

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 2015/16 financial year covering the following:

- a total of just over \$22 million (34% of the Vote) 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 just over \$3 million (5% of the Vote) for providing legal advice, representation services and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions, and with the provision of legal and constitutional advice to the Government, Ministers and the judiciary
- a total of just under \$1 million (1% of the Vote) for departmental capital expenditure, and
- a total of just under \$39 million (60% of the Vote) for the supervision and conduct of Crown prosecutions and appeals. This covers: conducting appeals arising from Crown prosecutions; the provision of advice on criminal law, mutual assistance and extradition matters to other government agencies and Crown Solicitors; the oversight of public prosecutions and supervision of the network of Crown Solicitors who deliver prosecution services, and the provision 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	2014/15		2015/16
	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.	22,365	16,395	22,365
The Exercise of Principal Law Officer Functions (M5) Providing legal advice, representation services and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions, and the provision of legal and constitutional advice to the Government, Ministers, and the judiciary.	2,024	2,024	3,328
Total Departmental Output Expenses	24,389	18,419	25,693
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.	680	680	685
Total Departmental Capital Expenditure	680	680	685
Multi-Category Expenses and Capital Expenditure			
Supervision and Conduct of Crown Prosecutions and Appeals MCA (M5) The overarching purpose of this appropriation is to provide for the discharge of the Solicitor-General's responsibilities in respect of the criminal law.	40,363	40,363	38,773
<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.	3,285	3,285	3,285
<i>Criminal Law Advice and Services</i> This category is limited to the provision of advice on criminal law, mutual assistance and extradition matters to other government agencies and to Crown Solicitors.	2,388	2,388	1,488
<i>Oversight and Supervision of Public Prosecutions and the Crown Solicitor Network</i> This category is limited to the oversight of public prosecutions and supervision of the network of Crown Solicitors who deliver prosecution services.	840	840	840
<i>Provision of a National Crown Prosecution Service</i> This category is limited to the provision of a national Crown prosecution service that undertakes prosecutions and appeals on behalf of the Solicitor-General.	33,850	33,850	33,160
Total Multi-Category Expenses and Capital Expenditure	40,363	40,363	38,773
Total Annual and Permanent Appropriations	65,432	59,462	65,151

Capital Injection Authorisations

	2014/15		2015/16
	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

	2010/11	2011/12	2012/13	2013/14	2014/15		2015/16			2016/17	2017/18	2018/19
	Actual \$000	Actual \$000	Actual \$000	Actual \$000	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	71,005	71,858	25,756	18,363	24,389	18,419	25,693	-	25,693	25,501	25,708	25,509
Benefits or Related Expenses	-	-	-	-	-	-	N/A	-	-	-	-	-
Borrowing Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure	227	53	4,550	452	680	680	685	-	685	405	440	440
Intelligence and Security Department Expenses and Capital Expenditure	-	-	-	-	-	-	-	N/A	-	-	-	-
Multi-Category Expenses and Capital Expenditure (MCA)												
<i>Output Expenses</i>	-	-	47,648	41,148	40,363	40,363	38,773	-	38,773	38,773	38,773	38,773
<i>Other Expenses</i>	-	-	-	-	-	-	-	-	-	-	-	-
<i>Capital Expenditure</i>	-	-	-	-	-	-	N/A	-	-	-	-	-
Total Appropriations	71,232	71,911	77,954	59,963	65,432	59,462	65,151	-	65,151	64,679	64,921	64,722
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 fee model to provide sustainable Crown prosecution services since 2013/14.

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

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	22,365	16,395	22,365
Revenue from the Crown	-	-	-
Revenue from Others	22,365	15,500	22,365

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

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
Quantity			
New Matters			
Advice	380 - 430	380	350 - 425
Litigation	300 - 350	320	300 - 375
Judicial review	75 - 125	90	75 - 125
Claims filed with the Waitangi Tribunal	25 - 50	40	25 - 50
Quality			
Client survey respondents consider Crown Law's overall advice and services are good or excellent	80%	80%	80%
Client survey respondents describe Crown Law's responsiveness and the clarity, accuracy and robustness of its legal advice as good or excellent	80%	80%	80%
Written advice and opinion peer reviewed	80%	65%	80%
Timeliness			
Client survey respondents consider Crown Law's timeliness is good or excellent	80%	80%	80%
Written opinions and advice completed on time	80%	70%	80%

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
Value for Money			
Client survey respondents describe Crown Law's services as value for money	80%	80%	80%

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	2014/15 Budgeted \$000	2015/16 Budget \$000	2016/17 Estimated \$000	2017/18 Estimated \$000	2018/19 Estimated \$000
Budget 2011 Efficiency Savings	2012/13	(535)	(535)	-	-	-

Memorandum Account

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Legal Advice and Representation			
Opening Balance at 1 July	3,222	1,916	1,116
Revenue	22,365	15,500	22,365
Expenses	(21,565)	(15,500)	(21,465)
Transfers and Adjustments	(800)	(800)	(900)
Closing Balance at 30 June	3,222	1,116	1,116
Government Legal Network			
Opening Balance at 1 July	261	95	-
Revenue	-	-	-
Expenses	(800)	(895)	(900)
Transfers and Adjustments	800	800	900
Closing Balance at 30 June	261	-	-

The Exercise of Principal Law Officer Functions (M5)

Scope of Appropriation

Providing legal advice, representation services and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions, and the provision of legal and constitutional advice to the Government, Ministers, and the judiciary.

Expenses and Revenue

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	2,024	2,024	3,328
Revenue from the Crown	1,974	1,974	2,874
Revenue from Others	50	50	454

What is Intended to be Achieved with this Appropriation

This appropriation is intended to achieve increased trust in the justice system through the performance of the Principal Law Officers' constitutional and other duties.

How Performance will be Assessed and End of Year Reporting Requirements

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
Quantity			
New Matters			
Applications processed on behalf of the Attorney-General	30 - 60	50	30 - 60
Advice on behalf of the Attorney-General	100 - 120	110	100 - 125
Litigation on behalf of the Law Officers (Attorney-General and/or Solicitor-General)	5 - 10	7	5 - 10
Quality			
Attorney-General's responses to a questionnaire about service provided by Crown Law are good or excellent; greater than:	90%	90%	90%
Timeliness - Ministerial Correspondence and Questions			
Ministerial correspondence on time	95%	100%	95%
Responses to Parliamentary questions on time	95%	100%	95%
Official Information Act and Privacy Act responses on time	100%	90%	100%

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	2014/15 Budgeted \$000	2015/16 Budget \$000	2016/17 Estimated \$000	2017/18 Estimated \$000	2018/19 Estimated \$000
Budget 2011 Efficiency Savings	2012/13	(54)	(54)	-	-	-

Reasons for Change in Appropriation

The increase in the appropriation for 2015/16 is due to:

- a one-off transfer in 2014/15 of \$900,000 from this appropriation to the MCA - Criminal Law Advice and Services to manage internal cost pressures, and
- an increase of \$404,000 departmental revenue funded by Ministry of Foreign Affairs and Trade for the Pacific Islands Law Officers' Network (PILON) Litigation Skills Programme.

Memorandum Account

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Processing of Queen's Counsel Applications			
Opening Balance at 1 July	21	20	20
Revenue	50	50	50
Expenses	(50)	(50)	(50)
Transfers and Adjustments	-	-	-
Closing Balance at 30 June	21	20	20

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

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Forests/Agricultural	-	-	-
Land	-	-	-
Property, Plant and Equipment	455	455	545
Intangibles	225	225	140
Other	-	-	-
Total Appropriation	680	680	685

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.

Capital Injections and Movements in Departmental Net Assets

Crown Law Office

Details of Net Asset Schedule	2014/15 Estimated Actual \$000	2015/16 Projected \$000	Explanation of Projected Movements in 2015/16
Opening Balance	4,094	3,199	
Capital Injections	-	-	
Capital Withdrawals	-	-	
Surplus to be Retained (Deficit Incurred)	(895)	-	Forecast reduction in memorandum account balances for 2014/15.
Other Movements	-	-	
Closing Balance	3,199	3,199	

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

Multi-Category Expenses and Capital Expenditure

Supervision and Conduct of Crown Prosecutions and Appeals (M5)

Overarching Purpose Statement

The overarching purpose of this appropriation is to provide for the discharge of the Solicitor-General's responsibilities in respect of the criminal law.

Scope of Appropriation

Departmental Output Expenses

Conduct of Criminal Appeals from Crown Prosecutions

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

Criminal Law Advice and Services

This category is limited to the provision of advice on criminal law, mutual assistance and extradition matters to other government agencies and to Crown Solicitors.

Oversight and Supervision of Public Prosecutions and the Crown Solicitor Network

This category is limited to the oversight of public prosecutions and supervision of the network of Crown Solicitors who deliver prosecution services.

Provision of a National Crown Prosecution Service

This category is limited to the provision of a national Crown prosecution service that undertakes prosecutions and appeals on behalf of the Solicitor-General.

Expenses, Revenue and Capital Expenditure

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Total Appropriation	40,363	40,363	38,773
Departmental Output Expenses			
Conduct of Criminal Appeals from Crown Prosecutions	3,285	3,285	3,285
Criminal Law Advice and Services	2,388	2,388	1,488
Oversight and Supervision of Public Prosecutions and the Crown Solicitor Network	840	840	840
Provision of a National Crown Prosecution Service	33,850	33,850	33,160

	2014/15		2015/16
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Funding for Departmental Output Expenses			
Revenue from the Crown	40,363	40,363	38,773
Conduct of Criminal Appeals from Crown Prosecutions	3,285	3,285	3,285
Criminal Law Advice and Services	2,388	2,388	1,488
Oversight and Supervision of Public Prosecutions and the Crown Solicitor Network	840	840	840
Provision of a National Crown Prosecution Service	33,850	33,850	33,160
Revenue from Others	-	-	-
Conduct of Criminal Appeals from Crown Prosecutions	-	-	-
Criminal Law Advice and Services	-	-	-
Oversight and Supervision of Public Prosecutions and the Crown Solicitor Network	-	-	-
Provision of a National Crown Prosecution Service	-	-	-

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 and related justice sector outcomes.

How Performance will be Assessed for this Appropriation

Performance for this appropriation will be assessed against the service delivery measures for the individual categories within the appropriation.

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

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	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	10 - 30	20	10 - 30
Accused appeals	550 - 600	590	550 - 600
<i>Success Rate</i>			
Appeals brought by the Crown concluded in favour of the Crown	60%	60%	60%

	2014/15		2015/16
	Budgeted Standard	Estimated Actual Standard	Budget Standard
Assessment of Performance			
Criminal Law Advice and Services			
This category is intended to achieve safer communities, reduced impact of crime and related justice sector outcomes.			
<i>Quantity</i>			
<i>New matters</i>			
Criminal advice	25 - 35	12	10 - 35
Judicial reviews	3 - 5	2	2 - 5
Mutual assistance and extraditions	50 - 60	90	50 - 100
Criminal cases (other types)	50 - 60	50	40 - 60
Requests for prosecution appeals and judicial reviews	30 - 50	85	25 - 75
<i>Timeliness - Ministerial Correspondence and Questions</i>			
Ministerial correspondence on time	95%	100%	95%
Official Information Act and Privacy Act responses on time	100%	100%	100%
Oversight and Supervision of Public Prosecutions and the Crown Solicitor Network			
This category is intended to achieve safer communities, reduced impact of crime and the maintenance of strong institutions.			
<i>Quantity</i>			
Number of quality assurance reviews (full network is reviewed on rotation every three years)	5	5	5
Provision of a National Crown Prosecution Service			
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	5,800 - 6,000	4,980	4,570 - 5,840
Crown prosecutions, including appeals to the High Court from non-Crown prosecutions, disposed of	4,900 - 5,100	3,900	1,860 - 3,780
Hours of service provided	230,000 - 250,000	173,160	128,880 - 190,870
<i>Quality</i>			
Reviews, quality assessed as exceeding or meeting expected standards	5	5	5
Improvement recommendations implemented within timeframes set; greater than:	90%	100%	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	2014/15 Budgeted \$000	2015/16 Budget \$000	2016/17 Estimated \$000	2017/18 Estimated \$000	2018/19 Estimated \$000
Conduct of Criminal Appeals from Crown Prosecutions						
Budget 2011 Efficiency Savings	2012/13	(62)	(62)	-	-	-
Increase in jury trials and appeals arising from the introduction of alcohol interlocks, zero drinking limit for repeat offenders, and increased penalties for dangerous/reckless and impaired driving etc causing death	2011/12	18	-	-	-	-
Criminal Law Advice and Services						
Budget 2011 Efficiency Savings	2012/13	(621)	(621)	-	-	-
Provision of a National Crown Prosecution Services						
Withdraw from the Justice Sector Alcohol and Other Drug Court Funding for Defence Counsel and Prosecution Costs	2014/15	(232)	-	-	-	-
Justice Sector Alcohol and Other Drug Court Funding for Defence Counsel and Prosecution Costs	2014/15	232	-	-	-	-
Increase in jury trials and appeals arising from the introduction of alcohol interlocks, zero drinking limit for repeat offenders, and increased penalties for dangerous/reckless and impaired driving etc causing death	2011/12	167	-	-	-	-

Reasons for Change in Appropriation

The decrease in this appropriation for 2015/16 is due to the following one-off factors in 2014/15:

- a transfer to this appropriation in 2014/15 only of \$900,000, and
- carrying over to 2014/15 the 2013/14 surplus of \$690,000.

