

The Treasury

Budget 2022 Information Release

August 2022

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- [1] 6(a) - to avoid prejudice to the security or defence of New Zealand or the international relations of the government
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- [33] 9(2)(f)(iv) - to maintain the current constitutional conventions protecting the confidentiality of advice tendered by ministers and officials
- [34] 9(2)(g)(i) - to maintain the effective conduct of public affairs through the free and frank expression of opinions
- [35] 9(2)(g)(ii) - to maintain the effective conduct of public affairs through protecting ministers, members of government organisations, officers and employees from improper pressure or harassment;
- [36] 9(2)(h) - to maintain legal professional privilege
- [37] 9(2)(i) - to enable the Crown to carry out commercial activities without disadvantage or prejudice
- [38] 9(2)(j) - to enable the Crown to negotiate without disadvantage or prejudice
- [39] 9(2)(k) - to prevent the disclosure of official information for improper gain or improper advantage
- [40] Out of Scope
- [41] 18(c)(i) - that the making available of the information requested would be contrary to the provisions of a specified enactment
- [42] 18(d) - information is already publicly available or will be publicly available soon

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2022 Budget Package: Vote Attorney-General

Appropriation Administrator: Crown Law Office

It is recommended that the relevant Appropriation Minister and the Minister of Finance jointly:

- note** that Cabinet has approved the Budget initiative(s) for the above Vote for inclusion in the 2022 Budget package, as detailed in the summary table(s) below;

Summary of funded initiative(s) agreed by Cabinet:

Operating Initiative(s) (Impact on Operating Balance)

Initiative ID	Initiative Name	\$m - increase/(decrease)				
		2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
14114	Crown Law Office - Increased Accommodation Requirements	-	0.450	1.700	1.700	1.700
14147	Crown Law Office - Remuneration Pressures	-	0.750	1.523	2.318	3.114
14112	Crown Law Office - System Stewardship Role	0.850	3.000	5.475	8.224	8.224
14111	Crown Prosecution Services - Funding Sustainability	-	26.515	26.515	26.515	26.515
14113	Cyber Security and Resilience Programme - Continued Improvement	-	0.641	0.645	0.649	0.649
14115	Information System Strategic Plan Implementation - Ongoing Investment	-	0.500	0.700	0.700	0.600
14482	Justice Sector Resourcing – Addressing the Impacts of the Delta COVID-19 Restrictions	-	-	1.004	1.004	-
Total Operating		0.850	31.856	37.562	41.110	40.802

Capital Initiative(s) (Impact on Debt)

Initiative ID	Initiative Name	\$m - increase/(decrease)				
		2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
14114	Crown Law Office - Increased Accommodation Requirements	-	4.000	-	-	-
14115	Information System Strategic Plan Implementation - Ongoing Investment	-	0.100	0.300	0.300	0.300
Total Capital		-	4.100	0.300	0.300	0.300

Summary of contingency initiative(s) agreed by Cabinet:

Operating Contingency

Initiative ID	Initiative Name	\$m - increase/(decrease)				
		2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
14472	Crown Prosecution Services - Funding Sustainability	-	-	4.184	8.368	8.368
Total Operating		-	-	4.184	8.368	8.368

2 **note** that Cabinet has:

- i. **authorised** the relevant Appropriation Minister and the Minister of Finance (Joint Ministers) jointly to agree to the changes to appropriations (including establishment of new appropriations if necessary) and/or capital injections and related recommendations necessary to give effect to the initiative(s) included in the 2022 Budget package for the above Vote, as detailed in the summary table(s) above;
- ii. **authorised** Joint Ministers jointly to agree that the proposed changes to appropriations and/or capital injections for 2021/22 approved by Joint Ministers as authorised above be included in the 2021/22 Supplementary Estimates and that, in the interim, the increases be met from Imprest Supply;
- iii. **agreed** that expenses or capital expenditure against appropriations and capital injection authorisations set out in the 2022/23 Estimates and being sought in the Appropriation (2022/23 Estimates) Bill may be met from Imprest Supply until that Bill is enacted and comes into force;
- iv. **authorised** Joint Ministers, for each contingency initiative, jointly to agree:
 - a. the work that needs to be completed or other conditions that need to be satisfied before the contingency is drawn down into appropriations;
 - b. whether the draw down into appropriations requires Cabinet approval or the approval of Joint Ministers;
 - c. the expiry date of contingency funding;
 - d. any related recommendations necessary to give effect to the contingency initiative;
- v. **authorised** Joint Ministers to approve jointly any technical adjustments to baselines necessary to remove any errors or inconsistencies identified while finalising the 2021/22 Supplementary Estimates, the 2022/23 Estimates and the fiscal forecasts;
- vi. **authorised** the chief executives of departments that monitor Crown entities directly affected by Budget decisions taken by Cabinet or taken by Joint Ministers as authorised by Cabinet to inform the chair and/or chief executive of a Crown entity, on a Budget-in-confidence-until-Budget-day basis, of decisions that directly affect that Crown entity for the purpose of planning and preparation of their Statement of Intent and/or Statement of Performance Expectations;

- vii. **noted** that all communications relating to the 2022 Budget are co-ordinated by a Budget communications committee, and that any requests for early announcement will need to have both the written approval of the Minister of Finance and sign-off from the Prime Minister's office;
- 3 **agree** to establish new appropriations where required to implement the initiative(s) included in the summary table(s) above, as detailed in the attached initiative document(s);
- 4 **approve** changes to appropriations and/or the capital injections to the administering department (where applicable) to implement the initiative(s) included in the summary table(s) above, as set out in the attached initiative document(s);
- 5 **approve** the additional recommendation(s) to give effect to the initiative(s), as set out in the attached initiative document(s);
- 6 **agree** that the proposed change(s) to appropriations and/or capital injections for 2021/22 detailed in the attached initiative document(s) be included in the 2021/22 Supplementary Estimates and that, in the interim, the increase(s) be met from Imprest Supply;

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Crown Law Office - Increased Accommodation Requirements

Description: The initiative provides funding for changes to the Crown Law offices to address increased requirements for workforce capacity and specific infrastructure. This will enable Crown Law to deliver on its core role, and support the increased workforce over the long term.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	-	0.450	1.700	1.700	1.700
Net Core Crown Debt Impact Only	-	4.000	-	-	-
No Impact	-	-	-	-	-
Total	-	4.450	1.700	1.700	1.700

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Capital Injections:					
Crown Law Office - Capital Injection	-	4.000	-	-	-
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Conduct of Criminal Appeals from Crown Prosecutions (funded by revenue Crown)	-	0.169	0.640	0.640	0.640
Government Legal Network (funded by revenue Crown)	-	0.032	0.123	0.123	0.123
Law Officer Constitutional and Criminal Law Duties (funded by revenue Crown)	-	0.184	0.691	0.691	0.691
Public Prosecution Services (funded by revenue Crown)	-	0.065	0.246	0.246	0.246
Total Multi-Category Expenses and Capital Expenditure: Law Officer Functions (MCA)	-	0.450	1.700	1.700	1.700
Total Operating	-	0.450	1.700	1.700	1.700
Total Capital	-	4.000	-	-	-

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Crown Law Office - Remuneration Pressures

Description: This initiative provides funding for remuneration increases for staff, to maintain delivery of Crown Law’s core services.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	-	0.750	1.523	2.318	3.114
Net Core Crown Debt Impact Only	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	0.750	1.523	2.318	3.114

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Conduct of Criminal Appeals from Crown Prosecutions (funded by revenue Crown)	-	0.282	0.574	0.873	1.173
Government Legal Network (funded by revenue Crown)	-	0.054	0.110	0.167	0.225
Law Officer Constitutional and Criminal Law Duties (funded by revenue Crown)	-	0.305	0.618	0.942	1.265
Public Prosecution Services (funded by revenue Crown)	-	0.109	0.221	0.336	0.451
Total Multi-Category Expenses and Capital Expenditure: Law Officer Functions (MCA)	-	0.750	1.523	2.318	3.114
Total Operating	-	0.750	1.523	2.318	3.114

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Crown Law Office - System Stewardship Role

Description: This initiative provides funding to strengthen Crown Law’s system stewardship role and to deliver justice system outcomes.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	0.850	3.000	5.475	8.224	8.224
Net Core Crown Debt Impact Only	-	-	-	-	-
No Impact	0.500	-	-	-	-
Total	1.350	3.000	5.475	8.224	8.224

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Conduct of Criminal Appeals from Crown Prosecutions (funded by revenue Crown)	0.320	1.130	2.062	3.097	3.097
Government Legal Network (funded by revenue Crown)	0.061	0.216	0.395	0.593	0.593
Law Officer Constitutional and Criminal Law Duties (funded by revenue Crown)	0.346	1.219	2.224	3.342	3.342
Public Prosecution Services (funded by revenue Crown)	0.123	0.435	0.794	1.192	1.192
Total Multi-Category Expenses and Capital Expenditure: Law Officer Functions (MCA)	0.850	3.000	5.475	8.224	8.224
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Strategic and Operational Legal Advice and Representation (funded by revenue Dept)	0.500	-	-	-	-
Total Multi-Category Expenses and Capital	0.500	-	-	-	-

Expenditure: Law Officer Functions (MCA)					
Total Operating	1.350	3.000	5.475	8.224	8.224

Additional Recommendations

7 **note** the following matter:

- 7.1 an increase in the appropriation Law Officer Functions Strategic and Operational Legal Advice and Representation in 2021/22 is required to meet the increase in demand for legal advice and representation;
- 7.2 this increase is fiscally neutral as it will be funded on a full cost recovery basis by revenue Department;

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Crown Prosecution Services - Funding Sustainability

Description: This initiative provides funding to improve the sustainability of the Crown Solicitors network as well as the Criminal appeals conducted by Crown Law. It is in response to the ongoing growth in case volumes and case complexity as well as the effect of legislative changes. It also addresses the increasing resourcing requirements associated with the administration and oversight of the Crown Solicitor network.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	-	26.515	26.515	26.515	26.515
Net Core Crown Debt Impact Only	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	26.515	26.515	26.515	26.515

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Public Prosecution Services (funded by revenue Crown)	-	26.515	26.515	26.515	26.515
Total Multi-Category Expenses and Capital Expenditure: Law Officer Functions (MCA)	-	26.515	26.515	26.515	26.515
Total Operating	-	26.515	26.515	26.515	26.515

Additional Recommendation

8 **note** that there is a corresponding tagged contingency associated with the Attorney-General portfolio (Initiative: 14472);

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Crown Prosecution Services - Funding Sustainability

Description: This initiative provides funding to improve the sustainability of the Crown Solicitors network as well as the Criminal appeals conducted by Crown Law. It is in response to the ongoing growth in case volumes and case complexity as well as the effect of legislative changes. It also addresses the increasing resourcing requirements associated with the administration and oversight of the Crown Solicitor network.

Tagged Contingency

	Sm - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Contingency	-	-	4.184	8.368	8.368
Capital Contingency	-	-	-	-	-
Total	-	-	4.184	8.368	8.368

Additional Recommendations

- 9 **agree** that the expiry date for the above tagged contingency be 1 February 2025;
- 10 **agree** that the Attorney-General and the Minister of Finance jointly draw down the tagged operating contingency above, subject to a review of Crown Solicitor workloads concluding the additional funding uplift is warranted;
- 11 **note** that there is a corresponding appropriated initiative within the Vote (Initiative 14111);

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Cyber Security and Resilience Programme - Continued Improvement

Description: This initiative provides funding to continue to strengthen Crown Law’s cyber security and resilience, through an annual certification and accreditation programme and a permanent cyber security specialist. It also funds a license upgrade to improve Crown Law’s ability to securely collaborate and share information across government, suppliers and participants in legal proceedings.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	-	0.641	0.645	0.649	0.649
Net Core Crown Debt Impact Only	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	0.641	0.645	0.649	0.649

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Conduct of Criminal Appeals from Crown Prosecutions (funded by revenue Crown)	-	0.241	0.243	0.244	0.244
Government Legal Network (funded by revenue Crown)	-	0.046	0.047	0.047	0.047
Law Officer Constitutional and Criminal Law Duties (funded by revenue Crown)	-	0.261	0.262	0.264	0.264
Public Prosecution Services (funded by revenue Crown)	-	0.093	0.093	0.094	0.094
Total Multi-Category Expenses and Capital Expenditure: Law Officer Functions (MCA)	-	0.641	0.645	0.649	0.649
Total Operating	-	0.641	0.645	0.649	0.649

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Information System Strategic Plan Implementation - Ongoing Investment

Description: This initiative provides further funding to continue implementing the ICT capability and capacity required to successfully deliver on Crown Law’s role, functions and strategic intentions for the medium term. It funds modernising ICT and improving information management by migrating from legacy systems, delivering reporting and insights through a data warehouse and reporting capability and virtual collaboration and co-design solutions.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	-	0.500	0.700	0.700	0.600
Net Core Crown Debt Impact Only	-	0.100	0.300	0.300	0.300
No Impact	-	-	-	-	-
Total	-	0.600	1.000	1.000	0.900

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Capital Injections:					
Crown Law Office - Capital Injection	-	0.100	0.300	0.300	0.300
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Conduct of Criminal Appeals from Crown Prosecutions (funded by revenue Crown)	-	0.188	0.264	0.264	0.226
Government Legal Network (funded by revenue Crown)	-	0.036	0.051	0.051	0.043
Law Officer Constitutional and Criminal Law Duties (funded by revenue Crown)	-	0.204	0.284	0.284	0.244
Public Prosecution Services (funded by revenue Crown)	-	0.072	0.101	0.101	0.087
Total Multi-Category Expenses and Capital	-	0.500	0.700	0.700	0.600

Expenditure: Law Officer Functions (MCA)					
Total Operating	-	0.500	0.700	0.700	0.600
Total Capital	-	0.100	0.300	0.300	0.300

Additional Recommendations

12 **note** that the final year of capital funding for this initiative will be 2027/28; and

Vote: Attorney-General

Appropriation Administrator: Crown Law Office

Title: Justice Sector Resourcing – Addressing the Impacts of the Delta COVID-19 Restrictions

Description: This initiative will provide time-limited funding for one additional acting Court of Appeal Judge and an extension of time-limited funding for five District Court Judges and four acting High Court judges and associated staff across the justice sector. This funding will ensure that the jurisdictions that have seen an increase in active cases due to Delta COVID–19 restrictions can gradually reduce their caseloads to pre COVID-19 levels.

Appropriation Changes

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Operating Balance Impact*	-	-	1.004	1.004	-
Net Core Crown Debt Impact Only	-	-	-	-	-
No Impact	-	-	-	-	-
Total	-	-	1.004	1.004	-

* Unless non-cash, will also impact net core Crown debt.

	\$m - increase/(decrease)				
	2021/22	2022/23	2023/24	2024/25	2025/26 & Outyears
Multi-Category Expenses and Capital Expenditure:					
Law Officer Functions (MCA)					
<i>Departmental Output Expenses:</i>					
Public Prosecution Services (funded by revenue Crown)	-	-	1.004	1.004	-
Total Multi-Category Expenses and Capital Expenditure: Law Officer Functions (MCA)	-	-	1.004	1.004	-
Total Operating	-	-	1.004	1.004	-

Additional Recommendation

13 **note** that related funding has also been provided through each of Vote Justice (Initiative 14481), Vote Courts (Initiative 14233), Vote Police (Initiative 14485), Vote Corrections (Initiative 14483), and Vote Oranga Tamariki (Initiative 14484).