

Hon Kiri Allan
Minister of Justice

Proactive release – Briefing to Incoming Minister

Date of issue: August 2022

The following documents have been proactively released in accordance with Cabinet Office Circular CO (18) 4.

Some information has been withheld on the basis that it would not, if requested under the Official Information Act 1982 (OIA), be released. Where that is the case, the relevant section of the OIA has been noted and no public interest has been identified that would outweigh the reasons for withholding it.

No.	Document	Comments
1	Briefing to Incoming Minister June 2022 <i>Briefing</i> Minister of Justice	Some information withheld under sections 6(a), 9(2)(a), 9(2)(b)(ii), 9(2)(f)(iv), 9(2)(g)(i) and 9(2)(h)

Hon Kiri Allan, Minister of Justice

Briefing to Incoming Minister June 2022

Date	28 June 2022	File reference	
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Action sought	Timeframe
Agree to the proposed sequence, scheduling and prioritisation of decision papers and topics briefings outlined in this paper	At your convenience

Contacts for telephone discussion (if required)

Name	Position	Telephone (work)	(a/h)	First contact
Andrew Kibblewhite	Secretary for Justice	s9(2)(a)		X

Minister's office to complete

<input type="checkbox"/> Noted	<input type="checkbox"/> Approved	<input type="checkbox"/> Overtaken by events
<input type="checkbox"/> Referred to: _____		
<input type="checkbox"/> Seen	<input type="checkbox"/> Withdrawn	<input type="checkbox"/> Not seen by Minister
Minister's office's comments		

Purpose

1. This briefing outlines what you can expect to receive in the coming months from the Ministry of Justice as we deliver s9(2)(f)(iv) and progress other key priorities. It creates a platform for us to understand your priorities for the remainder of this electoral term.
2. We have prepared this briefing on the understanding that you have already engaged with previous briefings to incoming ministers and have already received material about some of our priorities since starting in this role.

Key messages

3. You are coming into the Justice portfolio at a critical time. s9(2)(g)(i)
Much of our planning and many of our projects are already well-underway.
4. In our early conversations with you, we have heard your priorities to be:
 - a. s9(2)(f)(iv) :
 - i. Preventing and deterring gang activity, including by prioritising criminal proceeds legislation
 - ii. The Government response to the Royal Commission into the terrorist attack on Christchurch masjidain
 - iii. Managing implementation of the new case management system to minimise disruption of justice processes
 - iv. Advancing targeted electoral reforms.
 - b. Taking a victim-centric approach to the portfolio so that all New Zealanders are treated fairly and appropriately within the justice system.
 - c. Improving access to justice including through legal aid funding.
 - d. Reducing case backlogs in the court.
5. Our policy work programme is s9(2)(f)(iv) and we are confident we will deliver them before the election.
6. As the Minister of Justice you have overall responsibility for the justice system and joint responsibility with the Minister for Courts for the policy and law that provides how the courts and tribunals operate. The Ministry is a large service delivery agency. Most people experience our services in person, in our buildings, and interacting with our staff and our case

management system (CMS). s9(2)(f)(iv)

7. There is a significant opportunity to transform how we deliver justice services and ensure better outcomes for people who participate in the justice system. Transformation will come from working with local communities, Māori, the judiciary and others in the sector. It will involve revitalising our court infrastructure, digitisation, the co-design and collaborative delivery of justice services, and other new ways of working.
8. We need to continue to operate the system while we're transforming it. We must keep sight of the people going through the system, to ensure they leave the system confident they have been treated justly and fairly. That is why we are prioritising policy and operational work to improve the operations of the courts (e.g. addressing backlogs in jury trials, better utilising community magistrates), alongside Ministerial priorities.
9. This briefing outlines a number of matters on which you will receive further briefings. They are disparate, ranging from appointments and extraditions to substantive policy matters, to funding approvals for ICT expenditure. The breadth of topics reflects the span of the Justice portfolio. It also reflects the scale of the operations the Ministry runs.

The way this document is designed to support you

10. This briefing starts by outlining the boundaries of your responsibilities as Minister of Justice.
11. It goes on to provide a concise thematic overview of the Ministry's work programme. Within each area, the briefing lists the individual topics you will receive briefings about over the coming months. The briefings are categorised as either papers requiring decisions or topic papers:
 - Decision papers: these are papers that you will receive as part of the Ministry's business as usual over the next few months, as we need to inform you about next steps in projects or as we seek decisions from you.
 - Topic briefings: these will inform you about other areas of the Ministry's work programme. We have developed the list of topics based on your feedback in our conversations so far and in conjunction with your office.
12. The papers listed here are in addition to the topics you have already received materials on in your role to date, and any material that you are expecting to receive in connection with those topics.

The boundaries of your responsibilities in the Justice portfolio

13. Responsibility for key legislation relating to the courts and tribunals is shared across the Justice and Courts portfolios. The different responsibilities are outlined in Appendix 1.
14. As Minister of Justice, you are responsible for:

- Legislation and policy within the Justice portfolio or constitutional principles (e.g. core constitutional law and policy, criminal law, civil law such as family, property, trusts, wills, and dispute resolution, and access to justice). Current projects include gangs policy, adoption reform, national action plan against racism.
 - Supporting New Zealand's constitutional and democratic institutions (e.g. the Māori Electoral Option, supporting the independent review of electoral law).
15. The Minister for Courts is responsible for procedural or operational amendments and providing the administrative and other services necessary to support judicial administration of New Zealand's courts and tribunals.
16. Some of your responsibilities are shared with the Minister for Courts, and there are times you will have to work together. Usually, this will involve us writing you a joint briefing for joint ministerial approval.

What Vote Justice funds – and your role in relation to courts funding

17. The Vote Justice appropriation includes funding for:
- Justice policy advice and sector leadership
 - The Public Defence Service and administration of legal aid services
 - Justice Crown entities (Office of the Privacy Commissioner, Human Rights Commission, Independent Police Conduct Authority, Law Commission, Te Kāhui Tātari Ture - Criminal Cases Review Commission, Electoral Commission, Real Estate Authority (Crown agent delegated to Associate Justice Minister Sio), and Public Trust).¹
 - Community law centres
 - Justice support services and programmes –
 - Services to prevent or reduce crime and services that reduce harm and victimisation as a result of crime
 - Community-based legal advice, assistance, and representation services
 - Mediation, restorative practices, and resolution services
 - Entitlements, including counselling and financial assistance, for victims of crime
 - Services provided to other ministers – Te Puna Aonui (see paras 31 and 76) and Māori Crown relations

¹ Public Trust are an autonomous Crown entity funded out of Vote Justice and monitored by The Treasury.

- Capital expenditure for the purchase or development of assets by and for the Ministry (e.g. property and ICT). This includes court buildings.
18. Operating expenditure associated with the capital expenditure noted above rests with those who use the assets across both Vote Justice and Vote Courts.
19. There are strong links between policy reforms and investment needed for courts infrastructure. It means you will work closely with the Ministry and the Minister for Courts on the scoping and sequencing of initiatives that involve capital expenditure.
20. For context, the Vote Courts appropriation includes Ministry services that support the work of courts, tribunals and other authorities, professional and administrative services provided to or directed by courts and coroners, judicial salaries, and the collection and enforcement of fines and civil debts. It also includes operating expenditure for property and ICT associated with running the court system.

Delegations to the Associate Minister of Justice

21. We are operating on the assumption that the delegation to the Associate Minister of Justice will remain in place. Minister Faafoi's delegation letter to the Associate Minister is attached as Appendix 2.
22. Control of the matters delegated to the Associate Minister remain with you (Cabinet Manual, para 2.36). That means you will be responsible for answering questions at the Estimates hearing on the matters within the delegation.

Your responsibilities in the justice sector

23. As the Minister of Justice, you are also the lead Minister of the justice sector.
24. This week you will receive a dedicated justice sector briefing to support and enable you in your role as the lead Minister for the justice sector.

Your responsibilities as a Family Violence and Sexual Violence Minister

25. As the Minister of Justice, you are a Family Violence Sexual Violence Minister. Te Aorerekura is the National Strategy and Action Plan to Eliminate Family Violence and Sexual Violence. The joint venture of government agencies that will deliver this strategy has recently been reconfigured as an Interdepartmental Executive Board. On 1 July they will take on the name Te Puna Aonui.
26. We will be informing you about your role, the details of the strategy and the actions for which the Ministry of Justice is responsible, and the functioning of Te Puna Aonui in July. This briefing will be prior to the Te Puna Aonui annual hui which you have been invited to attend.

Opportunities for transformation of the justice system

27. Several reports over decades have called for a justice system that is based on Te Tiriti o Waitangi and reflective of Aotearoa New Zealand.²
28. There is a significant opportunity to transform how policy and legislation is developed, justice services are designed and delivered, and investment are made. Transformation will come from partnering with iwi/Māori and working with local communities, the judiciary and others in the sector. It will involve revitalising our court infrastructure, digitisation, the co-design and collaborative delivery of justice services, and other new ways of working.

Providing advice reflecting te ao Māori worldviews

29. The Ministry recognises it needs to significantly increase its organisational capability to effectively partner with Māori, understand the impact of the justice system on Māori, and to identify and address racism, inequities, and structural discrimination. This is an area of current focus and we look forward to working with you as we evolve our capability and business practices.
30. Ātea a Rangi is the business group of the Pou Whakatere, the Deputy-Secretary Māori. Established in 2021, Ātea a Rangi provides strategic and policy advice and lead partnerships with iwi and Māori on key initiatives to progress shared priorities for justice reform.
31. Ātea a Rangi is supporting the Ministry on its journey to elevate the voices of Māori, to deliver improved justice outcomes for Māori, and to improve its organisational capability to meaningfully partner with Māori.
32. Ātea a Rangi can support you in your role by providing advice informed by iwi and Māori perspectives and centring te ao Māori worldviews.

Partnerships with Māori

33. Deliberate, meaningful partnerships with Māori are critical to justice reform and to improve access to justice. As Minister of Justice, you are the Lead Minister for the Pou Tikanga relationship with National Iwi Chairs Forum.
34. There are numerous partnerships with Māori across the justice sector. These can be broadly categorised as:
 - Strategic partnerships: i.e. partnerships with national Māori entities such as Ināia Tonu Nei and the National Iwi Chairs Forum to progress justice reform,
 - Operational partnerships: i.e. partnerships with iwi and iwi-mandated services for Te Ao Mārama, Whakaoranga te Mana Tangata and the innovative courts programme, and

² Recommendations for comprehensive reform of the justice system are included in Turuki! Turuki! (2019); Te Tangi o te Manawanui (2019); Ināia Tonu Nei (2019); He Whaipaanga Hou (1988) and Puao-te-ata-tu (1988).

- Treaty settlements: legislated formal relationships with iwi as part of settlement redress.

35. Partnering with Māori on reform of the justice system will accelerate the pace of change to improve justice and wellbeing outcomes for Māori and for all New Zealanders who come into contact with the justice system.

You will receive the following topic briefings from Ātea a Rangi

Topic	Description	Format / Date
July		
Ātea a Rangi: function and work programme	• Background briefing providing you with more information about Ātea a Rangi.	Briefing 4 July
Partnerships with Māori	• Background briefing on the Māori-Crown landscape in the justice sector, in response to your request.	Briefing 15 July

Providing analysis and advice on justice and constitutional issues

36. Policy Group has an ambitious and dynamic programme of priority-driven work. It includes projects highlighted in s9(2)(f)(iv), manifesto commitments, and Government and Ministerial priorities. We have oriented ourselves to deliver this work programme, and are confident we will deliver it.
37. Some of our work has an immediate sense of urgency, including the work related to gangs. We are also progressing much-needed work in areas that profoundly touch people's lives, such as adoption s9(2)(f)(iv), supporting the response to the Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain, and the national action plan against racism.
38. We are committed to progressing initiatives in the Courts portfolio, to support effective and efficient delivery of justice services. Some work we are progressing is supporting work to reduce the backlog of jury trials s9(2)(f)(iv). Not all these projects are related to Government manifesto priorities; they look to address known issues and are high priorities for the judiciary and, in some cases, for the Minister for Courts and/or the Attorney-General. Managing these projects takes up some of our capacity s9(2)(f)(iv).
39. Our work programme also includes mandatory commitments, such as stewardship responsibilities under the Public Service Act 2020, reactive work, and work arising from an international obligation, core function, such as offence and penalty or New Zealand Bill of Rights Act vetting, or other legal requirement (for example, review required by legislation).

40. s9(2)(f)(iv)

We appreciate that you may have different views about our priorities. While the scale of our mandatory commitments and priority-driven work is such that there may be limited room for reprioritisation, we welcome a conversation with you on your priorities and how we can make sure these are progressed.

You will receive the following decision papers on our policy work

Topic	Description	Format / Date
June		
Statutory review of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009	<ul style="list-style-type: none"> Report to you on our review of the Act, which is due to you by 30 June 2022 	Report 30 June
Response to the Royal Commission of Inquiry into Abuse in State Care	<ul style="list-style-type: none"> Update on the Ministry's work as part of the Crown's response to the RCOI. 	Aide memoire 30 June
July		
s9(2)(f)(iv)		
National Action Plan Against Racism	<ul style="list-style-type: none"> Briefing to inform you about the project and to give you an opportunity to be involved in key engagements associated with the development phase of the project, ahead of the November 2022 Cabinet report-back. 	Briefing 14 July
s9(2)(f)(iv)		

Topic	Description	Format / Date
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s9(2)(f)(iv)

August

s9(2)(f)(iv)

Topic	Description	Format / Date
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s9(2)(f)(iv)

September		
Class actions and Litigation Funding	<ul style="list-style-type: none"> Advice on the response to the Law Commission report <i>Class Actions and Litigation Funding</i> <i>Ko ngā Hunga Take Whaipānga me ngā Pūtea Tautiringa</i>. Briefing will seek your views on the priority this work should be given within the context of a full work programme. The range of initiatives underway by the Ministry and judiciary to improve access to civil justice will be discussed in a separate topic briefing (see below). 	Briefing Late September
October		

s6(a)

Date TBC		
Security Information in Proceedings Legislation Bill	<ul style="list-style-type: none"> Background information to the bill, which will be provided to you with the Second Reading folder. This bill amends several pieces of legislation to create an overarching framework for dealing with security information in court. The bill was reported back from select committee on 14 June. 	Date for second reading will need to be confirmed.

IN CONFIDENCE

You will receive the following topic briefings on our policy work

Topic	Description	Format / Date
June		

s9(2)(f)(iv)

July

s9(2)(f)(iv)

Improving access to civil justice	<ul style="list-style-type: none">Informing you about the range of initiatives underway by the Ministry and judiciary to improve access to civil justice.	Briefing 29 July
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Delivering our frontline services

41. Our courts and tribunals enforce criminal law, resolve civil disputes, uphold individuals' rights and hold government to account. A well-functioning court and tribunal system is of fundamental constitutional and societal importance.
42. Tangible progress is being made towards a vision of reimagined, modern, and functional courts and tribunals that can meet future challenges.

Te Ao Mārama in the District Court

43. The Te Ao Mārama vision for the District Court is the Ministry's key contribution to justice reform. It will bring communities into the court to support victims, offenders and their whānau, and to provide information to the court to assist solution-focused judging.
44. We will provide you with a topic briefing with more information about Te Ao Mārama and solution-focused courts.
45. On **7 July 2022**, we will provide you a background briefing on Te Ao Mārama, and a briefing to support your attendance at the public announcement of Te Ao Mārama in Kaitiāia on 13 July 2022.

Te Au Reka: caseload management

46. Most people experience our services in person, in our buildings, and interacting with our staff and the Case Management System that underpins our courts. s9(2)(f)(iv)
47. The court system is currently experiencing significant operational pressure, including increased work on hand and delays in the progression of cases. Cases are taking more events to resolve and demand for court services is projected to increase. Reliance on a paper-based caseload management system has meant court participants cannot track progress of a case online.
48. To successfully fulfil its role, our court and tribunal system will be supported by Te Au Reka, a more effective and consistent online case management system. Te Au Reka will enable all users to engage with a modern court that is trusted, safe and responsive. It will enable the active progression of cases through the courts, reducing the harm and the time it takes to reach resolution.
49. Following the meeting you had with officials on 27 June 2022, s9(2)(f)(iv)

Keeping the system running during transformation

50. We need to continue to operate the system while we're transforming it. We have a number of briefings planned for you with operational and policy suggestions to make improvements to the services that people experience now, while the larger transformations are under consideration.
51. Notwithstanding that the courts have continued to function safely throughout the pandemic, COVID-19 restrictions have had a significant impact on the operation of the courts. There have been over 2 million court events scheduled across the District Court since the beginning of COVID-19 restrictions in March 2020. Over 141,000 District Court events have been adjourned or rescheduled since then, including around 1,200 jury trials. s9(2)(f)(iv)

Addressing family violence and sexual violence

52. The Ministry is delivering a work programme to improve the experience of court proceedings for people impacted by family violence and sexual violence. Addressing family violence and sexual violence is a transformational opportunity in the Ministry's strategy, and the work programme also contributes to Te Aorerekura: National Strategy to Eliminate Family Violence and Sexual Violence, and Te Ao Mārama.

You will receive the following decision papers on delivering our frontline services

Topic	Description	Format / Date
June		
Solution-focussed courts and Te Ao Mārama	<ul style="list-style-type: none"> Background information on solution-focussed courts (also called specialist or therapeutic courts), and how best practice approaches from these courts are being delivered in Te Ao Mārama courts. What Te Ao Mārama courts will look like in practice Update on progress in delivering Te Ao Mārama in Hamilton, Gisborne and Kaitia. 	Briefing 28 June 2022

Topic	Description	Format / Date
Masjidain Attack Coronial Process	<ul style="list-style-type: none"> Background information on the process and upcoming ministerial decisions, s9(2)(f)(iv) 	Briefings s9(2)(f)(iv)
Your role as a family violence sexual violence Minister	<ul style="list-style-type: none"> Information about Te Aorerekura: National Strategy for the Elimination of Family Violence and Sexual Violence and the related Action Plan, including how the Ministry supports Te Aorerekura by delivering Actions 15 and 27, and supporting other actions via its FVSV Operational Improvements work programme. 	Aide memoire By 14 July (then again prior to the Interdepartmental Executive Board annual hui 27-28 July)
July		

s9(2)(b)(ii), s9(2)(f)(iv)

You will receive the following topic briefings on delivering our frontline services

Topic	Description	Format / Date
July		
Impacts of COVID-19 restrictions	<ul style="list-style-type: none"> An overview of court backlogs and the Budget 22 initiative on justice sector resourcing to help address the backlog. 	Aide memoire July recess
Criminal Process Improvement Programme	<ul style="list-style-type: none"> Information on the justice sector programme of work to improve and better align processes across the sector participants to improve timeliness of cases in the criminal jurisdiction of the District Court, reducing unnecessary adjournments and reducing the case backlogs. This is one of the Minister for Courts' priorities. 	Aide memoire July recess
Solutions-focused courts	<ul style="list-style-type: none"> Update on the establishment of solutions-focused courts, ongoing funding for Alcohol and Drug Treatment Courts, and an explanation of how this work aligns with Te Ao Mārama. 	Aide memoire July recess
Family justice reforms	<ul style="list-style-type: none"> Updates on the Family Court Work Programme including Resources and Information for Care of Children and Family Court Associates. 	Aide memoire July recess

s9(2)(f)(iv)

Improving access to legal assistance for low-income New Zealanders	<ul style="list-style-type: none"> Update on the operational implications for improving access to legal assistance. 	Aide memoire July recess
Coronial Work Programme	<ul style="list-style-type: none"> A holistic overview of the Coronial work programme that is one of the Minister for Courts' priorities. 	Aide memoire July recess

Managing one of the largest property portfolios in the public sector

53. A large part of our service delivery hinges on the sites out of which we run courts and tribunals. The configuration of a building, the state it is in, and the services that can be operated out of it, say much to participants about how they are viewed by the justice system.
54. The Ministry has one of the largest property portfolios in the public sector, with 96 sites across the country. The courts operate from 73 sites, of which 40 are owned and 33 are leased. The remaining 23 sites are leased for Coroners, the Public Defence Service, national office, the National Transcription Service, Bailiffs, and administration and storage support functions.

55. Of these sites, approximately 18% of the buildings are over 100 years old and a further 39% over 50 years. In June 2019, 31% of the entire portfolio was assessed as being in poor or very poor condition.
56. On 30 July 2020, the GOV noted the Ministry's Capital Plan 2020-2030 (the 10-Year Plan) to restore and modernise buildings across the Justice property portfolio [GOV-20-MIN-0029].
57. s9(2)(f)(iv)

Innovative courts programme

58. The innovative courts programme responds to requirements to design future courthouses in partnership with iwi, the local community, the judiciary, the legal profession, court staff and other court users. This includes drawing on Te Ao Māori values, and ensuring victims' safety needs are addressed in courthouse designs.
59. Aligned with the Te Ao Mārama kaupapa, the new courthouses for Whanganui and Tauranga provide the first opportunities to implement this new approach.
 - The courthouse in Whanganui is on track to open in mid-2025. Its innovative design has been developed by Te Puna Hāpori, a collaboration led by local iwi focused on developing a community wellbeing hub that puts whānau at the centre of services to improve justice outcomes.³ Trust and respect have been at the heart of this successful relationship. The main entrance to the new courthouse will be orientated to the puna at the centre of the site.
 - The Tauranga innovative courthouse is being developed using a co-design approach with local iwi/hapū. The courthouse will provide flexible physical spaces and can enable wrap-around service delivery and new ways of working. The courthouse is forecast to open in mid-2026, and has a forecast completion cost circa \$155.2 million.

³ Involving the Whanganui Land Settlement Negotiation Trust, the Whanganui Ruapehu Police, the Ministry of Justice and the Whanganui Mayor.

You will receive the following decision paper on our portfolio

Topic	Description	Format / Date
June		

s9(2)(f)(iv)

Providing professional legal leadership

60. The Office of Legal Counsel (OLC) provides professional legal leadership within the Ministry, and legal advice and services to Ministers and the public. In particular, OLC provides advice to you on compensation claims for wrongful conviction and imprisonment, extradition requests, judicial review proceedings, statutory appointments and other matters as required.
61. OLC also supports the Attorney-General on New Zealand Bill of Rights advice and judicial appointments to the District Court.
62. In addition, OLC hosts the Public Defence Service, operates the New Zealand Central Authority for the Hague Convention on the Civil Aspects of International Child Abduction, and supports the Office of the Judicial Conduct Commissioner.

IN CONFIDENCE

You will receive the following decision papers on our legal work and advice (legally privileged)

s9(2)(h)

RELEASED BY THE MINISTER OF JUSTICE

s9(2)(h)

You will receive the following topic briefing from us on our legal work (legally privileged)

s9(2)(h)

Driving strategic decision making and shaping the Ministry's direction

63. The Strategy, Governance and Finance (SGF) Group sets the Ministry's overall strategy, direction and execution of the delivery of services. It provides several Ministry core services to ensure the Ministry can succeed and deliver on its priorities. These include finance, risk and assurance, enterprise-level planning and investment, performance reporting and accountability, justice sector-wide data and insights, governance, portfolio management, official correspondence, and communications including media.
64. SGF also monitors the Ministry's Crown entities. You are the responsible Minister for six Crown entities, one Crown agent under the oversight of the Associate Minister of Justice, and one autonomous Crown entity funded out of Vote Justice and monitored by Treasury, also delegated to the Associate Minister of Justice:
- Office of the Privacy Commissioner
 - Human Rights Commission
 - Independent Police Conduct Authority
 - Law Commission

- Criminal Cases Review Commission
- Electoral Commission
- Real Estate Authority (Crown agent – Associate Minister of Justice)
- Public Trust (autonomous Crown entity - Associate Minister of Justice)

65. Many of the Crown entities play a critical role in protecting human, indigenous, constitutional and privacy rights, while others play a significant role in supporting the wellbeing of New Zealanders. The most significant deliverable across all entities in the remainder of the parliamentary term is the 2023 General Election, given the cost, scale, and impact of that event.

You will receive the following decision paper

Topic	Description	Format / Date
August		
s9(2)(f)(iv)		

You will receive the following topic briefing

Topic	Description	Format / Date
July		
s9(2)(f)(iv)		

Working with the judiciary and other agencies

Engaging with the judiciary

66. Underpinning all of the Ministry's engagement with the judiciary is preservation of judicial independence, so that the courts are, and are seen to be, separate from and independent of the executive.
67. Our engagement with the judiciary is informed by shared principles developed by the Ministry and the judiciary.
68. The principles state that both the judiciary and the Ministry have interests in developing and maintaining a system of justice that is just, fair, accessible, and modern, which delivers timely, impartial, and open justice. The principles recognise and set out the separate responsibilities of the judiciary and the Ministry for delivering justice through the courts, and those responsibilities that are shared. These responsibilities include:
 - The Judiciary's responsibilities in conducting the business of the courts
 - The Ministry's role in supporting the operation and financial management of the courts:
 - The Judiciary and the Ministry's shared obligation to ensure the use of public resources to run the courts is done efficiently and effectively.
69. The shared principles also underpin the Courts Strategic Partnership Group (CSPG), which consists of the heads of bench and the Ministry's Strategic Leadership Team.

Te Arawhiti: The Office for Māori Crown Relations

70. Te Arawhiti is a departmental agency. It operates autonomously within the Ministry of Justice, its host agency. Te Arawhiti and the Ministry of Justice have a shared services arrangement, whereby the Ministry of Justice provides corporate services (e.g. finance and payroll) to Te Arawhiti.
71. The Minister for Māori Crown Relations is responsible for Te Arawhiti.

Te Puna Aonui – the Joint Venture for the Elimination of Family Violence and Sexual Violence

72. The Joint Venture for the Elimination of Family Violence and Sexual Violence became an Interdepartmental Executive Board (IEB) on 24 March 2022. From 1 July 2022, the IEB will be called Te Puna Aonui.
73. Te Puna Aonui is the joint venture of government agencies that will deliver Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence. Te Puna Aonui administers the appropriation Eliminating Family Violence and Sexual Violence, overseen by the Minister for the Prevention of Family Violence and Sexual Violence. The Ministry of Justice is one of the joint venture agencies and provides corporate services to Te Puna Aonui.

Next steps

74. We will provide you with the decision papers and topic briefings are outlined in this briefing.
75. We will prepare additional material for you should you indicate that you would like to be informed about topics not addressed in this briefing.

Recommendations

76. It is recommended that you:
1. **Note** the information contained in this briefing.
 2. **Agree** to the proposed sequence of decision papers you will receive YES / NO
 3. **Agree** to the proposed scheduling and prioritisation of topics YES / NO
briefings you will receive



Andrew Kibblewhite
Secretary for Justice

APPROVED SEEN NOT AGREED

Hon Kiri Allan
Minister of Justice
Date / /

Appendix 1: Justice and Courts portfolios

Legislation in the Justice portfolio⁴

Abolition of the Death Penalty Act 1989
 Abortion Legislation Act 2020
 Administration Act 1969
 Admiralty Act 1973[^]
 Adoption Act 1955
 Adoption (Intercountry) Act 1997
 Adult Adoption Information Act 1985
 Age of Majority Act 1970
 Animals Law Reform Act 1989
 Anti-Money Laundering and Countering Financing of Terrorism Act 2009
 Arbitration Act 1996
 Arbitration (International Investment Disputes) Act 1979
 Aviation Crimes Act 1972
 Bail Act 2000
 Broadcasting Act 1989 (Part 6)
 Canterbury Earthquakes Insurance Tribunal Act 2019
 Care of Children Act 2004
 Charitable Trusts Act 1957
 Citizens Initiated Referenda Act 1993
 Civil Union Act 2004
 Constitution Act 1986
 Contempt of Court Act 2019
 Contract and Commercial Law Act 2017⁵
 Contributory Negligence Act 1947
 Coroners Act 2006[^]
 Costs in Criminal Cases Act 1967[^]
 Courts (Remote Participation) Act 2010[^]
 Courts Security Act 1999[^]
 Crimes Act 1961[^]
 Crimes (Internationally Protected Persons, United Nations and Associated Personnel, and Hostages) Act 1980
 Crimes of Torture Act 1989
 Criminal Cases Review Commission Act 2019
 Criminal Disclosure Act 2008
 Criminal Investigations (Bodily Samples) Act 1995
 Criminal Procedure Act 2011[^]
 Criminal Procedure (Mentally Impaired Persons) Act 2003
 Criminal Proceeds (Recovery) Act 2009
 Criminal Records (Clean Slate) Act 2004
 Criminal Records (Expungement of Convictions for Historical Homosexual Offences) Act 2018
 Crown Organisations (Criminal Liability) Act 2002

⁴ Legislation jointly administered under both the Justice and Courts portfolios is indicated with the symbol ^

⁵ Administered jointly with the Ministry of Business, Innovation, and Employment

Crown Proceedings Act 1950
 Deaths by Accidents Compensation Act 1952
 Declaratory Judgments Act 1908^
 Deeds Registration Act 1908^
 Defamation Act 1992
 Department of Justice (Restructuring) Act 1995
 Disputes Tribunals Act 1988^
 District Court Act 2016^
 Domestic Actions Act 1975
 Domicile Act 1976
 Electoral Act 1993
 Election Access Fund Act 2020
 Electronic Courts and Tribunals Act 2016^
 Evidence Act 2006
 Extradition Act 1999
 Family Court Act 1980^
 Family Court (Supporting Families in Court) Legislation Act 2020
 Family Dispute Resolution Act 2013
 Family Proceedings Act 1980^
 Family Protection Act 1955
 Family Violence Act 2018
 Fencing Act 1978
 Flags, Emblems and Names Protection Act 1981⁶ (s.20)
 Habeas Corpus Act 2001
 Harmful Digital Communications Act 2015
 Harassment Act 1997
 Hotel Association of New Zealand Act 1969
 Human Assisted Reproductive Technology Act 2004
 Human Rights Act 1993
 Imperial Laws Application Act 1988
 Imprisonment for Debt Limitation Act 1908
 Independent Police Conduct Authority Act 1988
 Inferior Courts Procedure Act 1909^
 Innkeepers Act 1962
 Interest on Money Claims Act 2016^
 International Crimes and International Criminal Court Act 2000⁷
 International War Crimes Tribunals Act 1995
 Joint Family Homes Act 1964
 Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004
 Judicial Review Procedure Act 2016^
 Juries Act 1981^
 Justices of the Peace Act 1957
 Land Transfer (Hawkes Bay) Act 1931
 Land Valuation Proceedings Act 1948
 Law Commission Act 1985

⁶ Administered jointly with the Ministry for Culture and Heritage.

⁷ Administered jointly with the Ministry of Foreign Affairs and Trade.

Law Reform Act 1936⁸
 Law Reform Act 1944
 Law Reform (Testamentary Promises) Act 1949
 Lawyers and Conveyancers Act 2006
 Legal Services Act 2011
 Limitation Act 2010
 Maritime Crimes Act 1999
 Marriage Act 1955
 Mining Tenures Registration Act 1962
 Misuse of Drugs Act 1975⁹
 Mutual Assistance in Criminal Matters Act 1992
 New Zealand Bill of Rights Act 1990
 New Zealand Council of Law Reporting Act 1938
 Oaths and Declarations Act 1957
 Occupiers' Liability Act 1962
 Official Information Act 1982
 Ombudsmen Act 1975
 Parole Act 2002¹⁰
 Political Disabilities Removal Act 1960
 Prisoners' and Victims' Claims Act 2005
 Privacy Act 2020
 Private International Law (Choice of Law in Tort) Act 2017
 Private Security Personnel and Private Investigators Act 2010¹¹
 Prohibition of Gang Insignia in Government Premises Act 2013
 Property Law Act 2007
 Property (Relationships) Act 1976
 Prostitution Reform Act 2003
 Protection of Personal and Property Rights Act 1988
 Public Trust Act 2001
 Real Estate Agents Act 2008
 Reciprocal Enforcement of Judgments Act 1934[^]
 Referenda (Postal Voting) Act 2000
 Referendums Framework Act 2019
 Returning Offenders (Management and Information) Act 2015
 Royal Succession Act 2013
 Sale and Supply of Alcohol Act 2012
 Search and Surveillance Act 2012
 Secondhand Dealers and Pawnbrokers Act 2004
 Secret Commissions Act 1910
 Senior Courts Act 2016[^]
 Sentencing Act 2002^{^12}
 Serious Fraud Office Act 1990
 Simultaneous Deaths Act 1958

⁸ Administered jointly with the Ministry of Business, Innovation, and Employment (part 3)

⁹ Administered jointly with the Ministry of Health.

¹⁰ Administered jointly with the Department of Corrections.

¹¹ Sections 100 and 101 are administered by the Department of Internal Affairs.

¹² Administered jointly with the Department of Corrections.

Statutory Land Charges Registrations Act 1928
Status of Children Act 1969
Succession (Homicide) Act 2007
Summary Offences Act 1981
Summary Proceedings Act 1957[^]
Terrorism Suppression Act 2002¹³
Terrorism Suppression (Control Orders) Act 2019
Trans-Tasman Proceedings Act 2010
Treaty of Waitangi (State Enterprises) Act 1988
Trespass Act 1980
Trustee Companies Act 1967
Trusts Act 2019
Unit Titles Act 2010¹⁴ (subpart 1 of Part 4)
Victims' Orders Against Violent Offenders Act 2014
Victims' Rights Act 2002
Wills Act 1837 (UK)
Wills Act 2007

Legislation in the Courts portfolio

Admiralty Act 1973
Coroners Act 2006
Costs in Criminal Cases Act 1967
Courts (Remote Participation) Act 2010
Courts Security Act 1999
Crimes Act 1961
Criminal Procedure Act 2011
Declaratory Judgments Act 1908
Disputes Tribunal Act 1988
District Court Act 2016
Electronic Courts and Tribunals Act 2016
Family Court Act 1980
Family Proceedings Act 1980
Inferior Courts Procedure Act 1909
Interest on Money Claims Act 2016
Judicial Review Procedure Act 2016
Juries Act 1981
Reciprocal Enforcement of Judgements Act 1934
Senior Courts Act 2016
Sentencing Act 2002
Summary Proceedings Act 1957

¹³ Administered jointly with the Ministry of Foreign Affairs and Trade.

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

Appendix 2: Delegation letter to Associate Minister of Justice

RELEASED BY THE MINISTER OF JUSTICE

Hon Kris Faafoi

Minister of Justice
Minister for Broadcasting and Media
Minister of Immigration



18 November 2020

Hon Aupito William Sio
Associate Minister of Justice
Parliament Buildings
Wellington

Tēnā koe Minister

Delegated functions and responsibilities

Congratulations on your appointment as Associate Minister of Justice.

This letter sets out the matters I am delegating to you. They cover a broad range of areas and I expect us to work closely together to deliver on our portfolio responsibilities. It will be important to discuss any significant decisions you are considering under your delegation. To assist with this, I propose we meet regularly to discuss these, and any other matters that might arise.

I delegate the following functions and responsibilities to you.

- 1 All matters relating to Justices of the Peace, with the exception of appointments of Justices of the Peace in your electorate
- 2 Appointments to, and monitoring of, the following Crown Entities:
 - 2.1 Public Trust
 - 2.2 Real Estate Agents Authority
- 4 Appointments to, and monitoring of, the Ministry of Justice administered tribunals and statutory bodies set out in Appendix 1.
- 5 Occupational regulations policy, statutes and tribunals relating to:
 - 5.1 Real Estate Agents
 - 5.2 Pawnbrokers and second-hand dealers
 - 5.3 Private investigators and security guards

- 6 Development and passage of Statutes Amendment Bills.
- 7 Regulations made under the Sale and Supply of Alcohol Act 2012 and appointments to the Alcohol Regulatory and Licensing Authority
- 8 Development and making of regulations to support the implementation of the Privacy Act 2020
- 9 Ministerial exemptions under section 157 of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009
- 10 Exemptions under the Real Estate Agents Act 2008
- 11 Provision of protective fiduciary services by the Public Trust
- 12 Taking Rules Committee proposals through the Cabinet process
- 13 Other functions, responsibilities and matters as agreed from time to time by us.

The above delegations are subject to the conditions set out in this letter. Please also refer to paragraphs 2.35 to 2.40 of the Cabinet Manual, which deal with the relationship between Ministers and Associate Ministers.

Financial and statutory responsibilities

As portfolio Minister, I have final responsibility for, and overall control of, the Ministry of Justice and all Crown entities within the portfolio.

I am responsible for Vote Justice and also for all relevant statutory functions of the Minister. You have no delegated responsibility in this area.

Policy

Although you will have responsibility for matters of policy in relation to the above, any significant policy decisions should be discussed with me.

Public Statements

You will take responsibility for all communications regarding your areas of responsibility, including Ministerial correspondence, press statements and public announcements. From time to time I may also ask you to respond to other Justice portfolio Ministerial correspondence on my behalf. It is my expectation that 95% of all correspondence is responded to within one month.

Ministerial correspondence concerning significant policy issues should be prepared by the Ministry of Justice for my signature, where appropriate. Any significant public announcements should be discussed with me prior to release and, in some cases, may be made either by me or the Prime Minister.

Relations with the Department/Ministry

You may contact the Ministry of Justice on all matters for which you have delegated responsibility. You are able to meet with Justice officials as needed, and on all matters for which you have delegated responsibilities. You are also entitled to receive regular information relating to the Justice portfolio, and areas of delegation from me, as required to carry out your duties as Associate Minister of Justice. I expect to be kept fully informed of all

significant issues and the Chief Executive is, of course, free to raise any matter concerning your delegated functions with me.

You may arrange, through my office, to have your own regular briefing sessions or ad hoc meetings with Ministry officials to discuss matters relating to your areas of responsibility. A designated member of my office may attend any such meeting.

Communications between us

To ensure maximum cooperation and coordination, I propose that we meet regularly to coordinate our actions, and to share views and ideas. You should ensure that I am fully briefed on the actions that you think are necessary to undertake in relation to your delegated responsibilities. All significant papers, letters and directions to the Ministry should be copied to me for my information. In particular, it would be appreciated if our offices could work closely together to ensure I am aware at the earliest stage of any issues that have the potential to become controversial. In turn, I will keep you informed of my actions in relation to your areas of responsibility.

I will also consult with you on policy issues, and on matters related to the implementation of policy initiatives within the Justice portfolio more generally.

Cabinet and Cabinet Committee Papers

The rules on the submission of papers to Cabinet and Cabinet committees are set out in Chapter 5 of the Cabinet Manual. In particular, in terms of paragraph 5.42, you may submit papers to Cabinet and Cabinet committees within your designated areas of responsibility, provided that the submission clearly indicates that I have been consulted and have agreed that the paper may be lodged.

You will have access (for example, via CabNet) to all submissions and minutes, of those Cabinet committees of which you are a member. You will also have access to those submissions relating to your delegated responsibilities that are dealt with at any other Cabinet committee.

Information held by you as Associate Minister

Under the Official Information Act 1982, all papers held by you in relation to your Associate Minister responsibilities within this portfolio are deemed to be held on behalf of the Minister of Justice. Similarly, you will be treated as my agent, where necessary, for the purposes of the Privacy Act 1993.

You will be responsible for all Official Information Act requests in the areas of your delegated responsibility.

Parliamentary responsibilities

Parliamentary questions relating to your delegated areas of responsibility will be addressed to you. In my absence, you may also be required to answer oral Parliamentary questions on my behalf.

Next steps

A summary of the above delegations will be published on the Department of the Prime Minister and Cabinet's website, and included in a *Schedule of Responsibilities Delegated to Associate Ministers and Parliamentary Under-Secretaries*. The Schedule will be presented to the House of Representatives to clarify Ministerial accountability (so that, for example, Parliamentary questions can be directed to the appropriate Ministers for answer).

I look forward to working with you in the Justice portfolio. Please do not hesitate to discuss these delegations with me at any time.

Yours sincerely



Hon Kris Faafoi
Minister of Justice

cc Secretary of the Cabinet
Chief Executive, Ministry of Justice

Appendix 1: Ministry of Justice administered tribunals and statutory bodies

- Accident Compensation Appeal Authority
- Additional Members of the High Court for Land Valuation Proceedings
- Canterbury Earthquakes Insurance Tribunal
- Community Magistrates
- Copyright Tribunal*
- Coroners*
- Criminal Justice Assistance Reimbursement Scheme
- Customs Appeals Authority
- Disputes Tribunal
- Human Rights Review Tribunal
- International Centre for Settlement of Investment Disputes
- Land Valuation Tribunal
- Lawyers and Conveyancers Disciplinary Tribunal
- Legal Aid Tribunal
- Legal Complaints Review Officers
- Motor Vehicles Disputes Tribunal
- Private Security Personnel Licensing Authority
- Public Protection Order Review Panel
- Second-hand Dealers and Pawnbrokers Licensing Authority
- Social Security Appeal Authority*
- Student Allowance Appeals Authority
- Taxation Review Authority
- Tenancy Tribunal
- The Review Authority
- Trans-Tasman Occupations Tribunal
- Victim's Special Claims Tribunal
- Visiting Justices
- Waitangi Tribunal*
- Weathertight Homes Tribunal

*consulted only for appointments