

# VOTE Attorney- General

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## OVERVIEW

Appropriations sought for Vote Attorney-General in 1999/2000 total \$35.485 million. This is intended to be spent as follows:

- \$12.791 million (36% of the Vote) on providing legal advice and representation services to central government departments and Crown agencies.
- \$20.834 million (59% 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.
- \$1.135 million (3% of the Vote) on providing a service for the conduct of Crown appeals against sentences and appearances at appeals following criminal trials on indictment.
- \$0.725 million (2% 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.

The Crown Law Office expects to receive \$11.588 million (GST exclusive) from government departments and Crown agencies for providing legal advice and representation.

Details of the spending on the appropriations appear in Parts B1 and C1.

## Footnotes

Note 1	<i>Not applicable as Crown revenue is not appropriated.</i>
Note 2	<i>Appropriations are stated GST inclusive (where applicable).</i>

# VOTE 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 Government's strategic outcomes which are aimed at:

- protecting the Crown's legal interests
- supporting the responsibilities of the Crown and its agencies
- contributing to the maintenance of law and order
- contributing to the maintenance of the interests of justice in the community.

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.
- Crown appeals against sentence and appearing at appeals following criminal trials on indictment.
- 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 Government's outcomes are set out in the following table:

<b>Output Class</b>	<b>Related Outcomes</b>
Legal Advice and Representation	Contributes to protecting the legal interests and the responsibilities of the Crown and Crown agencies.
Supervision and Conduct of Crown Prosecutions	Contributes to the maintenance of law and order.
Conduct of Criminal Appeals	Contributes to the maintenance of law and order.
The Exercise of Principal Law Officer Functions	Contributes to the maintenance of law and order and the interests of justice in the community.

## 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 of 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. The volume of trial and appeal activity over the trend analysis period has increased. Costs have also increased, although sometimes at a slightly higher rate reflecting the particular nature and complexity of some trials and appeals. The growth in this activity is largely demand driven and is dependent upon the number and type of prosecutions brought by New Zealand Police and other prosecuting agencies and any subsequent appeals.

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

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

Types of Appropriation	1994/95	1995/96	1996/97	1997/98	1998/99		1999/00 Appropriations to be Used				
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Budget \$000	Estimated Actual \$000	By the Department Administering the Vote		For Non-Departmental Transactions		Total \$000
							Annual \$000	Other \$000	Annual \$000	Other \$000	
<b>Operating Flows</b>											
Classes of Outputs to be Supplied	26,954	29,170	31,300	33,704	35,502	34,802	35,485	-	-	-	35,485
Benefits and Other Unrequited Expenses	-	-	-	-	-	-	N/A	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-	-	N/A	N/A	-	-	-
Other Expenses	1	-	-	-	20	20	-	-	-	-	-
<b>Capital Flows</b>											
Capital Contributions	-	-	-	-	-	-	-	-	-	-	-
Purchase or Development of Capital Assets	-	-	-	-	-	-	N/A	N/A	-	-	-
Repayment of Debt	-	-	-	-	-	-	N/A	N/A	-	-	-
<b>Total Appropriations</b>	26,955	29,170	31,300	33,704	35,522	34,822	35,485	-	-	-	35,485
<b>Total Crown Revenue and Receipts</b> (see note 1)	-	-	-	-	-	-	N/A	N/A	N/A	N/A	-

## Part B - Statement of Appropriations

### Part B1 - Details of 1999/2000 Appropriations (see note 2)

Appropriations	1998/99				1999/00		Description of 1999/00 Appropriations
	Vote		Estimated Actual		Vote		
	Annual \$000	Other \$000	Annual \$000	Other \$000	Annual \$000	Other \$000	
<b>Departmental Output Classes (Mode B Gross)</b>							
D1 Legal Advice and Representation	12,805	-	12,605	-	<b>12,791</b>	-	Providing legal advice and representation services to central government departments and Crown agencies.
D2 Supervision and Conduct of Crown Prosecutions	20,835	-	20,435	-	<b>20,834</b>	-	Provision of a national Crown prosecution service which undertakes criminal trials on indictment, and appeals arising out of summary prosecutions.
D3 Conduct of Criminal Appeals	1,136	-	1,036	-	<b>1,135</b>	-	Undertaking Crown appeals against sentence and appearing at appeals following criminal trials on indictment.
D4 The Exercise of Principal Law Officer Functions	726	-	726	-	<b>725</b>	-	Providing legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions.
<b>Total Appropriations for Departmental Output Classes (Mode B Gross)</b>	35,502	-	34,802	-	35,485	-	<b>Refer to Part C1 for a full description.</b>
<b>Other Expenses to be Incurred by the Department</b>							
Provision for Leave Entitlements	20	-	20	-	-	-	A technical accounting adjustment to amend the Office's liability to its employees for unvested long service leave and unvested retiring leave.

<b>Total Appropriations for Other Expenses to be Incurred by the Department</b>	20	-	20	-	-	-
<b>Total Appropriations</b>	35,522	-	34,822	-	35,485	-



## Part C - Explanation of Appropriations for Output Classes

### Part C1 - Departmental Output Classes

#### ***Output Class D1 - Legal Advice and Representation***

##### *Description*

This output class comprises the purchase of legal advice and representation services with special emphasis on constitutional and other public law areas, taxation and criminal law for Ministers of the Crown, central government departments and Crown agencies.

##### *Quantity, quality and timeliness*

The Crown Law Office expects to receive up to 1,350 new instructions in 1999/2000 (1998/99 - estimated actual 1,350 instructions).

The quality of the service to be provided cannot be empirically assessed, because quality may not necessarily be reflected in the result of a particular case. Performance is measured through an annual client satisfaction survey based on client responses to a range of key service level criteria, eg, understanding client needs, accessibility, response and value of advice.

The Office aims to achieve at least an 80% client satisfaction rating from clients for the legal advice and representation services it provides.

##### *Cost and revenue*

This output class will be provided within the appropriated sum of \$12.791 million (GST inclusive).

Year	Cost GST incl \$000	Cost GST excl \$000	Total Revenue GST excl \$000	Revenue Crown GST excl \$000	Revenue Other GST excl \$000
1999/00	12,791	11,343	11,588	-	11,588
1998/99	12,805	11,355	11,600	-	11,600

## ***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 appeals against convictions and sentences arising out of summary prosecutions. The services are delivered by a network of Crown Solicitors, who mostly comprise lawyers in private practice and who operate in centres where High Court criminal jury trials take place.

### *Quantity, quality and timeliness*

The Crown Law Office expects to prosecute up to 2,900 criminal trials on indictment and to provide for 1,000 appeals against conviction and sentence arising from summary prosecutions (1998/99 - estimated actual 2,900 trials and 1,000 appeals). The volume of trials and appeals varies from year to year and is dependent on factors outside the control of the Office, ie, the number of prosecutions brought by New Zealand Police and other prosecuting agencies for indictable crime, and the nature and complexity of cases brought before the courts.

The provision of prosecution services by Crown solicitors is expected to meet quality standards which include conformity with generally accepted professional standards of conduct, conformity with court procedures and the requirements of the judiciary and clients in the management of cases and compliance with the Crown Solicitors' Regulations 1994.

The Crown Law Office undertakes a cyclical performance review of each Crown solicitor practice to ensure that the procedures adopted for case management meet expected standards of quality and timeliness. The case management procedures reviewed include the allocation and conduct of cases, review procedures, reporting on cases and recovery of costs.

### *Cost and revenue*

This output class will be provided within the appropriated sum of \$20.834 million (GST inclusive).

<b>Year</b>	<b>Cost GST incl \$000</b>	<b>Cost GST excl \$000</b>	<b>Total Revenue GST excl \$000</b>	<b>Revenue Crown GST excl \$000</b>	<b>Revenue Other GST excl \$000</b>
1999/00	20,834	18,519	18,519	18,519	-
1998/99	20,835	18,520	18,520	18,520	-

### **Output Class D3 - Conduct of Criminal Appeals**

#### *Description*

This output class involves the performance of the Solicitor-General's statutory function to determine whether Crown appeals against sentences are lodged and to appear or arrange representation at the hearing of appeals, whether brought by the Crown or by offenders, against convictions and sentences following trials on indictment.

#### *Quantity, quality and timeliness*

The Crown Law Office expects to arrange representation at up to 500 appeals in 1999/2000 (1998/99 - estimated actual 500 appeals). The volume of appeals is largely dependent on factors outside the control of the Crown Law Office, ie, the majority of appeals are brought by offenders.

Performance measures include achievement of a success rate of 60% for appeals brought by the Solicitor-General and the conduct of hearings made in accordance with the sittings schedule agreed with the court a month in advance.

#### *Cost and revenue*

This output class will be provided within the appropriated sum of \$1.135 million (GST inclusive).

Year	Cost GST incl \$000	Cost GST excl \$000	Total Revenue GST excl \$000	Revenue Crown GST excl \$000	Revenue Other GST excl \$000
1999/00	1,135	1,009	1,009	1,009	-
1998/99	1,136	1,010	1,010	1,010	-

### **Output Class D4 - The Exercise of Principal Law Officer Functions**

#### *Description*

This output class comprises the purchase of legal and administrative services for the Attorney-General and Solicitor-General to assist them in the exercise of the Principal Law Officer functions. The functions include monitoring of enforcement and application of the law, supervision of charities, representation of the public interest, relator proceedings and the exercise of a variety of powers, and duties and authorities arising from statutory requirements and constitutional conventions.

#### *Quantity, quality and timeliness*

The Crown Law Office expects to action up to 180 instructions in 1999/2000 on behalf of the Attorney-General and Solicitor-General (1998/99 - estimated actual 200 instructions).

The quality of services provided by the Office is assessed in accordance with standards agreed with the Attorney-General and evidenced by the response to the annual client satisfaction survey, in which the Office aims to achieve at least an 80% client satisfaction rating.

#### *Cost and revenue*

This output class will be provided within the appropriated sum of \$0.725 million (GST inclusive).

<b>Year</b>	<b>Cost GST incl \$000</b>	<b>Cost GST excl \$000</b>	<b>Total Revenue GST excl \$000</b>	<b>Revenue Crown GST excl \$000</b>	<b>Revenue Other GST excl \$000</b>
1999/00	725	644	644	644	-
1998/99	726	645	645	645	-

## **Part D - Explanation of Appropriations for Other Operating Flows**

### Part D1 - Benefits and Other Unrequited Expenses

There is no appropriation for Part D1.

### Part D2 - Borrowing Expenses

There is no appropriation for Part D2.

### Part D3 - Other Expenses

There is no appropriation for Part D3.

## Part E - Explanation of Appropriations for Capital Flows

### Part E1 - Capital Contributions

There is no appropriation for Part E1.

## Net Worth of Entities Owned

### Statement of Estimated and Forecast Net Worth

	Balance Date	Estimated Net Worth 1999 \$ million	Forecast Net Worth 2000 \$ million
Crown Law Office	30 June	2.061	2.061

### Part E2 - Purchase or Development of Capital Assets by the Crown

There is no appropriation for Part E2.

### Part E3 - Repayment of Debt

There is no appropriation for Part E3.