

Vote Attorney-General

APPROPRIATION MINISTER(S): Attorney-General (M5)

APPROPRIATION ADMINISTRATOR: Crown Law Office

RESPONSIBLE MINISTER FOR CROWN LAW OFFICE: Attorney-General

Overview of the Vote

The Attorney-General is responsible for appropriations in the Vote for the 2017/18 financial year covering the following:

- a total of just over \$22 million for the provision of legal advice and representation services to central government departments and Crown agencies on a full cost-recovery basis
- a total of \$627,000 for departmental capital expenditure, and
- a total of nearly \$48 million to provide for the discharge of the Law Officers' constitutional and criminal law responsibilities, including conducting appeals arising from Crown prosecutions; developing the collective capability, effectiveness and efficiency of government lawyers; providing assistance to the Principal Law Officers in the exercise of their functions; and the provision and supervision of a national Crown prosecution service.

Details of these appropriations are set out in Parts 2-4.

Details of Appropriations and Capital Injections

Annual and Permanent Appropriations

Titles and Scopes of Appropriations by Appropriation Type	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Departmental Output Expenses			
Legal Advice and Representation (M5) Providing legal advice and representation services to central government departments and Crown agencies.	22,344	18,500	22,337
Total Departmental Output Expenses	22,344	18,500	22,337
Departmental Capital Expenditure			
Crown Law Office - Capital Expenditure PLA (M5) This appropriation is limited to the purchase or development of assets by and for the use of the Crown Law Office, as authorised by section 24(1) of the Public Finance Act 1989.	843	843	627
Total Departmental Capital Expenditure	843	843	627
Multi-Category Expenses and Capital Expenditure			
Law Officer Functions MCA (M5) The overarching purpose of this appropriation is to provide for the discharge of the Law Officers' constitutional and criminal law responsibilities.	47,741	47,741	47,945
<i>Departmental Output Expenses</i>			
<i>Conduct of Criminal Appeals from Crown Prosecutions</i> This category is limited to conducting appeals arising from Crown prosecutions.	3,281	3,281	3,278
<i>Government Legal Network</i> This category is limited to developing the collective capability, effectiveness and efficiency of government lawyers.	985	985	985
<i>Law Officer Constitutional and Criminal Law Duties</i> This category is limited to providing assistance to the Principal Law Officers in the exercise of their functions, and providing advice on constitutional, criminal law, mutual assistance and extradition matters.	4,553	4,553	4,760
<i>Public Prosecution Services</i> This category is limited to the provision and supervision of a national Crown prosecution service and oversight of public prosecutions.	38,922	38,922	38,922
Total Multi-Category Expenses and Capital Expenditure	47,741	47,741	47,945
Total Annual and Permanent Appropriations	70,928	67,084	70,909

Capital Injection Authorisations

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Crown Law Office - Capital Injection (M5)	-	-	-

Supporting Information

Part 1 - Vote as a Whole

This part provides trend information for the vote.

1.2 - Trends in the Vote

Summary of Financial Activity

	2012/13	2013/14	2014/15	2015/16	2016/17		2017/18			2018/19	2019/20	2020/21
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	Final Budgeted \$000	Estimated Actual \$000	Departmental Transactions Budget \$000	Non- Departmental Transactions Budget \$000	Total Budget \$000	Estimated \$000	Estimated \$000	Estimated \$000
Appropriations												
Output Expenses	19,794	16,601	15,346	18,235	22,344	18,500	22,337	-	22,337	22,337	22,337	22,337
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure	3,352	452	95	276	843	843	627	-	627	533	3,826	587
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)												
<i>Output Expenses</i>	47,978	42,910	41,358	42,639	47,741	47,741	47,945	-	47,945	47,746	47,988	47,554
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
Total Appropriations	71,124	59,963	56,799	61,150	70,928	67,084	70,909	-	70,909	70,616	74,151	70,478
Crown Revenue and Capital Receipts												
Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Non-Tax Revenue	-	-	-	-	-	-	N/A	-	-	-	-	-
Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-
Total Crown Revenue and Capital Receipts	-	-	-	-	-	-	N/A	-	-	-	-	-

Note - where restructuring of the vote has occurred then, to the extent practicable, prior years information has been restated as if the restructuring had occurred before the beginning of the period covered. In this instance Total Appropriations for the Budgeted and Estimated Actual year may not equal Total Appropriations in the Details of Appropriations and Capital Injections.

1.3 - Analysis of Significant Trends

The decrease in the multi-category appropriation for 2013/14 and subsequent years reflects the adoption of a new fee model to provide sustainable Crown prosecution services since 2013/14.

The increase in the multi-category appropriation for 2016/17 and subsequent years reflects the permanent establishment of the Government Legal Network from 1 July 2016, and the adoption of a sustainable fee model for Crown prosecution services.

Part 2 - Details of Departmental Appropriations

2.1 - Departmental Output Expenses

Legal Advice and Representation (M5)

Scope of Appropriation

Providing legal advice and representation services to central government departments and Crown agencies.

Expenses and Revenue

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	22,344	18,500	22,337
Revenue from the Crown	-	-	-
Revenue from Others	22,344	18,500	22,337

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the reduction of legal risks to the Crown through protecting the Crown's interests and ensuring any risks are well managed.

How Performance will be Assessed and End of Year Reporting Requirements

	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<i>Quantity</i>			
<i>New Matters</i>			
Advice	380 - 425	410	380 - 425
Litigation	350 - 400	380	350 - 400
Judicial review	90 - 125	115	90 - 125
Claims filed with the Waitangi Tribunal	25 - 50	50	25 - 50
<i>Quality</i>			
Client survey respondents consider Crown Law's overall advice and services are good or excellent	85%	90%	90%
Client survey respondents describe Crown Law's responsiveness and the clarity, accuracy and robustness of its legal advice as good or excellent	85%	90%	90%
Written advice and opinion peer reviewed	80%	80%	80%
<i>Timeliness</i>			
Client survey respondents consider Crown Law's timeliness is good or excellent	85%	80%	85%
Written opinions and advice completed by the due date	85%	80%	85%
Litigation Management Plans completed by the due date	80%	80%	80%

Assessment of Performance	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
<i>Value for Money</i>			
Client survey respondents describe Crown Law's services as value for money	85%	90%	95%

End of Year Performance Reporting

Performance information for this appropriation will be reported by the Crown Law Office in the Annual Report.

Current and Past Policy Initiatives

Policy Initiative	Year of First Impact	2016/17 Final Budgeted \$000	2017/18 Budget \$000	2018/19 Estimated \$000	2019/20 Estimated \$000	2020/21 Estimated \$000
Change in capital charge rate from 8% to 7%	2016/17	(15)	(15)	(15)	(15)	(15)
Change in capital charge rate from 7% to 6%	2016/17	(6)	(13)	(13)	(13)	(13)

Memorandum Account

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Legal Advice and Representation			
Opening Balance at 1 July	723	970	1,038
Revenue	22,365	18,500	22,365
Expenses	(22,365)	(18,500)	(22,365)
Transfers and Adjustments	-	68	-
Closing Balance at 30 June	723	1,038	1,038

2.3 - Departmental Capital Expenditure and Capital Injections

Crown Law Office - Capital Expenditure PLA (M5)

Scope of Appropriation

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

Capital Expenditure

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	690	690	487
Intangibles	153	153	140
Other	-	-	-
Total Appropriation	843	843	627

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve the renewal and replacement of life-expired assets in support of the delivery of the Crown Law Office's services.

How Performance will be Assessed and End of Year Reporting Requirements

Expenditure is in accordance with the department's capital asset management intentions in order to maintain service levels.

End of Year Performance Reporting

Performance information for this appropriation will be reported by the Crown Law Office in the Annual Report.

Reasons for Change in Appropriation

The decrease in this appropriation for 2017/18 is mainly due to the lower level of computer hardware equipment purchases.

*Capital Injections and Movements in Departmental Net Assets***Crown Law Office**

Details of Net Asset Schedule	2016/17 Estimated Actual \$000	2017/18 Projected \$000	Explanation of Projected Movements in 2017/18
Opening Balance	3,140	3,140	
Capital Injections	-	-	
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	-	-	
Other Movements	-	-	
Closing Balance	3,140	3,140	

Part 4 - Details of Multi-Category Expenses and Capital Expenditure

Multi-Category Expenses and Capital Expenditure

Law Officer Functions (M5)

Overarching Purpose Statement

The overarching purpose of this appropriation is to provide for the discharge of the Law Officers' constitutional and criminal law responsibilities.

Scope of Appropriation

Departmental Output Expenses

Conduct of Criminal Appeals from Crown Prosecutions

This category is limited to conducting appeals arising from Crown prosecutions.

Government Legal Network

This category is limited to developing the collective capability, effectiveness and efficiency of government lawyers.

Law Officer Constitutional and Criminal Law Duties

This category is limited to providing assistance to the Principal Law Officers in the exercise of their functions, and providing advice on constitutional, criminal law, mutual assistance and extradition matters.

Public Prosecution Services

This category is limited to the provision and supervision of a national Crown prosecution service and oversight of public prosecutions.

Expenses, Revenue and Capital Expenditure

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	47,741	47,741	47,945
Departmental Output Expenses			
Conduct of Criminal Appeals from Crown Prosecutions	3,281	3,281	3,278
Government Legal Network	985	985	985
Law Officer Constitutional and Criminal Law Duties	4,553	4,553	4,760
Public Prosecution Services	38,922	38,922	38,922
Funding for Departmental Output Expenses			
Revenue from the Crown	47,359	47,359	47,356
Conduct of Criminal Appeals from Crown Prosecutions	3,281	3,281	3,278
Government Legal Network	885	885	885
Law Officer Constitutional and Criminal Law Duties	4,271	4,271	4,271
Public Prosecution Services	38,922	38,922	38,922

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Revenue from Others	382	382	589
Government Legal Network	100	100	100
Law Officer Constitutional and Criminal Law Duties	282	282	489

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve safer communities, reduced impact of crime, the maintenance of strong institutions, related justice sector outcomes, and increased trust in justice system through the performance of the Principal Law Officers' constitutional and other duties.

How Performance will be Assessed for this Appropriation

	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<i>Quality</i>			
Attorney-General's responses to a questionnaire about service provided by Crown Law are good or excellent, greater than:	90%	90%	90%

Performance for this appropriation will be assessed in more detail against the service delivery measures for each individual category within the appropriation.

What is Intended to be Achieved with each Category and How Performance will be Assessed

	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
Departmental Output Expenses			
Conduct of Criminal Appeals from Crown Prosecutions			
This category is intended to achieve safer communities, reduced impact of crime and related justice sector outcomes.			
<i>Quantity</i>			
<i>New cases</i>			
Crown appeals	15 - 30	30	15 - 30
Accused appeals	550 - 600	620	550 - 600
<i>Quality</i>			
<i>Success Rate</i>			
Appeals brought by the Crown concluded in favour of the Crown	60%	60%	60%
Government Legal Network			
This category is intended to enable the Crown to improve the value generated from the collective resources of the Government Legal Network.			

	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
Assessment of Performance			
<i>Quantity</i>			
Number of individual CPD-compliant hours delivered annually to the GLN lawyers	2,650	3,200	3,500
Number of reports submitted to the Attorney-General under the GLN Legal Risk Reporting System	4	4	4
<i>Quality</i>			
Chief Legal Advisors are satisfied or very satisfied with GLN team engagement and communications	80%	80%	80%
Lawyers registered on GLN Online are satisfied or very satisfied with GLN activities and opportunities for participation	70%	70%	70%
The Attorney-General is satisfied with the GLN Legal Risk Reporting System	Yes	Yes	Yes
Law Officer Constitutional and Criminal Law Duties			
This category is intended to achieve increased trust in the justice system through the performance of the Principal Law Officers' constitutional and other duties.			
<i>Quantity</i>			
<i>New Matters</i>			
Applications processed on behalf of the Attorney-General	30 - 60	40	30 - 60
Advice on behalf of the Attorney-General	100 - 150	175	100 - 150
Litigation on behalf of the Law Officers (Attorney-General and/or Solicitor-General)	5 - 10	5	5 - 10
Criminal advice	10 - 35	15	10 - 35
Judicial reviews	2 - 5	2	2 - 5
Mutual assistance and extraditions	60 - 100	90	60 - 100
Criminal cases (other types)	40 - 60	30	40 - 60
Requests for prosecution appeals and judicial reviews	40 - 90	105	40 - 90
<i>Timeliness</i>			
Ministerial correspondence on time	100%	100%	100%
Responses to Parliamentary questions on time	100%	100%	100%
Official Information Act and Privacy Act responses on time	100%	96%	100%
Public Prosecution Services			
This category is intended to achieve safer communities, reduced impact of crime and related justice sector outcomes.			
<i>Quantity</i>			
New Crown prosecutions including appeals to the High Court from non-Crown prosecutions	4,500 - 5,500	4,511	4,500 - 5,500
Crown prosecutions, including appeals to the High Court from non-Crown prosecutions, disposed of	4,500 - 5,000	4,984	4,500 - 5,000
Hours of service provided	207,000 - 212,000	201,021	207,000 - 212,000
Number of quality assurance reviews (full network is reviewed on rotation every three years)	5	5	5

Assessment of Performance	2016/17		2017/18
	Final Budgeted Standard	Estimated Actual	Budget Standard
<i>Quality</i>			
Reviews, quality assessed as exceeding or meeting expected standards	5	5	5
Improvement recommendations implemented within timeframes set. greater than:	90%	90%	90%

End of Year Performance Reporting

Performance information for this appropriation will be reported by the Crown Law Office in the Annual Report.

Current and Past Policy Initiatives

Policy Initiative	Year of First Impact	2016/17 Final Budgeted \$000	2017/18 Budget \$000	2018/19 Estimated \$000	2019/20 Estimated \$000	2020/21 Estimated \$000
Conduct of Criminal Appeals from Crown Prosecutions						
Change in Capital Charge Rate from 7% to 6%	2016/17	(4)	(7)	(7)	(7)	(7)
Government Legal Network						
Permanent establishment of the Government Legal Network	2016/17	885	885	885	885	885
Law Officer Constitutional and Criminal Law Duties						
Change in Capital Charge Rate from 8% to 7%	2016/17	(6)	(6)	(6)	(6)	(6)
Share of costs for Budget 2015 whole-of-Government initiatives	2015/16	(85)	(85)	(85)	(85)	(85)
Public Prosecution Services						
Increased funding to sustain Crown prosecution services	2016/17	4,922	4,922	4,922	4,922	4,922

Reasons for Change in Appropriation

The increase in this appropriation for 2017/18 is mainly due to an increase of \$207,000, funded by departmental revenue from the Ministry of Foreign Affairs and Trade for the 2017/18 Basic Level Pacific Islands Law Officers' Network (PILON) Litigation Skills Programme. The programme is facilitated and managed by Crown Law.

Memorandum Account

	2016/17		2017/18
	Final Budgeted \$000	Estimated Actual \$000	Budget \$000
Processing of Queen's Counsel Applications			
Opening Balance at 1 July	34	40	40
Revenue	50	50	50
Expenses	(50)	(50)	(50)
Transfers and Adjustments	-	-	-
Closing Balance at 30 June	34	40	40
Government Legal Network			
Opening Balance at 1 July	61	68	-
Revenue	-	-	-
Expenses	-	-	-
Transfers and Adjustments	(61)	(68)	-
Closing Balance at 30 June	-	-	-

The Government Legal Network memorandum account has been closed due to the permanent establishment of the Government Legal Network category from 1 July 2016.