

Vote Justice

2023 Briefing for the Incoming Minister

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MINISTRY OF
JUSTICE
Tabu o te Ture

Te Kāwanatanga o Aotearoa
New Zealand Government

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Introduction

This briefing provides an overview of:

- the Justice portfolio, and your role and responsibilities as the Minister of Justice (pages 6-15)
- priorities in the justice sector – key opportunities for making a positive difference in the lives of New Zealanders (pages 16-30)
- upcoming events and decisions we will provide further advice on (pages 31-36), and
- current funding for the Justice portfolio and key contacts at the Ministry of Justice (pages 37-41).

We will provide follow-up briefings setting out more information on key opportunities and areas of work.

You will also receive a Briefing to Incoming Justice Sector Ministers. That briefing has been prepared by the leaders of the six core justice sector agencies (including the Ministry of Justice), who together make up the Justice Sector Leadership Board. It outlines the areas where justice sector agencies need to work together to achieve shared outcomes in the criminal justice system.

Your role and responsibilities

The Justice portfolio broadly spans our entire system of government. It does so in a unique way, fundamentally supporting the constitutional and democratic institutions of New Zealand.

As the Minister of Justice, you have four core roles. We set out your principal responsibilities in each of these roles below. They are:

- Policy lead for the justice system
- Responsibility for delivery of justice services through the Ministry of Justice
- Functions relating to Crown entities and appointments, and other powers
- Leading the criminal justice system and working with your ministerial colleagues and the judiciary to progress shared priorities in the justice system.

Given the breadth of your portfolio responsibilities and their interaction with other parts of government, we seek your views on where we can best focus our efforts to help you achieve your objectives. We understand you are interested in making a number of legislative changes, which may require us to prepare bids on your behalf for the 2024 Legislation Programme. An early discussion with you will help us to focus our policy and legislation work programme on what you hope to achieve for the next three years.

We also understand the Government has objectives for state sector expenditure. We will brief you separately on financial matters and implications for Budget.

Policy lead for the justice system

As the lead justice policy minister you are responsible for the laws that shape the justice system and our constitutional arrangements. The justice system underpins our prosperity as a nation, giving people and businesses confidence that their rights can be enforced and their issues resolved, and helping to maintain social cohesion. Our constitutional arrangements support and promote the fundamental values, principles and institutions that regulate relationships between citizens and the state, as well as relationships between the different branches of government (the executive, the legislature and the judiciary).

The justice policy portfolio is substantial and far-reaching, extending across many aspects of our society and economy. You are responsible for more than 50 regulatory systems and more than 150 Acts. The Ministry of Justice administers more legislation than any other government department; the only agency with a comparable span of care (Ministry of Business, Innovation and Employment) has 17 regulatory systems incorporating 121 statutes.

We support a significant proportion of Bills passing through the House, including periodic Statutes Amendment Bills that we coordinate on behalf of all departments, and Justice Systems Stewardship Amendment Bills. The Ministry also supports many members' Bills at select committee and assists with other agencies' policy and legislative proposals.

While we have made a modest investment in our stewardship capacity and capability in recent years, we do not currently have capacity to monitor, review and advise on all justice legislative systems at the same time. This has constrained our ability to ensure regulatory frameworks are up to date across the board, to avoid regulatory failures or persistent regulatory underperformance. Such events can, in turn, undermine the public's trust in the law.

As we have a relatively small policy staff for our span of responsibility, there are choices to be made about how we focus and prioritise our justice policy work. We look forward to discussing these with you.

The key components of your policy portfolio are outlined below.

Constitutional law

You are responsible for policy matters related to our constitutional system. This means you are responsible for law and practice related to the foundations and powers of the state, human rights (domestic and international) including privacy, the electoral system, and scrutiny of the executive and open government (eg official information).

You have a key role in upholding the Crown's obligations under the Treaty of Waitangi. The Cabinet Manual requires ministers to consult you about all policy proposals affecting New Zealand's constitutional arrangements. We support you in this role by advising you on policy proposals that could have significant constitutional implications.

Criminal law

The state holds coercive powers to prosecute and punish crimes. Consequently, the definition of crime and the exercise of those powers is closely regulated. Criminal law creates accountability and reflects what society and the state expect from citizens.

This area of your portfolio covers not only criminal offences, but also criminal procedure, sentencing, parole, bail, investigatory tools, victims' rights in the criminal justice system, and international criminal law. Policy settings in criminal law have implications for the wellbeing of all New Zealanders. They also affect the operations of other government agencies that enforce or administer criminal law, such as the Police and Corrections, as well as the case load in courts and tribunals. We support you in this role by advising you on policy proposals across government affecting criminal law.

Civil law

Civil law covers a broad range of topics that centre on people's rights and responsibilities during their interactions. Areas of civil law include family, property, contracts, torts, trusts, wills and succession law. Family law covers legal protection and assistance where family relationships break down, but also laws around establishing families, such as surrogacy, adoption, and marriage. Other areas of civil law enable remedies to be available for damages, surety of commercial and personal property transactions, access to dispute resolution, and the proper distribution and management of estates. We advise you on policy and legislative proposals that have implications for civil law.

Access to justice

Access to justice is fundamental to the rule of law. It is about ensuring that people who seek to enforce their rights can use the justice system to obtain an outcome by means of a fair and open process. It can involve educating people about their rights or providing support and information, such as through community law centres and legal aid. Enabling access to justice contributes to trust and confidence in our legal system. Priorities and opportunities to increase access to justice are described in the next section of this briefing.

Courts system

You have overall responsibility for the justice system and joint responsibility for the policy and law that provides how the courts and tribunals operate. You work closely with the Minister for Courts, who is responsible for providing, through the Ministry of Justice, the services necessary to operate New Zealand's courts and tribunals (see Appendix A).

The courts system enables people and businesses to participate in our economy and society with confidence that laws and contracts will be enforced. It provides certainty in how both business and private relationships can operate. It is critical in maintaining a cohesive society, encouraging investment and upholding the rule of law. It provides a means to challenge decision-makers via judicial review, which is an important check on executive power.

The efficiency and integrity of court and tribunal processes affects people's ability to resolve issues affecting their wellbeing. Work underway to sustain and strengthen the courts system is discussed later in this briefing.

Occupational and industry regulation

You are responsible for a range of regulatory regimes, including for:

- lawyers and conveyancers
- private security personnel
- pawnbrokers and secondhand dealers
- real estate agents
- sex work
- alcohol
- anti-money laundering and countering terrorism financing.

Operational responsibilities often sit with other agencies, which means you work with other portfolio ministers on stewardship of these systems. The regimes largely reflect your responsibilities for contractual, property and criminal law, where there is seen to be a need to protect the public interest from competing interests and/or criminal activity. We support you by providing advice on matters relating to regulation of these systems.

Responsibility for delivery of justice services through the Ministry of Justice

You are the minister responsible for the Ministry of Justice and for the delivery of justice services through the Ministry. Information about the Ministry's organisational strategy is set out in our latest Statement of Intent, which is appended to this briefing.

Our frontline role supporting the judiciary, courts and tribunals

Providing support for the judiciary, courts and tribunals is the Ministry's key operational role. The Ministry operates in 58 towns and cities throughout New Zealand, with more than 4,700 staff. Most of our people support court-based operations.

We work to deliver and support frontline services that are easy to access and navigate and that operate without unnecessary delay. We provide the registry and administrative services needed to support the judicial administration of the courts system and judicial decision-making. Administrative support includes providing core infrastructure, like property and information and communications technology (ICT), as well as court security, transcription services and staff to work in court registries. We support 27 tribunals and authorities.

Our work also includes:

- administering the legal aid system, helping people who can't afford a lawyer to get legal advice and representation. We processed 80,488 legal aid applications in 2022/23
- operating the Public Defence Service,¹ which has over 150 criminal defence lawyers in 10 offices across New Zealand
- collecting unpaid infringements lodged in court, court fines and reparations. We collected over \$172 million in fines in 2022/23
- carrying out criminal conviction history checks – 596,826 criminal conviction history checks were processed in 2022/23
- contracting with approximately 145 third-party providers to deliver a variety of programmes and services, which can include supporting directions given by the judiciary or allow people to resolve their matters without needing to come to court
- funding community law centres, which provide free legal services and law-related education to New Zealanders.

The courts and tribunals system faces a range of challenges. The long tail of the COVID-19 pandemic combined with Cyclone Gabrielle and other severe weather events affected courts, communities and staff, who nevertheless rose to the challenge by continuing to deliver essential justice services. A range of initiatives is underway to strengthen and

¹ While the Ministry of Justice operates the Public Defence Service, the Service's professional operations (advising and acting for its clients) are independent from the Ministry.

modernise the courts and tribunals system and reduce pressure in the courts, as outlined later in this briefing. We continue to work closely with the judiciary and our justice sector partners to address these challenges.

Managing our people, assets and functions

The Ministry needs to ensure it is investing in infrastructure, tools and capability so it can continue to deliver services that improve outcomes for New Zealand. Historically, we have faced under-investment in our people, buildings and information technology.

The Ministry's **workforce** plays a critical part in supporting justice services. Ministry staff work in a diverse range of roles. The Ministry has typically ranked in the bottom three public service agencies for average salaries. In late 2022, as part of our bargaining process, agreement was reached to move our lower salary bands (covering around 80% of our workforce) to meet market medians for the first time since 2017.

Improving critical **digital** infrastructure remains a priority for the Ministry, as we seek to mitigate the effects of historic under-investment in this area. Our Digital Strategic Plan is our roadmap for ensuring best use of digital capabilities to bring about greater accessibility, inclusivity, fairness and safety for Ministry people and for people who access the justice system in New Zealand. We have made progress against key foundational initiatives in the plan, including strengthening our cyber security capability.

The Ministry is responsible for providing, maintaining and operating technology for the operations of the court, and has shared responsibility (with the judiciary) for maintaining court records. We are preparing a response to the judiciary's Digital Strategy for Courts and Tribunals, released by the Chief Justice in March 2023. We are also developing a digital case management system for courts and tribunals, Te Au Reka, which is discussed later in this briefing.

The Ministry has one of the largest **property** portfolios in the public sector, with around 100 buildings across the country and a replacement value of approximately \$5 billion. The challenges facing our property portfolio, and the work we are doing to improve our court buildings, is discussed later in this briefing.

Agencies we host

The Ministry hosts one departmental agency and one interdepartmental executive board. We provide accommodation and corporate services (eg finance and payroll) for these agencies but otherwise they operate independently of the Ministry and report to separate ministers.

Te Arawhiti

Te Arawhiti supports the Minister for Māori Crown Relations to foster strong relationships between Māori and the Crown. It also negotiates the settlement of historical Treaty of Waitangi claims (reporting to the Minister for Treaty of Waitangi Negotiations) and processes applications under the Marine and Coastal Area (Takutai Moana) Act 2011.

Te Arawhiti works alongside the rest of the Crown, local government and settled iwi to safeguard the durability of historical Treaty settlements. The Minister for Māori Crown Relations is responsible for Te Arawhiti.

Te Puna Aonui

The Interdepartmental Executive Board for the Elimination of Family Violence and Sexual Violence (named Te Puna Aonui) is responsible for delivery of Te Aorerekura, the National Strategy to Eliminate Family Violence and Sexual Violence.

Te Aorerekura was launched in December 2021 to coordinate work across government agencies, and the community and NGOs, to work towards achieving this goal. It is a strength-based strategy, grounded in te ao Māori and designed to achieve intergenerational change over 25 years. It focuses on the critical role of tangata whenua and community leadership in achieving change.

The Ministry is responsible for two specific initiatives in the Strategy's first Action Plan:

- Action Point 15: Build court workforce capability
- Action Point 27: Develop new practice guidelines for supporting participants in family violence and sexual violence court proceedings.

These actions are part of our wider work programme of operational and policy initiatives.

Legal Services Commissioner

The position of Legal Services Commissioner was established under the Legal Services Act 2011. The Commissioner is an employee of the Ministry but has functions that must be carried out independently, including:

- granting legal aid
- determining legal aid repayments
- assigning legal aid providers or services
- allocating legal aid cases to salaried lawyers in the Public Defence Service, overseeing their conduct and managing their performance.

Functions relating to Crown entities and appointments, and other powers

Oversight and monitoring of Crown entities

You are responsible for the oversight and monitoring of Crown entities funded through Vote Justice. Some of these entities are of constitutional significance due to their independent oversight of government. These are the:

- Law Commission

- Electoral Commission
- Independent Police Conduct Authority
- Human Rights Commission
- Privacy Commissioner
- Real Estate Authority
- Criminal Cases Review Commission
- Public Trust.

The Ministry monitors these Crown entities on your behalf (except for Public Trust, which is monitored by the Treasury). The Ministry should have an explicit agreement with you setting out what monitoring will be undertaken and how this will be carried out. This requirement is detailed in the Public Service Commission's guidance *Statutory Crown entities – A guide for ministers*. We will advise you about developing a new agreement to fulfil this requirement.

An overview of your Crown entities is in Appendix B.

Appointments

Every year the Minister of Justice makes recommendations for appointments to over 100 statutory positions, and for several hundred Justices of the Peace appointments. Your role in appointments includes quasi-judicial positions and statutory positions that may be filled by judges – for example, on the Independent Police Conduct Authority.

We will brief you in due course on appointments that need to be made over the coming months. These will include appointments to the Human Rights Commission, the Criminal Cases Review Commission, and the Independent Police Conduct Authority.

Further information on appointments is in Appendix C.

Other powers

Your other functions and powers include:

- considering and deciding on claims for compensation for wrongful conviction and detention, and applications for extradition
- making decisions on exemptions from specific legal requirements, including in the areas of real estate agents, anti-money laundering and countering financing of terrorism
- giving advice to the Governor-General on applications for the exercise of the Royal prerogative of mercy.

We will provide further advice on these functions and powers as the need arises.

Leading the criminal justice system and progressing shared justice priorities

The Justice portfolio plays a leadership role in the justice system and is closely linked with other ministerial portfolios. You have an important role working with your ministerial colleagues and the judiciary to progress shared priorities in the justice system.

The justice sector

Justice Sector Ministers

A group of Justice Sector Ministers has met regularly since 2012. The group has been made up of the ministers with responsibility over the six core justice sector agencies: the Ministers of Justice, Police and Corrections, Minister for Courts, Minister for Children (as the minister responsible for youth justice policy), Minister responsible for the Serious Fraud Office, and the Attorney-General.

Collectively, Justice Sector Ministers have set the direction and ensured the performance of the criminal justice system.

The Minister of Justice has been the lead justice sector minister. This has included setting the agenda for and chairing meetings of Justice Sector Ministers. We recommend you meet with other justice sector ministers regularly.

The Justice Sector Leadership Board

The Justice Sector Leadership Board (JSLB) comprises the heads of the six core justice agencies: Ministry of Justice, New Zealand Police, Department of Corrections, Oranga Tamariki, Serious Fraud Office, and Crown Law.

The JSLB was established in 2011 to take joint decisions on strategy and planning, and ensure resources were focused on frontline services and where they would best make a difference. At the core of this was achieving the Government's targets for the justice sector, as later articulated in the Better Public Service results areas.

In 2022, the JSLB produced its first Long-Term Insights Briefing, which covered trends, risks and opportunities relating to imprisonment.

Justice Sector Ministers and the JSLB are supported by cross-sector functions including the Justice Sector Directorate, a small team that is hosted within but functionally separate from the Ministry.

The JSLB will provide you with a Briefing to Incoming Justice Sector Ministers that describes how the JSLB is working together to improve the criminal justice system.

The Justice Cluster Pilot

The Justice Cluster was established in the lead-up to Budget 2022. It comprises all the JSLB agencies named above, except for Oranga Tamariki.

Clusters are being piloted to inform future changes to the public finance system. They aim to support inter-agency collaboration, help ministers to collectively direct spending and make trade-offs across related areas, support medium-term planning, and put more focus on value for money.

The Justice Cluster received multi-year funding at Budget 2022 to cover Budgets 2022-2024. The JSLB will brief you on the Justice Cluster.

Relationship with the Minister for Courts

There are very strong links between the Justice and Courts portfolios. The Minister of Justice and the Minister for Courts share responsibility for the policy and law that provides how the courts and tribunals operate. A large amount of justice legislation has implications for the courts, ranging from major shifts in strategic direction (for example, family justice reforms) to policy that has operational and financial implications.

Generally, the Justice portfolio has taken responsibility for major policy or constitutional amendments while the Courts portfolio has taken responsibility for procedural or operational amendments.

The Justice portfolio holds the budget for capital expenditure to buy or develop assets by and for the Ministry of Justice. This includes property such as court buildings and ICT. More information about Justice appropriations is provided later in this briefing.

Relationship with the Attorney-General

You work closely with the Attorney-General, who is the senior law officer of the Crown with principal responsibility for the Government's administration of the law. The Attorney-General is the link between the judiciary and executive government. They hold the primary relationship with the Chief Justice, who is the head of the judiciary, and with the senior judges who head their respective courts (Heads of Bench). The Attorney-General makes judicial appointments to the general courts. These are made on advice from the Secretary for Justice for District, Family and Youth Court appointments, and the Solicitor-General for Higher Courts appointments.

The Attorney-General is also responsible for ensuring the Government is exercising its authority in accordance with the law, and reporting on the consistency of Bills with the New Zealand Bill of Rights Act 1990. These roles complement your own in respect of constitutional and human rights issues. The Ministry reviews most Bills (except for Justice and appropriation Bills) and advises the Attorney-General whether they appear to be consistent with the Bill of Rights Act.

Relationship with the judiciary

A fundamental constitutional principle in New Zealand is the doctrine of the separation of powers and the independence of each of the three branches of government: the legislature (Parliament), the executive (Ministers of the Crown and government departments), and the judiciary. Each of these branches has a distinct role and acts as a check on the others.

Parliament is responsible for making laws; the executive for administering them; and the judiciary for interpreting the law, and for independently and impartially conducting trials and resolving disputes in accordance with the law.

It is a constitutional convention in New Zealand that the executive cannot direct the judiciary and that the legislature can only direct the judiciary through legislation. An independent judiciary gives people confidence that when they appear before the courts, their cases will be decided in accordance with the law and without any influence from Parliament, the executive, or anyone else.

We partner with the judiciary to achieve common goals, such as improving the efficiency of the courts system, when it is appropriate, while maintaining the constitutional convention of judicial independence. This was particularly evident during COVID-19 restrictions and severe weather events, which required the government, the judiciary and the legal profession to collaborate on maintaining people's access to justice. We discuss some initiatives we are pursuing jointly with the judiciary in the next section of this briefing.

The Chief Justice and Heads of Bench

While the Attorney-General holds the primary relationship with the Chief Justice, the Chief Justice would also typically meet with a new Minister of Justice and Minister for Courts at an early stage and periodically thereafter. As the head of the judicial branch of government, it would also be appropriate for the Chief Justice to meet with an incoming Prime Minister early in a new term.

Priorities in the Justice portfolio

Everyone in New Zealand must be able to trust that their rights are protected, their democratic institutions are strong and that they will be treated fairly if disputes arise.

We continually strive to strengthen people's trust in the law. Increasingly, our policy and service design are using collaborative models, drawing on engagement with participants in the system and the broader public. These ways of working help us to better understand challenges, issues and risks, and to develop solutions.

Our system is strong by international standards, but there are some issues that could undermine trust in our institutions and the rule of law.

The priorities we recommend you focus on during this parliamentary term to strengthen the justice system and improve outcomes for New Zealanders are:

- restoring public confidence in law and order
- protecting the rights of victims of crime
- increasing access to justice and strengthening the courts system
- improving justice outcomes for Māori
- maintaining trust in our constitutional system.

Restoring public confidence in law and order

Reporting of some offences is increasing, and some people are disproportionately affected by crime

Reports to Police of certain types of crime have increased in recent years. Between 2017/2018 and 2022/2023, there have been substantial increases in reported thefts (62%) and assaults (49%). Ram raids increased from 11 per month in 2018 to a peak of 75 per month in 2022, though from mid-2023 they appeared to be trending down (there were 35 ram-raids in August 2023).

An increase in reported crime may partly reflect increased awareness of crime (such as family violence) or changes that have made reporting easier. It may not always indicate that crime itself has increased. For example, the Police 105 phone line has made it easier for victims to report family violence incidents, and retailers are increasingly using a security platform to automatically report low-level theft.

The New Zealand Crime and Victims Survey (NZCVS) tells us about people's experiences of crime, including unreported crime. The most recent NZCVS, based on data gathered from November 2021 to November 2022, found that the proportion of adults who had experienced

crime in the past 12 months (31%) was similar to the past five years but that, on average, each victim experienced more incidents of crime than before. The increase in incidents was driven mainly by an increase in fraud and deception. This was the most common type of offence, followed by burglaries and physical offences (such as robbery). Two percent of New Zealand adults experience 87% of interpersonal violence offences.

The NZCVS also found that adults experiencing crime are significantly more likely to either identify as LGBT+ (52%), be separated from a partner or spouse (45%) or be Māori (37%). It indicated that victims often come from the same complex backgrounds as offenders, and that a small proportion of victims experience the majority of offending.

Youth crime is an area of particular public concern

Youth crime has decreased dramatically in the last decade, with the overall offending rate by children and young people down 62% between 2011/12 and 2021/22. However, in the last year, we have seen an increase in both the frequency and severity of youth offending. This is a global trend, likely due in part to the disruption in education associated with COVID-19.

New Zealand has a specialised youth justice system designed to respond to offending by children aged 10–13 and young people aged 14–17. This system acknowledges the particular needs and rights of children and young people and seeks to balance these against the need to protect the public from the harm caused by their offending. This balance shifts at different stages of the process, with accountability increasing in line with both the age of the child or young person and the seriousness of their offending. Overall, the goal of the youth justice system is to prevent young offenders from becoming adult criminals.

The Ministry supports Oranga Tamariki in its role as lead of the youth justice system. We also run the Youth Court and the Family Court and maintain a strong interest in youth justice policy as part of our stewardship of the criminal justice system. While overall the system is working well, it is worth assessing whether current operational and legislative settings could be improved, particularly when responding to serious or persistent offending.

Tamariki Māori have been consistently overrepresented in the children and young persons who participate in the youth justice system. They make up on average 64% of those before the Youth Court over the past 10 years. By contrast, Pākehā youth made up 24% and Pacific Peoples youth made up 10% of those before the Youth Court over this period. The vast majority of children with offending behaviour are engaged with the care and protection system and Family Court. Any changes to the youth justice system would need to have particular regard to the impact on tamariki and rangatahi Māori and to the specific needs of children and young people involved in the system.

Organised crime and the presence of gangs have also been identified as concerns. While organised crime and gangs are not necessarily one and the same, gangs and gang violence are often the visible face of organised crime in New Zealand. Gangs may participate in criminal behaviours, such as drug trafficking and other black-market activity, and may also engage in violence as part of inter-gang rivalries or to resolve internal disputes. As gangs become more visible in a community, whether through increased criminal behaviour or increased membership, public confidence in law and order decreases.

A range of approaches is needed to prevent and deal with crime

The justice system has a range of mechanisms for preventing and dealing with crimes, including early intervention, investigation of offending, different kinds of sentencing arrangements, and managing offenders in custodial and non-custodial arrangements.

The Ministry collaborates with a wide range of justice and social sector agencies within this system, including Oranga Tamariki and New Zealand Police. We bring a crime reduction focus to whole-of-government work to reduce the social, health and educational risk factors that can lead to crime. This includes alcohol and other drug-related issues, young people disengaged from education or training, and reducing the profitability of crime.

In recent years, there has been an increasing focus on dealing with less serious offending using diversionary approaches such as community panels (Te Pae Oranga). These panels, which are delivered in partnership between iwi and Police, aim to hold offenders accountable while also helping them address underlying issues. Within the courts, the judiciary has led a focus on therapeutic approaches intended to address the underlying causes of offending, for example under the auspices of the Alcohol and other Drug Treatment Court and the Young Adult List Court. The judiciary is leading Te Ao Mārama – Enhancing Justice for All, a programme that will involve expanding best practice approaches from solution-focused and therapeutic courts that we know work well.

Sentencing patterns appear to have changed in line with the above approach. There has been a trend towards the greater use of non-custodial sentences, such as home detention and intensive supervision, as an alternative to periods of imprisonment. For example, in 2017/2018, 70% of charges resulting in a conviction for robbery and extortion and 52% of those for burglary resulted in a prison sentence. These proportions dropped to 56% and 44% respectively in 2022/2023.

It is important to note that sentencing patterns can also trend in the other direction, in response to concerns about increases in serious offending by particular cohorts and spikes in particular types of crime. For example, after several years of prison population reductions, there has been a 12% increase in the past 12 months. This potentially indicates a tougher approach to sentencing, as well as an increase in the number of Police proceedings brought before the courts. In the youth jurisdiction there has been a sharp increase in the number of Police proceedings, as well as in the number of court-imposed orders placing younger offenders in a youth justice residence.

A combination of approaches, including those which address the social, health and educational risk factors that can lead to crime, will be needed to restore public confidence in law and order. We look forward to engaging with you on your priorities in this area.

Protecting the rights of victims of crime

Improving outcomes for victims of crime is a critical element of improving trust and confidence in law and order.

Victims of crime play a key role in the criminal justice system and in holding offenders to account, by participating as complainants or witnesses in criminal prosecutions and trials. A victim's experience of the criminal justice system can be complex and challenging, and can have a significant impact on the mental health and wellbeing of the victim and their whānau.

Despite the introduction of the Victims' Rights Act 2002 and other changes attempting to improve victims' experiences in the criminal justice system, victims often feel unsafe, retraumatised and that their voices are not listened to in the system. Making meaningful change to victims' experiences of the criminal justice system requires a justice sector-wide shift in the way we work together, and with our agency, iwi and community partners, to support victims through the system.

One of the priorities of the Justice Sector Leadership Board (JSLB) is to deliver better outcomes for victims of crime. This aligns with the Ministry's strategic priority to reduce the harm experienced by victims and their whānau. Justice sector agencies have agreed on a joint three-year work programme which includes three pilots in two court sites and the development of a new operating model to improve victim experience of the criminal justice system. The JSLB's Briefing to Incoming Justice Sector Ministers provides more information on this work.

As lead minister for the justice sector, you are responsible for oversight of this sector-wide work programme.

As Minister of Justice, you also oversee the Ministry's contribution to the work programme, which includes:

- participating in the three pilots and supporting the development of the operating model – this includes ensuring alignment with other key programmes such as Te Ao Mārama and Te Au Reka, discussed later in this briefing
- implementing related funding increases in Budget 2022 for Victim Support and the Victim Assistance Scheme
- leading policy and legislative initiatives under the work programme, including identifying any legislative changes required to implement the operating model, progressing legislative changes to strengthen legal protections for family violence and sexual violence victims, [Section 9\(2\)\(f\)\(iv\)](#)

We look forward to engaging with you on this work programme.

Increasing access to justice and strengthening the courts system

Access to justice enables people to have trust and confidence in institutions, which in turn is a key driver of social cohesion.

The methods and tools that people can use to access justice include accessing information about their legal rights, pursuing alternative dispute resolution options such as mediation,

obtaining legal advice and representation, and using courts and tribunals. It is important for the Crown's obligations under the Treaty of Waitangi – te Tiriti o Waitangi that these services and support are meaningful and accessible to Māori.

Despite the services and support available, significant barriers to accessing justice remain. These include cost and timeliness of services, a lack of appropriate or available services (for example, culturally appropriate services, or services that accommodate disabled people), and difficulty in accessing services (due to factors such as living rurally).

Solution-focused and therapeutic courts and best practice approaches, such as the Alcohol and Other Drug Treatment Court, are not currently available in all District Court locations or to all people who interact with the court. This creates inequities in access to justice. Inequities may affect victims of crime as well as offenders. Services that are inequitable or that fail to serve some communities may create or worsen disparities in outcomes and will not promote trust in the justice system.

Timely access to courts and tribunals is important. It helps to maintain the integrity, fairness and credibility of the justice system, enables court participants to get on with their lives, and reduces costs to the Crown. The courts system is currently experiencing delays, which can:

- have negative social impacts on complainants and on other court participants
- erode access to justice, such as by witnesses' memories fading over time
- limit defendants' right to be tried without undue delay²
- increase the time defendants spend on remand, with limited access to rehabilitation services.

Delays in the courts system are caused by complex factors, and require cross-sector solutions

The drivers of delays in the courts system are complex and vary across jurisdictions and regions. The most significant delays are being felt in the criminal and family jurisdictions of the District Court. In addition, the number of active cases in the Coroners Court has more than doubled in the past seven years, meaning some families wait years to receive a coroner's findings. Regionally, the biggest impacts of delay are concentrated in the larger Auckland metropolitan criminal jurisdiction of the District Court. Since 2015 the number of criminal cases exceeding the time allocated to go through the system in a timely way has increased, and almost half of those cases are in Auckland.

Timeliness is affected by changes in the number, size and complexity of criminal cases in the District Court. It is also driven by other factors, such as whether defendants elect a jury trial or whether parties are well prepared at each stage of the case.

² This right is contained in the New Zealand Bill of Rights Act 1990, s 25(b).

In the criminal jurisdiction of the District Court there has been a steady increase in Category 3 cases, which carry a maximum penalty of two years' imprisonment or more and which take more time to be processed.³

On top of the increase in Category 3 cases, the time it is taking the court to dispose of cases is increasing. Three main presenting issues have been identified:

- More defendants are electing jury trials. The jury trial election rate increased from 26% in June 2018 to 32% in June 2023. Defendants facing a sentence of two years' imprisonment or more have a right to elect a trial by jury, otherwise their case will be heard by a judge sitting alone. Jury trials take longer and are more resource intensive than judge-alone trials.
- More defendants are pleading guilty later. Every year over the last five years has seen a larger proportion of defendants pleading guilty later in the court process, resulting in more events being needed to dispose of a case.
- More court events are being adjourned to a later date. One of the main reasons is that parties are not adequately prepared to proceed. Other reasons include incomplete disclosure, unavailability of key people (such as witnesses), or a need for further discussion or information.

Other factors, such as long-term under-investment, have also placed the system under pressure. Property-related problems have, for example, resulted in court buildings and courtrooms becoming unavailable at short notice. Court delays have been exacerbated in recent years by the effects of COVID-19 and severe weather events in Auckland, Tairāwhiti and Hawke's Bay. At the same time, the response to the COVID-19 pandemic showed that the courts could work flexibly, for example by using audiovisual link (AVL) to enable remote participation. When used appropriately, AVL can achieve some efficiencies in the courts system, although difficulties with the technology can cause delay and can result in adjournments. We will provide you with a further briefing on these matters.

Delays are putting increased pressure on court staff, judges, the legal profession, and other workers across the justice sector. This has created concerns about lawyer and staff wellbeing, and risk of burnout. We need to improve timeliness while ensuring the people who keep the courts functioning effectively can continue supporting participants and the wider justice system.

The need for a cross-sector approach

It is essential we recognise judicial leadership, particularly as the Heads of Bench are responsible for the orderly and efficient conduct of court business. However, court timeliness in the criminal jurisdictions is as much a function of the work of the Ministry, Department of Corrections, Police, Crown Law, other prosecuting agencies, and defence counsel.

³ Examples of Category 3 cases include aggravated assault, threatening to kill, dangerous driving, or a third (or more) drink driving conviction.

Solving this sector-wide performance challenge requires a cross-sector approach and alignment of all parties. Work is underway to improve court timeliness and we will advise you on this in subsequent briefings.

There are concerns about the long-term sustainability of the legal aid scheme

The legal aid scheme is one of the key ways the government provides access to justice, with hundreds of New Zealanders accessing the scheme each day. It is also one of the largest parts of Vote Justice. The combined appropriations for administering and delivering the scheme are over \$350 million in 2023/24.

The scheme aims to provide legal services to people of insufficient means, while doing so as efficiently and effectively as possible. This balance between efficiency and effectiveness is reflected throughout the Legal Services Act 2011 and Legal Services Regulations 2011, which set out the framework for the service.

Historically, both income thresholds for legal aid eligibility and levels of remuneration for legal aid work have been updated infrequently and have not kept pace with inflation. Budget 2022 funding enabled changes including:

- Increasing the civil legal aid eligibility threshold by 15%, with additional increases of 1.9% for the next three years, ending in 2025. These thresholds had been set in 2008 and last updated (based on general inflation) in 2016-2018.
- Increasing the legal aid repayment threshold by 16.5%, with additional increases of 1.9% for the next three years, ending in 2025.
- Removing the user charge on civil legal aid.
- Removing interest charged on unpaid legal aid debt.
- Increasing hourly rates for all legal aid lawyers by 12%. This came into effect on 1 July 2022.

However, members of the legal profession and other stakeholders continue to raise concerns about the long-term sustainability of the legal aid scheme. Issues include the structure of the scheme, lack of incentives for lawyers to remain as legal aid providers, and lack of incentives for junior lawyers to take up legal aid work. We will provide you with a separate briefing on access to justice and the legal aid scheme.

We are working to sustain and strengthen the courts and tribunals system

Continued investment is needed to address critical infrastructure deficits and ensure courts and tribunals have access to modern, fit for purpose services and facilities. Moving away from paper-based systems and upgrading court buildings will also help address delays in the courts and tribunals system. The system can also be strengthened by collaborating with

justice sector partners and increasing community involvement. Work is underway to support and enhance the courts and tribunals system in these areas.

Introducing a digital case management system for courts and tribunals (Te Au Reka)

Te Au Reka is a new digital case management system that will help transform the administration of justice in New Zealand. It is a joint initiative of the Ministry and the judiciary, respecting our joint and separate responsibilities. You are one of three Joint Ministers for Te Au Reka, along with the Minister for Courts and the Minister of Finance.

Currently court and tribunal processes are largely paper based, underpinned by a range of outdated technology. These manually intensive processes:

- increase the risk of human error and administrative mistakes that can have serious impacts on people's lives
- make it difficult to determine if cases are ready to progress, increasing the likelihood of delays and adjournments
- significantly decrease the courts' resilience: for example, making it difficult to operate remotely or during emergencies.

Te Au Reka will make a profound difference to all who access and participate in courts and tribunals by establishing trusted, modern, and responsive digital case management capability. It will improve access to justice by making it easier for people to interact with the court, enabling them to file, pay, access court documents, and track the progression of their case online. It will reduce the potential for harm, improve the effectiveness of the court, and reduce delays. It is one of four priority initiatives for the judiciary, as set out in the judiciary's Digital Strategy, to address the most acute justice infrastructure needs of New Zealand's courts and tribunals.

Te Au Reka will be implemented nationwide and will account for the vast majority of the applications and appeals received. It will be implemented in three phases, starting with the Family Court. This will address the continued risk of harm to our most vulnerable court participants and provide the earliest benefits to those who need the greatest level of support.

The Ministry has contracted with the supplier for the initial stages of this work. You will receive further advice shortly on next steps.

Ensuring court buildings are fit for purpose

The Ministry is facing a range of challenges across its property portfolio, including capacity issues, aging infrastructure and services, weathertightness issues, earthquake strengthening requirements, and buildings that no longer support the provision of good quality justice services – for example, some do not provide safe separation between victims and defendants. This also affects our ability to provide timely access to justice, as having to take court buildings out of commission has been a contributing factor in delays. Based on condition assessments undertaken in 2019, 43% of the buildings we own were assessed as being in poor or very poor condition.

The Ministry has significant projects underway to build new courthouses in Whanganui and Tauranga. Seismic remediation work is planned to start shortly at Auckland District Court, Hamilton District Court, Wellington District Court and Wellington High Court. Land has been purchased for new courthouses in Waitākere, Rotorua and Papakura. The Ministry is also progressing work on a project to build new courtrooms at the Manukau District Court to address capacity issues. In addition, the Ministry has around 100 minor works projects on at any one time.

We will provide you with a separate update on the overall state of and investment priorities for our property portfolio, **Section 9(2)(f)(iv)**

Increasing community involvement in the District Court (Te Ao Mārama – Enhancing Justice for All)

Te Ao Mārama – Enhancing Justice for All is a judicially-led programme, supported by the Ministry, that aims to improve access to and the experience of the District Court for all participants. It aims to ensure that participants, including defendants, victims and whānau, feel more seen, heard, understood, and able to meaningfully participate in matters that affect them. This will be achieved through the Ministry working with government agencies, local service providers, iwi and the community to design and develop wraparound services in their area, leveraging and complementing existing services available in those communities and filling any gaps in services.

As noted earlier, Te Ao Mārama will also involve expanding best practice approaches from solution-focused and therapeutic courts that we know work well. These include:

- solution-focused judging, which seeks to identify and address the drivers of offending
- using plain language and toning down formalities
- encouraging people to feel heard in the courtroom
- revising court layouts
- improving processes for victims and complainants
- information sharing
- establishing enhanced connections with local communities
- incorporating tikanga and te reo Māori as appropriate.

Improving justice outcomes for Māori

Māori are over-represented at all stages of the justice system

Although New Zealand's justice system has been broadly recognised internationally as being fair and transparent, there is still significant inequity. Reputable reports on the justice system

over decades reiterate that aspects of the justice system are ineffective, particularly for Māori.

In the criminal, youth and family justice systems, the NZCVS shows that Māori continue to have a significantly higher likelihood of victimisation when compared with the New Zealand average.

Māori make up approximately half of the prison population, despite being only 17% of the general population. The number of Māori in prison fell by 23% from June 2018 to June 2022. However, the non-Māori prison population fell by 27%, resulting in an increasing gap between Māori and non-Māori imprisonment rates, especially for women.

The first Justice Sector Long-Term Insights Briefing, which draws on data, research and analysis about imprisonment in New Zealand between 1960 and 2022, found that Māori and non-Māori have been affected differently by changes in the system. Changes that increased the prison population, such as changing legal responses to violent offending, increased Māori imprisonment rates which were already disproportionately high. Conversely, changes that reduced levels of imprisonment, such as more recent changes to bail practice, benefited non-Māori more.

A complex range of factors affect imprisonment rates. These factors arise within a wider context of social and economic structures and systems that have marginalised and disadvantaged Māori over time. We will not see the shifts we are seeking to decrease crime and make New Zealand a safer place without investing further in improving justice outcomes for Māori in the long term.

Government agencies are increasingly recognising the role communities, iwi and hapū play in building local solutions for keeping people safe, preventing entry into prison and the justice system generally, and supporting rehabilitation and reintegration. We have several whānau-centred initiatives that are expected to contribute to better justice outcomes for whānau Māori, including a reduction in re-offending.

One example of a promising initiative is Whakaorangia te Mana Tangata, a whānau-centred initiative being offered in the Kaitiāia, Gisborne and Kaikohe District Courts. Whakaorangia te Mana Tangata is designed and provided by local iwi or iwi mandated service providers to support Māori offenders, victims and whānau through the court process. Under this initiative, iwi-mandated service providers:

- identify any factors contributing to offending
- work with offenders, victims and whānau to understand their needs and circumstances
- connect whānau to the appropriate services to address those needs and, where necessary, help create and implement a support plan with whānau.

We are exploring ways to further define the long-term benefits of work that invests in whānau, hapū, iwi and community-centred practices, to help build the evidence base for more effective justice interventions.

We are working with Māori to help improve justice outcomes

Experience has shown the importance of relationships with iwi, hapū and whānau in helping to address the over-representation of Māori in our justice system. Working with Māori and supporting locally-led solutions can deliver effective interventions which contribute to improving outcomes for Māori and all New Zealanders. Additionally, building enduring relationships with Māori contributes to Crown obligations under the Treaty of Waitangi – te Tiriti o Waitangi.

The Ministry and former Ministers of Justice have held several relationships with Māori. Current relationships of note are with the National Iwi Chairs Forum and Ināia Tonu Nei.

National Iwi Chairs Forum

Since 2019 the Crown has had a rangatira ki te rangatira relationship with the National Iwi Chairs Forum (NICF) which operates in accordance with the Statement of Engagement agreed to by both parties and endorsed by Cabinet.

The Crown and the NICF have been working together on a shared work programme organised under five pou. The Minister of Justice has been designated the lead minister for the Pou Tikanga relationship which is focused on justice and human rights issues. The current priorities in Pou Tikanga are:

- justice sector reform
- eliminating racism, including developing a National Action Plan Against Racism
- the United Nations Declaration on the Rights of Indigenous Peoples.

This relationship also supports the Ministry's victims policy work programme, [Section 9\(2\)\(f\)\(iv\)](#)

Ināia Tonu Nei

The Ministry also has a relationship with Ināia Tonu Nei, a group of kaitiaki established as a Māori voice for reform of the justice system. Ināia Tonu Nei has been involved in the production of the Justice Sector Long-Term Insights Briefing about imprisonment (1960–2050) and the review of the Solicitor-General's Prosecution Guidelines. We are also working closely with Ināia Tonu Nei and Pou Tikanga (National Iwi Chairs Forum) to progress the policy work supporting better outcomes for victims.

We look forward to discussing how you would like to work with Māori and iwi to support better justice outcomes for all New Zealanders.

We have a role in Waitangi Tribunal Kaupapa Inquiries and upholding Treaty settlement commitments

Waitangi Tribunal kaupapa inquiries

The Ministry is leading the Crown response to two significant inquiries in the Waitangi Tribunal:

- **Te Rau o te Tika: Justice System Inquiry (Wai 3060)**: began in August 2021 and is examining over 200 claims that actions, policies or omissions within the justice system are breaches of the Treaty of Waitangi – te Tiriti o Waitangi.

This included a mini-inquiry in 2022 about the funding of claimant participation in Waitangi Tribunal processes, including legal aid. In its report, released in February 2023, the Tribunal found the Crown breached its Treaty obligation to ensure that claimants have the necessary resources to participate fully in all its processes. In July 2023, Cabinet agreed to officials undertaking targeted engagement, to inform advice to the Government on the next steps in designing a long-term claimant funding system for Tribunal inquiries where there is no other claimant funding. It also agreed to an interim claimant funding policy, to be applied by agencies in all kaupapa inquiries until the long-term funding system is in place. **Section 9(2)(f)(iv)**

- **The Constitutional, Self-Government, Electoral System Inquiry (Wai 3300)**: began in December 2022. Its scope is yet to be determined. Indicative issues include constitutional law, sovereignty, provision for the exercise of Māori self-government, the electoral regime, national political representation and representation in local and specialised bodies.

You are the lead minister for these inquiries. Lead ministers for kaupapa inquiries are responsible for reporting to their colleagues on progress in the inquiry and for confirming the Crown's approach. The Waitangi Tribunal's kaupapa inquiries give the Crown an opportunity to engage in both reflective and forward-looking conversations on constitutional, electoral and justice system issues. These inquiries are likely to require the participation of more than 10 government agencies, over 5–10 years. They will deal with complex issues and many claims, and be of fluctuating intensity, with periods of high workload. Leading and participating in these inquiries represents a significant commitment for the Ministry.

Upholding Treaty settlement commitments

The Ministry is also responsible for upholding 688 Treaty settlement commitments stemming from the settlement process. As the settlement process has evolved, the Ministry is increasingly being asked to negotiate and agree relationship agreements with iwi, usually as part of wider justice sector relationships. These relationship agreements are seen by iwi as one of the most important components of their settlements. They focus the future relationship beyond settlement implementation and the discharge of settlement obligations, to the broader spirit and intent of the settlement.

Maintaining trust in our constitutional system

Trusted government institutions and constitutional arrangements are essential to our wellbeing and prosperity. In New Zealand, trust in government is relatively high when compared internationally. In 2022, Transparency International ranked New Zealand second equal (behind Denmark) for the perception as the least corrupt country in the world.

However, this high level of trust is not shared by everyone and cannot be taken for granted. Government institutions can lose legitimacy if they do not support broad participation and are not seen as representing the interests of all sectors of the community. Trust in democratic institutions worldwide is also under threat, partly due to the spread of misinformation and disinformation. New Zealand has not been immune to this trend. The emergence of artificial intelligence capable of generating text, images or other media provides the means for spreading misleading information even further. There are also risks presented by foreign interference.

The Ministry plays an important role in making sure New Zealand's constitutional arrangements are trusted and regarded as legitimate by all communities across the country. Areas of particular focus for us are:

- stewardship of the constitutional system
- electoral law reform
- upholding the Treaty of Waitangi – te Tiriti o Waitangi
- support for fundamental human rights.

Stewardship of the constitutional system is essential

Effective stewardship requires the Ministry to be proactive and collaborative so that when (or ideally before) issues occur, we can advise you on a potential range of regulatory measures that can be quickly and effectively implemented. As noted earlier, the scale and range of the Ministry's regulatory stewardship responsibilities requires choices to be made as to where we focus our efforts.

Regulatory stewardship is particularly important for the constitutional system. This is because constitutional issues cannot be allowed to reach a crisis point that threatens the legitimacy of the whole system of government. It is vital that the laws establishing our constitutional framework remain effective and credible at all times. In addition, constitutional change requires a longer, more inclusive public discussion compared to other types of regulatory change. This is because changes to our system of government need broad public support to maintain the legitimacy of the system during and after the process of change. As we increase regulatory stewardship activities in the constitutional system, we can advise you on areas that require further attention and the implications for our work programme.

We will support your consideration of recommendations for electoral law reform

Maintaining public confidence in elections is critical for the health of our democracy. The current Electoral Act was passed in 1993 when the Mixed-Member Proportional (MMP) voting system was adopted. However, its basic framework was taken from the Electoral Act 1956 and earlier electoral Acts. The Electoral Act has been subject to piecemeal changes since it was enacted, and this has introduced inconsistencies. Our current electoral law is increasingly outdated and creates a barrier to modern electoral administration. This increases the risk of unmet voter expectations and regulatory failure, which can manifest as lower participation and laws that cannot be used in emergency situations.

For these reasons, following its Inquiry into the 2017 General Election, the Justice Committee recommended a comprehensive review of parliamentary electoral law. The Independent Panel on Electoral Law was established in May 2022. The Panel will report to you by the end of November with recommendations about making our electoral system fairer, clearer, and more accessible. We will then provide you with more detailed advice about your options and potential approaches to taking this work forward, and modernising our electoral law framework over the next parliamentary term. Any changes relating to the form and function of the Electoral Commission or requiring more substantive operational change would likely need to be implemented following the 2026 General Election, so as to not divert focus from its administration of the election.

We have a role in upholding and supporting understanding of the Treaty of Waitangi – te Tiriti o Waitangi

Perhaps the most significant constitutional issue in New Zealand is how the Treaty of Waitangi – te Tiriti o Waitangi is reflected in our constitutional law and practice. The Treaty – te Tiriti has a significant influence on how we approach constitutional policy, but it remains an issue on which opinion is divided. Alongside other agencies, particularly Te Arawhiti and the Crown Law Office, we have a role supporting the public service to understand its Treaty – Tiriti obligations within the current constitutional settings, but also a stewardship responsibility to consider how our constitutional arrangements could adapt in the future.

The views of the Constitutional Advisory Panel, which completed its report in November 2013, remain relevant. The Panel said that while there were various visions for the Treaty, there was uncertainty about how these visions might be achieved, and this uncertainty about the future seemed to lead to a level of apprehension about the Treaty – te Tiriti. The Panel found there was a broad consensus in support of continuing the conversation about the Treaty – te Tiriti in our constitutional arrangements and it recommended that conversation continue. We agree that addressing uncertainty about the Treaty – te Tiriti is the best way to reduce apprehension about its place in our constitutional arrangements.

As noted earlier, the Constitutional Kaupapa Inquiry provides an opportunity to engage in forward-looking conversations. We can consider other ways to support broader engagement on this topic over the longer term.

Supporting fundamental human rights is one of our key constitutional roles

Fundamental human rights are an essential part of our constitutional system. They help define the acceptable limits of public power and the core functions of the state. They are central to our notions of fairness, equality and human dignity but they depend on our system of law and government to be fully realised. The Ministry administers New Zealand's human rights legislation and is the lead agency for several core international human rights treaties.

New Zealand has a good human rights record, but we also know that those rights are not enjoyed equally by all sectors of society. This is not limited to civil and political rights, but also includes the progressive realisation of economic, social and cultural rights, such as rights to health, education, housing and work. The right to a healthy environment is also emerging as an important issue, both at the national and international level.

We intend to provide you with further information about our human rights work. This includes our work leading the preparation for the Universal Periodic Review (UPR), the five-yearly review of New Zealand's human rights record by the United Nations Human Rights Council that is next scheduled for April 2024. The New Zealand delegation for the UPR examination, which takes place in Geneva, has previously been led by the Minister of Justice.

Upcoming matters

Events and briefings

Important events underway

Topic	Description	Likely timing
Proceedings related to Christchurch masjidain attack	The Ministry is supporting courts to manage cases related to the 2019 Christchurch masjidain attack. These cases require additional support for victims and judiciary above what is provided for standard court proceedings, due to the nature and scale of the attack and the number of victims, the ongoing impact of the attack and related court proceedings on victims, and the complexity of the issues the cases raise.	Ongoing. There are three proceedings currently in the courts: <ul style="list-style-type: none">• The coronial inquiry into the masjidain attack, including the First Phase Inquest which started in Christchurch on 24 October 2023.• The offender's appeal against his conviction and sentence.• The offender's application for judicial review of his prison conditions.

Upcoming events of note

Event	Action required	Timing
Waitangi Day 2024 celebrations	We will brief you on actions required.	1-6 February 2024
Commonwealth Law Ministers Meeting (CLMM)	<p>The CLMM takes place every two years, prior to the Commonwealth Heads of Government Meeting. Law Ministers from around the Commonwealth meet to discuss issues of common interest to all Commonwealth jurisdictions. The meeting in 2024 will be in Zanzibar.</p> <p>The theme for the 2024 meeting has not been confirmed yet, but past meetings have focused on issues like access to justice, human rights, anti-corruption, and international commercial</p>	4-8 March 2024

arbitration. The meeting is usually attended by the Minister of Justice with support from Ministry officials.

Universal Periodic Review (UPR)	The UPR is a five-yearly review by the United Nations Human Rights Council in Geneva that assesses New Zealand's progress on human rights issues. We will shortly seek your decision on attendance at the UPR in Geneva.	29 April 2024
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Upcoming briefings

Topic	Description of advice	Likely timing
Appointments	Equal Employment Opportunities Commissioner	December 2023
Appointments	Race Relations Commissioner	December 2023
Appointments	Chief Human Rights Commissioner	December 2023
Victim Assistance Scheme grants for Whakaari/White Island sentencing	Briefing seeking to use Victim Assistance Scheme funding to support victims at sentencing for the Whakaari/White Island criminal trial	December 2023
Electoral	Briefing on the operational, policy and legislative settings for the official count process post-election (for information)	November 2023
Final Report of the Independent Electoral Review (IER)	Briefing setting out information about final recommendations of the IER, and seeking decisions on next steps	Alongside the Final Report, which is due to be provided to the Minister on 30 November 2023
Appointments	Criminal Cases Review Commission	December 2023
Appointments	Independent Police Conduct Authority (members)	December 2023

Family Court Associates	Section 9(2)(f)(iv) [REDACTED] [REDACTED] [REDACTED]	Section 9(2)(f)(iv)
Universal Periodic Review (UPR)	Advice to you and the Minister of Foreign Affairs on the New Zealand UPR report due to the United Nations in January, ahead of the UPR examination in Geneva in April 2024	December 2023
Privacy Amendment Bill	Section 9(2)(f)(iv) [REDACTED] [REDACTED] [REDACTED]	Section 9(2)(f)(iv) [REDACTED] [REDACTED]
Te Aka Matua o te Ture Law Commission	Briefing seeking agreement to seek proposals for new references for the Law Commission's 2024/25 work programme	December 2023
Government Response to Privacy Commissioner's Report on the review of a statutory authority for information matching under the Immigration Act 2009	Briefing, draft Cabinet paper and draft Government response	Advice to be provided in late January 2024 Government Response due to be tabled by 29 February 2024 (statutory deadline)
Statutes Amendment Bill	Briefing inviting you to send letters to leaders of parliamentary parties asking them to indicate whether they support the amendments proposed for inclusion in the Bill	Late January 2024
Te Au Reka implementation	Section 9(2)(f)(iv) [REDACTED] [REDACTED] [REDACTED]	Section 9(2)(f)(iv)

Bills related to the Justice portfolio

Justice Bills before the House at the dissolution of Parliament

Bill	Previous stage	Recommendation
Victims of Sexual Violence (Strengthening Legal Protections) Legislation Bill	Referred to the Justice Committee on 29 August 2023	Include the Bill on the Reinstatement of Business motion and extend the submission period
Victims of Family Violence (Strengthening Legal Protections) Legislation Bill	Referred to the Justice Committee on 29 August 2023	Include the Bill on the Reinstatement of Business motion and extend the submission period
Ram Raid Offending and Related Measures Amendment Bill	Referred to the Justice Committee on 29 August 2023	Include the Bill on the Reinstatement of Business motion
Privacy Amendment Bill	Introduced on 6 September 2023	Include the Bill on the Reinstatement of Business motion
Improving Arrangements for Surrogacy Bill	Referred to the Health Committee on 18 May 2022	Include the Bill on the Reinstatement of Business motion Section 9(2)(f)(iv)

Members' Bills and Private Bills

Bill	Previous stage	Decision sought (if any)
McLean Institute (Trust Variation) Bill	Referred to Social Services and Community Committee on 28 June 2023	If reinstated, we will seek a decision on the Ministry's role advising select committee and approval of an initial briefing.
New Zealand Bill of Rights (Right to Lawfully Acquired Property) Amendment Bill	Introduced on 27 July 2023	If reinstated and referred to select committee, we will seek a decision on the Ministry's role advising select committee and approval of an initial briefing. Section 9(2)(f)(iv)

		Section 9(2)(f)(iv) [REDACTED]
District Court (Protecting Judgment Debtors on Main Benefit) Amendment Bill ⁴	Introduced on 27 July 2023	If reinstated and referred to select committee, we will seek a decision on the Ministry's role advising select committee and approval of an initial briefing.
Sale and Supply of Alcohol (Cellar Door Tasting) Amendment Bill	Referred to the Justice Committee on 1 August 2023	Ministry officials have been made available to advise select committee and provide an initial briefing. If reinstated, the committee may extend the submission period.
Human Rights (Prohibition of Discrimination on Grounds of Gender Identity or Expression, and Variations of Sex Characteristics) Amendment Bill	Introduced on 3 August 2023	Section 9(2)(f)(iv) [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Family Proceedings (Dissolution for Family Violence) Amendment Bill	Referred to the Justice Committee on 30 August 2023	If reinstated, we will seek a decision on the Ministry's role advising select committee and approval of an initial briefing.
Electoral (Equal Protection of Māori Seats) Amendment Bill	Introduced on 31 August 2023	If reinstated and referred to select committee, we will seek a decision on the Ministry's role advising select committee and approval of an initial briefing.

⁴ This Bill amends the District Court Act 2016, which is jointly administered under the Justice and Courts portfolios.

Other requirements

Topic	Action required	Timing
Government Response to Privacy Commissioner's Report on the review of a statutory authority for information matching under the Immigration Act 2009	Tabling of the response	By 29 February 2024 (statutory deadline)
Electoral Commission's report into the conduct of the 2023 General Election	Present the report to the House	April 2024

Appropriations

You are the responsible minister for most appropriations in Vote Justice. Vote Justice appropriations are shown on the next page, along with Vote Courts appropriations for which the Minister for Courts is responsible.

Vote Justice includes funding for:

- departmental costs such as justice policy advice, sector leadership and support (for example, costs associated with appointments and monitoring Crown entities), the Public Defence Service and administration of legal services
- non-departmental costs, mainly for services supplied by third parties – for example, legal aid, justice Crown entities, community law centres, and justice support services and programmes
- services provided to other ministers by Te Puna Aonui (for Elimination of Family Violence and Sexual Violence) – you are not responsible for this appropriation
- buying or developing assets, including property such as court buildings and ICT. All capital funding for the Ministry of Justice sits in Vote Justice. The operating expenditure associated with the capital (the depreciation expense) rests with those who use the assets across both Vote Courts and Justice.

Ministry of Justice Main Estimates 2023/24



Vote Justice

Vote Justice \$833m

Vote Courts \$1046m

Departmental

The Secretary for Justice is responsible for what is achieved with departmental appropriations.

Justice Policy Advice Ministerial support on government policy matters relating to law and the justice sector.	\$38.9m
Sector Leadership & Support Focused on leadership role in the sector. Judicial and statutory appointments. Monitoring specific Crown entities.	\$13.2m
Administration of Legal Services Administration of community, legal and related services; and the management of related debt.	\$34.5m
Public Defence Service Legal services by the Public Defence Service.	\$48.4m
Christchurch Property & Shared Services Provides property and shared services to other agencies in Christchurch.	\$39.5m
Departmental Operating	\$175m
All capital funding for the Ministry is allocated to Vote Justice	
Departmental Capital	\$106m

Non-departmental

These expenses are mostly where Ministers have decided to use a supplier other than a department to provide an output.

Outputs supplied by various providers	Amount
Legal Aid	\$303.6m
Community Justice Support and Assistance	
Community Harm Reduction	\$31.0m
Community Legal Assistance	\$15.9m
Victim Entitlements	\$16.9m
Community Resolution	\$9.2m
Total Funding	\$376m
Other expenses Expenditure that is not easily classified as one of the other appropriation types	
Impairment of Crown Assets	\$13.5m
Remuneration for the Inspector-General & Deputy	\$0.6m
Outputs supplied by Crown agencies	
Electoral Services incl Broadcasting	\$120m
Human Rights Commission	\$13.8m
Independent Police Conduct Authority	\$6.7m
Privacy Commissioner	\$8.2m
Law Commission	\$4.2m
Criminal Cases Review Commission	\$5.2m
Protective Fiduciary Services (Public Trust)	\$3.6m
Inspector-General of Intelligence & Security	\$1.4m
Total Funding	\$163m

Vote Courts

Departmental

The single Multi-Category Appropriation is to provide courts, tribunals and other authorities services, including the collection and enforcement of fines and civil debts services.

District Court Services	\$398.1m
Specialist Courts, Tribunals & Other Authorities Services	\$132.6m
Senior Courts Services	\$101.9m
Collection & Enforcement of Fines & Civil Debts	\$61.8m
New Zealand Support of International Jurisdictions	\$2.7m
Departmental Operating	\$697m

Non-departmental

This funding is mostly for the remuneration of statutory office holders and court ordered services.

Judges' Salaries & Allowances	\$158.4m
Court & Coroner Related Costs	\$154.7m
Tribunal Related Fees & Expenses	\$18.6m
Coroners' Salaries & Allowances	\$15.0m
Community Magistrates' Salaries & Allowances	\$1.4m
Justices of the Peace Association	\$0.5m
Assistance to Victims of Crime	\$0.04m
Total Funding	\$348m

Departmental expenses

Personnel 51%

Operating including IT and Specialist Services 20%
Property, Depreciation, Capital Charge 29%



Administered by the Ministry

The Ministry is responsible for administering Vote Te Ararawhi and provides services to the Executive Board for the Elimination of Family Violence and Sexual Violence to administer its appropriation. The Minister of Justice is responsible for the Ministry overall but not for these appropriations.

Vote Te Ararawhi \$448m

Elimination of Family Violence and Sexual Violence \$22m

Key contacts



Andrew Kibblewhite, Secretary for Justice

Andrew has been Secretary since February 2019. Prior to this, he was Chief Executive of the Department of the Prime Minister and Cabinet (DPMC) for six and a half years. Andrew's previous experience in the public service includes roles as Deputy Chief Executive at Treasury, Director of the Policy Advisory Group at DPMC, and General Manager Strategic Development at Ministry of Research, Science and Technology. Andrew began his career at Treasury. He has a BSc (Hons) from University of Canterbury, a BCA from Victoria University, and an MBA (Arjay Millar Scholar) from Stanford University.



Rajesh Chhana, Deputy Secretary, Policy

Rajesh Chhana re-joined the Ministry in early 2015 as Deputy Secretary, Policy. Rajesh has close to two decades' experience at the Ministry. He first worked at the Ministry in 1996 as a legal advisor in the Legal Service Group. He has held a variety of senior advisory and management roles in both the public and private sectors including General Manager, Crime Prevention Criminal Justice (now Criminal Justice). Rajesh has previously spent two years as a public law practitioner and served as Justice Private Secretary, providing legal counsel to Ministers of Justice from both major political parties.



Carl Crafar, Chief Operating Officer, Operations and Service Delivery

Carl joined the Ministry in August 2016 to lead the Ministry's Operations and Service Delivery Group (OSD). OSD comprises more than 2,500 staff and is responsible for delivering most of the Ministry's customer-facing courts and frontline services. OSD is organised into four groups, each led by a Group Manager. Carl has an Executive Master's degree in public administration. He has had a long involvement with the social sector and held a number of senior roles in both service delivery and housing.



Anouk Alexander, Deputy Secretary, Strategy, Governance and Finance

Anouk joined the Ministry as Deputy Secretary, Strategy, Governance and Finance (SGF) in September 2019. She leads SGF, which drives strategic decision-making and shapes the direction of the Ministry and justice sector. Anouk has a background in strategising and executing transformational initiatives across public, private and professional services sectors in the Netherlands and New Zealand. This informs her guidance of SGF to provide high-quality information and objective advice, and support robust investment decisions that enable delivery of the Ministry's strategic priorities and initiatives. SGF also supports the Ministry's leadership team and provides the business with corporate functions such as finances, planning and

accountability, and communications.

Anouk has resigned her position. Her last day in the office will be 22 December 2023.



Marcus Akuhata-Brown, Pou Whakatere – Deputy Secretary, Māori

Marcus has spent over 30 years supporting rangatahi Māori to realise their potential, and aims to advance their role as active agents in all spheres of development in New Zealand society and beyond. In 2015 he received ACE Aotearoa's Educator of the Year Tangata Whenua award. He was a Director on the global board of CIVICUS, and Chair of Pan-Commonwealth Youth Caucus. He is an honorary member of the Māori Women's Welfare League and is currently a senior fellow on the Atlantic Fellows for Social Equity programme, based out of the Universities of Melbourne and Oxford.

Marcus leads a multi-disciplinary business group called Ātea a Rangi, which incorporates specialised strategy, policy, capability and relationship management to help lead the Ministry in its priority to improve justice outcomes for Māori.



Kelvin Watson, Deputy Secretary, Corporate and Digital Services

Kelvin joined the Ministry in October 2023 to lead the Corporate and Digital Services group (CDS). This includes several functions that enable delivery of the Ministry's strategy and justice services. They include the development and management of our properties and technology, information management, support for our people and their wellbeing, enabling continuity of operations through emergency and incident management and disaster recovery, physical security such as court security, and supplier sourcing and management to ensure we have the right products and services.

Kelvin's most recent work prior to the Ministry included executive leadership roles in service delivery, operations, digital enablement, and corporate services. This included leading a team of over 1,000 at Capital and Coast District Health Board. In addition, Kelvin has previously held several roles at Statistics New Zealand, including Interim Chief Executive, Deputy Chief Executive – Data and Digital Services, and Deputy Chief Executive – Organisation Capability and Services.



Victoria McLaughlin, Deputy Secretary, Te Au Reka

Victoria has worked at the Ministry since 2017, originally as Director, Strategy Development, developing the roadmap for 'modernising' courts and tribunals, which established the case for investing in caseflow (Te Au Reka). In 2019, Victoria became Group Manager, Commissioning and Service Improvement. This group designs and implements changes in the courts and tribunals. The group also manages the commissioning and management of community services that support the courts and access to justice. Throughout her time as Group Manager Victoria was responsible for the establishment of Te Au Reka, including securing investment. In July 2022, Victoria became Deputy Secretary – Te Au Reka. Prior to working at the Ministry of Justice, Victoria was

a Partner in the advisory practice of EY.

Appendices

Appendix A: Structure of New Zealand's Courts and Tribunals

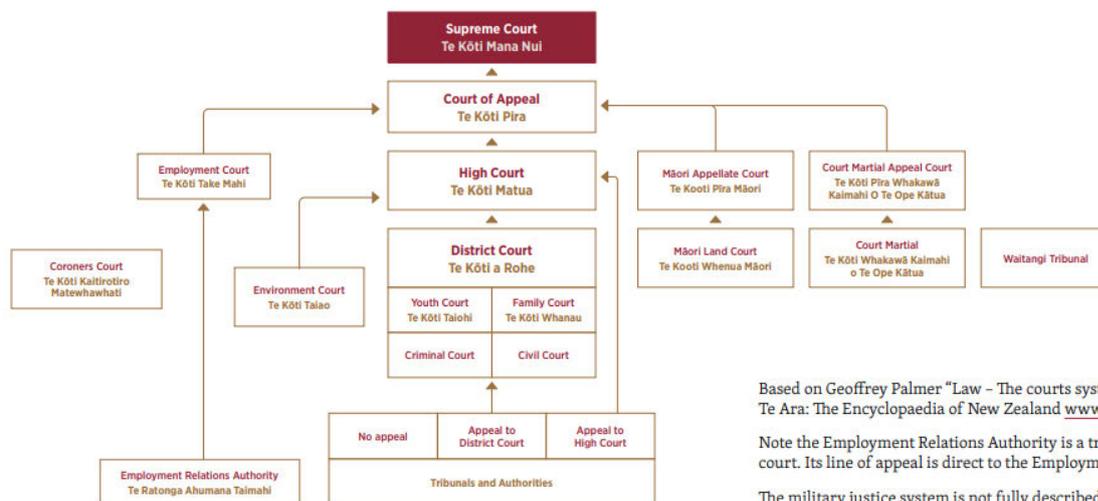
Appendix B: Crown entities

Appendix C: Statutory appointments

Appendix D: Legislation in the Justice portfolio

Appendix E: Ministry of Justice Statement of Intent 2023–2027

Appendix A: New Zealand's Courts and Tribunals



The courts, tribunals and authorities shown above are administered by the Ministry, except the Employment Relations Authority (run by the Ministry of Business, Innovation and Employment) and the Court Martial (run by the New Zealand Defence Force).

Note that for District Court criminal cases, some may have a right of appeal directly to the Court of Appeal instead of the High Court.

Tribunals and Authorities

No line of appeal

- Criminal Justice Assistance Reimbursement Scheme
- Legal Complaints Review Officer
- Review Authority (Legal Aid)
- Student Allowance Appeal Authority
- Waitangi Tribunal

Appeals to District Court

- Disputes Tribunal (on very limited grounds)
- Immigration Advisers Complaints and Disciplinary Tribunal
- Licensing Authority of Secondhand Dealers and Pawnbrokers
- Motor Vehicle Disputes Tribunal
- Private Security Personnel Licensing Authority
- Tenancy Tribunal
- Weathertight Homes Tribunal (for claims of less than \$350,000)

Appeals to High Court

- Accident Compensation Appeals District Court Registry*
- Alcohol Regulatory and Licensing Authority
- Canterbury Earthquakes Insurance Tribunal
- Copyright Tribunal*
- Customs Appeal Authority*
- Human Rights Review Tribunal
- Immigration and Protection Tribunal*
- Land Valuation Tribunal
- Lawyers and Conveyancers Disciplinary Tribunal
- Legal Aid Tribunal*
- Real Estate Agents Disciplinary Tribunal
- Social Security Appeal Authority*
- Taxation Review Authority
- Trans-Tasman Occupations Tribunal*
- Victims' Special Claims Tribunal*
- Weathertight Homes Tribunal (for claims of more than \$350,000)

*only on points of law

Appendix B: Crown entities

You are the responsible minister for six independent Crown entities, one autonomous Crown entity and one Crown agent.

Your role is to oversee and manage the Crown's interests in, and relationships with, entities within your portfolio, and to carry out the responsibilities in section 27 of the Crown Entities Act 2004. Overall, your responsibilities are to:

- ensure effective and efficient boards are in place to govern the Crown entities (through the responsibility to appoint, reappoint and remove board members)
- participate in setting the direction of Crown entities
- monitor and review Crown entities' performance and results
- manage risks on behalf of the Crown.

The Ministry will provide you with advice about:

- performance against agreed targets
- robustness of financial planning
- assurance that risk management is in place
- financial results and early warning of threats to viability or effectiveness
- assurance that entities have capability to deliver.

Crown entities in the Vote Justice portfolio are listed below. Individual Crown entities will provide you with their own briefings.

Name and type of entity	Entity purpose	Chair of Board
Law Commission (LC) <i>Independent Crown Entity</i>	The systematic review, reform, and development of the law	President of the Law Commission Associate Professor Amokura Kawharu
Electoral Commission (EC) <i>Independent Crown Entity</i>	Runs an effective and impartial electoral system	Karl Le Quesne
Independent Police Conduct Authority (IPCA) <i>Independent Crown Entity</i>	Oversees the conduct of New Zealand Police	Judge Kenneth Johnston KC
Human Rights Commission (HRC) <i>Independent Crown Entity</i>	Promotes and protects the human rights of all people in New Zealand	Chief Commissioner Dr Paul Hunt

Office of the Privacy Commissioner (OPC) <i>Independent Crown Entity</i>	Develops and promotes a culture of privacy	Privacy Commissioner Michael Webster
Real Estate Authority (REA) <i>Crown Agent</i>	Promotes public confidence in the real estate industry	Belinda Moffat
Criminal Cases Review Commission (CCRC) <i>Independent Crown Entity</i>	Addresses potential miscarriages of justice	Chief Commissioner Colin Carruthers QC
Public Trust ⁵ <i>Autonomous Crown Entity</i>	Provides New Zealanders with products and services including wills, legal, financial, investment, trusts, estate administration and estate protection	

⁵ The Ministry purchases services through Public Trust's Services Agreement with the Minister of Justice. The Ministry has policy responsibility for the Public Trust Act 2001 but the Public Trust itself is monitored by the Crown Operations Group in the Treasury. The Ministry monitors in respect of the services purchased under the Services Agreement.

Appendix C: Statutory appointments

As the Minister of Justice, you are responsible for making or recommending appointments to approximately 450 statutory positions (excluding your Justices of the Peace appointments). Most of these appointments are for terms of three to five years so 100 to 140 positions are reviewed annually. The appointments fall into two major groups:

- Crown entities: see Appendix B
- tribunals, boards, committees and authorities: these include tribunals and other quasi-judicial bodies of similar functions (eg Weathertight Homes Tribunal, Immigration and Protection Tribunal, Disputes Tribunal, Tenancy Tribunal, and Land Valuation Tribunals).

Justices of the Peace

You are responsible for recommending the appointment of Justices of the Peace (JPs). Only Members of Parliament may nominate individuals for appointment as JPs. Each electorate MP is responsible for ensuring their electorate is adequately serviced by JPs. List MPs may submit nominations in their own name but need to have the prior endorsement of the appropriate electorate MP. In recent years approximately 200–300 JP appointments have been approved annually. To manage workflow, nominations that require decisions are generally batched into monthly schedules.

Appointment process

The statutes under which the bodies or positions are established specify who makes the appointment (most often the Governor-General on the recommendation of the Minister) and the appointment term. Other matters, such as appointment criteria and required consultation, are sometimes included in the governing legislation but it is rare for legislation to prescribe the process for identifying candidates.

Responsibility for managing the recruitment and appointment processes is deemed to be delegated to the Ministry of Justice unless you direct otherwise. The Ministry provides advice on each upcoming vacancy. Normally the advice will:

- explain the basic legislative and Cabinet requirements associated with the appointment
- provide a position description
- offer preliminary advice on the skills and experience of the person required to fill the vacancy
- recommend a process that may be followed
- set out any associated remuneration issues.

Potential candidates can be identified in various ways including advertising, seeking nominations from interest groups, Ministers, or MPs, seeking suggestions from incumbent chairs and via self-nomination. The suitability of the available options is canvassed on a

case-by-case basis but, in general, the practice in recent years has been publicly to advertise Crown entity and other high-profile appointments.

Under Cabinet guidelines, all but the most minor appointments are referred to Cabinet. Cabinet guidelines also advise that the Prime Minister should be consulted on major appointments before they are submitted to Cabinet.

Appendix D: Legislation in the Justice portfolio

The Ministry of Justice administers 154 pieces of legislation and has stewardship responsibilities for 52 regulatory systems.

Our large regulatory stock is organised into seven regulatory areas, many of which overlap.

Statutes jointly administered under both the Justice and Courts portfolios are indicated with an asterisk (*).

Courts and tribunals

Admiralty Act 1973*	Imprisonment for Debt Limitation Act 1908
Arbitration Act 1996	Inferior Courts Procedure Act 1909*
Arbitration (International Investment Disputes) Act 1979	Interest on Money Claims Act 2016*
Contempt of Court Act 2019	Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004
Coroners Act 2006*	Judicial Review Procedure Act 2016*
Costs in Criminal Cases Act 1967*	Juries Act 1981*
Courts (Remote Participation) Act 2010*	Justices of the Peace Act 1957
Criminal Disclosure Act 2008	Lawyers and Conveyancers Act 2006
Criminal Procedure Act 2011*	Legal Services Act 2011
Criminal Procedure (Mentally Impaired Persons) Act 2003	Limitation Act 2010
Declaratory Judgments Act 1908*	Oranga Tamariki Act 1989 ⁶
Disputes Tribunals Act 1988*	Security Information in Proceedings Act 2022
District Court Act 2016*	Senior Courts Act 2016*
Domicile Act 1976	Summary Proceedings Act 1957*
Electronic Courts and Tribunals Act 2016*	Te Ture Whenua Māori Act 1993 ⁷
Evidence Act 2006	
Family Court Act 1980*	
Family Proceedings Act 1980*	

⁶ Parts 4-6 only covering administration of the Youth Court.

⁷ Administration of the Māori Land Court.

Criminal justice and victims

Bail Act 2000

Criminal Cases Review Commission Act 2019

Criminal Investigations (Bodily Samples) Act 1995

Criminal Proceeds (Recovery) Act 2009

Criminal Records (Clean Slate) Act 2004

Criminal Records (Expungement of Convictions for Historical Homosexual Offences) Act 2018

Extradition Act 1999

International Crimes and International Criminal Court Act 2000^{8*}

International War Crimes Tribunals Act 1995

Mutual Assistance in Criminal Matters Act 1992

Parole Act 2002⁹

Prisoners' and Victims' Claims Act 2005

Returning Offenders (Management and Information) Act 2015

Sentencing Act 2002^{10*}

Serious Fraud Office Act 1990

Victims Orders Against Violent Offenders Act 2014

Victims' Rights Act 2002

Criminal law

Anti-Money Laundering and Countering Financing of Terrorism Act 2009

Aviation Crimes Act 1972

Crimes Act 1961*

Crimes (Internally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980

Crimes of Torture Act 1989

Harassment Act 1997

Harmful Digital Communications Act 2015

Maritime Crimes Act 1999

Misuse of Drugs Act 1975¹¹

Prohibition of Gang Insignia in Government Premises Act 2013

Search and Surveillance Act 2012

Secret Commissions Act 2010

Serious Fraud Office Act 1990

Summary Offences Act 1981

Terrorism Suppression Act 2002¹²

Terrorism Suppression (Control Orders) Act 2019

Trespass Act 1980

⁸ Administered jointly with the Ministry of Foreign Affairs and Trade.

⁹ Administered jointly with Ara Poutama Aotearoa Department of Corrections.

¹⁰ Administered jointly with Ara Poutama Aotearoa Department of Corrections.

¹¹ Administered jointly with the Ministry of Health.

¹² Administered jointly with the Ministry of Foreign Affairs and Trade.

Family

Adoption Act 1955	Family Protection Act 1955
Adoption (Intercountry) Act 1997	Family Violence Act 2018
Adult Adoption Information Act 1985	Marriage Act 1955
Age of Majority Act 1970	Property (Relationships) Act 1976
Care of Children Act 2004	Protection of Personal Rights and Property Act 1988
Civil Union Act 2004	Status of Children Act 1969
Domestic Actions Act 1975	
Family Dispute Resolution Act 2013	

Civil law

Administration Act 1969	Land Valuation Proceedings Act 1948
Animals Law Reform Act 1989	Law Reform Act 1936
Canterbury Earthquakes Insurance Tribunal Act 2019	Law Reform Act 1944
Charitable Trusts Act 1957	Law Reform (Testamentary Promises) Act 1949
Contract and Commercial Law Act 2007 ^{13*}	Methodist Church of Australasia in New Zealand Act 1902
Contributory Negligence Act 1947	Mining Tenures Registration Act 1962
Conversion Practices Prohibition Legislation Act 2022	Occupiers' Liability Act 1962
Deaths by Accidents Compensation Act 1952	Perpetuities Act 1964
Deeds Registration Act 1908*	Presbyterian Church Property Act 1885
Defamation Act 1992	Privacy Act 2020
Fencing Act 1978	Private International Law (Choice of Law in Tort) Act 2017
Hawke's Bay Regional Planning Committee Act 2015	Property Law Act 2007
Human Assisted Reproductive Technology Act 2004	Public Trust Act 2001
Innkeepers Act 1962	Reciprocal Enforcement of Judgments Act 1934*
Joint Family Homes Act 1964	Simultaneous Deaths Act 1958
Land Transfer (Hawkes Bay) Act 1931	Succession (Homicide) Act 2007

¹³ Administered jointly with the Ministry of Business, Innovation and Employment.

Trans-Tasman Proceedings Act 2010

Trustee Companies Act 1967

Trusts Act 2019

Unit Titles Act 2010 (subpart 1 of Part 4)¹⁴

Wills Act 2007

Constitutional

Abolition of the Death Penalty Act 1989

Broadcasting Act 1989 (Part 6)¹⁵

Citizens Initiated Referenda Act 1993

Constitution Act 1986

Courts Security Act 1999*

Crimes of Torture Act 1989

Crown Organisations (Criminal Liability) Act 2002

Crown Proceedings Act 1950

Department of Justice (Restructuring) Act 1995

Election Access Fund Act 2020

Electoral Act 1993

Flags, Emblems, and Names Protection Act 1981(section 20)¹⁶

Habeas Corpus Act 2001

Human Rights Act 1993

Imperial Laws Application Act 1988

Independent Police Conduct Authority Act 1988

Judicial Review Procedure Act 2016

Law Commission Act 1985

New Zealand Bill of Rights Act 1990

Oaths and Declarations Act 1957

Official Information Act 1982

Ombudsmen Act 1975

Political Disabilities Removal Act 1960

Referenda (Postal Voting) Act 2000

Royal Succession Act 2013

Treaty of Waitangi (State Enterprises) Act 1988

Occupational regulation

Hotel Association of New Zealand Act 1969

New Zealand Council of Law Reporting Act 1938

Private Security Personnel and Private Investigators Act 2010¹⁷

Prostitution Reform Act 2003

Real Estate Agents Act 2008

Sale and Supply of Alcohol Act 2012

Secondhand Dealers and Pawnbrokers Act 2004

Secret Commissions Act 1910

Trans-Tasman Mutual Recognition Act 1997¹⁸

¹⁴ Administered jointly with the Ministry of Business, Innovation and Employment and Land Information New Zealand.

¹⁵ Administered jointly with the Ministry for Culture and Heritage and Te Puni Kōkiri.

¹⁶ Administered jointly with the Ministry for Culture and Heritage.

¹⁷ Sections 100 and 101 are administered by the Department of Internal Affairs.

¹⁸ Administered by the Ministry of Business, Innovation and Employment, but Ministry of Justice administers the Trans-Tasman Occupations Tribunal.

Appendix E: Ministry of Justice Statement of Intent 2023–2027

