

Information Supporting the Supplementary Estimates

Vote Justice

MINISTER(S) RESPONSIBLE FOR APPROPRIATIONS: Minister of Justice (M42)

ADMINISTERING DEPARTMENT: Ministry of Justice

MINISTER RESPONSIBLE FOR MINISTRY OF JUSTICE: Minister of Justice

Part 1 - Summary of the Vote

Part 1.3 - Trends in the Vote

Summary of Financial Activity

	2011/12				
	Estimates \$000	Supplementary Estimates			Total \$000
		Departmental Transactions \$000	Non- Departmental Transactions \$000	Total Transactions \$000	
Appropriations					
Output Expenses	363,946	3,941	(29,685)	(25,744)	338,202
Benefits and Other Unrequited Expenses	-	N/A	-	-	-
Borrowing Expenses	-	-	-	-	-
Other Expenses	37,591	-	(10,953)	(10,953)	26,638
Capital Expenditure	90,165	(30,735)	-	(30,735)	59,430
Intelligence and Security Department Expenses and Capital Expenditure	-	-	N/A	-	-
Total Appropriations	491,702	(26,794)	(40,638)	(67,432)	424,270
Crown Revenue and Capital Receipts					
Tax Revenue	-	N/A	-	-	-
Non-Tax Revenue	65,329	N/A	(13,000)	(13,000)	52,329
Capital Receipts	200	N/A	-	-	200
Total Crown Revenue and Capital Receipts	65,529	N/A	(13,000)	(13,000)	52,529

Part 2 - Details and Expected Performance for Output Expenses

Part 2.1 - Departmental Output Expenses

Administration of Legal Services (M42)

Scope of Appropriation

This appropriation is limited to the administration of legal services including legal aid and related schemes; and the management and collection of legal aid debt.

Expenses and Revenue

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	18,457	8,070	26,527
Revenue from Crown	18,457	7,820	26,277
Revenue from Other	-	250	250

Reasons for Change in Appropriation

The appropriation has increased by \$8.070 million to \$26.527 million, due to:

- an increase of \$1.754 million following a review of the Ministry's methodology for allocating corporate and administrative expenses to outputs
- an increase of \$5.097 million due to the transfer of Legal Aid Reform Programme funding from the Sector Leadership and Support appropriation
- an increase of \$350,000 to introduce eligibility changes aimed at reducing the number of legal aid grants
- an increase of \$1.633 million to introduce initiatives aimed at reducing the price of legal aid grants
- an increase of \$558,000 for the implementation of the Criminal Procedure (Reform and Modernisation) Bill
- an increase of \$100,000 to introduce attachment orders on legal aid debt, and
- an increase of \$86,000 to provide for costs associated with extending the legal aid quality framework.

Offset by:

- an expense transfer of \$1.300 million to 2012/13 to support the ongoing and evolving work of the Legal Aid Reform Programme, and
- a transfer of efficiency savings of \$208,000 to 2012/13.

Crime Prevention and Community Safety (M42)

Scope of Appropriation

This appropriation is limited to provision of services and advice (excluding policy advice) focused on assisting local authorities and communities to develop crime prevention and community safety programmes.

Expenses and Revenue

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	1,883	(887)	996
Revenue from Crown	1,815	(887)	928
Revenue from Other	68	-	68

Reasons for Change in Appropriation

This appropriation has reduced by \$887,000 to \$996,000 due to:

- a decrease of \$884,000 following a review of the Ministry's methodology for allocating corporate and administrative expenses to outputs, and
- a transfer of efficiency savings of \$3,000 to 2012/13.

Policy Advice (M42)

Scope of Appropriation

This appropriation is limited to policy advice, legal advice and research and evaluation in relation to civil, criminal and constitutional law, foreshore and seabed policy and treaty negotiation advice and providing agreed services to the Minister of Justice, Minister for Courts and Minister for Treaty of Waitangi Negotiations.

Expenses and Revenue

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	29,270	(2,632)	26,638
Revenue from Crown	28,916	(2,632)	26,284
Revenue from Other	354	-	354

Reasons for Change in Appropriation

The appropriation has decreased by \$2.632 million to \$26.284 million due to:

- a decrease of \$722,000 following a review of the Ministry's methodology for allocating corporate and administrative expenses to outputs
- a transfer of efficiency savings of \$1.590 million to 2012/13
- the transfer of \$731,000 to 2012/13 to conduct the next New Zealand Crime and Safety Survey in 2014
- an expense transfer of \$730,000 to Policy Advice - Treaty Negotiations to fund litigation costs in that output class
- an expense transfer of \$24,000 to 2012/13 to review and consolidate the Justice Sector forecast models
- an expense transfer of \$1 million to 2012/13 due to delays in commencing the consideration of constitutional issues, resulting from the National/Māori Party confidence and supply agreement, and
- a transfer of \$5,000 from Policy Advice to Victims' services to return unspent funding. Previously \$50,000 had been transferred from Victims' Services to Policy Advice to fund an evaluation of services to court users. At the end of the review \$5,000 was unspent and this transfer returns that \$5,000 to Victims' Services.

Offset by:

- an increase of \$570,000 to support the review of knife crime, alcohol research, the evaluation of a compensation claim and the costs associated with an independent review of public prosecution services
- an expense transfer of \$600,000 from 2010/11 due to delays in commencing the consideration of constitutional issues, resulting from the National/Māori Party confidence and supply agreement, and
- an expense transfer of \$1.000 million from 2010/11 due to the review of the Foreshore and Seabed Act 2004 and the introduction of the Marine and Coastal Area (Takutai Moana) Act 2011.

Public Defence Service (M42)

Scope of Appropriation

This appropriation is limited to the provision of representation for defendants in criminal cases at specified courts.

Expenses and Revenue

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	14,388	1,810	16,198
Revenue from Crown	14,388	1,604	15,992
Revenue from Other	-	206	206

Reasons for Change in Appropriation

The appropriation has increased by \$1.810 million to \$16.198 million, due to:

- an increase of \$5.499 million following Cabinet approval of a funding increase to support the expansion of the Public Defence Service.

Offset by:

- a decrease of \$1.130 million following a review of the Ministry's methodology for allocating corporate and administrative expenses to outputs, and
- a transfer of efficiency savings of \$2.559 million to 2012/13.

Sector Leadership and Support (M42)*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.

Expenses and Revenue

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	8,137	(2,420)	5,717
Revenue from Crown	7,934	(2,420)	5,514
Revenue from Other	203	-	203

Reasons for Change in Appropriation

The appropriation has decreased by \$2.420 million to \$5.717 million due to:

- a decrease of \$232,000 following a review of the Ministry's methodology for allocating corporate and administrative expenses to outputs
- a decrease of \$5.097 million due to the transfer of Legal Aid Reform Programme funding to Administration of Legal Services, and
- a transfer of efficiency savings of \$32,000 to 2012/13.

Offset by:

- an expense transfer of \$2.500 million in 2010/11 for ICT integration work that occurred in 2011/12 following the delays in the passing of the Legal Services Act 2011
- an increase of \$141,000 for the Legal Aid Review Panel, and
- an increase of \$300,000 for the Justice Sector Sustainability Programme.

Part 2.2 - Non-Departmental Output Expenses

Community Law Centres (M42)

Scope of Appropriation

This appropriation is limited to funding programmes to support Community Law Centres.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	10,090	880	10,970

Reasons for Change in Appropriation

This appropriation has increased by \$880,000 to \$10.970 million, due to a transfer from Vote Justice - Non-Departmental output expenses - Legal Aid to address funding pressures in Community Law Centres.

Crime Prevention and Community Safety Programmes (M42)

Scope of Appropriation

This appropriation is limited to the funding of programmes delivered by non government organisations and local government agencies to prevent and reduce crime.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	8,340	(1,095)	7,245

Reasons for Change in Appropriation

The appropriation has decreased by \$1.095 million to \$7.245 million due to:

- expense transfers of \$706,000 to the Vote Justice non-departmental output expense Support and Assistance Provided by Victim Support to Victims of Crime to enable Victim Support to continue working with victims to increase resilience and reduce victimisation, and also to concentrate on managing its service delivery within a set level of funding
- an expense transfer of \$500,000 to 2012/13, and
- expense transfers of \$570,000, to support the review of knife crime, alcohol research, the evaluation of a compensation claim and the costs associated with an independent review of public prosecution services.

Offset by:

- an expense transfer from 2010/11 of \$329,000 to fund work on sexual violence prevention work in response to the report of the Taskforce for Action on Sexual Violence, and
- an expense transfer from 2010/11 of \$352,000 to fund work relating to initiatives targeting communities affected by the earthquakes and work relating to the planned national crime prevention partnership.

Equity Promotion and Protection Services (M42)

Scope of Appropriation

This appropriation is limited to funding the following; Human Rights Commission to advocate and promote respect for, and an understanding and appreciation of, human rights in New Zealand, and encourage the maintenance and development of harmonious relations between individuals and among the diverse groups in New Zealand society; Independent Police Conduct Authority to investigate incidents and investigate and resolve complaints against the Police, and to uphold the rights of persons in Police detention; Privacy Commissioner on privacy issues relating to the collection and disclosure of personal information and the privacy of individuals and Inspector-General of Intelligence and Security to fund administrative support .

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	16,718	100	16,818

Reasons for Change in Appropriation

This appropriation has increased by \$100,000 to \$16.818 million due to the implementation of the initiatives of Credit Reporting, Driver Licence Stop Orders, and Civil Enhancements and Reparations, as contained in the Courts and Criminal Matters Legislation. The Privacy Commissioner received the funding for the implementation of Credit Reporting.

Legal Aid (M42)

Scope of Appropriation

This appropriation is limited to the payments of legal aid to approved providers.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	181,445	(24,976)	156,469

Reasons for Change in Appropriation

This appropriation has decreased by \$24.976 million to \$156.469 million due to:

- an expense transfer of \$15.195 million to address cost pressures in 2012/13. This under spend is the result of the impact of initiatives such as Policing Excellence volumes and the Legal Aid Reform Programme
- a fiscally neutral adjustment of \$1.800 million to Vote Treaty Negotiations non-departmental other expense Claimant Funding in 2011/12 to provide for the transfer of legal aid incurred on contributions to claimants for settlement negotiations with the Crown
- a fiscally neutral adjustment of \$880,000 to Vote Justice non-departmental other expenses Community Law Centres to address the funding pressures in this appropriation, and
- a decrease of \$7.482 million as a result of the Cabinet approving a number of options aimed at establishing a sustainable and affordable baseline for legal aid funding.

Offset by:

- an increase of \$381,000 to introduce new attachment orders on legal aid debt.

Producing and Maintaining Electoral Rolls (M42)

Scope of Appropriation

This appropriation is limited to funding the Electoral Enrolment Centre (New Zealand Post Ltd), for services relating to the maintenance of electoral rolls, including all activities required to register electors and produce electoral rolls as required by law.

Expenses

	2011/12		Total \$000
	Estimates \$000	Supplementary Estimates \$000	
Total Appropriation	21,381	(5,300)	16,081

Reasons for Change in Appropriation

The appropriation has decreased by \$5.300 million to \$16.081 million as a result of the postponement of the Māori Electoral Option to 2012/13.

Support and Assistance provided by Victim Support to Victims of Crime (M42)

Scope of Appropriation

This appropriation is limited to the purchase of services from the New Zealand Council of Victim Support Groups ("Victim Support") for the provision of services to victims of crime and trauma. This covers personalised support services (covering 24 hour emergency support and follow up support through the criminal justice system) and the administration of victim assistance schemes (covering counselling for families of homicide victims, and financial assistance to help victims).

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	6,372	706	7,078

Reasons for Change in Appropriation

The increase in appropriation of \$706,000 to \$7.078 million relates to a transfer from non-departmental output expense Crime Prevention and Community Safety Programmes to ensure that all grants for victims can be paid without recourse to Victim Support's operational funding. This will enable Victim Support to continue working with victims to increase resilience and reduce victimisation, and also to concentrate on managing its service delivery within a set level of funding.

Part 5 - Details and Expected Results for Other Expenses

Part 5.2 - Non-Departmental Other Expenses

Administrative Assistance for Foreshore and Seabed Arrangements (M42)

Scope of Appropriation

This appropriation is limited to funding the implementation and ongoing exercise of any functions by ngā hapū a Ngāti Porou and Te Whānau a Apanui recognised under Foreshore and Seabed Deeds of Agreement.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	8,400	(7,900)	500

Reasons for Change in Appropriation

The appropriation has decreased by \$7.900 million to \$500,000, due to:

- a transfer of \$3.600 million from 2010/11 for the Implementation of Deeds of Agreement. Funding had not been utilised due to the timing of the review of the Foreshore and Seabed Act 2004 and its replacement with the Marine and Coastal Area (Takutai Moana) Act 2011.

Offset by:

- a transfer of \$11.500 million to the 2012/13 year, to Vote Treaty Negotiations appropriations - Contribution toward Determining Customary Interests in Marine and Coastal Area and Agreed Payments for Foreshore and Seabed Deeds of Agreement.

Contribution toward all Foreshore and Seabed Negotiation Costs (M42)

Scope of Appropriation

This appropriation is limited to contributions toward negotiations on customary rights and interests in the foreshore and seabed areas for all coastal iwi.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	1,568	(1,568)	0

Reasons for Change in Appropriation

The appropriation has decreased by \$1.568 million to \$0, due to:

- a transfer of \$425,000 from 2010/11 for the Implementation of Deeds of Agreement. Funding had not been utilised due to the timing of the review of the Foreshore and Seabed Act 2004 and its replacement with the Marine and Coastal Area (Takutai Moana) Act 2011.

Offset by:

- a transfer of \$1.993 million to the 2012/13 year, to Vote Treaty Negotiations appropriations - Contribution toward Determining Customary Interests in Marine and Coastal Area and Agreed Payments for Foreshore and Seabed Deeds of Agreement.

Impairment of Legal Aid Debt (M42)*Scope of Appropriation*

This appropriation is limited to the impairment of legal aid debt including assessment of future write-offs and other elements in determining fair value.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	22,800	(481)	22,319

Reasons for Change in Appropriation

This appropriation has decreased by \$481,000 to \$22.319 million due to a revised impairment forecast resulting from improved collection of legal aid debt.

Impairment of Offender Levy (M42)*Scope of Appropriation*

This appropriation is limited to allowances for the impairment of the Offender Levy including assessment of future remittals and other elements in determining fair value.

Expenses

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Total Appropriation	1,974	(541)	1,433

Reasons for Change in Appropriation

This appropriation has decreased by \$541,000 due to a revised impairment forecast resulting from improved collection activity.

Victims' Services (M42)*Scope of Appropriation*

This appropriation is limited to the provision of funding for entitlements and services for victims of crime.

Expenses

	2011/12		Total \$000
	Estimates \$000	Supplementary Estimates \$000	
Total Appropriation	2,849	(463)	2,386

Reasons for Change in Appropriation

This appropriation has decreased by \$463,000 to \$2.386 million, due to:

- an increase in appropriation of \$1.501 million due to a transfer of funding from 2010/11 to ensure funding is available in future years for victims of serious crimes
- a transfer of \$1.731 million relates to additional cash collected from the offender levy in excess of that forecast at the time of establishing the appropriation, and
- a transfer of \$5,000 from departmental output expense Policy Advice to Vote Justice non-departmental output expenses Victims' Services to return unspent funds allocated to evaluate specialist services advisers for the Sexual Violence Courts Support Service.

Offset by:

- a transfer of \$3.700 million to 2012/13 to ensure unallocated and unutilised funding is available in the future to improve support for victims of crime and their families.

Part 6 - Details and Expected Results for Capital Expenditure

Part 6.1 - Departmental Capital Expenditure

Ministry of Justice - Capital Expenditure PLA (M42)

Scope of Appropriation

This appropriation is limited to the purchase or development of assets by and for the use of the Ministry of Justice, as authorised by section 24(1) of the Public Finance Act 1989.

Capital Expenditure

	2011/12		
	Estimates \$000	Supplementary Estimates \$000	Total \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	71,230	(38,962)	32,268
Intangibles	18,935	8,227	27,162
Other	-	-	-
Total Appropriation	90,165	(30,735)	59,430

Reasons for Change in Appropriation

The decrease in capital expenditure is due to delays in capital spend while the Ministry of Justice reviews its future infrastructure requirements.