be funded, including an increased amount for the 2008/09 year, due to the pressures on this appropriation. *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials].*
60. *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials].*
61. Therefore, Treasury recommends that only the ongoing demand pressure component of the emergency pressure be funded, as follows:

	2008/09	2009/10	2010/11	2011/12	2012/13
Savings	0.750	0.250	0.250	0.250	0.250

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

	2008/09	2009/10	2010/11	2011/12	2012/13
<i>[deleted – confidentiality of advice].</i>					

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

	2008/09	2009/10	2010/11	2011/12	2012/13
<i>[deleted – confidentiality of advice].</i>					

Recommendations

64. Treasury recommends that you:

EITHER

(xxi) *Treasury preferred* Support the emergency pressure submitted for Vote Attorney-General at reduced amounts:

	2008/09	2009/10	2010/11	2011/12	2012/13
Savings	0.750	0.250	0.250	0.250	0.250

Agree/Disagree

OR

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

	2008/09	2009/10	2010/11	2011/12	2012/13
<i>[deleted – confidentiality of advice].</i>					

Agree/Disagree

Value for Money

65. The line by line review for Vote Attorney-General states that:

“Crown Law has no general responsibility for policy formulation, nor for the development of legislation. Accordingly, it does not have a Work Programme, as most policy and operational agencies do, which can be scrutinised for consistency with the Government’s priorities and for efficiency and effectiveness. However Crown Law undertakes work, in four appropriations, that indirectly contributes to the Government’s Law and Order priorities”.

66. In Treasury’s view Crown Law did not provide adequate comment in the line by line review on efficiency, effectiveness, performance information or ‘fit’ with government priorities of expenditure within the Vote. Improved performance information relating to Crown prosecutions and services provided to other departments will assist the government to determine whether Crown Law services represent value for money for the government and for other departments.

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

Recommendations

Treasury recommends that you:

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

Agree/Disagree

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

Agree/Disagree

68. The main issues that will affect Vote Attorney-General in Budgets 2010/11 and 2011/12 are further demand pressures in the Crown prosecutions appropriation, *[information deleted in order to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials]*.

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

Vote Attorney-General – Analysis of Policy Priorities

70. Vote Attorney-General has submitted the following policy priority initiative:

c *[deleted – confidentiality of advice]*

	<i>\$million - increase/(decrease)</i>				
	<i>2008/09</i>	<i>2009/10</i>	<i>2010/11</i>	<i>2011/12</i>	<i>2012/13 & Outyears</i>
<i>Operating (GST excl)</i>					
Department	<i>[deleted – confidentiality of advice]</i>				
Treasury	-	-	-	-	-

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

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

Recommendations

73. Treasury recommends that you:

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

Agree/Disagree