

Sector Overview

Justice Sector

Sector Overview Statement

Justice Sector Contribution to Government Priorities

The Government has set three high-level, long-term priorities for the next decade on which the success of the social, economic, political and cultural activities of the nation will be built.

- Economic Transformation

The justice sector contributes by providing effective administration and supporting infrastructure for civil courts and tribunals so that national and international business transactions can be conducted with security and confidence.

- Families - Young and Old

The justice sector supports Families - Young and Old by protecting the safety and security of individuals and communities, and ensuring that people can enjoy their civil and political rights.

- National Identity

The justice sector provides services that support the maintenance of effective constitutional arrangements, and has an increased role in ensuring that New Zealand is connected internationally.

Sector Outcomes

The sector's overall outcome is 'A Safe and Just Society' for New Zealand. For this outcome to be achieved, communities need to be safe and individuals need to feel secure and that they live in a society where civil and democratic rights and obligations can be enjoyed. Each justice sector agency has a role to play in delivering on these outcomes.

The justice sector outcomes reflect how justice sector agencies contribute to a safe and just society through eight outcome areas:

- Impact of Crime Reduced
- Offenders Held to Account
- Crime Reduced
- Trusted Justice System
- Accessible Justice Services
- International Connectedness
- Durable Settlements of Treaty Claims
- Effective Constitutional Arrangements.

Medium-Term Priorities

Five medium-term priorities have been identified for the justice sector, as follows:

- *Impact of Crime Reduced* - Victims' rights and victims' support
- *Crime Reduced* - Reduced Māori offending
- *Offenders Held to Account* - Increased use of alternatives to prison for less serious offenders
- *Offenders Held to Account* - Effective and efficient criminal trial processes
- *Trusted Justice System* - Improved satisfaction with justice services.

Focusing on activities that contribute to the priority areas is expected to lead to the biggest gains for the sector in the medium term. Key trends and issues within each medium term priority follow.

Victims' Rights and Victims' Support

Why is this a priority?

Crime, and its impact on victims, represents a significant cost to the community. Victims can also be further traumatised during the criminal justice system process. Supporting victims, and their rights, can enhance trust in the justice system, and contribute to reduced offending.

For example, victims benefit from participating in restorative justice processes through:

- being heard by the offender
- having some influence over the sentence, and
- what the offender agrees to provide in a restorative plan.

Reduced offending is effected as offenders voluntarily agree to a restorative justice plan, and therefore take accountability for the contents of a plan. This contrasts with normal sentencing, where the sentence is imposed on the offender. Evidence suggests that offenders re-offend less, and the re-offending is less serious, as a result of restorative justice processes.

How will the sector demonstrate its success?

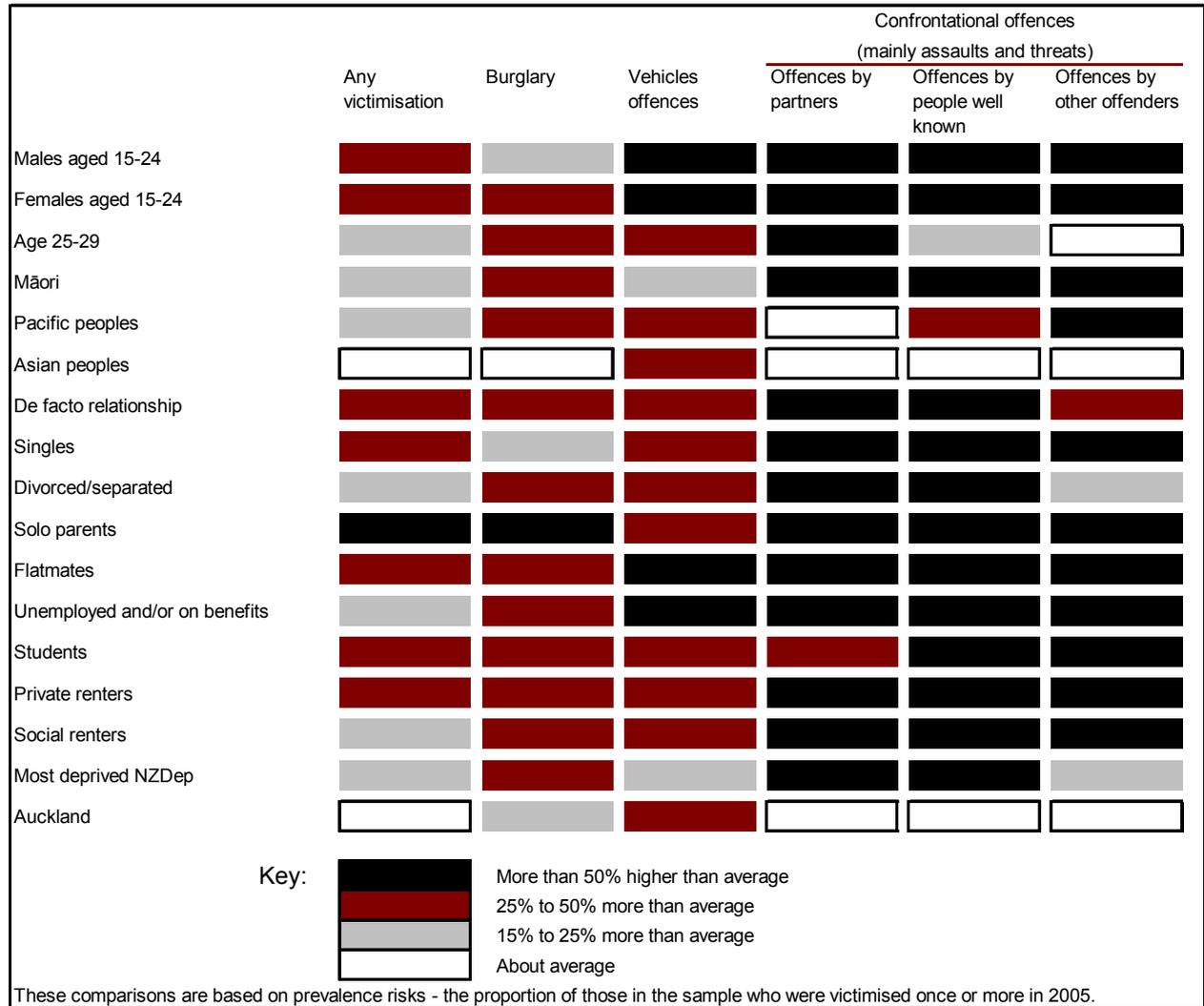
A key measure will include ongoing analyses of groups in the population and their comparable risk of victimisation.

There is a concentration of victimisation risk among the less economically and socially well placed. Concentrated victimisation is one of the most important findings of the New Zealand Crime and Safety Survey.

- In 2005, 6% of New Zealanders were victimised five times or more.
- Offences against them accounted for half of all the offences measured in the survey.

These figures undercut the notion of there being an 'average' risk, which suggests a uniform distribution of risk across the population as a whole. This is far from the case. Further work being carried out by the Ministry of Health and the Ministry of Social Development should contribute to addressing the needs of these population groups. This work also has the potential to provide indicators and measures to assess progress towards achieving this outcome.

Figure 1 - Risk of victimisation by population group



Reduced Māori Offending

Why is this a priority?

The criminal justice system applies to all, but needs to do far better at stemming the entry of Māori people in particular, and in managing their exit. Māori are disproportionately represented in the criminal justice system. Demographic trends will see an increase in the proportion of the population in the ‘convictions-critical’ age group, particularly Māori.

- The Māori incarceration rate was 440 per 100,000 of the population in 2003, and has increased to 620 per 100,000 of the population in 2006. These rates compare with a general New Zealand population rate of 189 per 100,000 in 2006.
- Māori were more likely to be reconvicted following release from prison.
- Māori are more likely to be the victim of violent offending.
- Māori are more likely to experience the risk factors that contribute to criminal offending.

The Effective Interventions package enables the government to “stay tough, and be smarter” about crime and imprisonment. Proposals take a cross-sectoral and strategic approach to reducing crime, re-offending and imprisonment. The rate of criminal offending needs to be reduced in a manner that both prevents those at risk of becoming offenders from offending, and reduces the likelihood that existing offenders will re-offend.

How will the sector demonstrate its success?

Information on Māori offending can be drawn from convictions. Information on ten year trends in key areas are provided below.

Figure 2 - Total convictions: all categories

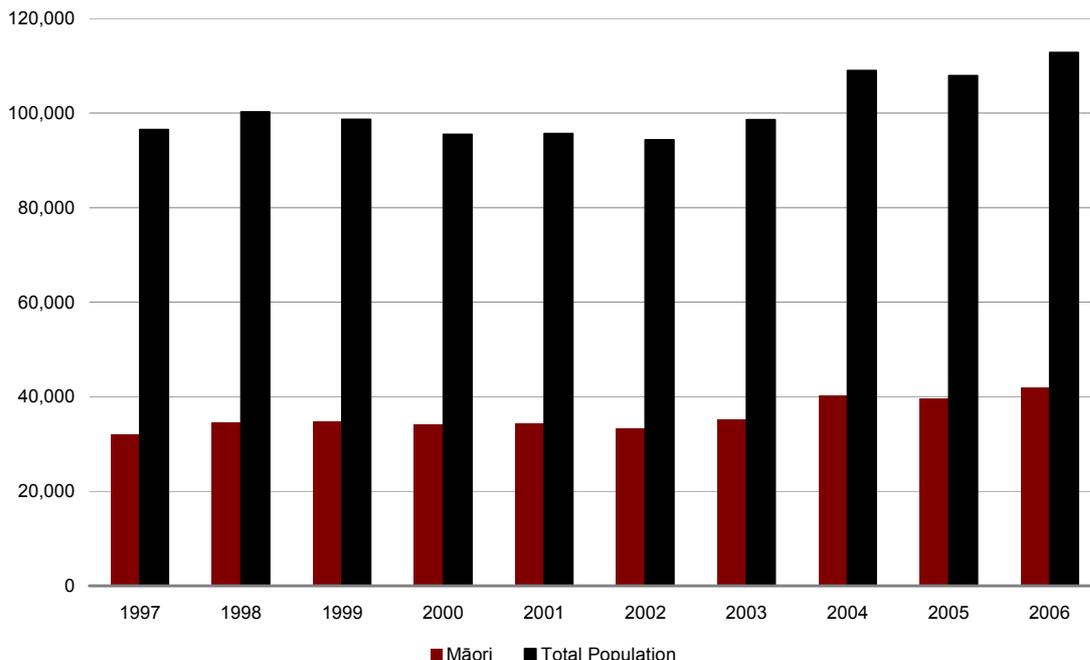
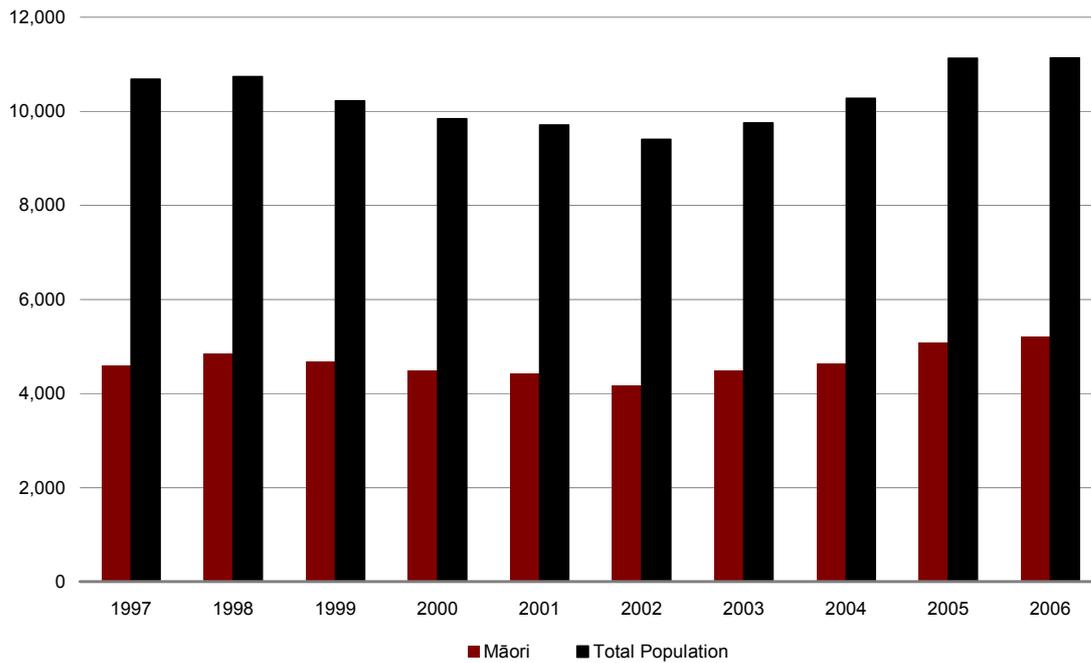


Figure 3 - Total convictions: violence category

The Department of Corrections Recidivism Index also provides analysis of reoffending, disaggregated by ethnicity. In addition, the Effective Interventions performance framework will assess the effectiveness of initiatives, and in particular for Māori.

Increased use of Alternatives to Prison for Less Serious Offenders

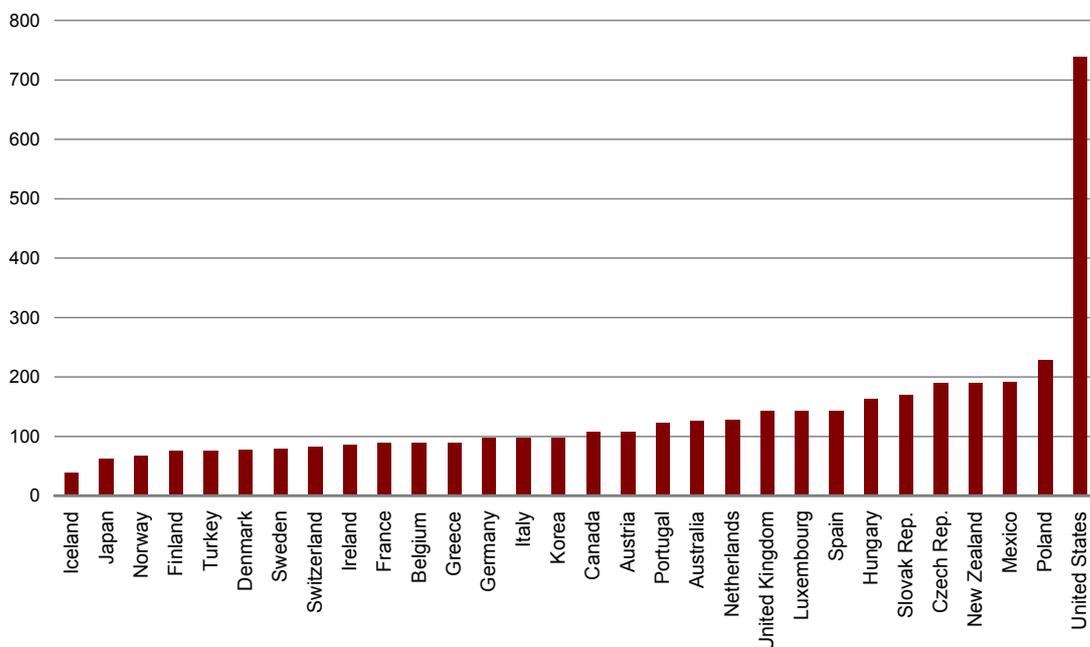
Why is this a priority?

There are smarter ways than prison to prevent crime and to make criminals accountable to their victims and society. Prison is not the most effective or efficient approach to reducing crime for less serious offences. The Effective Interventions package includes initiatives to reduce the prison population, however continued growth in the prison population remains a concern.

Shorter terms of imprisonment also limit the ability of correctional services to provide rehabilitative and reintegrative programmes, and therefore potentially increase the risks that short term prisoners will be “socialised” with other offenders. Alternative sentences can be more effective than prison at reducing re-offending for less serious crimes.

New Zealand’s incarceration rate is the fourth highest in the Organisation for Economic Co-operation and Development (OECD).

Figure 4 - OECD prison populations, per 100,000 of population (2006)



How will the sector demonstrate its success?

The Effective Interventions performance framework provides the basis for monitoring whether initiatives within this programme are likely to achieve, as expected, both in relation to the programme and intervention logic. Effective Interventions will report on the percentage uptakes of new sentences, including electronic monitoring of bail, intensive supervision, community detention, and home detention.

Incarceration rates will be monitored, with the object of reducing the rates of incarceration per 100,000 of the population. Further work is being done by justice sector agencies to identify what is contributing to the rising prison population, in order to identify further options to reduce the prison population in the short to medium term.

Further measures will also be designed with the advent of the Sentencing Council.

Cost effectiveness can be measured at a minimum in terms of the reduced growth in the prison population, but also in terms of broader benefits associated with reduced re-offending, and other negative health and social outcomes associated with incarceration.

Effective and Efficient Criminal Trial Processes

Why is this a priority?

Effective and efficient justice services contribute to holding offenders to account, and ensure that the justice sector is responsive to addressing crime.

Demand for justice services is growing due to public expectations of responsiveness, and population change:

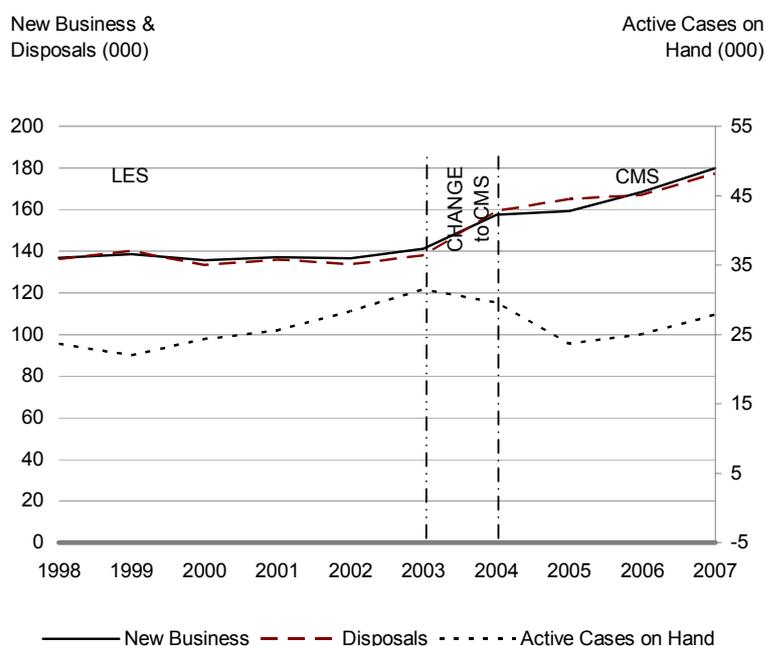
- The projected growth in New Zealand's population is not expected to occur evenly across the country. Relative to other areas, the rate of growth north of Taupo, mainly in the Auckland area, is particularly high. There is an increase in demand for services in the Auckland area.
- Additionally, growth in the 'convictions-critical' 15 to 39 age group is projected to occur in Auckland. Agencies providing services to offenders and victims of criminal offences will need to be able to meet the projected increased demand.

Disposal rates for both summary jurisdiction and jury trials have continued to improve but have been outpaced by the volumes of new business in both jurisdictions, and this has resulted in the number of cases on hand growing.

In addition, any increased delays in courts can affect numbers of people in remand cells. There has been sustained growth in the length of remand over the past ten years.

Courts have increased in efficiency

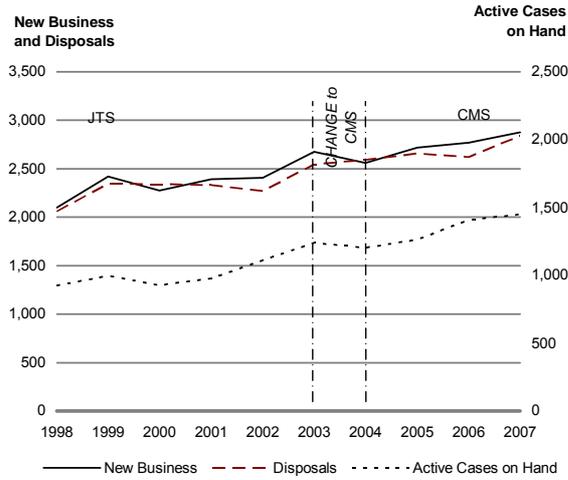
Figure 5 - District Court: criminal summary throughput



Since 1998, new business in the summary jurisdiction has increased by 32%. Disposals largely kept up with new business. In 2006/2007, 75 percent of cases within the criminal summary jurisdiction of the District Court were resolved within 12 weeks. The ability to continue to achieve the efficiency gains is getting more difficult with growth in new business beginning to run ahead of disposals.

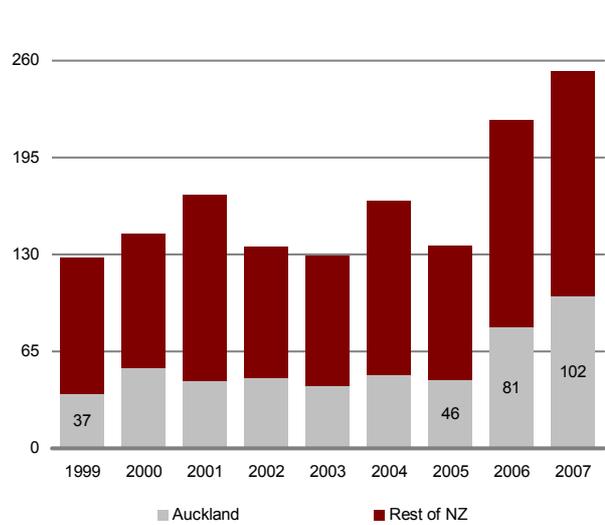
The number of jury trials in the District Court have grown:

Figure 6 - District Court: jury trial throughput



The number of cases on hand in the High Court has also grown:

Figure 7 - High Court: jury trials on hand 1999-2007

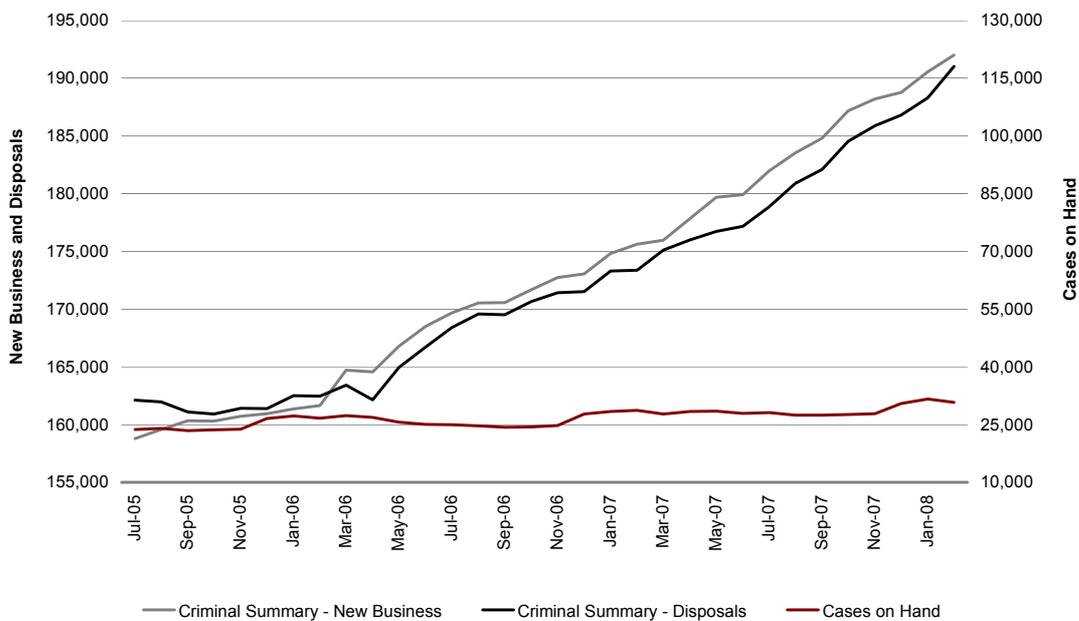


The number of District Court criminal jury trials increased 36%, but the number of cases on hand has grown by 56%. Sitting hours, and disposal rates in the High Court have been relatively stable, but the number of cases on hand in High Court jury trials has seen a significant growth in the last two years. This is largely driven by methamphetamine cases.

How will the sector demonstrate its success?

Monitoring will be undertaken of key measures, including active cases on hand, and summary throughput:

Figure 8 - Criminal summary throughput, rolling 12-month totals



Improved Satisfaction with Justice Services

Why is this a priority?

Trust and confidence is critical for the ongoing effectiveness of the justice system. There is an ongoing risk to public trust in the justice system, particularly when critical incidents occur, and there is negative public response to accusations of misconduct.

There is some evidence of a decline in trust in relation to some parts of the criminal justice system since 1999. The 2006 New Zealand Crime and Safety Survey showed a decrease in public rating of Police and Probation Services in particular, although it is possible that the timing of the survey could impact significantly on these findings.

How will the sector demonstrate its success?

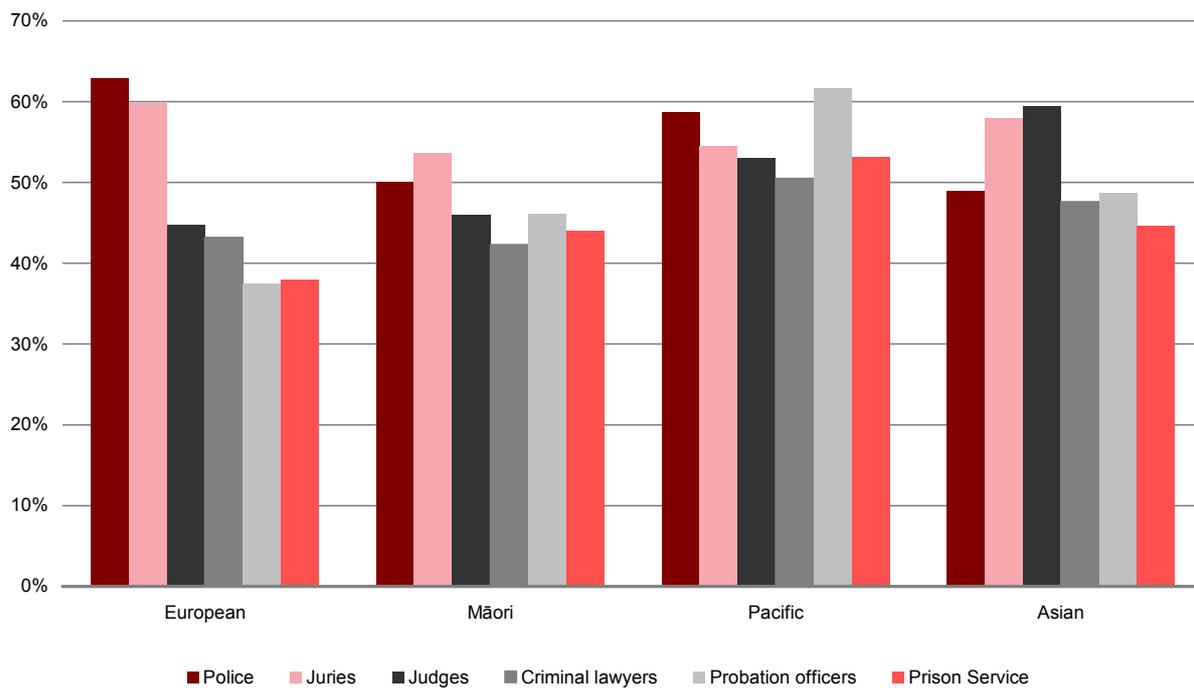
Key measures will include:

- Percentage of respondents who consider that justice officers or staff are doing a good or excellent job (New Zealand Crime and Safety Survey)
- Ratings of different criminal justice groups, by ethnicity (New Zealand Crime and Safety Survey).

Figure 9 - Criminal justice groups rated as doing a good or excellent job: 1999 and 2006

Agency	1999 NZCASS	2006 NZCASS	Variance
Police	74%	60%	-14%
Juries	63%	59%	-4%
Judges	42%	47%	+5%
Criminal Lawyers	45%	44%	-1%
Probation Officers	50%	41%	-9%
Prison Service	39%	40%	+1%

Figure 10 - Ratings of different criminal justice groups, by ethnicity



Hon Annette King
 Minister of Justice
 Minister of Police

Hon Dr Michael Cullen
 Attorney-General

Hon Phil Goff
 Minister of Corrections

Hon Rick Barker
 Minister for Courts

Ministerial Statements of Responsibility

Each of us is satisfied that the information on future operating intentions provided by our respective departments and included in the *Information Supporting the Estimates* for the Justice Sector is in accordance with sections 38, 40 and 41 of the Public Finance Act 1989 and is consistent with the policies and performance expectations of the government.



Hon Annette King

Responsible Minister for the Ministry of Justice
Responsible Minister for the New Zealand Police
16 April 2008



Hon Dr Michael Cullen

Responsible Minister for the Crown Law Office
Responsible Minister for the
Parliamentary Counsel Office
16 April 2008



Hon Phil Goff

Responsible Minister for the Department
of Corrections
16 April 2008

Ministerial Explanation and Statement of Responsibility Relating to the Information Provided by the Serious Fraud Office

The government has announced that the Serious Fraud Office is to be disestablished, with its functions included in the new Organised and Financial Crime Agency of New Zealand (OFCANZ) within the New Zealand Police from 1 July 2008, subject to the passing of the necessary legislation.

In light of this announcement, and in accordance with section 38(3) of the Public Finance Act 1989, the Associate Minister of Finance and I have agreed that the Serious Fraud Office need not provide information on its future operating intentions for the 3-year period normally required by that Act.

As the legislation has yet to be passed, however, there is a possibility that the Serious Fraud Office will still be operating after 1 July 2008, when this 3-year period begins. Consequently, we have asked the Serious Fraud Office to provide forecast financial statements and a statement of forecast service performance for the 2008/09 financial year only, but not the medium-term intentions normally presented in a department's Statement of Intent.

If the necessary legislation is not in force by 1 July 2008, the Serious Fraud Office will continue to operate in accordance with the appropriations in Vote Serious Fraud, its statement of forecast service performance for 2008/09 and, where relevant, the operating intentions set out in its 2007 Statement of Intent, until such time as the Office is disestablished.

I am satisfied that the information on future operating intentions provided by the Serious Fraud Office and included in the *Information Supporting the Estimates* for the Justice Sector is in accordance with sections 38, 40 and 41 of the Public Finance Act 1989 and is consistent with the policies and performance expectations of the government.



Hon Dr Michael Cullen
Responsible Minister for the Serious Fraud Office
16 April 2008

Chief Executive Statements of Responsibility

Ministry of Justice

In signing this statement, I acknowledge that I am responsible for the information contained in the *Information Supporting the Estimates* for the Justice Sector relating to the Ministry of Justice and for the Vote/Votes for which the Ministry of Justice is the administering department. Specifically, this information is contained in the Ministry of Justice's statement of forecast service performance, forecast financial statements and *Statement of Intent*.

This information has been prepared in accordance with the Public Finance Act 1989. It is also consistent with the proposed appropriations set out in the Appropriation (2008/09 Estimates) Bill, as presented to the House of Representatives in accordance with section 13 of the Public Finance Act 1989, and with existing appropriations and financial authorities.



Belinda Clark
Secretary for Justice and Chief Executive
Ministry of Justice
16 April 2008



Glenn McStay
Chief Financial Officer
Ministry of Justice
16 April 2008
Counter-signed

Department of Corrections

In signing this statement, I acknowledge that I am responsible for the information contained in the *Information Supporting the Estimates* for the Justice Sector relating to the Department of Corrections and for the Vote/Votes for which the Department of Corrections is the administering department. Specifically, this information is contained in the Department of Corrections' statement of forecast service performance, forecast financial statements and *Statement of Intent*.

This information has been prepared in accordance with the Public Finance Act 1989. It is also consistent with the proposed appropriations set out in the Appropriation (2008/09 Estimates) Bill, as presented to the House of Representatives in accordance with section 13 of the Public Finance Act 1989, and with existing appropriations and financial authorities.



Barry Matthews
Chief Executive
Department of Corrections
16 April 2008



John Bole
Chief Financial Officer
Department of Corrections
16 April 2008
Counter-signed

New Zealand Police

In signing this statement, I acknowledge that I am responsible for the information contained in the *Information Supporting the Estimates* for the Justice Sector relating to the New Zealand Police and for the Vote/Votes for which the New Zealand Police is the administering department. Specifically, this information is contained in the New Zealand Police's statement of forecast service performance, forecast financial statements and *Statement of Intent*.

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Howard Broad
Commissioner of Police
New Zealand Police
16 April 2008

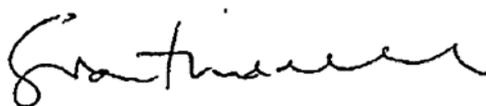


Bruce Simpson
General Manager Finance and Planning
New Zealand Police
16 April 2008
Counter-signed

Serious Fraud Office

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This information has been prepared in accordance with the Public Finance Act 1989. It is also consistent with the proposed appropriations set out in the Appropriation (2008/09 Estimates) Bill, as presented to the House of Representatives in accordance with section 13 of the Public Finance Act 1989, and with existing appropriations and financial authorities.



Grant Liddell
Director and Chief Executive
Serious Fraud Office
16 April 2008



Anne Smith
Chief Financial Officer
Serious Fraud Office
16 April 2008
Counter-signed

Crown Law Office

In signing this statement, I acknowledge that I am responsible for the information contained in the *Information Supporting the Estimates* for the Justice Sector relating to the Crown Law Office and for the Vote/Votes for which the Crown Law Office is the administering department. Specifically, this information is contained in the Crown Law Office's statement of forecast service performance, forecast financial statements and *Statement of Intent*.

This information has been prepared in accordance with the Public Finance Act 1989. It is also consistent with the proposed appropriations set out in the Appropriation (2008/09 Estimates) Bill, as presented to the House of Representatives in accordance with section 13 of the Public Finance Act 1989, and with existing appropriations and financial authorities.



Dr David Collins QC
Solicitor-General and Chief Executive
Crown Law Office
16 April 2008

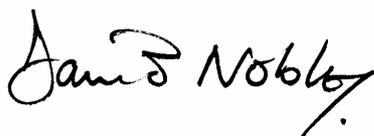


Chris Walker
Chief Financial Officer
Crown Law Office
16 April 2008
Counter-signed

Parliamentary Counsel Office

In signing this statement, I acknowledge that I am responsible for the information contained in the *Information Supporting the Estimates* for the Justice Sector relating to the Parliamentary Counsel Office and for the Vote/Votes for which the Parliamentary Counsel Office is the administering department. Specifically, this information is contained in the Parliamentary Counsel Office's statement of forecast service performance, forecast financial statements and *Statement of Intent*.

This information has been prepared in accordance with the Public Finance Act 1989. It is also consistent with the proposed appropriations set out in the Appropriation (2008/09 Estimates) Bill, as presented to the House of Representatives in accordance with section 13 of the Public Finance Act 1989, and with existing appropriations and financial authorities.



David Noble
Chief Parliamentary Counsel
Parliamentary Counsel Office
16 April 2008



John Farrell
Acting Corporate Services Manager
Parliamentary Counsel Office
16 April 2008
Counter-signed

