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Departmental Forecast Report for the

# **Crown Law Office**

**for the year ending  
30 June 2002**

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

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# CROWN LAW OFFICE

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## **CROWN LAW OFFICE**

### **Statement of Responsibility**

The forecast financial statements for the Crown Law Office for the year ending 30 June 2002 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 2002 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 2002 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 2002 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

23 April 2001

## CROWN LAW OFFICE

### Overview

Forecast expenditure for Vote Attorney-General in 2001/02 totals \$34.286 million. This is intended to be spent as follows:

- \$11.610 million (33.9% of the total) on providing legal advice and representation services to central government departments.
- \$20.215 million (58.9% of the total) on providing a national Crown prosecution service which undertakes criminal trials on indictment and related appeals.
- \$1.224 million (3.6% of the total) on the conduct of appeals arising from criminal trials on indictment and from Crown appeals against sentence.
- \$1.237 million (3.6% 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 \$12.434 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.

### Financial Highlights

	2000/01		2001/02
	Budgeted \$000	Estimated Actual \$000	Forecast \$000
Revenue: Crown	22,138	22,138	22,676
Revenue: Other	12,450	11,571	12,434
Output expenses	33,764	33,632	34,286
Net surplus	824	77	824
Taxpayers' funds	2,082	2,082	2,082
Net cash flows from operating and investing activities	248	(138)	733

**CROWN LAW OFFICE****Statement of Forecast Financial Performance  
for the year ending 30 June 2002**

	<b>2000/01</b>	<b>2001/02</b>	
	<b>Budgeted</b>	<b>Estimated</b>	
	<b>\$000</b>	<b>Actual</b>	
		<b>Forecast</b>	
		<b>\$000</b>	
<b>Revenue</b>			
Crown	22,138	22,138	22,676
Other	12,450	11,571	12,434
<b>Total Revenue</b>	<b>34,588</b>	<b>33,709</b>	<b>35,110</b>
<b>Expenses</b>			
<i>Output Expenses:</i>			
Personnel	9,300	9,420	9,250
Operating	23,616	23,364	24,349
Depreciation	640	640	500
Capital charge	208	208	187
<b>Total Expenses</b>	<b>33,764</b>	<b>33,632</b>	<b>34,286</b>
	<b>(Note 3)</b>		
<b>Net Surplus/(Deficit)</b>	<b>824</b>	<b>77</b>	<b>824</b>

This statement should be read in conjunction with the accompanying Notes to the Forecast Financial Statements on pages 7-13.

## CROWN LAW OFFICE

### Statement of Forecast Financial Position as at 30 June 2002

	Actual Financial Position as at 30 June 2000 \$000	Estimated Financial Position as at 30 June 2001 \$000	Forecast Financial Position as at 30 June 2002 \$000
<b>Assets</b>			
<i>Current Assets</i>			
Cash and bank balances	2,882	2,721	3,377
Debtors and Receivables	2,281	2,534	2,691
<i>Total Current Assets</i>	<i>5,163</i>	<i>5,255</i>	<i>6,068</i>
<i>Non-Current Assets</i>			
Fixed Assets (Note 4)	1,528	1,187	987
<i>Total Non-Current Assets</i>	<i>1,528</i>	<i>1,187</i>	<i>987</i>
<b>Total Assets</b>	<b>6,691</b>	<b>6,442</b>	<b>7,055</b>
<b>Liabilities</b>			
<i>Current Liabilities</i>			
Creditors and Payables	3,774	3,603	3,499
Provision for payment of surplus	23	77	824
Provision for employee entitlements	689	546	500
<i>Total Current Liabilities</i>	<i>4,486</i>	<i>4,226</i>	<i>4,823</i>
<i>Non-Current Liabilities</i>			
Provision for employee entitlements	123	134	150
<i>Total Non-Current Liabilities</i>	<i>123</i>	<i>134</i>	<i>150</i>
<b>Total Liabilities</b>	<b>4,609</b>	<b>4,360</b>	<b>4,973</b>
<b>Taxpayers' Funds</b>			
General Funds	1,921	1,921	1,921
Revaluation reserve	161	161	161
<b>Total Taxpayers' Funds (Note 5)</b>	<b>2,082</b>	<b>2,082</b>	<b>2,082</b>
<b>Total Liabilities and Taxpayers' Funds</b>	<b>6,691</b>	<b>6,442</b>	<b>7,055</b>

This statement should be read in conjunction with the accompanying Notes to the Forecast Financial Statements on pages 7-13.

**CROWN LAW OFFICE****Statement of Forecast Cash Flows  
for the year ending 30 June 2002**

		<b>2000/01</b>	<b>2001/02</b>
		<b>Budgeted</b>	<b>Estimated</b>
		<b>\$000</b>	<b>Actual</b>
		<b>\$000</b>	<b>Forecast</b>
		<b>\$000</b>	<b>\$000</b>
<b>Cash Flows for Operating Activities</b>			
Cash provided from:			
Supply of outputs to:	Crown	22,138	22,138
	Other	12,451	11,319
Cash disbursed to:			
Cost of producing outputs:			
Output expenses		(33,833)	(33,069)
Capital charge		(208)	(208)
<b>Net Cash Flows from Operating Activities</b>	(Note 6)	<b>548</b>	<b>180</b>
<b>Cash Flows from Investing Activities</b>			
Cash disbursed to:			
Purchase of fixed assets		(300)	(318)
<b>Net Cash flows from Investing Activities</b>		<b>(300)</b>	<b>(318)</b>
<b>Cash Flows from Financing Activities</b>			
Cash disbursed to:			
Payment of surplus to the Crown		(23)	(23)
<b>Net Cash Flows from Financing Activities</b>		<b>(23)</b>	<b>(77)</b>
<b>Net Increase/(Decrease) in Cash Held</b>		<b>225</b>	<b>(161)</b>
Opening total cash balances at 1 July		2,882	2,882
<b>Closing Total Cash Balances at 30 June projected</b>		<b>3,107</b>	<b>2,721</b>
			<b>3,377</b>

This statement should be read in conjunction with the accompanying Notes to the Forecast Financial Statements on pages 7-13.



## **CROWN LAW OFFICE**

### **Notes to the Forecast Financial Statements for the year ending 30 June 2002**

#### **1. Statement of Significant Underlying 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 2002

#### 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

Fixed assets are recorded at historical cost less accumulated depreciation.

The Library asset was independently valued at net current value as at 30 June 1998 by Stephanie Lambert NZCL of Lambert Library Services. Revaluations are carried out at least every three years. The purchase of new publications for the library are capitalised.

##### 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 9 years	(11.1%)
• Library	10 years	(10%)

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

## **CROWN LAW OFFICE**

### **Notes to the Forecast Financial Statements - continued for the year ending 30 June 2002**

#### **2. Statement of Accounting Policies – continued**

##### **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.
- 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.

##### **Statement of Forecast Cash Flows**

“Cash” means cash balances on hand, held in bank accounts, and deposits with the New Zealand Debt Management Office.

Operating activities include cash received from all income sources of the Office and record the cash payments for the supply of goods and services.

Investing activities are those activities relating to the acquisition and disposal of non-current assets.

Finance activities comprise capital injections by, or repayment of capital to, the Crown.

##### **Financial Instruments**

All financial instruments (cash and short term deposits, debtors and creditors) are valued at their fair value in the financial statements.

##### **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.

**CROWN LAW OFFICE****Notes to the Forecast Financial Statements - continued  
for the year ending 30 June 2002****2. Statement of Accounting Policies - continued****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 2002

#### 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	11,610	1,554	13,164
D2 Supervision and Conduct of Crown Prosecutions	20,215	2,527	22,742
D3 Conduct of Criminal Appeals	1,224	153	1,377
D4 The Exercise of Principal Law Officer Functions	1,237	155	1,392
<b>Total</b>	<b>34,286</b>	<b>4,389</b>	<b>38,675</b>

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 2001/02 appearing on page 4 of this report.
- the GST-inclusive amounts for each departmental output class correspond to the bolded annual appropriations for 2001/02 appearing 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 2002****4. Forecast Details of Fixed Assets by Category**

	30 June 2001	30 June 2002 Forecast Position		
	Estimated Net Book Value Position \$000	Cost/Net Current Value \$000	Accumulated Depreciation \$000	Net Book Value \$000
Computer Equipment	336	1,408	1,205	203
Office Equipment	32	286	240	46
Furniture and Fittings	123	312	172	140
Leasehold Improvements	133	1,728	1,633	95
Library	563	811	308	503
<b>Total</b>	<b>1,187</b>	<b>4,545</b>	<b>3,558</b>	<b>987</b>

**5. Statement of Forecast Movements in Taxpayers' Funds  
as at 30 June 2002**

	Estimated Position as at 30 June 2001 \$000	Forecast Position as at 30 June 2002 \$000
Taxpayers' funds at start of period	2,082	2,082
<i>Movements during the year (other than flows to and from the Crown):</i>		
Net surplus	77	824
<i>Total recognised revenues and expenses for the period</i>	77	824
<i>Adjustment for flows to and from the Crown:</i>		
Provision for payment of surplus to the Crown	(77)	(824)
<i>Total Adjustments for flows to and from the Crown</i>	(77)	(824)
<b>Taxpayers' Funds at the end of the period</b>	<b>2,082</b>	<b>2,082</b>

## CROWN LAW OFFICE

### Notes to the Forecast Financial Statements - continued for the year ending 30 June 2002

6. **Reconciliation of Net Cash Flows From Operating Activities to Net Surplus/(Deficit) in the Statement of Forecast Financial Performance for the year ending 30 June 2002**

	2000/01		2001/02
	Budgeted \$000	Estimated Actual \$000	Budget \$000
Operating Surplus/(Deficit)	824	77	824
<i>Add non-cash expenses from Statement of Forecast Financial Performance</i>			
Depreciation and Amortisation	640	640	500
<i>Add/(deduct) non cash working capital reductions/(increases) from Statement of Forecast Financial Position</i>			
(Increase)/decrease in Debtors and Receivables	1	(253)	(157)
Increase/(decrease) in Creditors and Payables	(755)	(152)	(104)
Increase/(decrease) in Provisions	(162)	(132)	(30)
<b>Net Cash Flows from Operating Activities</b>	<b>548</b>	<b>180</b>	<b>1,033</b>

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes for the year ending 30 June 2002

The Crown Law Office has committed to provide output classes in 2001/02 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
<b>Vote:</b>					
<b>Attorney-General</b>					
D1 – Legal Advice and Representation	The provision of legal advice and representation services to central government departments and Crown agencies.	-	12,434	11,610	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.	20,215	-	20,215	-
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 Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

#### Output Class D1 - Legal Advice and Representation

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**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.

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#### Performance Criteria:

##### *Measures*

##### *Standards*

#### **Quantity:**

Number of new instructions for legal advice.	500 - 530
Average number of requests for legal advice on hand during the year.	900 - 950
Number of new instructions in respect of litigation matters.	550 - 600
Average number of litigation matters on hand during the year.	2,000 - 2,100

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

#### Output Class D1 - Legal Advice and Representation - continued

##### Performance Criteria:

###### *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. This questionnaire will request a response to a range of key service level criteria relevant to the matter selected.

Questionnaires issued: 40 - 80

Overall satisfaction rating: 80% - 90%

##### Cost:

The output class is produced within budget.

\$11.610 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
2001/02	13,164	11,610	12,434	-	12,434
2000/01	13,182	11,626	12,450	-	12,450

## **CROWN LAW OFFICE**

### **Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002**

#### **Output Class D2 - Supervision and Conduct of Crown Prosecutions**

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**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

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#### **Output 2.1: Crown Prosecution Services**

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 seventeen Crown Solicitors, who operate as law practitioners in private practice, in centres where District Court and High Court criminal jury trials take place.

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## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

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

##### Performance Criteria:

##### *Measures*

##### *Standards*

##### **Quantity:**

Number of trials for indictable crime, comprising trials at the

- |                  |               |
|------------------|---------------|
| - District Court | 1,200 - 1,300 |
| - High Court.    | 190 - 210     |

Number of trials for indictable crime where the cost is expected to be greater than \$10,000, comprising trials at the

- |                  |           |
|------------------|-----------|
| - District Court | 100 - 110 |
| - High Court.    | 100 - 110 |

Projected number of other criminal matters dealt with by the Crown Solicitors, comprising

- |   |               |
|---|---------------|
| - Bail Applications and Appeals             | 1,000 - 1,200 |
| - Guilty Pleas and Middle Band Sentencing   | 1,900 - 2,100 |
| - Appeals relating to Summary Prosecutions. | 800 - 900     |

##### **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 2.2 Supervision of Crown Solicitor Network.

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

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

##### Output 2.2: Supervision of Crown Solicitor Network

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.

#### Performance Criteria:

##### *Measures*

##### *Standards*

##### **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.

250 - 300

##### **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. These protocols describe the processes to be followed, the quality standards relating to the process, content, justification for requests.

Conformity with the Office protocols for applications by Crown Solicitors will be assessed at the time the application is considered and feedback will be formally communicated to Crown Solicitors.

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

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

##### Performance Criteria:

##### *Measures*

##### *Standards*

##### Quantity and Timeliness:

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

- conformity with professional standards of conduct.
- Solicitor-General's prosecution guidelines.
- conformity 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.
- 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 comprising senior representatives from Crown Law Office and an independent member. The Panel will cover two areas of interest:

- A review of case processing efficiency and effectiveness using a questionnaire and interview approach with the judiciary, clients and profession
- An audit of the Crown Solicitor practice covering the management and allocation of cases, "good employer" responsibilities, training of staff, financial management and reporting on case processing and compliance with the charging practices set out in the Crown Solicitors Regulations 1994.

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 Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

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

##### Output 2.3: Criminal Law Advice and Services

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, consent to prosecute, applications for stays and immunity from prosecution, and ministerials in relation to criminal matters.

#### Performance Criteria:

##### *Measures*

##### *Standards*

#### Quantity:

Number of new requests for legal advice or determination of applications in relation to criminal law issues.

300 - 350

Average number of requests for legal advice or determination of applications in relation to criminal law on hand during the year.

300 - 350

Number of new ministerials and parliamentary questions.

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.

**CROWN LAW OFFICE****Statement of Objectives Specifying Forecast Performance for Output Classes - continued  
for the year ending 30 June 2002****Output Class D2 - Supervision and Conduct of Crown Prosecutions - continued****Performance Criteria:***Measures**Standards***Quantity:**

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 class is produced within budget.

\$20.215 million (GST exclusive)

**Summary of Revenue and Cost:**

<b>Year</b>	<b>Appropriation GST incl. \$000</b>	<b>Cost GST excl. \$000</b>	<b>Total Revenue GST excl. \$000</b>	<b>Revenue Crown GST excl. \$000</b>	<b>Revenue Other GST excl. \$000</b>
2001/02	22,742	20,215	20,215	20,215	-
2000/01	22,133	19,674	19,674	19,674	-



## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

#### Output Class D3 - Conduct of Criminal Appeals

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

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

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#### Performance Criteria:

##### *Measures*

##### *Standards*

#### **Quantity:**

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

- |              |           |
|--------------|-----------|
| - the Crown  | 20 - 30   |
| - Offenders. | 290 - 320 |

Number of appeals disposed of (including those where a hearing was held, those which were dismissed ex-parte or abandoned).

500 - 530

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%.

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2002

#### Output Class D3 - Conduct of Criminal Appeals - continued

#### Performance Criteria:

##### *Measures*

##### *Standards*

#### Quantity and Timeliness

Conformity 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.

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
2001/02	1,377	1,224	1,224	1,224	-
2000/01	1,378	1,225	1,225	1,225	-

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2001

#### 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 involves the review of legislation for compliance with the Bill of Rights Act 1990, advice on the appointment processes for judges and Queens Counsel and the provision of secretarial services to the Rules Committee, which is responsible for the review and development of procedures for use in the High Court and Court of Appeal.

#### Performance Criteria:

##### *Measures*

##### *Standards*

#### **Quantity**

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

130 - 160

Average number of applications or requests for legal advice on hand during the year.

260 - 290

Number of new ministerials and parliamentary questions.

140 - 160

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2001

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

##### Performance Criteria:

##### *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.

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

Questionnaires seeking feedback on performance will be issued to clients in respect of specific matters chosen at random. This questionnaire will request a response to a range of key service level criteria relevant to the matter selected.

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.

## CROWN LAW OFFICE

### Statement of Objectives Specifying Forecast Performance for Output Classes - continued for the year ending 30 June 2001

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

#### Performance Criteria:

*Measures*

*Standards*

#### Cost:

The output is produced within budget

\$1.237 million (GST exclusive)

#### Summary of Revenue and Cost:

<b>Year</b>	<b>Appropriation GST incl. \$000</b>	<b>Cost GST excl. \$000</b>	<b>Total Revenue GST excl. \$000</b>	<b>Revenue Crown GST excl. \$000</b>	<b>Revenue Other GST excl. \$000</b>
2001/02	1,392	1,237	1,237	1,237	-
2000/01	1,394	1,239	1,239	1,239	-

## **CROWN LAW OFFICE**

### **Functions and Structure of the Crown Law Office**

The Crown Law Office provides legal advice and representation to the Government in matters affecting the Crown, particularly in the areas of judicial review and other litigation, constitutional law including Treaty of Waitangi issues, criminal law, bill of rights and the collection of revenue. It has two primary aims. First, to ensure that the operations of executive government are conducted lawfully and second, to ensure that the government is not prevented, through the legal process, from lawfully implementing its chosen policies.

The work of the Office as a whole contributes to the government's key 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.

The chief executive of the Crown Law Office is the Solicitor-General. The Solicitor-General is the chief legal advisor to the government (subject to any views expressed by the Attorney-General), and is its chief advocate in the courts. In addition the Solicitor-General is responsible for the conduct of the national service for the prosecution of indictable crime. The office of Solicitor-General is entrusted by statute with specific rights, duties and functions and is also responsible for performing most of the statutory and ex-officio duties of the Attorney-General.

The Office, which is based in Wellington, is organised into teams providing specialist legal advice to government departments and agencies in the area of public law generally across a wide number of activity and interest areas as well as criminal and civil litigation work. The current structure comprises nine teams: Bill of Rights, Commercial Regulatory, Criminal and Crown Solicitors, Employment, Land and Resource Management, Law Officer Functions, Public Commercial, Taxation, and Treaty Issues and International Law.

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.

## **CROWN LAW OFFICE**

### **Directory**

#### **Street Address**

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