
Departmental Forecast Report for the

Crown Law Office

**for the year ending
30 June 2003**

*Presented to the House of Representatives
Pursuant to Section 34A of the Public Finance Act 1989.*

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CROWN LAW OFFICE

Contents of Departmental Forecast Report 2003

Page

| | |
|--|----|
| Introduction and Highlights | 2 |
| Statement of Purpose | 2 |
| Functions of the Crown Law Office | 2 |
| Contribution to Key Government Goals | 3 |
| Financial Overview and Highlights | 4 |
| Statement of Responsibility | 5 |
| Forecast Financial Statements | 6 |
| Statement of Forecast Financial Performance | 6 |
| Statement of Forecast Financial Position | 7 |
| Statement of Forecast Cash Flows | 8 |
| Notes to the Forecast Financial Statements | 9 |
| Statement of Objectives and Forecast Service Performance | 15 |
| Organisation Information | 28 |
| Governance Structure | 28 |
| Organisation Structure | 28 |
| Legislative Responsibilities | 29 |
| Crown Solicitor Network | 29 |
| Human Resource Management Policies | 29 |
| Information Systems Management | 29 |
| Office Accommodation | 29 |
| Directory | 30 |

CROWN LAW OFFICE

Introduction and Highlights

The Crown Law Office is pleased to present this Departmental Forecast Report for the year ending 30 June 2003.

The report contains an overview of the Office's purpose and functions, a summary of the forecast financial highlights and the Statement of Responsibility and Forecast Financial Statements required by section 34A of the Public Finance Act 1989. A section on Organisation Information has also been included to provide some background information about the Office, its structure and particular activities.

Statement of Purpose

The Crown Law Office provides legal advice and representation services to the government in matters affecting the executive government, particularly in the areas of criminal, public and administrative law. The services provided include such matters as judicial review of government actions, constitutional questions including Treaty of Waitangi issues, the enforcement of criminal law, and protection of the revenue. The Office administers the prosecution process in the criminal justice system, in particular, trials on indictment before juries.

The Office has two primary purposes in providing these services:

- to ensure that the operations and responsibilities of the executive government are conducted lawfully, and
- to ensure that the government is not prevented, through legal process, from lawfully implementing its chosen policies and discharging its governmental responsibilities.

Functions of the Crown Law Office

The primary function of the Crown Law Office is to provide support to the two Law Officers of the Crown: the Attorney-General and the Solicitor-General, in the performance of their statutory duties and functions. In particular, the Office is responsible for:

- the provision of legal advice and legal representation services to Ministers of the Crown, government departments, and agencies forming part of the government;
- supporting and assisting the Attorney-General and Solicitor-General in the performance of their statutory and other functions as Law Officers of the Crown;
- assisting the Solicitor-General with the conduct of criminal appeals;
- assisting the Solicitor-General in the supervision, direction and performance of regional Crown Solicitors in their prosecution functions including administration of the Crown Solicitor's Regulations 1994; and
- providing advice on the establishment and development of legal service provision within government departments and agencies.

CROWN LAW OFFICE

Introduction and Highlights - continued

The Office does not have any specific responsibility for policy formation or for the development of legislation but is often called upon to provide comment to the government on proposed developments in the law particularly on Criminal and Bill of Rights related issues.

Contribution to Key Government Goals

The Crown Law Office contributes to the key government goals which have been established to guide public sector policy and performance. In particular, the Office's functions are directed towards restoring trust in government by building safe communities and through the promotion of a strong and effective public service. Achievement of these goals are assisted by the contribution made by the Office to:

- protecting the Crown's legal interests,
- supporting the responsibilities of the Crown and its agencies,
- the maintenance of law and order, and
- the maintenance of public interest factors in the application of the law

The appropriations in Vote Attorney-General provide for the purchase of the following services:

- Legal advice and representation services to central government departments and Crown agencies
- A national Crown prosecution service which undertakes criminal trials on indictment, and appeals arising out of summary prosecutions
- Conduct of appeals arising from criminal trials on indictment and from Crown appeals against sentence
- Legal and administrative services for the Attorney-General and Solicitor-General in the exercise of Principal Law Officer functions

The relationship of these services to the key Government goals is set out in the following table:

| Output Classes (of Vote Attorney-General) | Key Government Goals |
|--|---|
| Legal Advice and Representation | Contributes to promoting a strong and effective public service by protecting the legal interests and the responsibilities of the Crown and Crown agencies. |
| Supervision and Conduct of Crown Prosecutions | Contributes to building safe communities by assisting in the maintenance of law and order. |
| Conduct of Criminal Appeals | Contributes to building safe communities by assisting in the maintenance of law and order. |
| The Exercise of Principal Law Officer Functions | Contributes to building safe communities by assisting in the maintenance of law and order and contributing to the maintenance of public interest factors in the application of the law. |

CROWN LAW OFFICE

Introduction and Highlights - continued

Financial Overview and Highlights

Forecast expenditure for Vote Attorney-General in 2002/03 totals \$36.843 million. It is intended to spend this amount as follows:

- \$12.410 million (33.7% of the total) on providing legal advice and representation services to central government departments.
- \$21.972 million (59.6% of the total) on providing a national Crown prosecution service which undertakes criminal trials on indictment and related appeals.
- \$1.224 million (3.3% of the total) on the conduct of appeals arising from criminal trials on indictment and from Crown appeals against sentence.
- \$1.237 million (3.4% of the total) on providing legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their statutory functions and responsibilities.

The Crown Law Office expects to receive \$13,234 million from government departments and other organisations for providing legal advice and representation. The provision of that legal advice and representation is the way in which the Crown Law Office contributes to the key government goals guiding public sector policy and performance.

The forecast financial highlights are:

| | 2001/02 | 2002/03 | |
|--|-----------------|------------------|--------|
| | Budgeted | Estimated | |
| | \$000 | Actual | |
| | | Forecast | |
| | | \$000 | |
| Revenue: Crown | 24,356 | 24,356 | 24,433 |
| Revenue: Other | 13,234 | 12,787 | 13,234 |
| Output expenses | 36,766 | 36,283 | 36,843 |
| Net surplus | 824 | 861 | 824 |
| Taxpayers' funds | 2,217 | 2,217 | 2,217 |
| Net cash flows from operating and investing activities | 15 | 430 | 859 |

CROWN LAW OFFICE

Statement of Responsibility

The forecast financial statements for the Crown Law Office for the year ending 30 June 2003 contained in this report have been prepared in accordance with section 34A of the Public Finance Act 1989.

The Chief Executive of the Crown Law Office acknowledges, in signing this statement, that he is responsible for the forecast financial statements contained in this report.

The financial performance forecast to be achieved by the department for the year ending 30 June 2003, that is specified in the statement of objectives, is as agreed with the Attorney-General who is the Minister responsible for the financial performance of the Crown Law Office.

The performance for each class of outputs forecast to be achieved by the department for the year ending 30 June 2003, that is specified in the statement of objectives, is as agreed with the Attorney-General who is responsible for the Vote administered by the department.

We certify that this information is consistent with the appropriations contained in the Estimates for the year ending 30 June 2003 that are being laid before the House of Representatives under section 9 of the Public Finance Act 1989.

Terence Arnold QC
Solicitor-General and Chief Executive

R J Turner
Practice Manager and Chief Financial Officer

22 April 2002

CROWN LAW OFFICE

Forecast Financial Statements

Statement of Forecast Financial Performance for the year ending 30 June 2003

| | 2001/02 Budgeted \$000 | Estimated Actual \$000 | 2002/03 Forecast \$000 |
|--------------------------|------------------------------|------------------------------|------------------------------|
| Revenue | | | |
| Crown | 24,356 | 24,356 | 24,433 |
| Other | 13,234 | 12,787 | 13,234 |
| Total Revenue | 37,590 | 37,143 | 37,667 |
| Expenses | | | |
| Output Expenses: | | | |
| Personnel | 9,750 | 9,813 | 9,850 |
| Operating | 26,329 | 25,755 | 26,471 |
| Depreciation | 500 | 516 | 335 |
| Capital charge | 187 | 199 | 187 |
| Total Expenses | 36,766 | 36,283 | 36,843 |
| | (Note 3) | | |
| Profit on sale of assets | - | 1 | - |
| Net Surplus | 824 | 861 | 824 |

This statement should be read in conjunction with the accompanying Notes to the Forecast Financial Statements on pages 9-14.

CROWN LAW OFFICE

Statement of Forecast Financial Position as at 30 June 2003

| | Actual Financial Position as at 30 June 2001 \$000 | Estimated Financial Position as at 30 June 2002 \$000 | Forecast Financial Position as at 30 June 2003 \$000 |
|---|--|---|--|
| Assets | | | |
| Current Assets | | | |
| Cash and bank balances | 3,313 | 3,694 | 3,692 |
| Debtors and receivables | 2,396 | 2,393 | 2,393 |
| Total Current Assets | 5,709 | 6,087 | 6,085 |
| Non-Current Assets | | | |
| Fixed Assets (Note 4) | 1,421 | 1,054 | 1,019 |
| Total Non-Current Assets | 1,421 | 1,054 | 1,019 |
| Total Assets | 7,130 | 7,141 | 7,104 |
| Liabilities | | | |
| Current Liabilities | | | |
| Creditors and payables | 4,105 | 3,374 | 3,374 |
| Provision for payment of surplus | 49 | 861 | 824 |
| Provision for employee entitlements | 625 | 555 | 555 |
| Total Current Liabilities | 4,779 | 4,790 | 4,753 |
| Non-Current Liabilities | | | |
| Provision for employee entitlements | 134 | 134 | 134 |
| Total Non-Current Liabilities | 134 | 134 | 134 |
| Total Liabilities | 4,913 | 4,924 | 4,887 |
| Taxpayers' Funds | | | |
| General funds | 1,921 | 1,921 | 1,921 |
| Revaluation reserve | 296 | 296 | 296 |
| Total Taxpayers' Funds (Note 5) | 2,217 | 2,217 | 2,217 |
| Total Liabilities and Taxpayers' Funds | 7,130 | 7,141 | 7,104 |

This statement should be read in conjunction with the accompanying Notes to the Forecast Financial Statements on pages 9-14.

CROWN LAW OFFICE

Statement of Forecast Cash Flows for the year ending 30 June 2003

| | | 2001/02 | 2002/03 |
|---|----------|--------------|--------------|
| | | Budgeted | Estimated |
| | | \$000 | Actual |
| | | | Forecast |
| | | | \$000 |
| Cash Flows for Operating Activities | | | |
| Cash provided from: | | | |
| Supply of outputs to: | Crown | 24,356 | 24,356 |
| | Other | 12,919 | 12,790 |
| | | | 24,433 |
| | | | 13,234 |
| Cash disbursed to: | | | |
| Cost of producing outputs: | | | |
| Output expenses | | (36,704) | (36,299) |
| Capital charge | | (187) | (199) |
| | | | (187) |
| Net Cash Flows from Operating Activities | (Note 6) | 384 | 648 |
| | | | 1,159 |
| Cash Flows from Investing Activities | | | |
| Cash provided from: | | | |
| Sale of fixed assets | | - | 1 |
| | | | - |
| Cash disbursed to: | | | |
| Purchase of fixed assets | | (369) | (219) |
| | | | (300) |
| Net Cash flows from Investing Activities | | (369) | (218) |
| | | | (300) |
| Cash Flows from Financing Activities | | | |
| Cash disbursed to: | | | |
| Payment of surplus to the Crown | | (49) | (49) |
| | | | (861) |
| Net Cash Flows from Financing Activities | | (49) | (49) |
| | | | (861) |
| Net Increase/(Decrease) in Cash Held | | (34) | 381 |
| | | | (2) |
| Add: Opening cash and bank balances | | 3,313 | 3,313 |
| | | | 3,694 |
| Closing Cash and Bank Balances | | 3,279 | 3,694 |
| | | | 3,692 |

This statement should be read in conjunction with the accompanying Notes to the Forecast Financial Statements on pages 9-14.

CROWN LAW OFFICE

Notes to the Forecast Financial Statements for the year ending 30 June 2003

1. Statement of Significant Assumptions

These statements have been compiled on the basis of Government policies and the Crown Law Office's purchase agreement with the Attorney-General. The statements are also in accordance with generally accepted accounting principles, and the Public Finance Act 1989.

2. Statement of Accounting Policies

Reporting Entity

The Crown Law Office is a government department as defined by section 2 of the Public Finance Act 1989. These are forecast financial statements of the Crown Law Office prepared pursuant to section 34A of the Public Finance Act 1989.

Measurement System

The financial statements have been prepared on an historical cost basis, modified by the revaluation of the Library asset.

Accounting Policies

Revenue

The Office derives revenue through the provision of outputs to the Crown and for services to third parties. Such revenue is recognised when earned and is reported in the financial period to which it relates.

Cost Allocation

The Office has determined the cost of outputs using a cost allocation system which is outlined below.

Cost Allocation Policy

Direct costs are charged directly to significant activities. Indirect costs are charged to significant activities based on cost drivers and related activity/usage information.

Direct and Indirect Cost Assignment to Outputs

Direct costs are charged directly to outputs. Personnel costs are charged to outputs on the basis of actual time incurred.

Indirect costs are the costs of corporate management and support services, including depreciation and capital charge, and are assigned to outputs based on the proportion of direct staff costs for each output.

CROWN LAW OFFICE

Notes to the Forecast Financial Statements - continued for the year ending 30 June 2003

2. Statement of Accounting Policies - continued

Work-in-Progress

Work-in-progress is determined as unbilled time plus disbursements which can be recovered from clients, and has been valued at the lower of cost or expected realisable value.

Debtors and Receivables

Receivables are recorded as estimated realisable value, after providing for doubtful and uncollectable debts.

Operating Leases

Operating lease payments, where the lessors effectively retain substantially all the risks and benefits of ownership of the leased item, are charged as expenses in the periods in which they are incurred.

Fixed Assets

A revaluation of the library asset is carried out at least every three years. New publications purchased for the library are capitalised between the revaluations.

All other fixed assets, costing more than \$1000, are capitalised and recorded at historical cost less accumulated depreciation.

Depreciation

Depreciation of fixed assets is provided on a straight line basis at rates which will write off the cost of the assets, less their estimated residual values, over their estimated useful lives. The useful lives of the major classes of assets have been estimated as follows:

| | | |
|--------------------------|---------------|---------|
| • Computer equipment | 3 years | (33.3%) |
| • Office equipment | 5 years | (20%) |
| • Furniture and fittings | 5 years | (20%) |
| • Leasehold improvements | Up to 3 years | (33.3%) |
| • Library | 10 years | (10%) |

The cost of leasehold improvements is capitalised and amortised over the un-expired period of the lease or the estimated remaining useful lives of the improvements, whichever is shorter.

Employee Entitlements

The liability for entitlements by staff to annual leave, long service leave and retirement leave have been provided for as follows:

- Existing entitlements to annual leave and long service leave have been calculated on an actual entitlement basis at current rates of pay.

CROWN LAW OFFICE

Notes to the Forecast Financial Statements - continued for the year ending 30 June 2003

2. Statement of Accounting Policies – continued

- Future entitlements to long service leave and retirement leave have been calculated on an actuarial basis based on the present value of expected future entitlements.

Foreign Currency

Foreign currency transactions are converted at the New Zealand dollar exchange rate at the date of the transaction. No forward exchange contracts are entered into.

Financial Instruments

The Office is party to financial transactions as part of its normal operations. These financial instruments, which include bank accounts, short term deposits, debtors and creditors, are recognised in the Statement of Forecast Financial Position and all revenue and expenses in relation to financial instruments are recognised in the Statement of Forecast Financial Performance. Except for those items covered by a separate accounting policy, all financial instruments are shown at their estimated fair value.

Goods and Services Tax (GST)

All amounts in the Forecast Financial Statements have been stated on a GST exclusive basis. The Statement of Forecast Financial Position is also exclusive of GST, except for Debtors and Receivables and Creditors and Payables which are GST inclusive. The amount of GST owing to the Inland Revenue Department at balance date, being the difference between Output GST and Input GST, is included in Creditors and Payables.

Taxation

Government departments are exempt from the payment of income tax in terms of the Income Tax Act 1994. Accordingly, no charge for income tax has been provided for.

Commitments

Future expenses and liabilities to be incurred on contracts that have been entered into at balance date are disclosed as commitments to the extent that there are equally unperformed obligations.

Contingent Liabilities

Contingent liabilities are disclosed at the point at which the contingency is evident.

Taxpayers' Funds

This is the Crown's net investment in the Office.

Changes in Accounting Policies

No changes in accounting policies are proposed.

CROWN LAW OFFICE

Notes to the Forecast Financial Statements - continued for the year ending 30 June 2003

3. Reconciliation of Total Expenses to Appropriations

| Departmental Output Classes | Total Expenses (GST-Exclusive) \$000 | GST \$000 | Appropriations (GST-Inclusive) \$000 |
|--|--|--------------|--|
| D1 Legal Advice and Representation | 12,410 | 1,654 | 14,064 |
| D2 Supervision and Conduct of Crown Prosecutions | 21,972 | 2,746 | 24,718 |
| D3 Conduct of Criminal Appeals | 1,224 | 153 | 1,377 |
| D4 The Exercise of Principal Law Officer Functions | 1,237 | 155 | 1,392 |
| Total | 36,843 | 4,708 | 41,551 |

The forecast financial statements in this report present expenses (and revenue) exclusive of GST, in accordance with generally accepted accounting practice. When appropriated by Parliament, these expenses are inclusive of GST, in accordance with legislation. Thus:

- the total GST-exclusive amounts for each departmental output class correspond to "Total Expenses" for 2002/03 appearing on page 4 of this report.
- the GST-inclusive amounts for each departmental output class correspond to the annual appropriations for 2002/03 which are recorded in the Estimates of Appropriations, Part B1 for Vote Attorney-General.

CROWN LAW OFFICE

Notes to the Forecast Financial Statements - continued for the year ending 30 June 2003

4. Forecast Details of Fixed Assets by Category

| | 30 June 2002 | 30 June 2003 Forecast Position | | |
|------------------------|---|---------------------------------------|--------------------------------------|----------------------------|
| | Estimated Net Book Value Position \$000 | Cost/Net Current Value \$000 | Accumulated Depreciation \$000 | Net Book Value \$000 |
| Computer Equipment | 294 | 1,493 | 1,220 | 273 |
| Office Equipment | 28 | 283 | 249 | 34 |
| Furniture and Fittings | 90 | 290 | 209 | 81 |
| Leasehold Improvements | 0 | 1,721 | 1,668 | 53 |
| Library | 642 | 720 | 142 | 578 |
| Total | 1,054 | 4,507 | 3,488 | 1,019 |

5. Forecast Movements in Taxpayers' Funds

| | Estimated Position as at 30 June 2002 \$000 | Forecast Position as at 30 June 2003 \$000 |
|---|--|---|
| Taxpayers' funds at start of period | 2,217 | 2,217 |
| Movements during the year (other than flows to and from the Crown): | | |
| Net surplus | 861 | 824 |
| Total recognised revenues and expenses for the period | 861 | 824 |
| Adjustment for flows to and from the Crown: | | |
| Provision for payment of surplus to the Crown | (861) | (824) |
| Total Adjustments for flows to and from the Crown | (861) | (824) |
| Taxpayers' Funds at the end of the period | 2,217 | 2,217 |

CROWN LAW OFFICE

Notes to the Forecast Financial Statements - continued for the year ending 30 June 2003

6. Reconciliation of Net Cash Flows From Operating Activities to Net Surplus/(Deficit) in the Statement of Forecast Financial Performance

| | 2001/02 | | 2002/03 |
|---|-------------------|------------------------------|-----------------|
| | Budgeted \$000 | Estimated Actual \$000 | Budget \$000 |
| Operating Surplus | 824 | 861 | 824 |
| Add non-cash expenses from Statement of Forecast Financial Performance: | | | |
| Depreciation and Amortisation | 500 | 516 | 335 |
| Add/(deduct) non cash working capital reductions/(increases) from Statement of Forecast Financial Position: | | | |
| (Increase)/decrease in Debtors and Receivables | (315) | 3 | - |
| Increase/(decrease) in Creditors and Payables | (516) | (662) | - |
| Increase/(decrease) in Provisions | (109) | (70) | - |
| Net Cash Flows from Operating Activities | 384 | 648 | 1,159 |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

The Crown Law Office has committed to provide output classes in 2002/03 which meet the requirements of its Vote Minister and various purchasers in terms of their nature, timeliness, quality and quantity specifications, and cost.

Summary of Departmental Output Classes

Departmental output classes to be delivered by the Crown Law Office, and their associated revenue, expenses and surplus or deficit are summarised below:

| Departmental Output Class | Description | Revenue: Crown \$000 | Revenue: Other \$000 | Total Expenses \$000 | Surplus/ (deficit) \$000 |
|--|---|-------------------------------------|-------------------------------------|-------------------------------------|---|
| Vote: Attorney- General | | | | | |
| D1 – Legal Advice and Representation | The provision of legal advice and representation services to central government departments and Crown agencies. | - | 13,234 | 12,410 | 824 |
| D2 – Supervision and Conduct of Crown Prosecutions | Provision of a national Crown prosecution service which conducts and administers criminal trials on indictable offences and appeals arising out of summary prosecutions. | 21,972 | - | 21,972 | - |
| D3 – Conduct of Criminal Appeals | Conduct of appeals arising from criminal trials on indictment and from Crown appeals against sentence. | 1,224 | - | 1,224 | - |
| D4 – The Exercise of Principal Law Officer Functions | The provision of legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions. | 1,237 | - | 1,237 | - |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D1 - Legal Advice and Representation

Description: This output class comprises the provision of legal advice and representation services to central government departments and agencies with special emphasis on matters of public and administrative law, including Treaty of Waitangi and revenue issues.

The legal advice and representation services provided will take into account the responsibility of the Government to conduct its affairs in accordance with the law and the underlying role to discharge the responsibilities of the Attorney-General and Solicitor-General to act in the public interest.

Service Performance:

| | <i>Measures</i> | <i>Standards</i> |
|--|-----------------|------------------|
| Quantity | | |
| Number of new instructions for legal advice. | | 485 – 510 |
| Average number of requests for legal advice in progress during the year. | | 780 - 820 |
| Number of new instructions in respect of litigation matters. | | 570 – 600 |
| Average number of litigation matters in progress during the year. | | 1,950 – 2,050 |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D1 - Legal Advice and Representation - continued

Service Performance:

Measures

Standards

Quality and Timeliness

Legal advice, including opinions, and representation services will be provided in accordance with the Office's Professional Standards: Crown Law Advice and Conduct of Litigation, respectively.

Conformity with the guidelines set down in the standards as determined by the quality assurance review processes which have been developed to support the application of the standards.

Questionnaires seeking feedback on performance will be issued to clients in respect of specific matters chosen at random. The questionnaire will request a response to a range of key service level criteria relevant to the matter selected including the response to instructions, the timely status reporting and completion of the matter, and the quality and cost effectiveness of advice and/or case management.

Questionnaires issued: 40 – 80

Overall satisfaction rating: 80% - 90%

Cost

The output class is produced within budget.

\$12.410 million (GST exclusive)

Summary of Revenue and Cost:

| Year | Appropriation GST incl. \$000 | Cost GST excl. \$000 | Total Revenue GST excl. \$000 | Revenue Crown GST excl. \$000 | Revenue Other GST excl. \$000 |
|---------|-------------------------------------|----------------------------|--|--|--|
| 2002/03 | 14,064 | 12,410 | 13,234 | - | 13,234 |
| 2001/02 | 14,064 | 12,410 | 13,234 | - | 13,234 |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D2 - Supervision and Conduct of Crown Prosecutions

Description: This output class involves the provision of a national Crown prosecution service which undertakes criminal trials on indictment and related appeals, the supervision of the network of Crown Solicitors, who deliver the prosecution service in centres where District Court and High Court jury trials are conducted throughout New Zealand, and the provision of advice on criminal law matters to other government agencies and Crown Solicitors.

The advice on criminal law matters includes undertaking work in the following areas: proceeds of crime, mutual assistance, blood sampling for DNA, request for Crown appeals arising out of summary prosecutions, consent to prosecute, applications for stays and immunity from prosecution.

This output class comprises three outputs:

- Crown Prosecution Services
- Supervision of Crown Solicitor Network
- Criminal Law Advice and Services

Output D2.1: Crown Prosecution Services

Description: The national Crown prosecution service involves undertaking all the criminal trials on indictment, including appeals against conviction and sentence arising from summary prosecutions, for all regions in New Zealand. The services are delivered by a network of sixteen Crown Solicitors, who operate as law practitioners in private practice, in centres where District Court and High Court criminal jury trials take place.

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D2 - Supervision and Conduct of Crown Prosecutions - continued

Output D2.1: Crown Prosecution Services

Service Performance:

| <i>Measures</i> | <i>Standards</i> |
|---|--|
| Quantity | |
| Number of trials for indictable crime held in the: | |
| - District Court | 1,100 – 1,200 |
| - High Court. | 160 – 175 |
| Number of trials for indictable crime, where the complexity of the case requires a significant amount of preparation and court appearance time, held in the: | |
| - District Court | 115 – 125 |
| - High Court. | 120 – 130 |
| Number of other criminal matters conducted by the Crown Solicitors, comprising: | |
| - Bail Applications and Appeals | 1,050 – 1,150 |
| - Guilty Pleas and Middle Band Sentencing | 1,900 - 2,100 |
| - Appeals relating to Summary Prosecutions. | 700 – 800 |
| Quality and Timeliness | |
| Prosecution services provided in accordance with prosecution guidelines and case management practices developed by the Solicitor-General and judiciary, respectively. | Review of each Crown Solicitor practice on a cyclical basis to determine conformity to guidelines and practices as described in Output D2.2: Supervision of Crown Solicitor Network. |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D2 - Supervision and Conduct of Crown Prosecutions – continued

Output D2.2: Supervision of Crown Solicitor Network

Description: Supervision of the Crown Solicitor network includes administering the Crown Solicitors Regulations 1994 and in particular the classification of counsel, approval of special fees, and approval of additional counsel for lengthy or complex trials; the appointment and review of panel members for each region to assist Crown Solicitors; and undertaking a performance review of each Crown Solicitor practice on a cyclical basis.

Service Performance:

| <i>Measures</i> | <i>Standards</i> |
|---|---|
| Quantity | |
| Number of Crown Solicitors practices to be reviewed. | 2 - 4 reviews will be completed during the year. |
| Number of new applications from Crown Solicitors for special fees, classification of counsel and approval of additional counsel. | 350 – 370 |
| Quality and Timeliness | |
| Applications by Crown Solicitors for special fees, classification of counsel and approval of additional counsel will be considered in accordance with the Crown Solicitors Regulations 1994 and the Office's protocols which support the application of the Regulations. The protocols describe the process to be followed, the quality standards relating to the process, and the content and justification required for the applications. | Conformity of applications with the Crown Solicitors Regulations 1994, and the Office's protocols, which support the application of the regulations, will be assessed at the time the application is considered. Feedback on the applications will be formally communicated to Crown Solicitors as appropriate. |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D2 - Supervision and Conduct of Crown Prosecutions - continued

Output D2.2: Supervision of Crown Solicitor Network

Service Performance:

Measures

Standards

Quality and Timeliness (continued)

The provision of prosecution services by Crown Solicitors will be reviewed according to a range of quality standards which include:

- compliance with professional standards of conduct.
- application of the Solicitor-General's prosecution guidelines.
- compliance with court procedures and the requirements of the judiciary and clients in the management of cases.
- compliance with the Crown Solicitors Regulations 1994 and, in particular, the charging for services rendered.
- compliance with the protocols and financial guidelines developed by the Office to support the application of the above Regulations.

A review of the performance of Crown Solicitors, in providing prosecution services, will be undertaken on a cyclical basis by a Review Panel which comprises senior representatives from Crown Law Office and an independent adviser. The panel will address two main areas:

- case processing efficiency and effectiveness using a questionnaire and interview approach with the judiciary, clients and profession
- practice management case allocation, "good employer" responsibilities, financial reporting on cases, and compliance with the Regulations and the supporting protocols.

A report is to be prepared for the Solicitor-General by each Review Panel containing documentary evidence of the review process including the use of checklists and questionnaires with assessments and conclusions.

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D2 - Supervision and Conduct of Crown Prosecutions - continued

Output D2.3: Criminal Law Advice and Services

Description: Criminal Law Advice and Services includes the provision of advice in relation to criminal law, and undertaking work in the following areas: proceeds of crime, mutual assistance, blood sampling for DNA, requests for Crown appeals, consents to prosecute, applications for stays and immunity from prosecution, and ministerials in relation to criminal matters.

Service Performance:

| <i>Measures</i> | <i>Standards</i> |
|--|--|
| Quantity | |
| Number of new requests for legal advice or determination of applications received in relation to criminal law issues. | 340 – 360 |
| Average number of requests for legal advice or determination of applications in relation to criminal law in progress during the year. | 380 – 400 |
| Number of new ministerials and parliamentary questions received. | 35 – 50 |
| Quality and Timeliness | |
| Legal advice, including opinions, and representation services will be provided in accordance with the Office's Professional Standards: Crown Law Advice and Conduct of Litigation, respectively. | Conformity with the guidelines set down in the standards as determined by the quality assurance review processes which have been developed to support the application of the standards. |
| Ministerial correspondence and parliamentary questions will be responded to within appropriate time frames. | Replies to ministerial correspondence will be completed within 20 working days of receipt in 90% of cases. All responses to parliamentary questions will be provided within required deadlines. |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D2 - Supervision and Conduct of Crown Prosecutions - continued

Output D2.3: Criminal Law Advice and Services

Service Performance:

Measures

Standards

Cost

The output class is produced within budget. \$21.972 million (GST exclusive)

Summary of Revenue and Cost:

| Year | Appropriation GST incl. \$000 | Cost GST excl. \$000 | Total Revenue GST excl. \$000 | Revenue Crown GST excl. \$000 | Revenue Other GST excl. \$000 |
|---------|-------------------------------------|----------------------------|--|--|--|
| 2002/03 | 24,718 | 21,972 | 21,972 | 21,972 | - |
| 2001/02 | 24,497 | 21,775 | 21,775 | 21,775 | - |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D3 - Conduct of Criminal Appeals

Description: This output class involves the conduct of all appeals which arise out of criminal trials on indictment and from Crown appeals.

The majority of appeals, which include pre-trial applications and appeals against sentence and conviction, are brought by the offender. The decision on whether to take a Crown appeal is a statutory function of the Solicitor-General.

Service Performance:

Measures

Standards

Quantity

Number of appeals disposed of by the Court of Appeal arising out of criminal trials on indictment, brought by:

- | | |
|--------------|-----------|
| - the Crown | 20 – 30 |
| - offenders. | 340 – 370 |

Decisions made to requests for the Solicitor-General to take Crown appeals in relation to:

- | | |
|---------------------------------|---------|
| - sentence | 40 – 50 |
| - case stated or other appeals. | 25 - 30 |

Quality and Timeliness

Success rate for appeals brought by the Solicitor-General.

Not less than 60%.

Compliance with court procedures and requirements of the judiciary as specified in the “Court of Appeal Practice Note: Criminal Appeals”.

No complaints are received in relation to non-compliance.

The hearing of appeals are undertaken in accordance with the schedule of sitting days which are agreed by the court one month in advance.

No requests for adjournment are sought by the Crown.

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D3 - Conduct of Criminal Appeals - continued

Service Performance:

Measures

Standards

Quality and Timeliness (continued)

Written submissions are filed within the time frame stipulated in the "Court of Appeal Practice Note - Criminal Appeals".

Submissions are filed by the Crown by the required date, or within three days of receipt of the appellant's submissions, or if that time frame is not available then prior to the appeal hearing.

Cost

The output is produced within budget

\$1.224 million (GST exclusive)

Summary of Revenue and Cost:

| Year | Appropriation GST incl. \$000 | Cost GST excl. \$000 | Total Revenue GST excl. \$000 | Revenue Crown GST excl. \$000 | Revenue Other GST excl. \$000 |
|---------|-------------------------------------|----------------------------|--|--|--|
| 2002/03 | 1,377 | 1,224 | 1,224 | 1,224 | - |
| 2001/02 | 1,537 | 1,366 | 1,366 | 1,366 | - |

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D4 - The Exercise of Principal Law Officer Functions

Description: The output class covers the provision of legal and administrative services to the Attorney-General and Solicitor-General to assist them in the exercise of their Principal Law Officer functions, the provision of legal advice to Government and Ministers of the Crown including advice on constitutional and governance related issues, and advice to the judiciary regarding legal processes.

The particular services provided include monitoring the enforcement and application of the law, supervision of charities, representation of the public interest, relator proceedings, vexatious litigant proceedings, and the exercise of a variety of powers, duties and authorities arising from statutory requirements and constitutional conventions. This output class also includes the review of legislation for compliance with the Bill of Rights Act 1990, and advice on the appointment processes for judges and Queens Counsel.

Service Performance:

Measures

Standards

Quantity

| | |
|--|-----------|
| Number of new applications or requests for advice received for action on behalf of the Attorney-General and Solicitor-General. | 120 – 130 |
|--|-----------|

| | |
|--|-----------|
| Average number of applications or requests for legal advice in progress during the year. | 320 – 335 |
|--|-----------|

| | |
|--|-----------|
| Number of new ministerials and parliamentary questions received. | 240 – 260 |
|--|-----------|

Quality and Timeliness

Legal advice, including opinions, and representation services will be provided in accordance with the Office's Professional Standards: Crown Law Advice and Conduct of Litigation, respectively.

Conformity with the guidelines set down in the standards as determined by the quality assurance review processes which have been developed to support the application of the standards.

Quality, timeliness and effectiveness of services assessed in accordance with the standards agreed with the Attorney-General.

CROWN LAW OFFICE

Statement of Objectives and Forecast Service Performance for the year ending 30 June 2003

Output Class D4 - The Exercise of Principal Law Officer Functions - continued

Service Performance:

Measures

Standards

Quality and Timeliness - continued

Questionnaires seeking feedback on performance will be issued to clients in respect of specific matters chosen at random. The questionnaire will request a response to a range of key service level criteria relevant to the matter selected including the response to instructions, the timely status reporting and completion of the matter, and the quality and cost effectiveness of advice and/or case management.

Questionnaires issued: 15 – 20

Overall satisfaction rating: 80% - 90%

Brief the Attorney-General in a timely and relevant way on significant legal matters affecting the Crown.

A weekly report will be provided to the Attorney-General advising on significant legal matters involving the Crown.

Ministerial correspondence and parliamentary questions will be responded to within appropriate time frames.

Replies to ministerial correspondence will be completed within 20 working days of receipt in 90% of cases.

All responses to parliamentary questions will be provided within required deadlines.

Cost

The output is produced within budget

\$1.237 million (GST exclusive)

Summary of Revenue and Cost:

| Year | Appropriation GST incl. \$000 | Cost GST excl. \$000 | Total Revenue GST excl. \$000 | Revenue Crown GST excl. \$000 | Revenue Other GST excl. \$000 |
|---------|-------------------------------------|----------------------------|--|--|--|
| 2002/03 | 1,392 | 1,237 | 1,237 | 1,237 | - |
| 2001/02 | 1,367 | 1,215 | 1,215 | 1,215 | - |

CROWN LAW OFFICE

Organisation Information

Governance Structure

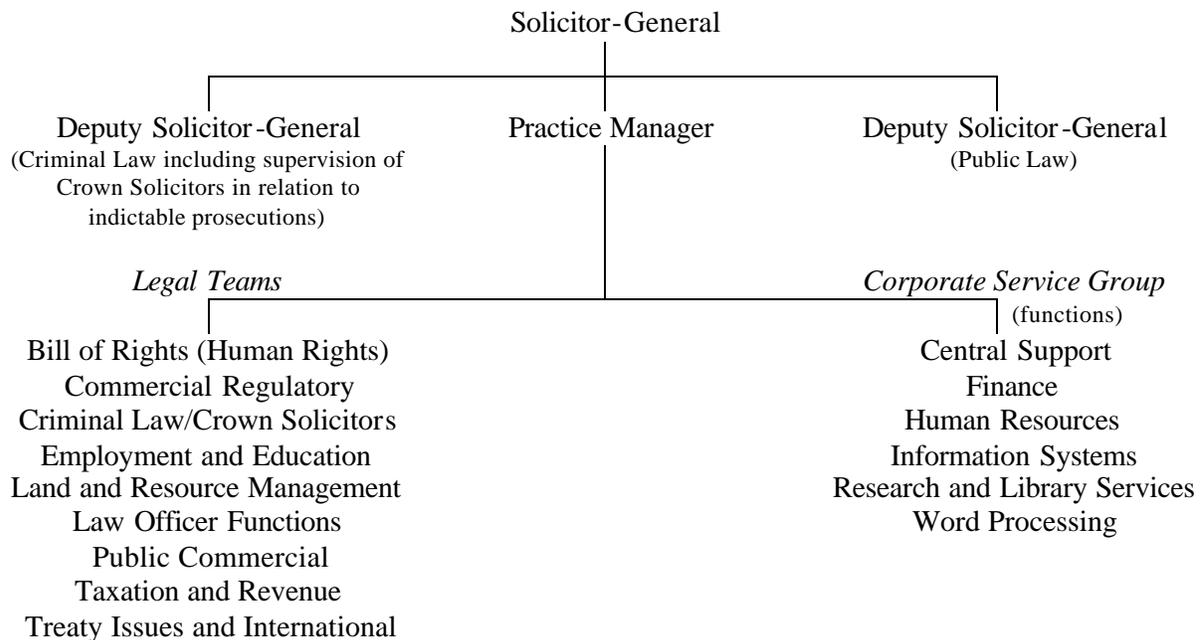
The Crown Law Office is a government department whose primary function is to support the two Law Officers of the Crown: the Attorney-General and the Solicitor-General, in the performance of their statutory duties and functions.

The Attorney-General, who concurrently holds offices as a Minister of the Crown with political responsibilities and as the senior Law Officer of the Crown, has principal responsibility for the government's administration of the law.

The Solicitor-General is the chief legal advisor to the government, subject to any views expressed by the Attorney-General. In this capacity, the Solicitor-General is the Government's chief advocate in the courts. In addition, the Solicitor-General is responsible for the conduct of the prosecution of indictable crime, and also has a number of specific statutory duties and functions to perform. The Solicitor-General is also the Chief Executive of the Crown Law Office.

Organisation Structure

The Crown Law Office is organised into nine client servicing legal teams and a corporate services group as shown by the following chart:



The Office is currently reviewing the organisation of its legal team and associated support structures in order to evaluate opportunities to improve the level of support provided to the Solicitor-General and clients of the Office.

CROWN LAW OFFICE

Legislative Responsibilities

The Crown Law Office administers the Crown Solicitors Regulations 1994 which set out the basis upon which the scale of fees is calculated and the process by which fees are claimed and paid to Crown Solicitors for undertaking Crown prosecution work

The Cabinet Directions for the Conduct of Crown Legal Business 1993, govern the conduct of legal business between the Law Officers of the Crown, the Crown Law Office and government departments and agencies.

Crown Solicitor Network

A network of Crown Solicitors, who are legal practitioners in private practice, conduct indictable trials on behalf of the Crown in all High Court districts around New Zealand. Crown Solicitors are appointed on the recommendation of the Attorney-General, and by warrant of the Governor-General. The Solicitor-General is responsible for supervising the Crown Solicitors in respect of the conduct of prosecutions and other legal work undertaken for the government. The Crown Solicitors Regulations 1994 provide the basis for remuneration of Crown Solicitors.

There are sixteen private law practitioners holding warrants as Crown Solicitors. Together with their partners and staff solicitors from the practice and the local prosecution panels, they undertake prosecution work in those centres where District Court and High Court jury trials are conducted. The Crown Solicitor warrants for Nelson and Blenheim, which were previously held by counsel in the Crown Law Office, have now been combined into one warrant for the Tasman district and a local private law practitioner has been appointed to manage the warrant.

Human Resource Management Policies

The responsibilities for being a "good employer" are recognised in the Office's human resource management policies, procedures and systems. These have been designed to ensure that staff are able to work in a safe and healthy office environment, participate fully in achieving the goals of the Office, and are presented with opportunities to develop personally and professionally.

The Office's Equal Employment Opportunities (EEO) plan includes strategies in the areas of leadership, employment of EEO target groups, organisational culture, work and family issues and the development of EEO statistics for monitoring purposes.

Information Systems Management

The legal advice and representation functions of the Office make heavy use of information technology and systems for the production and management of documents, the conduct of legal research, communication with clients, and the management of matters on behalf of those clients. Strategies are in place to review existing systems and to evaluate currently available technologies and systems, to determine those which have the potential to improve the effectiveness of legal advice and representation services provided to clients.

Office Accommodation

The Office is located in St Paul's Square, Thorndon and occupies three floors plus a mezzanine floor of office accommodation. The premises are under lease until 31 December 2004.

CROWN LAW OFFICE

Directory

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Level 12
St Paul's Square
45 Pipitea Street
Wellington

Postal Address

DX SP20208
or
PO Box 5012
Wellington

Other Contact Details

Telephone: 64 4 472 1719

Fax: 64 4 473 3482

E-mail: library @crownlaw.govt.nz (for general information about the office)
hr@crownlaw.govt.nz (for information about employment opportunities)

Website: <http://www.crownlaw.govt.nz/>

Auditor

Audit New Zealand
Wellington

(on behalf of the Controller and Auditor-General)

Bankers

WestpacTrust
Division of Westpac Banking Corporation
Wellington