

# STATEMENT OF INTENT

## 2018—2022



*Presented to the House of Representatives pursuant to section 39 of the Public Finance Act 1989*

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# FOREWORD FROM THE ATTORNEY-GENERAL

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Credible and influential legal advice is crucial for the Government to understand the risks and opportunities it faces, deliver on its priorities and, ultimately, safeguard and strengthen the rule of law. New Zealand's reputation on a world stage is also largely dependent on how its domestic governance is seen to respect and protect the rule of law and democratic institutions.

Crown Law plays a critical role in supporting me to meet my constitutional responsibilities as Attorney-General: to uphold the rule of law, protect civil liberties and honour the conventions that underpin our constitutional arrangements. Crown Law ensures the Government acts lawfully with the benefit of sound legal advice and good representation. The work of Crown Law is also vital to ensuring a fair and effective justice system in New Zealand.

I see these constitutional cornerstones reflected in Crown Law's daily business of delivering high-quality Crown legal work.

An increasingly important aspect of Crown Law's unique role lies in its expertise in assisting decision makers to manage the legal risk to which the Crown is exposed. Enhancing legal risk management across government will enable better decision making. This will help the Government to accept and balance risk – not simply avoid it – providing we always act consistently with the rule of law. Sound and early advice will help decision makers to get on the front foot and appreciate which options appear to be worth the risk because of the significance of the results.

Crown Law continues to deliver important representation work for all government departments, as well as work across the network of government lawyers and prosecuting agencies, through the Government Legal Network, the Crown Solicitor Network and the Public Prosecutions Unit. These collaborative initiatives continue to make a significant impact.

As part of renewing its strategic direction, Crown Law has adopted a mission to be legal experts,

kaitiaki of the rule of law and system leaders for law in government. Ambitious goals relating to each of these aspects are reflected in this Statement of Intent.

Government legal advice directly contributes to enhanced stewardship of New Zealand's resources, assisting decision makers to understand legal risks and act with confidence, reduced delays in implementing reforms, improved criminal justice and promoting a fair and robust democracy.

Crown Law has undertaken an ambitious programme of work to identify and respond to challenges in how it makes the most of the key role it plays. The nature of these challenges and the thoughtful manner in which the office has approached this work reflects the constitutional importance of the support Crown Law provides. There is untapped potential for lawyers to make a contribution beyond technical acumen, to balance risk with opportunity and support the delivery of the Government's vision for New Zealand.

I look forward to working with the Solicitor-General and Crown Law on these challenges.



Hon David Parker  
Attorney-General

# SOLICITOR-GENERAL'S INTRODUCTION

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Crown Law's newly established vision is collaborative, indispensable legal service. Collaborative refers to how the networks of government lawyers need to work together for the good of the Crown, and indispensable refers to the quality of advice and services that need to be provided.

In developing this vision, we asked ourselves what is the Crown Law that New Zealand needs? The answer to this question has helped to shape the strategic shift the organisation has embarked upon. We aim to deliver the following three outcomes: demonstrably better government decisions; strengthened influenced of the rule of law; and improved criminal justice.

This Statement of Intent sets out how we will go about our work in pursuit of our vision and to deliver on our outcomes.

In 2017, an external Performance Improvement Framework (PIF) assessment was undertaken. This assessment was very positive about Crown Law's strategic direction. It identified five performance challenges that need to be tackled to ensure we achieve our outcomes:

- Ensuring the way government legal services are delivered (our integrated operating model) supports the increasing complexity of the system and the demands from contemporary practice.
- Upholding and ensuring the embedding of conventions that support a strong, enduring, independent legal framework for New Zealand.
- Developing a culture that will enable the success of the integrated operating model.
- Implementing a People Plan that ensures Crown Law has the right people in all roles (now and in the future) at all levels of the organisation including a network plan and approach.
- Investing in systems, processes and decision frameworks that will drive effectiveness, efficiency, quality and consistency in all of the work that Crown Law does.

We agree with the external PIF reviewers. Their challenges have been incorporated into the direction outlined in this Statement of Intent. We know we cannot solve all these challenges ourselves. We require the support of Ministers, departments and the networks of government lawyers. We have already received considerable support from our partners as they help us design how Crown Law, and lawyers across Government, can deliver on the opportunities we see ahead.

I am excited about the future for Crown Law and the government's legal networks. With the quality and capability of our people, both within Crown Law and across the networks, we are well placed for the challenges ahead. I am confident that we can achieve the ambition outlined in this Statement of Intent.



Una Jagose QC  
Solicitor-General and Chief Executive

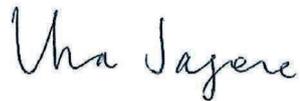
# STATEMENTS OF RESPONSIBILITY

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## **Chief Executive's statement of responsibility**

In signing this information, I acknowledge that I am responsible for the information on the strategic intentions for the Crown Law Office. This information has been prepared in accordance with section 38 and section 40 of the Public Finance Act 1989.

Signed:



Una Jagose QC  
Solicitor-General and Chief Executive

Date: 30 September 2018

## **Responsible Minister's statement**

I am satisfied that the information on the strategic intentions prepared by the Crown Law Office is consistent with the policies and performance expectations of the Government.

Signed:



Hon David Parker  
Attorney-General

Date:

11/10/18

# ABOUT CROWN LAW

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## *Who we are and what we do*

Crown Law's function is to support the Attorney-General and the Solicitor-General in performing their roles. The Attorney-General is the senior Law Officer of the Crown with principal responsibility for the Government's lawful conduct and administration of criminal law. The Attorney-General is also a Minister of the Crown, with ministerial responsibility for Crown Law and the Parliamentary Counsel Office. The Solicitor-General is the junior Law Officer and is the Government's chief legal advisor and advocate in the courts. The Solicitor-General holds office as an official of government and is the Chief Executive of Crown Law and the professional head of lawyers in government.

Crown Law has been providing services for more than 140 years, although in common with many other departments, there is no statutory basis for the establishment of Crown Law.

In particular, Crown Law is responsible for:

- supporting and assisting the Attorney-General and the Solicitor-General in the performance of their statutory and other functions as Law Officers of the Crown;
- the provision of legal advice and representation services to Ministers of the Crown and Government departments;
- assisting the Solicitor-General with the conduct of criminal appeals; and
- assisting the Solicitor-General in the supervision and oversight of public prosecutions.

Crown Law 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. Crown Law's focus is on core Crown legal work as that term is defined in the Cabinet Directions for the Conduct of Crown Legal Business 2016 – essentially, the core legal work for which the Attorney-General and Solicitor-General are constitutionally responsible.

Crown Law has no general responsibility for policy formulation or legislation. However, its role includes providing advice to Ministers and departments on the legal implications of legislative policy proposals, and Crown Law is represented on the Legislation Design and Advisory Committee. Crown Law also retains a small policy capacity to support the Attorney-General and to contribute to policy work undertaken by other agencies that is relevant to the functions of the Law Officers and Crown Law.

Crown Law contributes to all sectors of government through the legal advice and services provided to the Principal Law Officers and government departments and agencies. Crown Law is also part of the justice sector. The justice sector's vision is a criminal system that the public trusts and a safe, fair, and prosperous society. Crown Law contributes to this vision by ensuring that those who cause harm are held to account by facilitating high-quality prosecutions and criminal appeals arising from Crown prosecutions. Crown Law also contributes to enhancing increased public trust by supporting the performance of the Principal Law Officers in their constitutional and other duties.

## *How Crown Law is changing to meet contemporary needs*

Crown Law's vision of collaborative, indispensable legal service is a vision for both Crown Law and the wider networks of lawyers we are part of and oversee. In terms of Crown Law, what makes us unique and the value that we provide (i.e. our mission) is threefold:

**Legal experts:** We are experts in public, criminal, constitutional and Treaty of Waitangi law, enabling Government to pursue its policy objectives according to law.

**Kaitiaki of the rule of law:** We support the Law Officers (the Attorney-General and Solicitor-General) to determine the Crown's view of the law.

**System leaders:** We provide leadership for the networks of Crown Solicitors, public prosecuting agencies and in-house Government lawyers.

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Given the growing importance, complexity and need for timely legal advice and quality representation, it is vital that Crown Law and the network of Government lawyers continue to adapt and evolve how we provide our services. The question we asked ourselves and our stakeholders is what is the Crown Law that New Zealand needs?

Our revised strategic direction (see the diagram overleaf) puts three core outcomes at the heart of what we do:

**Demonstrably better Government decisions** refers to our ambition for government lawyers right throughout the State sector to be sought out by decision makers as partners who add real value. They help with identifying lawful options, spot opportunities and solutions to problems, identify legal risk and management options and provide advice in policy and business areas in which those lawyers are expert.

This will mean governments are best placed to implement their policy choices lawfully and with better identification and management of risk and opportunity. It will, over time, result in Crown conduct that is less susceptible to successful challenge, increased transparency of process and compliance with the rule of law and, therefore, a more robust democracy.

**Strengthened influence of the rule of law** refers to our role in upholding respect for New Zealand’s constitutional framework, including the Treaty of Waitangi and the New Zealand Bill of Rights Act 1990. Governments have legitimacy in our democracy because they are subject to the law of the land like everyone else. New Zealand’s reputation on a world stage is also largely dependent on how its domestic governance is seen to respect and protect the rule of law and democratic institutions.

New Zealanders have access to fair and impartial resolution processes, including the courts, through which they can access the checks and balances on the use of executive power. Strengthening the influence of the rule of law will be demonstrated by greater public confidence in the systems that ensure governments act according to law.

**Improved criminal justice** refers to Crown Law’s vital role in the justice sector, including: enhancing the quality of Crown prosecutions (through the network of Crown Solicitors who prosecute the most serious offences); improving the quality, consistency and decision making of the approximately 140,000 public (i.e. departmental) prosecutions every year; contributing leadership to a streamlined and efficient mutual assistance and extradition regime; and ensuring the quality of the conduct of criminal appeals.

This new strategic direction was strongly endorsed in the 2017 external Performance Improvement Framework (PIF) review. As the PIF report made clear, Crown Law has made significant advances in enhancing the capabilities of our networks. We have established the Public Prosecutions Unit, which provides oversight of Crown and non-Crown prosecutions. The Government Legal Network is now a well-embedded part of the public sector legal landscape with our lawyers working collectively to serve Government well.

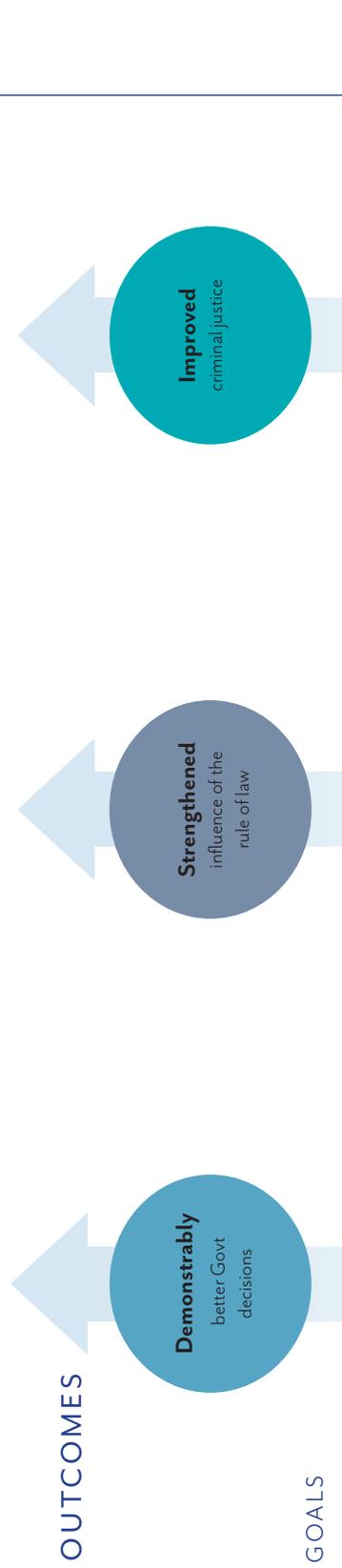
We are well under way with a comprehensive programme of work to help us meet the challenges set out in the PIF report. This is further discussed below.

The PIF report recognised that Crown Law is delivering valued, sound and high-quality legal services. We are proud of our 140-year history as an office providing legal services to the Crown and serving the rule of law. Our strategy is about the opportunity to continue that tradition in a modern, system-focused and collaborative way. This is ultimately about helping Government navigate the complex legal issues it faces so as to deliver the Government’s priorities consistent with the rule of law.

# CROWN LAW STRATEGY 2017 - 2021

## VISION

### COLLABORATIVE, INDISPENSABLE LEGAL SERVICE



**1** Enable Government to pursue its policy choices lawfully by providing quality legal services

**2** Better serve the Crown by leveraging the collective strength of the Government's legal network

**3** Increase New Zealanders' confidence in our legal system and lawfulness of decisions

**4** Improve the quality, consistency and decision making of public prosecutions

**5** Ensure the quality of Crown prosecutions

**6** Contribute leadership to a stream-lined, efficient mutual assistance and extradition regime

**7** Ensure the quality of the conduct of criminal appeals

**WHO WE ARE**

- Legal Advice & Representation: 32%
- Legal Staff: 60%
- Full Time Employees: 172
- Legal Support: 21%
- Corporate Staff: 19%
- Annual Appropriation: \$71M
- Criminal Appeals, Constitutional & Criminal duties, GLN & Public Prosecutions: 68%

**MISSION**

- LEGAL EXPERTS** - Nga Kaitiaki o te ture
- KAITIAKI OF THE RULE OF LAW** - Kaitiaki whakatau i te ture
- SYSTEM LEADERS** - Nga Kaihautu

**AREAS OF EXPERTISE**

- TREATY OF WAITANGI
- CRIMINAL LAW
- HUMAN RIGHTS
- CONSTITUTIONAL LAW
- PUBLIC LAW
- REVENUE LAW

**SYSTEM OVERSIGHT**

- GLN - Government Legal Network: 800+ Government Lawyers
- PPU - Public Prosecution Unit: 40 Prosecuting Agencies, 17 Crown Solicitor Warrants

# STRATEGIC OUTCOMES AND GOALS

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## Overview

Crown Law's vision and strategic outcomes are supported by seven goals. The indicators for each of these goals will be made available in the Estimates of Appropriations for Vote Attorney-General and progress will be reported in Crown Law's annual report published in October each year.

### **Strategic outcome: Demonstrably better Government decisions**

**Goal 1: Crown Law enables Government to pursue its policy choices lawfully. We do this by providing quality legal services at the right time that are sought after and relied on by decision makers.**

While Crown Law has very high client satisfaction rates, this goal relates to improving the quality of the services Crown Law provides, particularly in terms of advice that is provided at the right time, is high quality and is sought after by decision makers (not just because it is Cabinet mandated).

This includes Crown Law's support to the Solicitor-General's role of authoritatively determining the Crown's view of the law and how the Crown conducts itself before the Courts.

Crown Law will be respected for the way in which it predicts and influences the development of the law so as to help manage risk and to take opportunities.

Legal services refer to core Crown legal matters as outlined in the Cabinet Directions for the Conduct of Crown Legal Business 2016.

**Goal 2: The Crown is better served by leveraging the collective strength of the Government Legal Network.**

This goal relates to maximising the value of the 800+ government lawyers and using the strength of the overall network to increase the effectiveness of the Government's legal resources.

Decision makers will be better served when the network can make increasing use of its shared resources and decision makers better understand

the value of a high-quality legal perspective (where appropriate) at the right time (often early, but not necessarily so).

The strength of the network will be enhanced through the Solicitor-General's leadership of the network of government lawyers, including support for the network of Government lawyers and encouragement for decision makers to make better use of their lawyers and legal resources.

### **Strategic outcome: Strengthened influence of the rule of law**

**Goal 3: Increase New Zealanders' confidence in our legal system and lawfulness of decisions.**

At a time of increasing (international) questioning of the system of law and the quality, fairness and impartiality of the legal system, we see a need for greater emphasis on New Zealanders appreciating how the democratic system maintains credibility. This goal relates to Crown Law speaking for the rule of law. This may range from advising Ministers of the meaning of the law and constitutional boundaries and defending the judicial system and legal process to leading and contributing to policy development and public debate.

### **Strategic outcome: Improved criminal justice**

**Goal 4: Improve the quality, consistency and decision making of public (i.e. departmental) prosecutions.**

Crown Law provides Ministers and the public with confidence that the 140,000 public prosecutions undertaken annually are consistent across prosecuting authorities and there is increasing quality of these prosecutions.

**Goal 5: Ensure the quality of Crown prosecutions.**

The Crown Solicitor Network continues to provide high-quality prosecutions, and Crown Law is able to give Ministers and the public confidence in the Network.

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***Goal 6: Contribute leadership to a stream lined, efficient mutual assistance and extradition regime.***

Crown Law provides an (appropriate) leadership role in stream lining New Zealand’s mutual assistance and extradition regime. The goal is to improve the quality and increase the efficiency and timeliness of the regime.

***Goal 7: Ensure the quality of the conduct of criminal appeals.***

Crown Law continues to ensure criminal appeals are conducted in accordance with the Solicitor-General’s statutory responsibilities and meet the highest standards.

# STRATEGIC DELIVERY

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Crown Law's Leadership Team has identified a programme of work to help us deliver on our seven goals and that, along with delivering our core services, will help us to address the performance challenges in the PIF.

Crown Law is committed to delivering this programme of work, which will enhance Crown Law's service delivery and enable the Office to be more efficient and effective. The significant priorities are detailed below and are intended to be achieved in the short to medium term (1–4 years).

All the priorities are monitored and sponsored by members of our Leadership Team. As they are achieved and implemented, the Leadership Team will scope and implement further initiatives that will support the achievement of our seven goals. Progress reports on these initiatives will be contained in Crown Law's annual report published in October each year.

## ***Integrated operating model review***

In July 2017, Crown Law initiated a review of how government legal services are delivered. The review encompassed Crown Law and the networks it leads, oversees or operates within, including the Government Legal Network.

The main finding from the review was that there are significant opportunities to improve the prioritisation of legal resources across government and to encourage earlier engagement of government lawyers to enable the provision of proactive legal advice. The following three broad challenges were identified:

- Enhancing system-wide leadership.
- Fixing the supply challenge: building capability.
- Fixing the demand challenge removing barriers and managing demand.

The challenges are described in more detail below. Options to address these challenges are currently being considered with implementation of

improvements expected to occur in 2018/19 and the medium term.

### ***System-wide leadership***

System-wide leadership of the GLN and public prosecutions is in a relatively early stage of development. In an increasingly complex legal and policy environment, where many issues require skills from across departments to solve, there is a need to improve the leadership and coordination of legal services. While the foundations are now in place, there is a lot more that could be done to lift capability, better utilise resources and support effectiveness across the system.

### ***The supply challenge: building capability***

Improving the quality of legal services depends on lifting the capability of lawyers and the people and systems that support them. The right blend of relationship management, influencing and technical legal skills is critical. In coming years, increasing digitisation will present challenges to the traditional role of lawyers, including lawyers in government.

Generic advice and template documents may become more widely available as alternatives for clients. Legal experts will need to be increasingly familiar with the detail of their clients' business in order to ensure that specialist advice continues to be a worthwhile investment. There will be a move away from routine, transactional and drafting work and a demand for lawyers to become more flexible and adaptive. Lawyers will have to consolidate their role as trusted expert advisor rather than replaceable service provider. Collaboration across government legal services will strengthen the role of specialist in-house lawyers and in turn ensure the best service is provided to client agencies and, ultimately, Ministers.

### ***The demand challenge: removing barriers to best use of legal services***

While improving the supply of legal services is a necessary step, it will achieve little if the demand for services is not addressed. The integrated operating model review has identified barriers that

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inhibit departments from accessing government lawyers across the system. Removal of these barriers would help to encourage early engagement and enable lawyers to provide more strategic and proactive and useful advice. An example of a barrier to departments accessing legal services is the fee-charging model maintained by Crown Law, which requires departments to pay for all legal advice and representation for civil matters.

## **Behaviours and culture**

Following Crown Law's strategic refresh and the importance placed by the Leadership Team on all Crown Law staff working together to deliver our new strategic direction, the Solicitor-General agreed to lead a project in 2017/18 to refresh and implement a new set of behaviours to guide Crown Law's culture.

The specific aims of the project are to:

- articulate what behaviours are acceptable and unacceptable;
- support improvements to Crown Law's operating model;
- ensure the behaviours align with the new strategic direction;
- ensure the behaviours are reinforced by the whole organisation.

The new behaviours (ways of working) are expected to facilitate a shift to a culture that embraces the professional value of all of the work and all of the people in the organisation with the aim to enhance engagement levels, improve Crown Law's employment brand and enhance our efficiency, effectiveness and customer service levels.

These are the new ways of working:

- We take **pride** in all we do.
- We value our **differences**.
- We look after the **mana** of other people.
- We recognise our **impact** on others.
- We **care** about each other.

## **Government Legal Network (GLN) people approach**

The growth of the GLN has seen a rise in collaboration amongst legal leaders to manage legal issues and also a rise in system-focused lifting of capability across the GLN – with greater collaboration around information sharing, professional development, risk management and early-in-career programmes providing significant benefits to the Crown. However, there is still significant opportunity to make better use of the GLN's capability and resources and enhance the opportunities for government lawyers to progress and build their careers.

In 2017/18, the GLN launched a People Plan, which identified the following priorities:

- **Diversity and inclusion:** valuing differences in cultural perspective and recruiting to reflect the population we serve. This will involve a particular focus on strengthening engagement with Māori and Pasifika lawyers; and enhancing the GLN's knowledge of te reo and tikanga Māori.
- **Talent development and movement of lawyers around the GLN:** working across departments to provide secondment and mentoring opportunities that provide meaningful access to new career pathways; expanding the summer clerk and graduate programmes; developing a buddy programme for lawyers new to government; and scoping flexible working in order to increase the accessibility of rewarding careers to a wider pool of potential candidates.
- **Leadership development:** developing clear expectations for the skills, experience and attributes we expect to see in our senior leaders; introducing a systematic approach to identifying and developing the next generation of those leaders; and providing Chief Legal Advisors with the support and connections they need to build expert teams of influence.
- **Consistent position descriptions and competencies:** clarifying career pathways; enhancing the ability to move talent across departments; and defining a common

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understanding of high performance to give lawyers and their managers a networked approach to mentoring and progression.

- **Scoping changes in technology and practice management:** researching developments in process automation and artificial intelligence; assessing technology options that will reduce administrative tasks and allow lawyers to focus on providing substantive advice; enhancing the online training offerings; coordinating practice management systems across government where appropriate; and collating workflow data in order to ensure technology investments are wise and balance day-to-day innovation.

The People Plan contains 16 projects that will be prioritised and implemented over the next 4 years. The delivery of these projects will continue to be monitored and refined to respond to any changes arising in the GLN's operating environment. The GLN People Plan can be down loaded from <http://www.gln.govt.nz/gln-people-plan/>.

## **Systems and software**

To drive efficiency, effectiveness, improved customer services and better information for decision making, Crown Law needs to continue to invest in and enhance its systems and software applications and supporting processes.

A systems and software programme was established in 2017/18 with the following objectives:

- To evaluate, prioritise and identify the sequence of potential system and software changes to improve the tools, processes and information to enable management and staff to deliver our new strategy.
- To identify the level of operating and capital investment, up front and ongoing, required to improve and sustain systems at fit-for-purpose levels.

The systems and software improvement programme is the first stage in implementing systems and

system changes to enable staff and management to deliver on Crown Law's new strategy through:

- accurate and easily accessible information;
- forward planning to predict and manage future workloads and any potential resource issues;
- operating in a manner that supports early engagement from clients;
- efficient processes that enable greater focus on providing services and managing relationships with clients and stakeholders; and
- building, maintaining and executing an informed long-term and sustainable set of information technology roadmaps.

# ORGANISATIONAL CAPACITY AND CAPABILITY

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The direction outlined in this Statement of Intent requires a continuation of our shift from being (just) the Government's law firm (i.e. the provision of advice and litigation services on instruction) to an agency concerned with improving outcomes – including through the quality of our litigation services and expertise – and utilising the network of more than 800 Government lawyers. This shift has seen several improvements in our approach and the way we operate, most notably the permanent establishment of the Government Legal Network (GLN) and the Public Prosecution Unit (PPU).

## Government Legal Network

The GLN is a collaborative initiative by departmental Chief Legal Advisors and the Solicitor-General to promote across-government collaboration in the delivery of quality legal services to the Crown. The key objectives of the GLN are to drive efficiency and effectiveness gains in the management and delivery of those legal services and to improve the identification and management of Crown legal risk.

The GLN manages the Crown legal risk reporting system, which encourages a collaborative and proactive approach by Chief Legal Advisors to the identification and management of legal risks. The Solicitor-General, with the assistance of the GLN advisory board, reports significant risks to the Attorney-General. The GLN is developing processes to enable Chief Legal Advisors to better recognise and manage across-government risks, such as those arising from the Crown's Treaty partnership with Māori.

## Supervision and oversight of public prosecutions

The PPU was established in October 2012 in response to the 2011 Review of Public Prosecution Services and 2012 Review of the Role and Functions of the Solicitor-General and the Crown Law Office. These reviews found that Crown Law held insufficient information to understand the costs of public prosecutions and were critical of inconsistencies in the quality of those prosecutions.

The PPU manages the funding of all Crown prosecutions (approximately 5,000 every year). Crown prosecutions are conducted by a nationwide

network of 16 Crown Solicitors (holding 17 warrants) who are private sector lawyers in firms who prosecute crime under warrant from the Crown. The PPU facilitates payments to Crown Solicitors in a bulk funding model and assists with the ongoing management of the Crown Solicitor Network. The PPU also facilitates the Solicitor-General's oversight of approximately 140,000 non-Crown (i.e. departmental) prosecutions each year.

A reporting framework has been established for Crown Solicitors and prosecution agencies, which enables quantitative and qualitative analysis with a view to enhancing the Solicitor-General's oversight through comparative analysis and the development of best-practice guidance. The PPU's key objective is to improve the consistency and efficiency of the prosecutorial process.

## Our workforce

The successful delivery of our strategy depends on our staff. Crown Law's Leadership Team is committed to building and investing in a diverse, inclusive, collaborative and engaged workforce. If our people are engaged, work collaboratively, have a diverse range of views and feel comfortable communicating and considering different perspectives, we will achieve our outcomes, delivering legal advice and services that are relevant and that our stakeholders and all New Zealanders value.

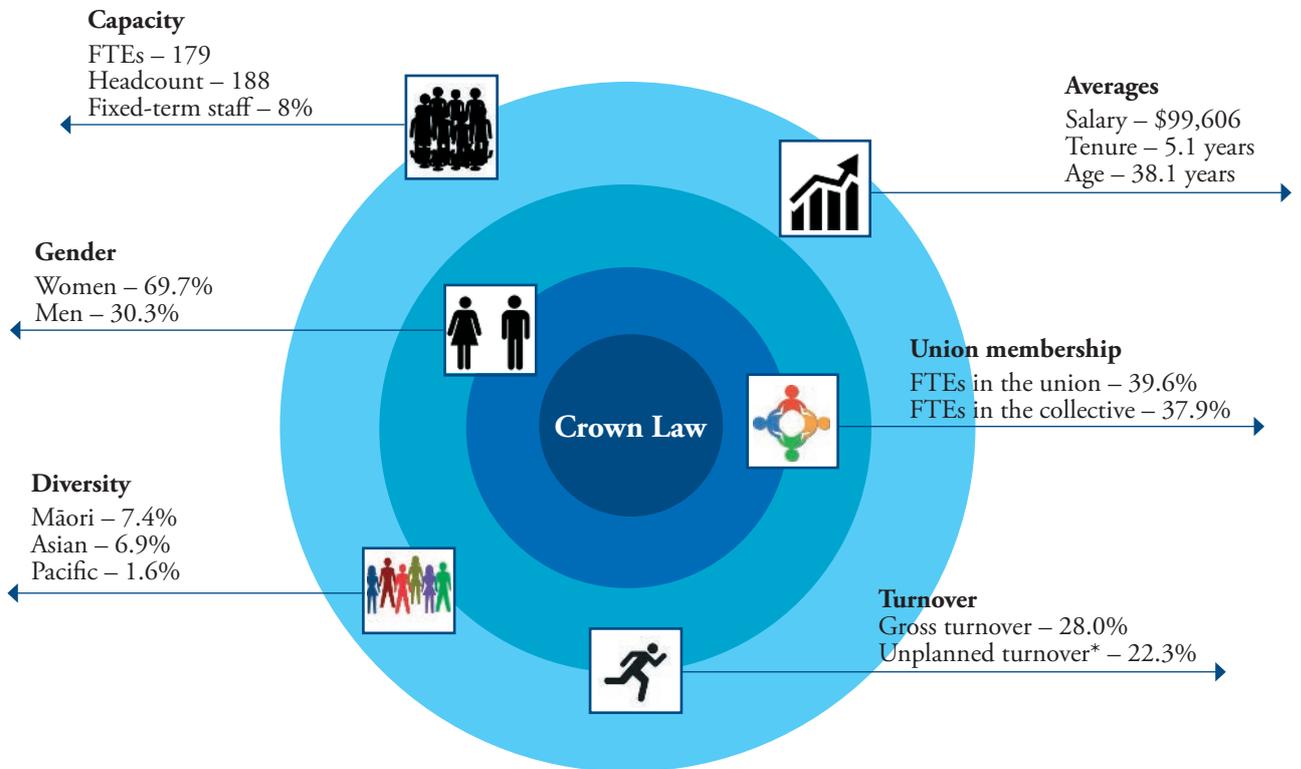
Features of Crown Law's workforce, as at 30 June 2018, are noted in Figure 1.

## Engagement

Overall, Crown Law's staff are highly motivated and engaged. Engagement results in October 2016 highlighted Crown Law's engagement is above the State sector average. The 2016 results are also an improvement on prior years with overall engagement at 75% compared with 70% in 2015. In addition, there is nearly a 3:1 ratio of the workforce that are highly engaged compared to those who are disengaged (compared to 1:1 in the 2015 survey).

A follow-up pulse survey (abbreviated engagement survey) taken in November 2017 indicates overall engagement remains high at 74%.

**Figure 1**



\* Permanent staff.

## Diversity and inclusiveness

In respect of diversity and inclusiveness, the office has good representation of women in all levels of the organisation. However, a gender pay gap exists. In 2017, we sought to better understand the drivers for the gap so that we can better manage the gap and address any issues.

As at 30 June 2018, our gender pay gap was 32% (compared with 30% in 2017). The primary driver of Crown Law’s gender pay gap is the operation of an administrative and legal workforce. Administration roles are generally lower paid than legal roles and are predominately undertaken by women. Our legal roles are undertaken by a more even mix of men and women. When we compare the pay of men and women undertaking the same roles, the gender pay gap is minimal, and in some cases, we pay women more than men. We also have an even balance of women and men in our legal manager cohort.

Overall, we are committed to improving our gender pay gap and eliminating gender bias from appointment, performance, promotion and

remuneration decisions. In 2017, we developed an action plan to support this goal, which we are currently implementing. The action plan includes better monitoring of information when making appointment and remuneration decisions as well training for managers on unconscious bias. These initiatives supplement current practices to address the gender pay gap such as Crown Law’s flexible working policy and implementing flexible working arrangements.

Crown Law is not as ethnically diverse as other government agencies and the general population. Crown Law has piloted a Māori and culture training programme for staff in 2017/18 and supported other initiatives such as a waiata group and tikanga support for the Solicitor-General. We appreciate that broadening these initiatives is a necessary focus as we execute our People Plan and implement a workforce strategy.

While we still have further to go, the quality and capability of our leaders and staff – and our commitment to a diverse and inclusive workforce – augurs well for the successful delivery of the strategy set out in this Statement of Intent.

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