

2024-29

Strategic Intentions



**Te Tari Ture
o te Karauna**
Crown Law



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o te Karauna**
Crown Law

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

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Contents

Attorney-General’s foreword	02
Solicitor-General’s foreword	03
Who we are and what we do	04
Our strategic intentions	06
Leading with a system view	08
Delivering right-sized, timely services that meet government needs	10
Sustaining core services and capabilities	12
How we manage our functions and operations	14
How we assess our performance	16

Attorney-General's foreword

I am pleased to present Crown Law's Strategic Intentions 2024-29.

As the Crown's Senior Law Officer, responsible for ensuring that the Government acts in accordance with the rule of law, Attorneys-General rely on Crown Law to support us to deliver what New Zealand's constitutional arrangements require of us, and the specific functions we exercise that serve as safeguards upon the exercise of government power.

New Zealand's constitutional arrangements are dynamic, flexible enough to respond to changes over time. That means Crown Law also needs to be flexible and adapt to times of rapid change. Although there is much we can plan for, the last decade has shown us that there will be surprises, and by 2029 new opportunities and challenges are likely to have arisen. However, the Government has expectations of Crown Law that do not change, and I am pleased to see these reflected within these strategic intentions.

Those expectations are that to support the continuation of lawful, responsible government, Crown Law will provide the right legal services at the right time, be legal leaders within the public service, and operate efficiently and effectively, in a sustainable manner. It will oversee the conduct of - and sustainability of the system for - Crown prosecutions. Focusing on these strategic intentions will ensure governments can deliver on the policies and priorities we are elected for, according to law.


As Attorney-General, I ultimately serve as a guardian of the public interest to protect and

enhance the constitutional principles on which responsible government in New Zealand is founded. Commitment to our constitutional foundations ensures we continue to be recognised as free from corruption, delivering Government consistent with the rule of law. Crown Law also supports New Zealand's junior Law Officer: the Solicitor-General. The politically independent nature of the Law Officer roles and of the Solicitor-General is well-established, and that independence is also an essential mechanism for ensuring that the government acts according to law.

I am confident that the Solicitor-General and Crown Law have identified the right strategic intentions to focus on through to 2029 that will preserve that independence and support the Government in continuing to adhere to the rule of law. I look forward to working with the Office to achieve these Strategic Intentions.

Attorney-General's statement of responsibility

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



Hon Judith Collins KC

Attorney-General

20 February 2025

Solicitor-General's foreword

Crown Law has been a government department since 1873 and has supported the independent Solicitor-General since 1875.

We look forward to building on our 150-year history and experience, balancing what Solicitors-General have learned over that time with what New Zealand needs now and in the near future from its legal advisors.

We need to focus on our core functions and responsibilities, and what is most needed to support governments to deliver lawfully on their priorities and policies. Our strategic priorities are the areas where we will focus our resources and investment in the short to medium term.

Our strategic intentions prioritise our role as legal leaders in the public service, the delivery of right-sized, timely legal services that meet government needs alongside the sustainability of our core services and capability. We have defined the indicators that will let us monitor progress and inform our decision making.

To achieve each of these priorities, we will be building on strong foundations, the design of which was driven by our previous strategic intentions. Through the growing strength of our relationships within the Government Legal Network and the Justice Sector, we have the connections to deliver as legal leaders and to continue to identify emerging legal risks. We are well advanced in our work to understand how we deliver what is needed sustainably, and that we focus on the core services required from us. In 2024 we established a programme within Crown Law to focus on the sustainability of our

organisation to manage cost pressures of the future.

Crown Law enjoys a reputation for producing valuable legal services. That is because we have great people working here, who are alike in quality but who vary in their profession, outlook, experience, and skills. Therefore, we will also focus on our workplace, and on being a place that enables all people to be at their best, with the tools, policies, and systems that support excellence.

Solicitor-General's statement of responsibility

In signing this statement, 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 sections 38 and 50 of the Public Finance Act 1989.



Una Jagose KC

Rōia Mātāmua o te Karauna me te Tumu Whakarae

Solicitor-General and Chief Executive

20 February 2025

Who we are and what we do

Trusted legal advisors to the New Zealand Government since 1875.

The Crown Law Office has provided independent legal advice and representation to the New Zealand Government for 150 years.

The Office has two primary roles in providing these services:

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

Law officers of the Crown

By long tradition the Crown has appointed two Law Officers to represent its interest in the courts. The offices of Attorney-General and Solicitor-General retain the responsibility of being the principal legal advisers to the government and representatives in court.

The Attorney-General

The Attorney-General has two roles in Government:

- The senior Law Officer of the Crown with principal responsibility for the Government's administration of the law. This function is exercised in conjunction with the Solicitor-General, who is the junior Law Officer.
- A Minister of the Crown with ministerial responsibility for the Crown Law Office.

The Solicitor-General

The Solicitor-General holds office as an official of government and is also the Chief Executive of the Crown Law Office. The Solicitor-General is:

- the Government's chief legal advisor and advocate in the courts, subject only to overarching authority by the Attorney-General.
- responsible for the prosecution of criminal jury trials and the conduct of criminal appeals.

The Crown Law Office

Crown Law supports the Attorney-General and the Solicitor-General to fulfill their constitutional responsibilities as Law Officers of the Crown. We do this by:

- leading the government legal profession
- overseeing public prosecutions
- providing legal services to government.

Leading the government legal profession

The Solicitor-General is the professional head of more than 900 government lawyers, comprising the Government Legal Network (GLN). The GLN is a collaborative initiative by departmental Chief Legal Advisors and the Solicitor-General to promote cross-government collaboration in delivery of legal services to the Crown. A networked approach enhances the Crown's legal capability and facilitates the Law Officers' constitutional functions.

Oversight of public prosecutions

Crown Law assists the Solicitor-General's oversight of public prosecutions and administers the network of Crown Solicitors. Crown Solicitors are funded through a capped bulk funding model. For non-Crown prosecutions, Crown Law maintains the In-House Public Prosecutors classification framework which determines the level of experiences needed to conduct prosecutions. We also carry out quality assurance reviews of Crown Solicitors and for prosecuting agencies.

- public sector agencies that we represent and to which we provide legal advice
- Government Legal Network
- the network of Crown Solicitors.

Providing legal services to government

Crown Law provide legal advice and representation services to government in matters affecting the Executive, particularly in the areas of criminal, public and administrative law. Crown Law's focus is on core Crown legal work – essentially, the core legal work for which the Attorney-General and Solicitor-General are constitutionally responsible – and how that work is to be conducted.

Who we work with

We work with our partners in the justice sector to deliver accessible justice services for all New Zealanders. These agencies include the Ministry of Justice, Department of Corrections, New Zealand Police, Oranga Tamariki and Serious Fraud Office.

We work with a wide range of stakeholders to help achieve our strategic priorities including:

- the Law Officers (Attorney-General and Solicitor-General)
- Parliamentary Counsel Office

Our strategic intentions

We have three strategic priorities:

- Leading with a **system view**.
- **Delivering** right-sized timely services that meet Government needs.
- **Sustaining** core services and capabilities.

Our strategic priorities are the areas where we will focus our resources and investment in the short to medium term so that we continue to deliver our functions to a very high standard and achieve our purpose.

The following section of this document provides more detail about each of our priorities including what we will do and how we will know we are successful. Although we discuss the priorities separately, we have chosen priorities that have significant overlap and dependency in both delivery and timing of objectives. We will show the impact of these dependencies when we report progress towards our strategic priorities in future annual reports, particularly through the case studies and illustrative legal matters we include.

Our values

Our values set out who we are, what matters to us and how we treat each other:

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

Strategic Intentions 2024-29



OUR PURPOSE

We serve New Zealand by supporting government to operate lawfully

OUR FUNCTIONS

- Supporting the Law Officers of the Crown
- Leading the government legal profession
- Overseeing public prosecutions
- Providing legal services to government

OUR PRIORITIES

Leading with a
system view

Delivering
right sized, timely
services that meet
government
needs

Sustaining
core services
and capabilities

OUR VALUES

We look after the
mana of other
people

We value our
differences

We **care**
about each
other

We recognise
our **impact**
on others

We take
pride in all
we do

Leading with a system view

An important part of the Solicitor-General's role is leadership of the legal system across government. To be effective, the Solicitor-General must take a system focus and leverage the legal experience across the Government Legal Network to provide the best legal services to support government. We continue this focus in all that we do, right across the organisation.

Contributing to public confidence in law and order is a significant part of what we do, both in our role of oversight of the conduct of public prosecutions and our conduct of criminal appeals. The holders of Crown warrants are held to high standards by the profession and the public. We will work closely with all Crown Solicitors to support them in their work.

What we will do

Stewardship of the Government Legal Network

- Providing insight on emerging legal risks – Crown Law will brief the Attorney-General on significant and systemic legal risks for the Crown and support system-wide risk management.
- Support a networked approach – Crown Law will provide a secure online workspace to all members of the GLN. This enables sharing of training and development materials, precedents, legal opinions and other information. A Lawyers' Directory allows quick access to required expertise across the system.

- Advance the quality and value of legal services provided to the Crown:
 - Crown Law will develop system-wide legal advice and guidance for use by lawyers and decision-makers across government. It will be centred around common issues to increase consistency and quality of advice, and control legal risk. Duplication of effort in relevant agencies is also reduced.
 - Crown Law provides training and development-focused events to the system to ensure cost-effective Continuous Professional Development (CPD) options are available to government lawyers. In New Zealand, lawyers are required to complete CPD to maintain their practicing certificates. Each lawyer must log at least 10 CPD hours each year. These can encompass a range of learning opportunities, such as seminars, workshops, and online courses.

Review of the Solicitor-General Prosecution Guidelines

- This year we published the Solicitor-General's Prosecution Guidelines which took effect from 1 January 2025.

Oversight of public prosecutions

- We will complete the Crown Solicitor Network oversight review which aims to identify areas where the current oversight framework is working well and areas where it can be improved.

- The Solicitor-General will continue to provide advice and guidance as required as part of maintaining general oversight of public prosecutions whilst continuing to take responsibility for Crown Prosecutions which are predominantly delivered through the Crown Solicitor network.

How we will know we are successful

Stewardship of the Government Legal Network:

- Publication of strategic and system-wide legal advice – we will report examples of the advice published each year.
- Provision of training to government lawyers – we will report the number of hours and types of training provided each year.
- Satisfaction of Chief Legal Advisors with system leadership engagement and communication.

Crown Solicitor network:

- We will publish the outcome of quality assurance reviews, which are carried out on a triennial cycle.
- We will also undertake special reviews where needed.

Delivering right-sized, timely services that meet government needs

We are a small agency that has served governments for 150 years. Our comparative stability and well-established professional practices stand us in good stead to continue delivering quality legal services, while also giving us a solid foundation from which to evolve to meet changing demands, changing priorities and a changing society.

New Zealanders and the Government have high expectations of Crown Law to deliver quality, timely, and right-sized legal services. The importance of our role in safeguarding the rule of law is evidenced repeatedly through our work. This unique function is performed through providing practical and authoritative advice on the meaning of the law and its boundaries to assist Ministers and decision makers to implement their policy choices lawfully, and appearing in Courts and Tribunals as they fulfill their constitutional roles in supporting government to operate lawfully and determining disputes.

What we will do

Our quality framework

We will continue to use our quality framework to ensure that we provide high-quality, fit-for-purpose legal services that meet the needs and expectations of other government agencies and ministers. The framework covers litigation

management planning, continuous professional development, professional standards, and peer review and consultation.

Working with government agencies and stakeholders

We will continue working with agencies across government, our partners in the justice sector and other stakeholders to deliver timely access to justice for New Zealanders.

Providing proactive advice

We will provide proactive advice to Government and the Government Legal Network, particularly through the work of our System Leadership team, including:

- development of system-wide legal advice and guidance around common issues
- insights that emerge from our assessment of legal risks.

How we will know we are successful

Stakeholder satisfaction measures

- Attorney-General satisfaction with the quality of advice and representation provided by Crown Law.
- Partner satisfaction with the quality of advice and representation provided by Crown Law – overall quality of advice and services, and satisfaction with timeliness.
- Percentage of clients who consider the service received represents value for money.

We will include case studies and examples of illustrative legal advice and representation in future annual reports.

Sustaining core services and capabilities

Financial sustainability is a significant ongoing focus for both Crown Law and Crown prosecution services.

We began financial sustainability and prioritisation work in August 2023. By June 2024 we had decreased our enduring expenditure in line with government expectations from the 2024/25 financial year.

We have planned further activity so Crown Law can continue to operate under both the known cost pressures and foreseeable financial constraints over the longer term (3-4 years).

What we will do

Financial sustainability

On 1 July 2024 we introduced the Crown Law Financial Sustainability Programme, which aims to maintain operations within our current baseline and ensure our future sustainability.

The programme will focus on ensuring Crown Law resources are directed towards clearly defined operational priorities as well as delivering value efficiently, while using business insights to inform decisions about value and productivity.

Workstreams within the programme will evolve according to need, and deliverables will include:

- prioritisation mechanisms and tools
- productivity and service delivery improvements.

Sustainability of Crown prosecution services

Sustainable funding of Crown prosecution services provided by the Crown Solicitor network, Serious Fraud Office and the Commerce Commission needs to continue. This will ensure the continued delivery of high-quality Crown prosecution services.

Our deliverables to ensure the sustainability of Crown prosecution services include:

- ongoing monitoring of cost pressures and service delivery
- enhanced data collection and analysis including reviewing and updating elements of the Crown Solicitor bulk funding model to ensure it remains fit for purpose
- ensuring oversight mechanisms such as Crown Solicitor appointments continue to consider the sustainable delivery of Crown prosecution services.

How we will know we are successful

We will use a variety of methods to assess our success in ensuring the sustainability of our core services and capabilities.

- Our annual financial reporting will continue to show that we are operating within baseline.
- The annual survey of our clients as well as additional feedback from key stakeholders will confirm that we are doing the right things.

Further measures may include assessment of specific initiatives implemented to ensure sustainable funding of Crown Law and Crown prosecution services and the extent to which we can meet cost pressures and maintain current operations within baseline.

How we manage our functions and operations

Organisational structure

The Crown Law Office is organised to ensure that we provide focused, responsive, timely and high-quality legal services.

Crown Law is organised into four groups. Three legal practice groups are each headed by a Deputy Solicitor-General responsible for the professional development and management of the teams falling under their leadership. The fourth group is Strategy and Corporate, which is headed by the Deputy Chief Executive and is responsible for overall performance under the organisation's governance and accountability frameworks.

Attorney-General's group

The Attorney-General's Group is comprised of the Constitutional and Human Rights, Treaty, and System Leadership Teams.

- **Constitutional and Human Rights Teams** provide advice and support on constitutional and human rights matters.
- **Treaty Teams** provide advice and representation in relation to the Treaty of Waitangi / te Tiriti o Waitangi matters.
- **System Leadership Team** provides oversight and leadership for the Government Legal Network, which is made up of all Government lawyers in the public sector.

Criminal group

The Criminal group includes the Criminal teams and Public Prosecutions Unit.

- **Criminal Teams** provide advice and representation on criminal appeals and related criminal matters.
- **Public Prosecutions Unit** provide oversight and supervision of public prosecutions including managing funding for all Crown prosecutions.

Crown Legal Risk group

The Crown Legal Risk Group includes the Public Law and Revenue teams.

- **Public Law Teams** provide advice and representation across a wide range of subject areas.
- **Revenue Team** advises and represents the Crown on matters concerning the protection of revenue.

Strategy and Corporate Group

The Strategy and Corporate Group leads Crown Law's strategic direction, monitoring performance and ensuring good organisational governance. The group comprises core organisational functions including human resources, finance and performance, and information technology, as well as delivering the specialist legal support services required for delivery of legal operations.

Governance and assurance

Crown Law's Leadership Team is supported by the following:

- The **Performance and Capability Governance Committee** (PCGC) reviews Crown Law's operational management and performance including security, information and records, people capability, finance, and health and safety.
- The **Professional Standards Governance Group** (PSGG) reviews the professional performance of Crown Law's legal services and system leadership role across government.
- The **Assurance and Risk Committee** (ARC) provides an independent perspective on Crown Law's performance, assurance and strategic risk management. The Committee has two independent members including the Chair.
- The **GLN Governance Board** is responsible for the governance of the Government Legal Network and its activities. The Board supports the Solicitor-General in her consideration of and response to legal risk matters.

Managing risk

Crown Law operates a risk assessment framework that helps to assess legal and operational risk (including technology, security, privacy, fraud and corruption, procurement and business risk). Crown Law maintains the Crown's Significant Legal Risk Register. This register captures significant legal risks for individual departments and systemic legal risks that affect multiple departments or the whole Crown. A report on key legal risks is provided twice a year to the Attorney-General.

Quality framework

Crown Law has processes to ensure we provide high-quality, fit-for-purpose legal services that meet needs and expectations. The mechanisms we use include the following:

- **Continuous professional development** – Legal employees must maintain a programme of continuous professional development.
- **Professional standards** – the PSGG reviews our professional practices, ensuring policies, guidelines, templates and resources represent best practice. All advice provided must be consistent with these policies and guidelines.
- **Peer review and consultation** – all written Crown Law advice must be peer reviewed by colleagues who have relevant and specific legal expertise.
- **Litigation management planning** – involves planning by assigned lead counsel and communication with stakeholders. As with all our work, the outcome should be consistent with wider Crown interests.
- **Feedback from other agencies** – Our annual satisfaction survey offers an opportunity for other agencies to rate, and comment on, our service. We ask open-ended questions to help us understand how we can improve our legal advice and services.

How we assess our performance

We measure our progress towards our strategic intentions through a range of indicators and other methods, including:

- long-term indicators
- assessing our progress in achieving our strategic priorities
- output measures that assess how we are delivering our functions.

As well as using performance indicators and measures, we will also assess our progress towards our strategic intentions using

qualitative assessments, such as case studies, and illustrative legal and constitutional matters.

Long-term indicators

We use the three indicators below from the World Justice Project Rule of Law Index¹ to track how we are achieving our purpose. Crown Law is one of many institutions that contribute to the rule of law in New Zealand. We would expect to see New Zealand's score and ranking in the index to remain stable in the medium to long-term.

World Justice Project Rule of Law Index - NZ ranking for selected factors						
	2019	2020	2021	2022	2023	2024
Overall index score						
Index score	0.82	0.83	0.83	0.83	0.83	0.83
Global rank	8/126	7/128	7/139	7/140	8/142	6/142
Government powers are effectively limited by the judiciary						
Index score	0.86	0.87	0.88	0.87	0.87	0.87
Global rank	4/126	4/128	4/139	4/140	4/142	4/142
Due process of the law and rights of the accused						
Index score	0.77	0.77	0.79	0.78	0.78	0.81
Global rank	15/126	15/128	14/139	15/140	15/142	11/142

¹ [Worldjusticeproject.org/rule-of-law-index](https://www.worldjusticeproject.org/rule-of-law-index).

Measuring progress towards our strategic priorities

The primary method we will use to demonstrate progress towards our three strategic priorities will be by reporting on delivery of the objectives under each priority. Where appropriate, we will include case studies and illustrative legal and constitutional matters in future annual reports.

We have also included some medium-term performance indicators under the strategic priorities.

Delivering our outputs – Estimates performance measures

We measure our performance in delivering legal services through the performance measures in the Estimates of Appropriations for Vote Attorney-General.

As a reflection of the demand driven nature of much of Crown Law's work, many of our quantity measures have forecast ranges rather than performance targets. We also include quality and timeliness measures where appropriate.



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