

DEPARTMENT FOR COURTS

ANNUAL REPORT 2002-03

# ANNUAL REPORT

FOR THE YEAR ENDED 30 JUNE 2003

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DEPARTMENT FOR  
**COURTS**  
TE TARI KOOTI

## VISION

**Contributing to a free, fair and equitable society by facilitating access to justice.**

## VALUES

The Department has a set of key values that, if they were to be lived by every person in the Department, would make the Department highly successful. The values are:

**Work with intelligence**  
**Work with empathy**  
**Work with integrity.**

These are set out more fully below.

### **Work with intelligence:**

- Understand what we do and why
- Develop solutions, take ownership and share experiences
- Get the job done with energy and enthusiasm
- Question and challenge when coming up with rules
- Once agreed, know and be responsible for upholding the policies and procedures.

### **Work with empathy:**

- Work with mutual trust and respect
- Understand the needs of each other (internal and external)
- Be responsive to the unique needs that arise from diversity
- Understand the impact of what we do on others and the justice they receive
- Open and sharing teamwork, including coaching and mentoring.

### **Work with integrity:**

- Everyone having equal access to the law
- Work impartially and with objectivity
- Respect privacy and confidentiality
- Work for more timely decisions
- Impart relevant information to assist court users and the public.

# ANNUAL REPORT



## Department for Courts FOR THE YEAR ENDED 30 JUNE 2003

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



## MINISTER FOR COURTS

I am pleased to present to you the Annual Report  
of the Department for Courts  
for the period 1 July 2002 to 30 June 2003.

A handwritten signature in dark blue ink, reading "B. Clark". The signature is written in a cursive style with a large initial "B" and a stylized "Clark".

**Belinda Clark**  
Acting Chief Executive

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## PART 1: OVERVIEW

## **REPORT OF THE CHIEF EXECUTIVE**

I am pleased to present the Annual Report for 2002/03. The report is the last for the Department in its current form. As of 1 October the Department for Courts will merge with the Ministry of Justice to form a new organisation.

Mr Wilson Bailey retired as Chief Executive of the Department in March 2003 having occupied the role since the creation of the Department in 1995. Given Mr Bailey's retirement, and the forthcoming merger, it is appropriate to reflect on the changes that have taken place in Court services since 1995.

The past eight years has seen the progression of case management and the development of a modernised business environment. This has included:

- Continuing modernisation of the major Court jurisdictions, which also included structural change, and development of a modern IT Case Management System, which is now nearing completion of its roll-out.
- The modernisation of the Collections business starting with structural change, progressing with skills and performance development, the introduction of the contact centre, and the completion of the COLLECT IT system.
- The development of the Māori Land Information System, and complete imaging of millions of pages of precious taonga that is the land ownership record.

The Department has undertaken a significant building programme. New courthouses at Manukau and on the North Shore have been constructed to meet the needs of two of the country's fastest growing areas, and to reflect the needs of the diverse populations of those areas. Other major property developments have included the new High Court and District Court buildings in Wellington, extensive renovation of the historic courthouse in Dunedin, the building of a new hearing centre in Ruatoria and the upgrading and refurbishment of several other courthouses, including Lower Hutt, Rotorua and Christchurch.

The Department has made significant adjustments as a result of many legislative changes. There are hundreds of pieces of legislation which either affect the way the Department works or result in cases coming before the Courts, Tribunals and Authorities supported by the Department. The Department has met the significant challenges of keeping up with legislative change.

During this period of development and change the Department has continued with its day-to-day operations. This is a significant achievement. Thousands of matters are dealt with every week. In the 2002/03 year there were over 450,000 cases filed and applications made to the Courts, Tribunals and Authorities supported by the Department. In addition, over 760,000 Court-imposed fines and infringement notices were filed for collection by the Department. This is a substantial operational workload and a huge contribution to our community.

### **Achievements through 2002/03**

This year has seen ongoing consolidation and development in the Department's drive to improve its services to the Judiciary, court users and the community. This year was the final year of implementing the Department's Strategic Plan for 2001/03. Progress was made in implementing the strategic goals through the priority projects as set out in Part 2 of this report.

#### **MODERNISATION PROGRAMME**

The new information technology system, the Case Management System (CMS) has been introduced in most Courts and across most jurisdictions. The module for the Civil jurisdiction has been rolled out to all Courts. The progressive roll-out implementation for the Criminal jurisdiction is on track for completion in October 2003, and for Family Court in November 2003. In conjunction with the introduction of CMS, there has been a move to consistent registry procedures and processes for case management nation-wide.

The COLLECT information technology system, which replaced the Law Enforcement System (LES) in late 2001, is now operating successfully within Collections Operating Unit. Collection results are improving steadily as a result of the investment in new systems and processes.

This year has also seen the completion of imaging, indexing and making available electronically all Māori Land Court land records. This is a major achievement and the culmination of the Māori Land Court modernisation.

#### OTHER MAJOR INITIATIVES

During the year the Department has also undertaken major projects in addition to those in the Modernisation Programme. This has included developing new ways of working to support the new Inquiry process developed by the Waitangi Tribunal.

The Department has also implemented new case management processes, resources and an enhanced registry IT system in the Environment Court Unit.

During the year the Collections call centre has been renamed the contact centre to reflect the wider range of contact initiatives now being carried out. This year saw the expansion of the Wellington contact centre, and plans are well advanced for the opening of a second contact centre in Auckland later in this calendar year. The Collections modernisation is being built on with other initiatives including the development of new operating manuals.

Several initiatives designed to improve services for court users were advanced during the year. The Youth Court Pacific Community Liaison Service, an initiative designed to promote better links between the Department, the Youth Court and Pacific Peoples in South Auckland, had its second full year of operation. The Department also secured ongoing funding for the service.

The pilot of court-referred restorative justice in the four District Courts of Auckland, Waitakere, Dunedin and Hamilton is fully operational and an ongoing evaluation programme is being carried out.

#### LEGISLATION CHANGES

This year has seen its share of changes in legislation including:

- The Prostitution Reform Act 2003
- The Victims' Rights Act 2002
- The Sentencing Act 2002
- The Motor Vehicle Sales Act 2003
- Parole Act 2002.

#### RELATIONSHIPS

During the past year the Department has maintained its commitment to working with the Judiciary and key stakeholders. The Department has surveyed Judicial satisfaction during the year and the feedback is being used to improve performance. The Department is also reviewing the Department for Courts' Service Charter, its commitment to quality service to users of the Courts.

The Department and the Public Service Association (PSA) have completed their fourth year of workplace partnership. The new Ministry will work on a Human Resources Strategic Plan with the PSA.

## LAW COMMISSION REVIEWS

The Law Commission is an independent, government-funded organisation, which reviews areas of the law that need updating, reforming or developing. It makes recommendations to Parliament. The Law Commission is undertaking a review of the structure of all state-based adjudicative bodies for New Zealand, apart from the Court of Appeal and the Privy Council. The first stage, a discussion paper *Striking the Balance*, was released in May 2002. The second stage was the development of *Seeking Solutions*, which was an options paper released in December 2002. The final stage of the review will see the Law Commission present its recommendations for reform to the Government late in 2003.

The Law Commission has also been undertaking a review of resolution of Family Court disputes. On 10 April the Law Commission report was tabled in Parliament. The report concludes that the Court provides a good service and identifies particular areas that can be improved.

Both reviews raise areas of work likely to have a significant impact for Courts and the administration that supports them. While 2002/03 has involved close liaison with the Commission on its work, I expect that in 2003/04 the new Ministry will be undertaking substantial work to develop strategies to effectively address matters raised in the reviews.

## FORMATION OF THE HIGHER COURTS GROUP

The Higher Courts Group was established in March 2003 to improve the quality of professional support services provided to the High Court and Court of Appeal. Should the government proposal to form a Supreme Court of New Zealand proceed, the Higher Courts Group will also provide the support service to that Court. The Group has developed a strategic business plan for 2003/04 focussed, at the high level, on improving outcomes for the users of the Courts, and at the practical level on priority initiatives to improve the services it provides and the capability needed to deliver services to a high standard.

## **Looking Forward: Formation of a new Ministry of Justice**

The new Ministry of Justice will build on the current agencies' strengths by increasing the synergy between the policy and operational areas, further developing the new Ministry's strategic leadership, and putting increased emphasis on capability building. The Judiciary and the Courts' staff work very hard to deliver service to the community. Every effort is being made to ensure that this strength is maintained through the transition processes, and resources are applied to make further improvements in the coming years.

I am looking forward to the challenge of leading this new Ministry of Justice, of bringing together staff from the current agencies to work together in forging a new vision and strategy, and working with staff and others to make it happen.

To close, I would like to thank all staff for their hard work during this year, and in particular, for the professionalism with which they have maintained the levels of service to the Courts in the lead-up to the merger. My thanks also go to all members of the Judiciary for their continued support and contributions as we work through the modernisation process and prepare for the formation of the new Ministry of Justice.



Belinda Clark  
Acting Chief Executive

## INTRODUCTION

The Department for Courts provides services and facilities that support judicial decision-making processes and the processes for bringing proceedings to courts and tribunals to be heard and decided.

As well as providing administration services, the Department manages the enforcement of fines and monetary orders, implements provisions of domestic violence and victims' legislation and provides services to Māori land owners.

Maintaining the separation of powers and the independence of each of the branches of Government is fundamental to New Zealand's constitutional arrangements. Within the New Zealand public sector, the Department for Courts has a key and unique role as an agency working for the Executive, while, at the same time, working in the interests of the independent Judiciary to administer the court system.

### THREE BRANCHES OF GOVERNMENT

#### LEGISLATURE - MAKES LAW

Parliament - MPs  
Select Committees

*Examine, debate and vote on Bills.  
The Bills they pass become Acts (Statutes).*

#### EXECUTIVE - INITIATES AND ADMINISTERS LAW

Cabinet - Ministers  
Government Departments

*Decide Policy, draft Bills, enforce and administer Acts.*

#### JUDICIARY - APPLIES AND INTERPRETS LAW

Judges  
Judicial Officers

*Hear and decide cases according to law.  
Judicial review of decisions of administrative bodies.*

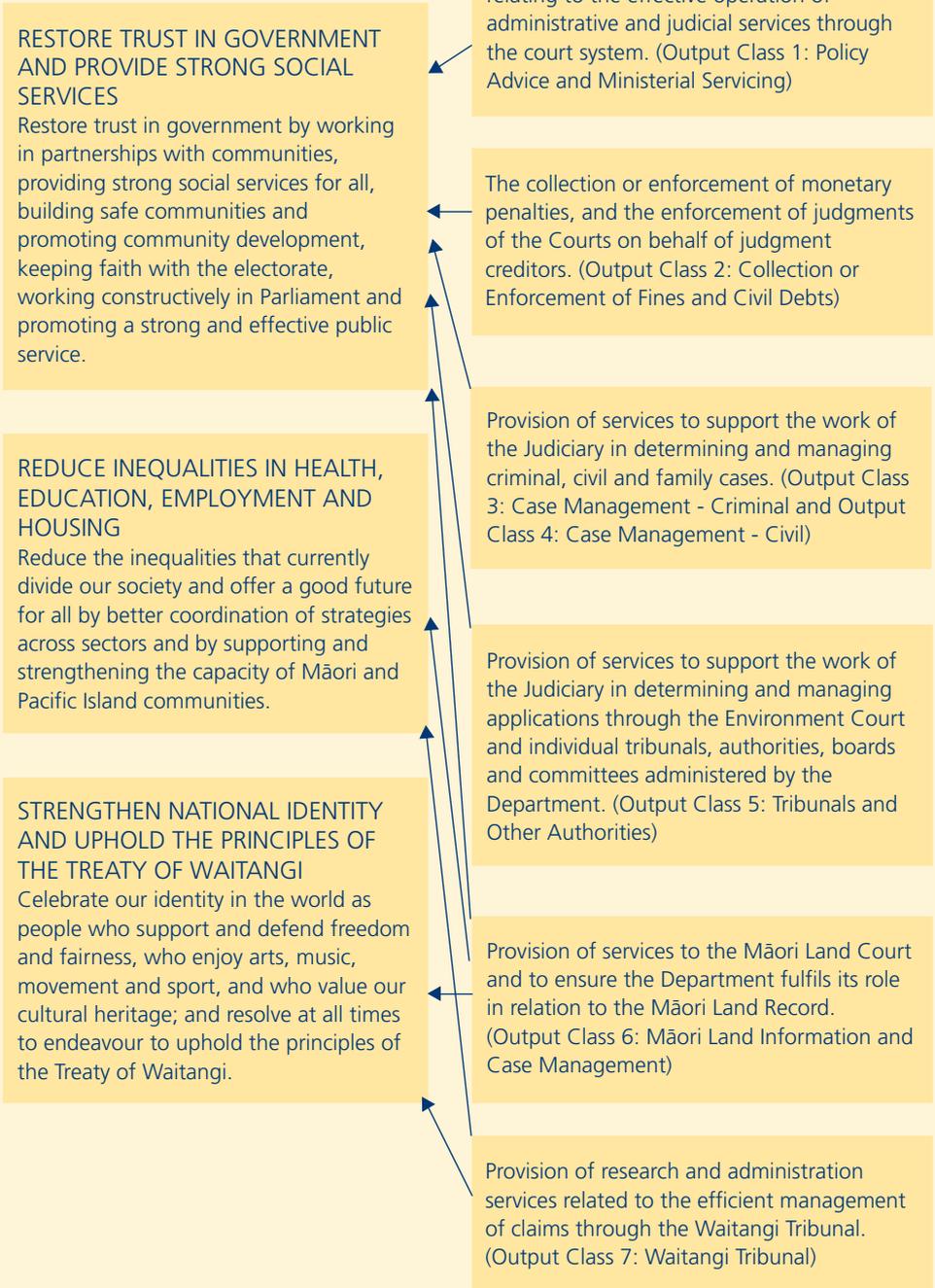
### Key Government Goals and Department for Courts Output Classes

The Key Government Goals to which the Department for Courts provides a significant contribution are:

- Restore trust in government and provide strong social services
- Strengthen national identity and uphold the principles of the Treaty of Waitangi

- Reduce inequalities in health, education, employment and housing.

The services purchased from the Department for Courts provide a significant contribution to this Government's key goals in the following manner:

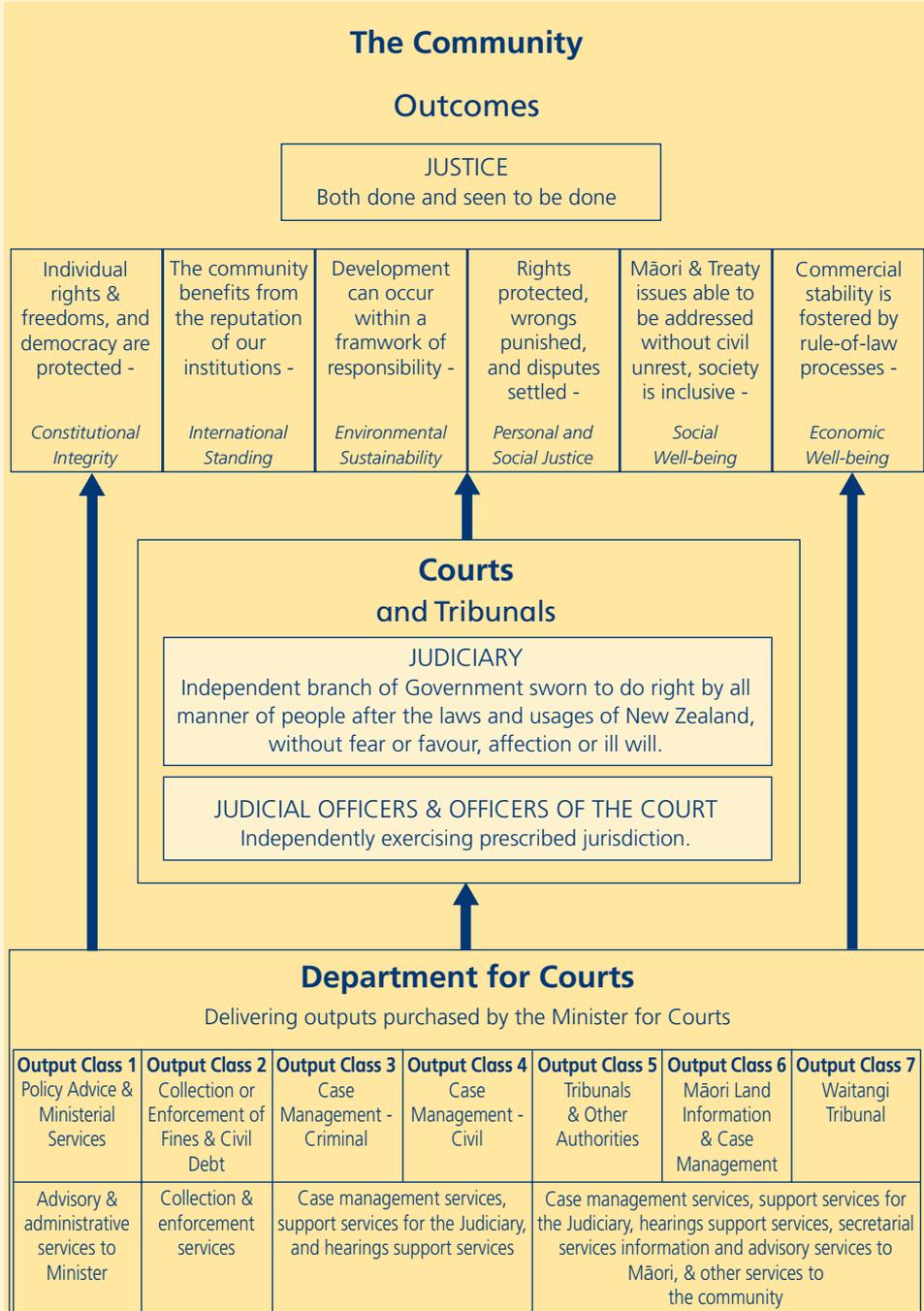


The Department also indirectly contributes to other Key Government Goals. Some of the outcomes of the civil jurisdiction processes in the Courts and the Disputes Tribunal contribute to growing an inclusive, innovative economy for the benefit of all. The operations and outcome of the Environment Court contribute to protecting and enhancing the environment.

# OUTCOMES, GOALS AND OUTPUTS

For the purposes of the Public Finance Act 1989, the services provided by the Department are referred to as outputs. The impact on, or the consequences for, the community of the outputs or activities of Government are defined as outcomes. Outcomes have multiple contributors, and each agency of Government contributes to many outcomes.

The diagram below represents the Department's preliminary view of outcomes to which it contributes, as stated in the Departmental Forecast Report for the year to which this report relates.



## DEPARTMENTAL STRATEGIC GOALS

The Department for Courts developed six strategic goals to contribute to the achievement of the Key Government Goals and to guide the work of the Department during the 2002/03 year. These are:

1. Contributing effectively to policy development (including Justice sector wide policy projects)
2. Providing quality services to the Courts
3. Working with the Judiciary to provide quality services to communities
4. Improving the credibility of monetary orders as a sanction
5. Reducing institutional barriers for Māori to better enjoy the rights guaranteed to them under the Treaty of Waitangi
6. Ensuring sustainable strategic capability.

The projects undertaken to promote these goals, and the achievements against those projects are reported on a business unit by business unit basis in Part 2 of this Report.

## PART 2: YEAR IN REVIEW

## INTRODUCTION

This section of the report provides an overview of the functions of each of the Department's Operational and Corporate Units, an outline of their priority projects for the year, and a statement of achievement against the targets for each of those projects.

The Priority Projects contribute to, and are numbered in respect of, the Departmental Strategic Goals set out on the previous page.

## STRATEGY AND POLICY GROUP

The Strategy and Policy Group consists of six units:

- **Strategic Policy** - responsible for coordinating the policy advice function with a particular emphasis on strategic policy and Departmental strategic initiatives.
- **Research and Evaluation** - responsible for managing research and evaluation projects which assist in policy development and inform operational activities.
- **Libraries** - providing reference services to the Department and the Judiciary, including the provision of the Department's intranet based resources for internal and judicial use.
- **Organisational Performance** - providing the Chief Executive with management support on direct external accountabilities.
- **Māori Responsiveness** - providing both focus and leadership for the ongoing work of the Department in improving services to Māori, both in the administration of the Courts and across the Department as a whole.
- **Corporate Communications** - responsible for the provision of communications services to the Chief Executive and Corporate and Operational Units, including the publication of the quarterly Courtside magazine.

## Priority Projects

### POLICY WORK PROGRAMME

At the start of the financial year a prioritised Policy and Research Work Programme was agreed with the Minister. The programme was periodically updated through the year. Achievements against specific projects within the Programme are set out in the table on the following page.

### MĀORI EFFECTIVENESS FRAMEWORK AND TREATY RESPONSIVENESS

The Treaty Responsibilities Unit is developing and assisting with the implementation of the Māori Effectiveness Framework, which is integrated into a number of priority projects.

### SECOND STAGE CIVIL COURT FEES

The second stage of the Civil Court Fees project involves reviewing the manner in which costs should be recovered in the general civil jurisdiction, consistent with the agreed principles and level of cost recovery determined in Stage One of the Civil Court Fees Review. The review has also assessed the extent to which these principles might be applied to further jurisdictions.

### STRATEGIC MANAGEMENT AND ACCOUNTABILITY PROCESSES

The Department has completed the development of its first Statement of Intent (SOI).

The intention to commence a strategic review has been overtaken by the decision to merge the Ministry of Justice and the Department for Courts. It is now expected that any strategic review will be completed in the context of the merged organisation.

## Policy Work Programme Report

Topic	Achievement
<b>Policy Work Programme: General Projects</b>	
<b>Supreme Court of New Zealand.</b> Input to the development of legislation and advice on resource implications for establishing a new court of final appeal in New Zealand (with inter-agency working group).	The Department has provided advice on the resources required to establish a new Supreme Court of New Zealand. The Budget provides for funding for the Court, subject to the passage of legislation.
<b>Courts and Criminal Matters Bill.</b> A number of legislative amendments relating to more efficient delivery of court services, particularly the collection of fines.	The Courts and Criminal Matters Bill was introduced to Parliament in May 2003.
<b>Judicial Matters Bill.</b> Contribution to the development of the Judicial Matters Bill, and in particular to proposals for a Judicial Commission and for changes to the mechanisms for determining judge numbers (with Ministry of Justice).	The Department has assisted the Ministry of Justice with the development of proposals for inclusion in this legislation.
<b>Electronic Transactions.</b> Consideration of policy and legislative issues relating to the use of new technology in courts.	Work in this area has been delayed by other more immediate priorities.
<b>Law Commission Report on the Structure of the Courts.</b> Development of response to Law Commission proposals (expected later in year).	The Department has supported this project through the provision of information and comment on the operational implications of options for change. The final report has not yet been released by the Commission.
<b>Revenue issues arising from the Value for Money Paper 2001.</b>	
Exploration of options identified in the Value for Money paper that was provided to the Minister of Finance in December 2001, mainly relating to Collections revenue.	The level of cost recovery in relation to civil enforcement activity is being considered in the context of the Judgment Creditors project referred to on page 16.
<b>Policy Work Programme: Criminal Jurisdiction Projects</b>	
<b>Criminal Proceedings Simplification.</b> Possible legislation that would consolidate the main criminal procedures into one statute. Implementation not until 2003/04 (led by the Ministry of Justice).	The Department had anticipated providing input to this project but has not been called upon to do so.
<b>Court-Referred Restorative Justice.</b> Large-scale evaluation of pilot schemes.	The Court-Referred Restorative Justice Pilot evaluation is running to schedule. See page 24 for a full report.
<b>Court Services for Victims Scheme.</b> Evaluation of the scheme particularly in relation to services for Māori and Pacific victims.	The final evaluation report was accepted by the Department at 30 June 2003. The evaluation reviews how well court services to victims delivers services to Māori and Pacific victims and suggests ways in which the service to Māori and Pacific victims could be further improved. The Department will consider the report's recommendations.
<b>Court Education for Young Witnesses.</b> Evaluation of a Court Education programme in three pilot courts.	A pilot of Court Education for Young Witnesses Programme has been undertaken at three courts. The final report for the evaluation of the pilot was accepted by the Department in March 2003. See page 24 for a full report.
<b>Policy Work Programme: Civil Jurisdiction Projects</b>	
<b>Civil Court Fees.</b> Stage Two of the Review of Civil Court Fees.	Court process costing models have been completed for all relevant jurisdictions. Proposed fee schedules have been developed and consultation undertaken. Progress has been made according to the timetable agreed with the Minister.

Topic	Achievement
<p><b>Alternative Dispute Resolution (ADR).</b> Programme of research following on from the ADR Scoping Study. The programme will take more than one year to complete. Projects which may form part of this programme of research include:</p> <ul style="list-style-type: none"> <li>• A prospective study of a cohort of cases in all registries from filing to disposal</li> <li>• A national survey of ADR practitioners</li> <li>• A national survey of lawyers</li> <li>• A series of disputant focus groups.</li> </ul>	<p>The programme of research on ADR in relation to civil cases is in progress. The research programme consists of:</p> <ol style="list-style-type: none"> <li>1. Accredited ADR practitioners - A national survey and a series of focus group discussions.</li> <li>2. Lawyers - A national survey and a series of focus group discussions.</li> <li>3. Disputants - A series of focus group discussions and/or individual interviews with disputants with filed cases who take-up and do not take-up ADR in the post-filing period.</li> <li>4. High and District Court Judges - Individual interviews and/or discussions with pre-existing groups such as the District Court Civil Committee.</li> <li>5. Court staff - Focus groups with court staff.</li> </ol> <p>The programme of research will be completed by 30 June 2004.</p>
<p><b>Guardianship Review.</b> Input to development of proposals to improve court processes, in line with Government objectives for Guardianship Act reforms (led by the Ministry of Justice).</p>	<p>The Care of Children Bill has been introduced to Parliament. Cabinet has agreed funding the Department's costs resulting from the Bill.</p>
<p><b>Law Commission Report on the Family Court.</b> Departmental response to the report.</p>	<p>The Department has provided comments to the Ministry of Justice who are coordinating the overall advice to Government on the report.</p>
<p><b>Custody and Access Research.</b> A project to discover criteria that could be used for the early identification of complex custody/access cases.</p>	<p>The data collection for this project is almost complete and analysis of the data is in progress. The research will be completed by the end of 2003.</p>

Priority policy projects are agreed with the Minister for Courts as part of the Policy Work Programme. The following projects are examples of work, not in the Policy Work Programme, that have consumed considerable resource during the year.

#### Other Policy Projects not included in the Policy Work Programme

##### Clean Slate Bill.

The legislation is with the Select Committee and the Department is providing advice to the Committee as required. This has been a significant policy resource commitment in the 2002/03 year.

##### Judgment Creditors.

The Cabinet Social Development Committee directed officials to develop a process by which judgment creditors could obtain an order for debtor address information held by another Government agency to be disclosed for debt enforcement purposes. The Department, in conjunction with the Ministry of Justice, is continuing work on the options for the implementation of the proposal.

## Other Priority Projects Report

Priority Project	Achievement Measure	Achievement	
<b>Department Strategic Goal 1: Contributing effectively to policy development</b>			
1.1 Contribute effectively to sector-wide policy development.	1.1.1 Contribute to policy work as requested.	Details on page 15.	
	1.1.2 Specifically, contribute to the following projects in 2002/03 as set out in the policy work programme: <ul style="list-style-type: none"> <li>Courts and Criminal Matters Bill</li> <li>Civil Court Fees - Stage Two.</li> </ul>	Details on page 15.	
1.2 Departmental Treaty and Māori Responsiveness Analysis Framework developed.	1.2.1 Projects meet the needs of Māori and the Department. Senior Executive Team approved.	A draft Treaty and Māori Responsiveness Analysis Framework has been developed.	
	Paper discussing constitutional interaction between Māori, the Judiciary and the Department developed.	1.2.1 Projects meet the needs of Māori and the Department. Senior Executive Team approved.	A paper discussing constitutional interaction between Māori, the Judiciary and the Department has been completed with the final product taking the form of a status report entitled <i>Exploring Levels of Interaction: The Department for Courts, Māori, and the Judiciary</i> .
	Department for Courts Māori Capability Strategy developed.	1.2.1 Projects meet the needs of Māori and the Department. Senior Executive Team approved.	A draft framework has been developed for a Department for Courts Māori Capability Strategy.
1.3 Second stage court fees.	1.3.1 Court process costing models completed for all relevant jurisdictions.	Achieved.	
	1.3.2 Proposed fee schedules developed and consultation undertaken.	Achieved.	
	1.3.3 Progress made according to timetable agreed with Minister.	Achieved.	
<b>Department Strategic Goal 6: Ensuring Sustainable Strategic Capability</b>			
6.3 Further develop strategic management and accountability processes.	6.3.1 Carry out annual reviews and updates of the strategic plan.	The review and update of the Department's strategic plan has not been completed. The decision to merge the Department with the Ministry of Justice has meant that the updating of the Department's strategy is now expected to take place in the context of the new organisation.	
6.4 Implement the Department's Communications Strategy.	6.4.1 Implement the Department's Communications Strategy.	The Department's Communication Strategy is a high level statement to guide Business Unit communication. It is implemented through Business Unit communications, such as: <ul style="list-style-type: none"> <li>Public relation events</li> <li>Departmental magazines</li> <li>Responses to media enquiries</li> <li>Publicity campaigns.</li> </ul>	

## COLLECTIONS OPERATING UNIT



The purpose of the Collections Operating Unit is to collect and enforce fines and to action court orders for civil debt. The Collections Operating Unit places emphasis on improving its fine and debt collection practices, as more effective collection and enforcement of fines enhances the credibility of fines as a sentencing option and increases public regard for the administration of justice and respect for the law. The work of the Collections Operating Unit is divided into three distinct roles:

- The collection and enforcement of fines, including Court-imposed fines, filed infringement fines, reparation, court costs and fees
- The enforcement of civil judgment orders on behalf of judgment creditors where payment has been ordered by the Court
- The service of Court documents.

## Priority Projects

### COLLECTIONS' STRATEGIC DIRECTION

The Collections Operating Unit has developed a strategic direction for 2000/05. The vision for Collections is "to help make New Zealand a more just and a safer place through the promotion of law-abiding behaviour by ensuring compliance with monetary orders". Collections has also developed three objectives in order to review and align all of its operating practices and systems to support the vision. These and the activities undertaken in 2002/03 to contribute to achieving the objectives are set out below.

***Objective 1: To action 100% of fines and civil documents by 30 June 2005.***

***Service Delivery Configuration: From July 2002 to June 2004 Collections will be focused on implementing a new service delivery configuration. This will involve the expansion and relocation of its existing contact centre, by 1 January 2003 and the establishment of a second contact centre, which will be operational on 1 January 2004; and reengineering work processes in district collections units.***

Relocation of the Collections contact centre to the new Wellington site occurred in October 2002. The transition was a smooth one and benefits are emerging from the upgraded centre. For the first six months of 2003 fines collection receipts are on average \$2.2 million per month higher than for the same period in 2001, with a record \$16.4 million collected in May 2003. The indications are that the cash collection per month is continuing to rise.

With respect to the second contact centre site, the Department has selected the Greenlane area in Auckland as the preferred metropolitan location and has secured suitable premises. Work is now proceeding on having these premises ready for occupation by the end of 2003.

Work is also well underway on the process changes that are required in the business to support the new service delivery configuration. A programme of work to support the reconfiguration has been finalised, which is of a broader scope than that originally envisaged and includes the following projects:

- The transfer of all Collections Unit inbound calling to the contact centre
- The transfer of all infringement fines to the contact centre
- A review of the Collections Unit's services to victims
- The establishment of a central processing unit
- A review of data quality requirements for the filing of infringements.

The transferring of all inbound Collections calls to the contact centre is planned for completion by 31 August 2003. The design work improving services to victims is well underway and work has also commenced on establishing a Collections central processing unit and setting up a centralised manual track and trace facility.

All of these projects are on the Collections Unit's work programme for completion in 2003/04.

***Improving Processes: Work will continue on improving fines processes, and on identifying and implementing best practice procedures in the contact centre and in district collections units.***

Collections has five core processes:

- Data matching
- Civil enforcement
- Court-imposed fines
- Infringements
- Agency work on behalf of the Courts.

All of these core processes are being reviewed and documented in manuals that will be placed on the Intranet for staff to access. During 2001/02 the Data-matching Manual was completed and work was well underway on the Civil Enforcement Manual. As at 30 June 2003, the four central chapters of the Civil Enforcement Manual were completed and three of these are with the Crown Law Office for legal checking before this manual can be completed and placed on the Intranet. Work on the Fines Enforcement Manual, including both Court-imposed fines and infringement fines, has been commenced.

***Objective 2: To increase public awareness of the consequences of breaking the law and the need for fines compliance by 30 June 2005.***

***Education Resource Material: Education resource material will be developed, which explains the consequences of breaking the law and the need for fines compliance, for use in the community and in the education sector.***

Material for staff to use in presentations to the community has been circulated to district collections units.

***Promotion of Collections' services: Collections will undertake work on promoting its services to the public, emphasising its new service delivery model.***

During 2002/03 a targeted radio campaign was implemented in the Auckland region, billboard advertising was undertaken in Wellington and a trial campaign advertising fines defaulters' names was undertaken in the South Island.

***Objective 3: To have skilled and knowledgeable staff following best practice principles by 30 June 2005.***

***Training: Three key training areas have been identified for 2002/03 to support Collections' vision. These are implementing the revised induction programme for all new staff, developing training on the new service delivery configuration processes, and developing training on the reviewed civil enforcement processes.***

A revised induction programme incorporating an introduction to both the fines and civil jurisdictions was developed and piloted in the year ending June 2002. This programme is now being offered to new staff on an ongoing basis as required.

Training to support the new service delivery configuration will be developed and implemented progressively over the next 2-3 years as separate elements of the reconfiguration design are completed (see the projects to support the reconfiguration listed under Objective 1).

The development of training material on the reviewed civil enforcement processes will progress as soon as the legal checking of the Civil Enforcement Manual is complete (see under Objective 1).

***Skills and Competencies: Work will continue on aligning all Collections' selection and recruitment processes with the Unit's vision.***

Work has concluded on aligning Collections' selection and recruitment processes with the Unit's vision.

## Priority Project Report

Priority Project	Achievement Measure	Achievement
<b>Department Strategic Goal 4: Improving the Credibility of Monetary Orders as a Sanction</b>		
4.1 Implement the most suitable service delivery configuration for Collections.	4.1.1 Processes to support the new service delivery configuration will be in place by 31 December 2002.	<p>A programme of work to support the service delivery reconfiguration has been developed, which is of a broader scope than that originally envisaged. The programme is set out on page 19 of this report.</p> <p>A number of the projects within this programme have been advanced in 2002/03. All are on the Collections Unit's work programme for completion in 2003/04.</p>
	4.1.2 The expanded and relocated contact centre <sup>1</sup> will be operational by 1 January 2003.	Achieved.
4.2 Review and document core Collections' processes in policy and practice manuals.	4.2.1 Best practices for Court-imposed fines will be reviewed and documented by 30 June 2003.	<p>Drafts of the substantive chapters of the Civil Enforcement Manual were sent to the Crown Law Office for checking early in 2002/03. As at 30 June 2003 only one had been returned.</p> <p>Work has commenced on the Fines Enforcement Manual, including both Court-imposed fines and infringement fines.</p>
	4.3.1 Education resource material will be developed for use in the community by 31 March 2003.	Education resource material has been circulated to district collection units by 30 June 2003 for use in the community.
4.3 Develop public awareness of the need for fines compliance.	4.3.2 Collections' services will be promoted to the public by 31 March 2003.	A targeted radio campaign was implemented in the Auckland region and billboard advertising was undertaken in Wellington by 31 March 2003. A trial campaign advertising fines defaulters' names was undertaken in the South Island by 30 June 2003.
	4.4.1 Collections' revised induction programme will be operational by 30 September 2002.	Achieved.
4.4 Align Collections' human resource systems with the Unit's vision.	4.4.2 Training on the new service delivery configuration processes will be developed and implemented by 31 December 2002.	Training to support the new service delivery configuration will be developed and implemented progressively over the next 2-3 years as separate elements of the reconfiguration design are completed (see priority project 4.1.1, above).
	4.4.3 Training on civil enforcement processes will be developed and implemented by 30 June 2003.	The delay in completing the Manual (see priority project 4.2.1, above) has impacted on the development of the training on civil enforcement processes. The development of training material will progress as soon as the legal checking is complete.
	4.4.4 All Collections' selection and recruitment processes will be aligned with the Unit's vision by 30 June 2003.	Achieved.

<sup>1</sup> Call centres were renamed contact centres during 2002/03.

# HIGHER COURTS GROUP



The Higher Courts Group delivers management of administrative services supporting the Court of Appeal and the High Court. The Higher Courts Group will also deliver management and administrative services to the Supreme Court, subject to the passage of the relevant legislation to create that Court.

## Priority Projects

### MODERNISATION IN COURTS

Although the implementation of the Case Management System (CMS) is being managed by the District Courts Operating Unit, the roll-out of the system includes the High Court. Court of Appeal processes are not supported by CMS, but Court of Appeal staff will assist in updating lower court cases with the results of appeals.

### SUPREME COURT

If the Bill to establish the Supreme Court of New Zealand is passed into law development and implementation planning will become a top priority.

# DISTRICT COURTS OPERATING UNIT



The District Courts Operating Unit delivers administrative services within the Court system supporting the work of the Judiciary in managing and determining cases in the Criminal, Civil, Family and Youth jurisdictions of the District Court.

The District Courts Operating Unit also provides operational support at the local level for the Disputes, Tenancy and Land Valuation Tribunals. All District Courts deal with criminal cases. Most District Courts deal with civil cases (up to a value of \$200,000) and conduct Family Court hearings.

## Increasing capability

The phased implementation of the Case Management System (CMS) has been the major capability-building project underway in the District Courts Operating Unit in 2002/03. Staff capability has been increased by the completion of District Courts' technical, process and systems training in support of new operational model business processes and the introduction of CMS.

## Priority Projects

### MODERNISATION IN COURTS

In 1995 a decision was made to adopt a case management approach to the administration of the Courts. This was a major strategic decision for the Department and the Judiciary. The introduction of the CMS will enable more active management of cases, using new processes based on active case management and supporting technology. A revised implementation schedule and milestones for CMS were approved in October 2002. The schedule was achieved and the implementation of the necessary interfaces with other justice sector agencies will be completed by October 2003. The implementation of CMS into all Family Courts is on schedule for completion in late November 2003. Courts nation-wide will be applying a common case management framework and process supported by CMS. In 2003/04 a post-implementation evaluation will be undertaken to address future support needs for software and training.

### EVIDENCE RECORDING TECHNOLOGIES

Currently, a number of courtrooms in the ten busiest jury trial District Courts and one High Court courtroom use digital audio technology for evidence recording and contemporaneous transcription. Improving the provision of evidence recording and transcription services through extending the use of digital audio technology will require a mix of solutions. A proposal for funding the comprehensive implementation of digital audio technology for evidence recording and transcription in the High and District Courts has been completed in 2002/03.

### IMPLEMENTING LEGISLATION

The District Courts Operating Unit has been involved in the development and implementation of a range of service changes resulting from new and amended legislation. The consolidation of regulations relating to the operation of the Family Court into the Family Courts Rules 2002 has provided: greater accessibility for users; a simplified and more user friendly set of rules; and avoided the need to make a new set of rules for each new Act involving Family Court proceedings, often repeating many of the same provisions. The Victims' Rights Act 2002 came into force on 18 December 2002 and prior implementation activities required the training of Victim Advisers.

### COURT-REFERRED RESTORATIVE JUSTICE

The Court-Referred Restorative Justice Pilot continued to operate in the Waitakere, Auckland, Hamilton and Dunedin District Courts during 2002/03. Restorative justice aims to improve the quality of the resolution of offending for victims. It increases the role of victims in the process creating the potential for them to feel that they have been heard and their needs taken into account. In the year ending 30 June 2003, approximately 500 cases were referred and 200 conferences took place. The Department continued to work closely with the Judiciary, local communities and other agencies to ensure that the pilot runs effectively and produced a bi-monthly newsletter Te Ara Whakatika to ensure that the wider community is kept informed about the pilot. The evaluation of the Court-Referred Restorative Justice Pilot is running to schedule. An interim report was completed in April 2003. Final results on recidivism will be available in September 2005. The results from other aspects of the evaluation will be completed by December 2004.

### COURT EDUCATION FOR YOUNG WITNESSES PROGRAMME

The Court Education for Young Witnesses Education Programme was implemented as a pilot in 2001 at Manukau, Whangarei and Christchurch District Courts to provide education for children appearing in Court as victims or witnesses. Evidence suggests that children who are well informed provide better evidence and become less stressed in the Court process. In 2002/03 an evaluation of the pilot was completed which showed that there was a very positive response to the service. Children, young people and their caregivers appreciated the service, as did other agencies connected with it. The service will be implemented nation-wide by the end of 2003, taking into account the results of the evaluation findings. Victim Advisers will be trained to deliver this service and a range of resources targeted at different age groups will be made available for children and young people and their caregivers/supporters to provide information about court processes. An interagency steering group has been convened to provide advice and direction to the development of the service.

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## COURT SERVICES FOR VICTIMS

An evaluation of Court Services to Victims has been undertaken, particularly in relation to Māori and Pacific victims. The evaluation report was accepted by the Department in June 2003.

### **Management Planning**

The District Courts Operating Unit's strategic planning process for 2002/03 was deferred as Departmental outcomes were reviewed in the Justice sector as part of the Statement of Intent process. The District Courts Operating Unit's planning activities are now focused at the operational level in order to build capability to deliver better outcomes.

### **Collaboration**

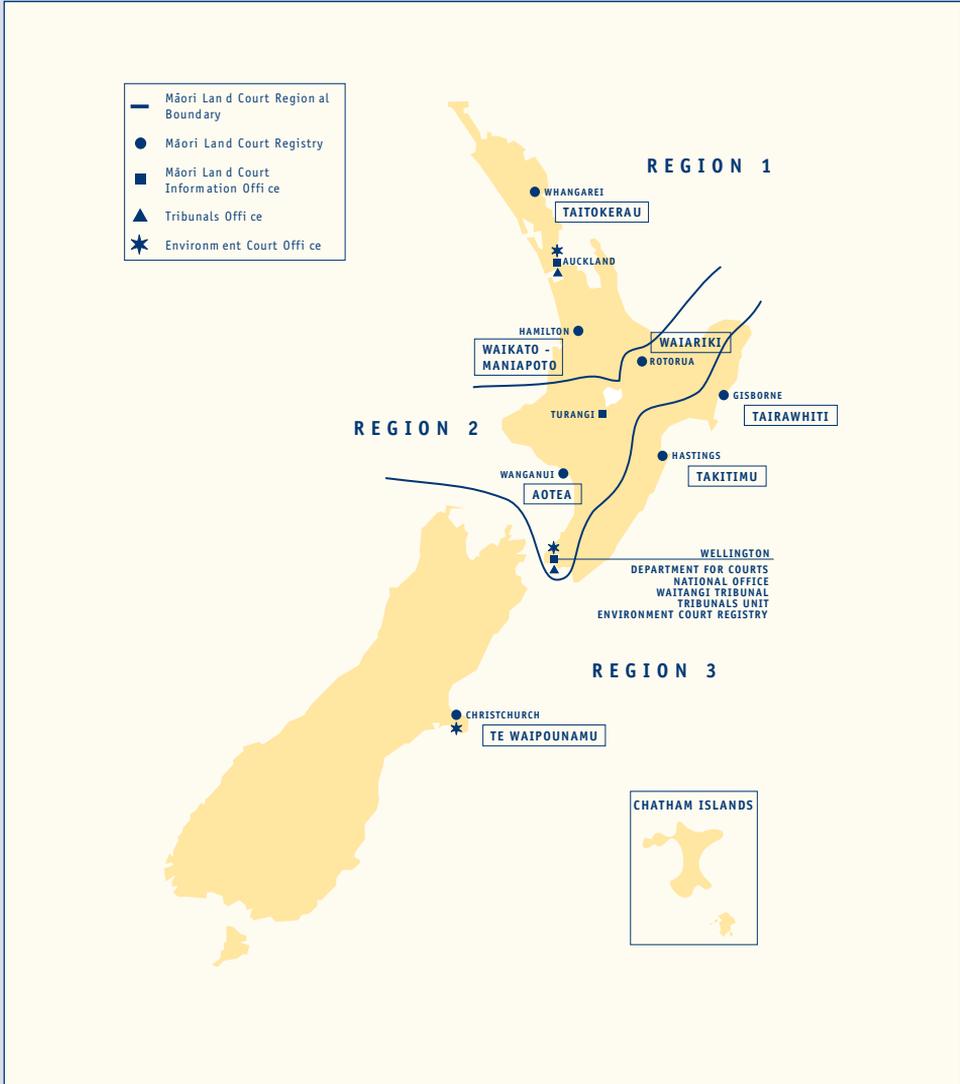
The District Courts Operating Unit's staff worked with a range of government agencies, local authorities and community groups on the development of community wide responses to issues. This included participation in the:

- Circuit Breaker Group established by the Government to develop national implementation for the roll-out of a standard approach to managing Government's interaction with providers of domestic violence programmes
- Development of the Care and *Protection Blueprint 2003* which is a strategy for enhancing the services provided to children and young people who have suffered from abuse and neglect
- *Te Rito New Zealand Family Violence Prevention Strategy 2002* which is the Government's official response and framework for implementing the family violence prevention plan of action
- Youth Justice Leadership Group which monitors and reports to the Ministers Group on the performance of the local Youth Offending Teams and implementation of the Youth Offending Strategy.

## Priority Project Report

Priority Project	Achievement Measure	Achievement
<b>Department Strategic Goal 2: Providing Quality Services to the Courts</b>		
2.1 Complete the Courts components of the Modernisation Programme.	2.1.1 Complete IT functionality by end of 2002.	The High Court and District Court components of the Department's Modernisation Programme, the Case Management System (CMS), is nearing completion. A revised implementation schedule and milestones for CMS were approved in October 2002. The schedule for the 2002/03 year was achieved and the implementation of all sector interfaces will be completed by October 2003. The implementation of CMS into all Family Courts is on schedule for completion in late November 2003.
	2.1.2 Post implementation review of CMS to agreed quality standards and timeframes.	A post implementation review of CMS to agreed quality standards and timeframes will commence in 2003/04.
2.2 Evidence recording technologies.	2.2.1 Improvements in evidence recording and transcription implemented to agreed quality standards and timeframes.	A proposal for funding of a comprehensive extension of digital audio technology for evidence recording and transcription has been completed.
	2.3 Victims' Rights Bill.	2.3.1 Implementation completed on time.
	2.3.2 Implementation completed within agreed quality standards.	Implementation was completed within agreed quality standards.
<b>Department Strategic Goal 3: Working with the Judiciary to Provide Quality Services to Communities</b>		
3.1 Court-Referred Restorative Justice.	3.1.1 Pilot maintained.	The Court-Referred Restorative Justice pilot was maintained in the Waitakere, Auckland, Hamilton and Dunedin District Courts.
	3.1.2 Pilot is managed to agreed quality standards and timeframes.	The pilot was managed to agreed quality standards and timeframes.
3.2 Review implementation of the Department for Courts' Service Charter.	3.2.1 Review completed by 30 June 2003.	A review of the implementation of the Department for Courts' Service Charter has been commenced and will be completed in 2003/04.
	3.3 Court Education for Young Witnesses Programme.	3.3.1 Evaluation completed by 30 June 2003.
	3.3.2 Resources reviewed and revised as required by 30 June 2003.	A review of resourcing has been commenced.
3.4 Court Services for Victims Scheme.	3.4.1 Evaluation of how well the Court Services for Victims Scheme meets the needs of Māori and Pacific victims completed by 30 June 2003.	The final evaluation report for the Court Services for Victims Scheme and how well the Scheme meets the needs of Māori and Pacific victims was accepted by the Department in June 2003.
	<b>Department Strategic Goal 6: Ensuring Sustainable Strategic Capability</b>	
6.1 Courts Operating Unit strategic plan.	6.1.1 Draft indicative plan for consultation by 30 September 2002.	The District Courts Operating Unit's longer-term outcomes have been under review in the Justice Sector as part of the Statement of Intent process. The District Courts Operating Unit strategic planning process has been delayed to 2003/04 in order to take account of strategic developments arising.
	6.1.2 Publish Courts Operating Unit strategic plan by 30 June 2003.	The strategic planning process for the District Courts Operating Unit has been deferred until 2003/04.

# SPECIAL JURISDICTIONS GROUP



The Special Jurisdictions Group comprises:

- **The Environment Court Unit** - delivering case management, hearing management, judicial support and registry services to the Environment Court.
- **The Māori Land Court Unit (MLC)** - delivering land information services and specialised Māori land advisory services to Māori and the public. Delivering case management, hearing management, judicial support and registry services to the Māori Land Court and Māori Appellate Court.
- **The Waitangi Tribunal Unit** - delivering registry services, claims administration, research services, hearing management, judicial support and report writing services to the Waitangi Tribunal.
- **The Tribunals Unit** - delivering case management, hearings management, judicial support, registry services and other specialist services to:
  - Disputes Tribunals
  - Tenancy Tribunals
  - Coroners
  - Liquor Licensing Authority
  - Other Tribunals and Other Authorities - (complete list on page 54).

## Priority Projects

### DEVELOPING A PROACTIVE APPROACH IN DEALING WITH THE COMPLEXITY OF LAND ISSUES: EXTENDING SERVICES TO MĀORI LAND OWNERS

Māori land owners are faced with significant barriers and impediments as a consequence of the Māori land tenure system. The Department has adopted and is implementing proactive services to meet the needs of Māori and to assist in mitigating many of the complexities and institutional barriers that are a feature of the Māori land tenure system. New services include:

- Mobile Advisory Teams
- Enhanced staff training
- Development of a Geographic Information System (GIS) possibly linked to the Māori Land Information System (MLIS)
- A Māori Land Court website ([www.maorilandcourt.govt.nz](http://www.maorilandcourt.govt.nz))
- Te Pouwhenua, the national monthly Panui and bi-monthly magazine
- An Internet connection in all offices to the Landonline website
- Systems to measure the outcomes of pro-active advisory services for Māori land owners.

The Department also services the Māori Land Liaison Committee, and participates with Land Information New Zealand in implementing that Committee's work programme.

### IMPLEMENTING THE MĀORI LAND COURT STRATEGIC PLAN

The MLC has developed a strategic plan building on the modernisation work already completed, imaging, and the proactive services to Māori land owners described above. Implementing the MLC Strategic Plan includes the following work:

- Identifying and addressing any gaps in the information available to Māori from the MLC
- Eliminating duplication, obsolete information, and inaccuracies from the current MLIS
- Establishing a framework for measuring and recording how recommendations from the consultative forum are reflected in operational policy decisions
- Developing the capability of the operational resource model to assist with matching resources with on-going demand
- Enhancing management reporting systems so that they facilitate informed prediction of future workloads
- Including an operational impact assessment in implementation plans for the proactive advisory service for Māori land owners
- Identifying policy issues that have an impact on MLC activities and provide relevant input
- Ensuring consistent standards of service and standardised templates consistent with the MLC Rules across all MLC offices
- Establishing a management training curriculum for MLC staff
- Delivering management training to not less than fifty percent of MLC staff, including all managers.

During the year there was ongoing work to implement the strategic plan, resulting in the completion of two strategic goals, and progress toward the completion of the remaining goals.

### MĀORI LAND COURT MODERNISATION PROJECTS: COMPLETING IMAGING OF THE HISTORIC MĀORI LAND RECORD

Phase One of the Māori Land Court (MLC) Modernisation Project incorporating major structural and technological changes was completed in 1999/00. Major results included the first electronic National Index of all Māori land and electronic processing of applications and enquiries.

Phase Two of the MLC Modernisation Project involved imaging a large part of the historical record (backscanning). Backscanning in all MLC offices was completed in December 2001. The images have been archived on microfilm and transferred to compact disc (CD). Uploading of the images from the CDs to the local servers was completed in all MLC offices in April 2003 and further scanning of documents created between backscanning and uploading has been undertaken. This completed the imaging project.

The MLC Modernisation Projects to date have resulted in more efficient operations through electronic processing of applications and an electronic national index of Māori land and ownership details.

#### IMPROVING SUPPORT TO THE WAITANGI TRIBUNAL

The Waitangi Tribunal has implemented an enhanced interlocutory process to build on the success of its casebook method of Inquiry (grouping claims from the same district for hearing together, and completing most research prior to hearings commencing). Using a series of interlocutory conferences, claimants will be required to particularise their claims and identify and work on any mandate issues. The Crown will be required to respond to claim issues prior to the start of hearings.

The objectives are to reduce hearing time and associated costs, enabling claimants to be in a position to negotiate settlements much faster than previously. This enhanced process was successfully piloted in the Gisborne District, which has now completed its hearings and has a report due by September 2003. The new approach is also being used in the Wairarapa and Urewera Inquiry Districts, with those two casebooks now completed. A revised new approach is being developed to deal with the three Central North Island Districts (Rotorua, Taupo and Kaingaroa) in a two-year time frame. If this does not lead to a negotiated settlement then a second stage with full hearings will be used. The new approach is also being used in Whanganui and in partial form in the Northern South Island. It will also be used in the upcoming East Coast Inquiry. The support of key stakeholders such as the Office of Treaty Settlements, Crown Law Office, Crown Forestry Rental Trust, and Legal Services Agency in the piloted districts has been essential to the success of the new approach.

Over the course of the year, the Tribunal has released a total of seven reports. Kaipara Interim, Ngati Awa Cross-Claim, Ahumoana (Aquaculture and Marine Farming), the Tarawera Forest, Whanganui a Tara me Ōna Takiwā (Wellington Tenths), Ngāti Tūwharetoa ki Kawerau Settlement Cross-Claim and the Petroleum Report.

A new procedure is being used for claims granted an urgent hearing. The matters are brought to hearing quickly (often within a matter of days) and dealt with in a maximum of three days of hearing following a judicial conference (if required) and are then reported on in weeks, rather than months. The Ngati Awa Settlement Cross-Claim report and the Ahu Moana (Aquaculture and Marine Farming) report are examples of this process in action.

#### IMPROVING SUPPORT TO THE ENVIRONMENT COURT

As part of a set of measures intended to reduce business compliance costs, Government agreed in the 2002/03 Budget to increase funding for the Environment Court to provide increased resources to improve the administrative support that the Department is able to provide the Court. Specific initiatives include:

- Implementing an improved information system to support the work of the Court
- Appointing additional staff, who will be able to relieve Judges of some administrative tasks
- Implementing improved case management processes in the Environment Court.

As a consequence of the work undertaken towards the implementation of an improved information system, the appointment of additional staff and improved case management processes, the overall caseload of the Environment Court has reduced from 2,706 at the end of June 2002 to 2,064 (including reserved decisions) as at the end of June 2003.

## Priority Project Report

Priority Project	Achievement Measure	Achievement
<b>Department Strategic Goal 3: Working with the Judiciary to Provide Quality Services to Communities</b>		
3.5 Improve support to the Environment Court.	3.5.1 Implement an improved information system by 31 March 2003.	The first phase of an improved information system has been completed. An IT Project Manager has been employed to work closely with the Environment Court in undertaking robust scoping of business requirements and process definition for the provision of a longer-term solution.
	3.5.2 Appoint additional case management staff by 31 October 2002.	Completed on schedule.
	3.5.3 Implement case management processes to the Environment Court by 30 June 2003.	A case-tracking tool has been developed and consultation is taking place with stakeholders. Implementation is due in September of 2003.
<b>Department Strategic Goal 5: Reducing Institutional Barriers for Māori to Better Enjoy the Rights Guaranteed to Them Under the Treaty of Waitangi</b>		
5.1 Complete extension of proactive services to Māori land owners.	5.1.1 Implement a MLC Geographical Information System.	Insufficient resources were available to enable the completion of this project in the current year. The project has been deferred to 2003/04 to enable further analysis.
	5.1.2 Extend information services provided through MLC website.	Over the 2002/03 year there were 30,326 hits on the website and 1,125 enquiries lodged with MLC offices through the website. Of the 733 new subscriptions to Te Pouwhenua, 262 were lodged through the website. An extended Māori Land on Line system has been built and will be launched following the establishment of protocols in consultation with the Māori Land Owners' Consultation Forum.
	5.1.3 Establish Internet connection to Landonline in all MLC offices through dedicated PCs.	Internet connection to Landonline has been established in all MLC offices throughout the country.
	5.1.4 Establish protocols to ensure that the Māori Land Owners' Consultation Forum contributes to the development of MLC policy.	To ensure the Māori Land Owners' Consultation Forum contributes to the development of operational policies, it has been decided to establish a focus group. The protocols for the group have been established at consultation hui held in June 2003.
5.2 Implement the MLC strategic plan.	5.2.1 Provide progress reports on a quarterly basis.	Two strategic projects have been completed and progress has been made on other projects. Monthly progress reports have been provided with a comprehensive update report currently in preparation.
5.3 Complete implementation of the Imaging Project.	5.3.1 Full implementation completed by 30 June 2003.	Implementation was completed in April 2003.
	5.3.2 Put in place processes to ensure imaging processes are being implemented consistently.	All imaging, technical process and referencing issues have been identified and processes are being continuously refined to ensure consistency across the MLC.

Priority Project	Achievement Measure	Achievement
5.4 Improve support to the Waitangi Tribunal.	5.4.1 Revise the Waitangi Tribunal's <i>Guide to Practice</i> to include the new approach to District Inquiries.	Following the recent appointment of a new Registrar, this project will proceed more rapidly and is expected to be completed by December 2003.
	5.4.2 Introduce judicial conferencing to manage casebook production and start mandate considerations.	Judicial conferencing has been introduced for all new Inquiries commencing since the start of the Gisborne Inquiry.
	5.4.3 Commence post-casebook interlocutory conferencing for the Wairarapa, Urewera and possibly the Whanganui Inquiries.	Post-casebook interlocutory conferencing has commenced for Wairarapa and Urewera. The Whanganui casebook has a deadline of March 2004 with conferences to commence in April 2004.

## CORPORATE SERVICES UNIT

The Corporate Services Unit advises and supports the Chief Executive through the provision of Departmental services, policies and procedures. Corporate Services comprises five units:

- **Property** - responsible for the management of the Department's property portfolio
- **Information Technology** - responsible for the management of the Department's Information Technology services
- **Corporate Finance** - responsible for financial policy, management and reporting
- **Facilities Management** - responsible for the provision of services to the National Office
- **Legal Services** - responsible for provision of legal advice.

### Priority Projects

#### PROPERTY STRATEGIC PLAN

The Department has developed a property strategy and undertaken a comprehensive survey of the condition of its properties. The resultant Asset Management Plan highlights a need and the additional funding levels required to accelerate work over the next three years to address deferred maintenance and safety issues. These will underpin future strategic evaluation of individual buildings and a capital adequacy review.

#### INFORMATION TECHNOLOGY

A key priority for 2002/03 has been to support the Case Management System (CMS) project. Ongoing support has been provided to COLLECT and Māori Land Information System as well as significant activity on the Department for Court's Datawarehouse to support both the internal Department for Courts initiatives and also the Ministry of Justice Datawarehouse. The second Collections contact centre project technology requirements have been significantly advanced.

The Environment Court Unit has historically used a database in MS Access to assist with case management. The system was unsupported, unstable and inadequate for the ongoing business needs of the Unit. A staged approach has been used to address these problems:

- Support is now being provided by the Department's IT group
- The system was stabilised earlier this year (by 31 March 2003).

The original concept of simply migrating the database to an Oracle platform will not address the ongoing business needs. Accordingly:

- An IT project manager has been employed
- An Environment Court Business System Redevelopment Project has commenced
- A project brief has been accepted and signed off.

IT projects in the Environment Court include: System Redevelopment, Workflow, Mediation Administration, Records Management, Rostering and Scheduling, and Evidence Recording and Transcription.

Technology upgrades have been ongoing across the Department's infrastructure to ensure robust and strategic capacity to support existing systems as well as to provide capacity for new initiatives.

### Other Projects

#### FINANCIAL MANAGEMENT

A joint Department for Courts and Treasury paper identifying the issues affecting Departmental capital adequacy was submitted to joint Ministers in January 2003. This formed the basis for a capital injection.

## PROPERTY

As part of the role of the Department in contributing to Māori economic development, land claims continue to be addressed. Current actions include the settlement of claims for the District Court site and/or buildings at Whakatane and Wanganui.

## INFORMATION TECHNOLOGY

There has been significant focus on technology in support of the Judiciary. A new application has gone live to house all Judicial Decisions online and new technology tools have been trialled with a selection of the Judiciary. A review of Evidence Recording and Transcription has been undertaken to identify replacements for older technology and to service new requirements for mobile hearings.

## LEGAL

Drafting instructions for new legislation, and associated legal advice, has been provided as required for new policy initiatives.

## Priority Project Report

Priority Project	Achievement Measure	Achievement
<b>Department Strategic Goal 2: Providing Quality Services to the Courts</b>		
2.4 Implement Property Strategy and Asset Management Plan.	2.4.1 Commence major upgrade or replacement of four courthouses by 30 June 2003.	Work has been completed at Hawera and is fifty percent complete at Dargaville. A tender has been accepted for Gisborne and tenders are being considered for Kaikohe.
	2.4.2 Improve accessibility of eight courthouses by 30 June 2003.	Work has been completed at six courthouses and is underway on a further six.
2.5 Provide IT support services for the Operating Units developing the following projects: <ul style="list-style-type: none"><li>• Case Management System (CMS)</li><li>• COLLECT contact centres</li><li>• Māori Land Information System (MLIS)</li><li>• Environment Court IT System.</li></ul>	2.5.1 Complete the IT support work for these projects in accordance with the agreed timeframes.	A high level of IT support has been provided to the operating units of the Department through the past year. This has assisted the successful roll-outs of the CMS and the ongoing successful releases of the COLLECT and MLIS systems. Support to the existing Collections contact centre has been increased through the past year and focussed activity in supporting the new contact centre is ensuring this project is on track to open late in 2003. Infrastructure activity has provided performance improvements across production systems as well as ensuring robustness and stability for the business critical nature of these systems.
<b>Department Strategic Goal 6: Ensuring Sustainable Strategic Capability.</b>		
6.5 Development of a datawarehouse system to facilitate management reporting needs.	6.5.1 Develop datawarehouse capability to meet priority business needs by 30 June 2003.	There has been a high level of datawarehouse activity through the past year. Management Information Reporting for COLLECT, MLIS and in support of policy analysis has been successfully implemented. A data feed to the Ministry of Justice Datawarehouse has also been developed and implemented. Operational reporting for Case Management has also been developed and successfully delivered.

## ASSURANCE AND AUDIT UNIT

The Assurance and Audit Unit provides assurance to the Chief Executive on departmental management practice and advise of opportunities for improvement. Assurance and Audit consists of two units:

- **Business Assurance** - responsible for the undertaking programmed and incidental audits and reviews in order to be able to advise the Chief Executive on risks and strategies for their management and avoidance.
- **Programme Office** - responsible for advising the Chief Executive on matters relating to the Modernisation Programme projects, and any other key Departmental projects identified by the Chief Executive.

### Priority Projects

Assurance and Audit priority projects include:

- Development, maintenance and reporting against a Risk Management Register
- Development of a legislative compliance review programme
- Monitoring and reporting on Modernisation Programme performance
- Organising monthly Change Board meetings.

### Priority Project Report

Priority Project	Achievement Measure	Achievement	
<b>Department Strategic Goal 6: Ensuring Sustainable Strategic Capability</b>			
6.6	Maintain and report against the Risk Management Register, and reflect in the Business Assurance work programme.	6.6.1 Report quarterly on the Risk Management Register to the Chief Executive and Senior Executive Team.	The Risk Management Register has been developed. A report on strategic risk has been completed. Quarterly reporting on operational risk is still being developed.
6.7	Identify priority legislative compliance needs and develop a legislative compliance review programme for inclusion in the Business Assurance work programme.	6.7.1 Develop work programme by 1 July 2002. Report on Reviews as completed.	A work programme has been developed, and provides the basis for Business Assurance reviews. All reviews undertaken by Business Assurance assess the level of compliance with the relevant legislation. A number of reports on reviews have been completed.
6.8	Provide quarterly monitoring reports on the Modernisation Programme to the Minister.	6.8.1 Report in August, October, January and May for the prior quarter.	Reports have been provided to the Minister throughout the year, in accordance with the revised milestones and reporting schedules agreed for CMS.
6.9	Organise, assemble reports and prepare minutes for monthly Change Board meetings.	6.9.1 Monthly Change Board meetings occur and are provided relevant information.	The Change Board has met and received reports monthly throughout the year.

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# HUMAN RESOURCES UNIT

The Human Resources Unit plays an integral part in the strategic partnership between the Public Service Association (PSA) and the Department for Courts in that it facilitates and provides expertise to the ongoing partnership at the Departmental level. Through the partnership, the PSA and workplace delegates are strong contributors to the ongoing development of human resource strategy and policy across the Department.

The Unit also provides general and specific advice, support and information on a range of human resource issues and matters, including employee relations matters, to Department managers.

## Priority Projects

### COMPLETING THE HUMAN RESOURCES STRATEGIC PLAN TO 2003

The current Human Resources Strategic Plan focuses clearly on the maintenance and development of long-term capability within the Department and also structures the initiatives to achieve those aims within four distinct areas:

- Leadership
- Our working environment
- Learning and development
- Human resource systems.

The final year of the current Human Resources Strategic Plan, to June 2003, has focused on the implementation of a strategic leadership and capability framework- ensuring the Department's longer-term capability in the technical, managerial and technology areas.

The Department has focused on reviewing the policy and reporting frameworks that have been established during the term of the current strategic plan for ongoing effectiveness. The project structure for the final year of the plan is focused on:

- Aligning the Department's performance management system with the new remuneration framework
- Implementing the Department's revised health and safety policy
- Implementing the Department's new workplace stress policy
- Implementing the strategic capability framework
- Improving management information.

### IMPLEMENTING THE DEPARTMENT'S REVISED HEALTH AND SAFETY POLICY AND WORKPLACE STRESS POLICY

The implementation of these policies is complete. Work is continuing on the development of the future structures for managing Health and Safety in the Department, as part of the Department's partnership with the PSA. The Department has recently undertaken a survey of current health and safety practice on all work sites. The Health and Safety Operational Policy Manual has been updated and revised to meet the requirements of the new Act and appropriate training has also been delivered to managers.

### IMPLEMENTATION OF THE STRATEGIC CAPABILITY FRAMEWORK

The leadership/management development programme has been completed on schedule for the year and approximately 120 Department managers have participated. An evaluation of the programme has been undertaken and is due to be reported early in the 2003/04 year.

### IMPROVING MANAGEMENT INFORMATION

Improvements to the Human Resources Information System (HRIS) are continuing with the completion of a review of the structure of Departmental jobs and reporting lines within the system.

## DEVELOPMENT OF THE HUMAN RESOURCES STRATEGIC PLAN TO 2005/06

The Department has completed the development of a draft Human Resources Strategic Plan to 2005/06. Finalisation and implementation has been deferred pending the merger with the Ministry of Justice.

## Priority Project Report

Priority Project		Achievement Measure		Achievement
<b>Department Strategic Goal 6: Ensuring Sustainable Strategic Capability</b>				
6.2	Tangata Mahere / People Plan.	6.2.1	Progress the workplan for Tangata Mahere / People Plan.	This project has been incorporated into the Human Resources Strategic Plan, the achievements of which are reported below.
6.10	Complete the Human Resources strategic plan to 2003.	6.10.1	Plan completed by 30 June 2003.	A draft plan was completed by 30 June. Finalisation has been deferred pending the merger with the Ministry of Justice.
<b>Leadership Strategy</b>				
6.11	Implement the leadership development framework across the Department.	6.11.1	Leadership development framework implemented in all business units by 30 June 2003.	A leadership programme has been delivered in all business units. The programme was made available to all targeted managers. Approximately 120 managers participated. Follow up work is planned in 2003/04 for those that were unable to participate during 2002/03, and for those new to the organisation.
<b>Working Environment Strategy</b>				
6.12	Review the Health and Safety strategy and policy in light of new legislation.	6.12.1	Health and Safety strategy and policy reviewed and revised by 30 October 2002.	The review of the Health and Safety Strategy was completed by 5 May 2003. Managers have been provided with training covering the revised policy, including workplace stress management.
6.13	Implement the revised operational Health and Safety strategy and policy.	6.13.1	Revised Health and Safety strategy and policy implemented by 30 June 2003.	An updated and revised operational Health and Safety Manual has been implemented.
6.14	Implement strategies to meet Human Rights and New Zealand Disability requirements.	6.14.1	Strategies implemented by 30 June 2003.	The Human Resources policies comply with requirements of Human Rights Act. The Disabilities Strategy has been largely implemented. Work is being completed on Mainstream Policy.
<b>Learning and Development Strategy (Further Developing Technical, Managerial, and Technological Capability)</b>				
6.15	Implement the Department's new capability framework.	6.15.1	Framework implemented across the Department by 30 June 2003.	A high level consideration of capability resulted in the development of a competency framework and a decision to revise the performance management approach. The Department's competency framework was implemented, revised and updated. Training interventions (within available resources) have been delivered in workplace e.g. CMS, Court Skills etc.

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# STATEMENT OF RESPONSIBILITY

As Acting Chief Executive of the Department for Courts I am responsible, under Sections 35 and 37 of the Public Finance Act 1989, for the preparation of the Department's financial statements and the judgements made in the process of producing those statements.

The Department has a system of internal control and this has provided reasonable assurance as to the integrity and reliability of financial reporting.

In my opinion the financial information presented in the Statements and Notes to the Financial Statements (pages 40 to 89) fairly reflects the financial position and operations of the Department for Courts for the year ended 30 June 2003.



Belinda Clark  
Acting Chief Executive  
30 September 2003



Shirley Smith  
Chief Financial Officer  
30 September 2003



**PART 3: STATEMENT OF  
SERVICE PERFORMANCE**

# STATEMENT OF OBJECTIVES AND SERVICE PERFORMANCE

For the year ended 30 June 2003.

## Introduction

The Statement of Service Performance addresses the non-financial aspects of the Department's performance. Achievements are detailed against the Outputs and Key Performance Indicators as set out in the Departmental Forecast Report and Purchase Agreement for the 2002/03 year. This is provided in compliance with s 35(3)(e) of the Public Finance Act 1989 and is audited by Audit New Zealand on behalf of the Auditor-General.

The Department for Courts monitors the effectiveness of its performance by setting Key Performance Indicator targets or a projected range. In this report the actual results for the year are presented against those projections.

Variances are calculated from the mid-point of the range where a range has been used. Where the target is a range, any result within that range is a zero variance. A positive variance represents a positive result, e.g. higher than expected numbers, greater than expected revenue, lower than expected cost. A negative variance represents a negative result, e.g. lower than expected volume, lower than expected revenue, or higher than expected costs. The Department has provided commentary where the variance is greater than ten percent.

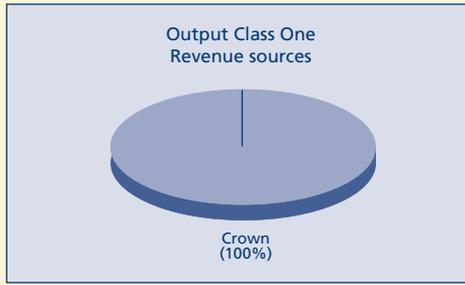
Financial summary information is provided in this section for the information of the reader.

## Output Class 1 - Policy Advice and Ministerial Servicing

Output class one covers the provision of advice on the operation of administrative and judicial services delivered through the Court system and on the collection or enforcement of monetary penalties and civil debt. It also covers the provision of draft replies to Ministerial correspondence and draft responses to Parliamentary questions.

Outputs and Key Performance Indicators		Achievement			
<b>1.1 Policy Advice</b>					
1.1.1	The Minister rates progress on the agreed policy work programme as satisfactory or better.	Achieved.			
1.1.2	The Minister rates the quality of policy advice on the policy work programme as satisfactory or better.	Achieved.			
1.1.3	Percentage of policy reports that meet or exceed the Department's Quality Standards.	100.0%			
Outputs and Key Performance Indicators		Target	Actual	Variance	Explanation of Variance
<b>1.2 Ministerial Servicing</b>					
1.2.1	Number of items of Ministerial correspondence actioned.	550-650	548	-8.7%	
1.2.2	Percentage of draft replies to Ministerial correspondence completed within 15 working days from receipt in the Department.	85%	96.0%	12.9%	This is an improvement on the previous year's 89% result. This result is the product of a focus on improving systems and processes for the management of Ministerial Correspondence.
1.2.3	Percentage of draft replies to Ministerial correspondence completed within 20 working days from receipt in the Department.	99%	100.0%	1.0%	
1.2.4	Number of draft responses to Parliamentary questions completed.	160-240	174	0.0%	
1.2.5	Percentage of draft responses to Parliamentary questions will be provided within stipulated deadlines.	100%	100.0%	0.0%	
1.2.6	Percentage of draft replies to Ministerial correspondence and draft responses to Parliamentary questions that meet the Minister's quality expectations.	100%	100.0%	0.0%	
1.2.7	Percentage of draft replies to Ministerial correspondence and draft responses to Parliamentary questions that comply with the Department's quality standards for Ministerial services.	100%	100.0%	0.0%	

## Financial Summary



	Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
1.1	Policy Advice.	1,562	1,507	3.5%	
1.2	Ministerial Servicing.	418	284	32.1%	This variance is primarily a result of staff transfers and vacancies during the year.
<b>Output Class One Total.</b>		<b>1,980</b>	<b>1,791</b>	<b>9.5%</b>	

**Notes:**

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

## Output Class 2 - Collection or Enforcement of Fines and Civil Debts

Output class two includes two outputs.

### OUTPUT 2.1 COLLECTION OR ENFORCEMENT OF COURT-IMPOSED MONETARY PENALTIES AND INFRINGEMENT FINES

Court-imposed monetary penalties include fines, reparation, restitution, court costs and other orders. Enforcement procedures come into effect 29 days after the penalty is imposed. Infringement fines are imposed predominantly by the Police or local authorities. The Department becomes involved in collecting them after the imposing authority has been unsuccessful.

### OUTPUT 2.2 ENFORCEMENT OF CIVIL COURT ORDERS AND COLLECTION OF CIVIL DEBTS

This output covers the provision of services on behalf of judgment creditors. Civil court orders include those made in the civil jurisdiction of the Court of Appeal, High Court, District Court, Environment Court, Disputes Tribunal and Tenancy Tribunal.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>2.1</b>	<b>Collection or Enforcement of Court-Imposed Monetary Penalties and Infringement Fines</b>				
2.1.1	Percentage of fines actioned.*	55-60%	55.2%	0.0%	
2.1.2	Percentage of the balance of fines available for collection complied with throughout the year.**	45-50%	50.6%	6.5%	
2.1.3	Amount collected.	\$150.7-163.2m	\$149.7m	-4.6%	
2.1.4	Percentage of Court-imposed fines collected or placed under arrangement within 28 days.***	30-35%	61.1%	88.0%	New timeliness Key Performance Indicators were introduced in 2001/02 to include value of fines placed under arrangement within the defined period in addition to values collected within the period. As the fines placed under arrangement could not be measured within the Law Enforcement System, the targets were based on estimates and anecdotal information. These measurements are now available from COLLECT and it appears that these targets were not realistic. The targets for 2003/04 have been adjusted accordingly.
2.1.5	Percentage of Court-imposed fines collected or placed under arrangement within 4 months.***	58-63%	78.8%	30.2%	
2.1.6	Percentage of infringement fines collected or placed under arrangement within 28 days.***	9-13%	26.0%	136.3%	
2.1.7	Percentage of infringement fines collected or placed under arrangement within 4 months.***	29-34%	60.2%	91.1%	
2.1.8	Number of legal challenges resulting in costs being awarded against the Department.	0	0	0	

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>2.2</b>	<b>Enforcement of Civil Court Orders and Collection of Civil Debt</b>				
2.2.1	Number of applications for distress warrants, orders for examination and other civil enforcement applications actioned.*	60,000-65,000	53,774	-14.0%	The number of applications for civil enforcement has declined over the past year resulting in lower volumes than had been expected. The target for 2003/04 has been adjusted accordingly.
2.2.2	Percentage of applications for distress warrants, orders for examination and other civil enforcement applications actioned* within 28 days of receipt by the Court.	85-90%	85.4%	0.0%	
2.2.3	Number of legal challenges resulting in costs being awarded against the Department.	0	0	0	

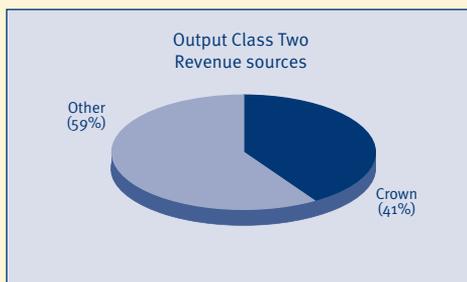
**Notes:**

\* "Actioned" is when a fine is either under arrangement, collected and disbursed, remitted, under appeal or review, parked or not yet due for enforcement.

\*\* "Compliance" is the proportion of fines collected over the previous twelve months or under an arrangement to pay at the conclusion of the twelve months, of the total amount of fines available for collection. The amount of fines available for collection is defined as the opening balance twelve months earlier plus subsequent impositions less remissions and the fines under appeal at the end of the period. The formula for this can be expressed as:

$$\text{Compliance} = \frac{\text{Fines complied with}}{\text{Fines "pool available to be complied with"}}$$

\*\*\* These measures are rolling twelve-month calculations.

**Financial Summary**

	Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
2.1	Collection or Enforcement of Court-Imposed Monetary Penalties and Infringement Fines.	51,081	50,102	1.9%	
2.2	Enforcement of Civil Court Orders and Collection of Civil Debt.	9,651	9,256	4.1%	
<b>Output Class Two Total.</b>		<b>60,732</b>	<b>59,358</b>	<b>2.3%</b>	

**Notes:**

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

## Output Class 3 - Case Management - Criminal

Output class three covers the provision of services to support the work of the Judiciary in determining and managing criminal cases. Cases are managed to ensure that they are resolved with minimum delay having regard to overall caseloads and the capacity of the Courts.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>3.1</b>	<b>Case Management Criminal - Court of Appeal</b>				
3.1.1	Number of criminal appeals managed.	570	639	12.1%	The variance is due to a combination of an underestimation of the number of appeals expected to be outstanding at the start of the reporting period and a higher than expected number of appeals filed in the third quarter of the 2002/03 year. The forecast for the third quarter was 93 (which was comparable to the past two years (91 and 88) but the actual number of filings for that quarter was 122.
3.1.2	Number of criminal appeal court hearings supported.	330	349	5.8%	
<b>3.2</b>	<b>Case Management Criminal - High Court</b>				
3.2.1	Number of criminal appeals managed.	940	1,014	7.9%	
3.2.2	Number of jury trial cases managed.	580	482	-16.9%	A change in the middle-banding policy* by the High Court has resulted in more cases being returned to the District Court. This has resulted in a negative variance for the High Court but has contributed to a positive variance in the District Court - this is commented on in the explanation for Key Performance Indicator 3.3.1.
3.2.3	Number of criminal appeal court sitting hours supported.	630	786	24.8%	Appeal sitting hours can respond very readily to fluctuations in the number of appeals. The increase in appeals being managed, shown for Key Performance Indicator 3.2.1, (7.9% more than expected) has resulted in an increase in time provided for appeals.
3.2.4	Number of jury trial court sitting hours supported.	7,200	7,133	-0.9%	
3.2.5	Number of High Court criminal cases stayed for undue delay in terms of s25(b) of the Bill of Rights Act for reasons wholly or partly the responsibility of the Department.	0	0	0	
3.2.6	Percentage of High Court Judges surveyed re criminal appeals and jury trial cases that rated case management / file preparation and presentation provided as satisfactory or better than satisfactory.**	70%	85.0%	21.4%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
3.2.7	Percentage of High Court Judges surveyed re criminal appeals and jury trial cases that rated courtroom support provided as satisfactory or better than satisfactory.**	70%	90.0%	28.6%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.
<b>3.3</b>	<b>Case Management Criminal - District Court Jury Trials</b>				
3.3.1	Number of jury trial cases managed.	3,100	3,768	21.5%	This variance has grown during the year in an unexpected manner. Investigation of the variance has revealed that there was a conceptual error in the forecasting. This has meant that the forecast was understated by about 300 cases for the full year. That means that the real variance is in the order of 11%, which is still significant. There are three components to the explanation for the "real" variance. First, the number of cases on hand at 1 July 2002 was higher than predicted. Secondly, there has been a change in middle-banding practice by the High Court, which has resulted in more cases being returned to the District Court. Thirdly, there has been an increase in the number of direct committals to the District Court.
3.3.2	Number of jury trial court sitting hours supported.	16,250	17,174	5.7%	
3.3.3	Number of District Court jury trial cases stayed for undue delay in terms of s25(b) of the Bill of Rights Act for reasons wholly or partly the responsibility of the Department.	0	0	0	
3.3.4	Percentage of District Court Judges surveyed re jury trial cases that rated case management / file preparation and presentation provided as satisfactory or better than satisfactory.**	70%	65.0%	-7.1%	
3.3.5	Percentage of District Court Judges surveyed re jury trial cases that rated courtroom support provided as satisfactory or better than satisfactory.**	70%	79.5%	13.6%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.
<b>3.4</b>	<b>Case Management Criminal - District and Youth Court Summary Jurisdiction</b>				
3.4.1	Number of criminal summary cases managed.	189,000	208,752	10.5%	The volume of new cases filed was consistently higher than forecast throughout the year. This may reflect changing population structure and Police prosecution policy in some regions.

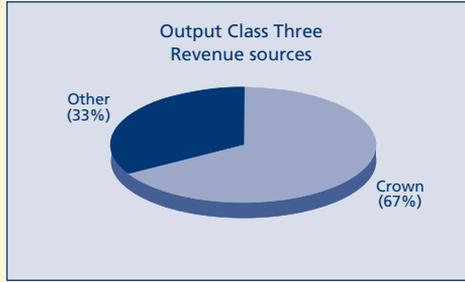
	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
3.4.2	Number of minor offence cases managed.	3,350	2,606	-22.2%	The number of minor offence proceedings initiated fluctuates widely from month to month and is unpredictable. Numbers have been reducing over time. The variance has reduced from 36.6% for the first quarter of 2002/03 to 22.2% for the full year. The unpredictability of the numbers is reflected in the fact that the result for the second quarter was close to forecast because in Gisborne in one month (December) there were 198 prosecutions for dog licensing offences. One month in a middle-sized court therefore amounted to almost 10% of the national volume for the year to date.
3.4.3	Number of Youth Court cases managed.	8,100	8,399	3.7%	
3.4.4	Number of criminal summary court sitting hours supported.	45,000	46,311	2.9%	
3.4.5	Number of deposition court sitting hours supported.	5,600	5,618	0.3%	
3.4.6	Number of Youth Court sitting hours supported.	2,630	2,875	9.3%	
3.4.7	Number of criminal summary cases stayed for undue delay in terms of s25(b) of the Bill of Rights Act for reasons wholly or partly the responsibility of the Department.	0	1	1	The Department reported to the Minister for Courts on the circumstances of the case that was stayed.
3.4.8	Number of Youth Court cases stayed for undue delay in terms of s25(b) of the Bill of Rights Act for reasons wholly or partly the responsibility of the Department.	0	0	0	
3.4.9	Percentage of District Court Judges surveyed re criminal summary and Youth Court cases that rated case management / file preparation and presentation provided as satisfactory or better than satisfactory.**	70%	76.5%	9.3%	
3.4.10	Percentage of District Court Judges surveyed re criminal summary and Youth Court cases that rated courtroom support provided as satisfactory or better than satisfactory.**	70%	84.0%	20.0%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.

#### Notes:

\* Middle banding is the process applied to certain categories of crimes, as listed in Part 2 of Schedule 1A of the District Court Act 1947, where a decision has to be made whether the case is heard in the High Court or District Court. The High Court makes this decision, and 'returns' those cases it deems appropriate to the District Court for trial. This process is set out in s 168AA of the Summary Proceedings Act 1957.

\*\* The detailed description of the survey scales had been discussed with the Judiciary. The scales developed used terms other than satisfactory - which, nonetheless have a point which corresponds to satisfactory and were able to be reconciled with the measures described here. This was an in-house survey of the 38 High Court and 130 District Court (including Youth and Family Court but excluding Environment Court) Judges. The response rate was between 40 and 60 percent in various jurisdictions.

## Financial Summary



	Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
3.1	Case Management Criminal - Court of Appeal.	1,298	1,341	-3.3%	
3.2	Case Management Criminal - High Court.	14,009	14,499	-3.5%	
3.3	Case Management Criminal - District Court Jury Trials.	24,139	24,507	-1.5%	
3.4	Case Management Criminal - District and Youth Court Summary Jurisdiction.	52,265	49,459	5.4%	
<b>Output Class Three Total.</b>		<b>91,711</b>	<b>89,806</b>	<b>2.1%</b>	

**Notes:**

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

## Output Class 4 - Case Management - Civil

Output class four covers the provision of services to support the work of the Judiciary in determining and managing civil and family cases. Cases are managed to ensure that they are resolved with minimum delay having regard to overall caseloads and the capacity of the Courts.

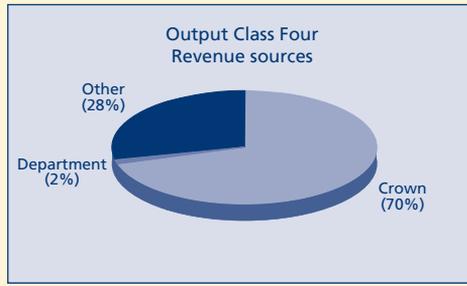
	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>4.1</b>	<b>Case Management Civil - Court of Appeal</b>				
4.1.1	Number of civil appeals managed.	460	397	-13.7%	The variance is due to the number of new appeals filed being consistently below expectation throughout the year. Historically the number of civil appeals filed has fluctuated widely from one period to the next. It is therefore difficult to forecast filings with a great deal of certainty.
4.1.2	Number of civil appeal court hearings supported.	160	153	4.4%	
<b>4.2</b>	<b>Case Management Civil - High Court</b>				
4.2.1	Number of civil and family appeals managed.	420	355	-15.5%	The number of appeals filed was consistently below the forecast level throughout the year. This is likely to be related to the lower volume of civil cases in the District Court.
4.2.2	Number of civil cases managed.	2,150	1,965	-8.6%	
4.2.3	Number of civil and family appeal court sitting hours supported.	900	721	-19.9%	The variance in the number of hours supported is consistent with the reduction in the number of appeals being managed.
4.2.4	Number of civil case court sitting hours supported.	9,100	9,067	-0.4%	
4.2.5	Percentage of High Court Judges surveyed re civil appeals / cases that rated case management / file preparation and presentation provided as satisfactory or better than satisfactory.*	70%	57.0%	-18.6%	Analysis of the survey responses shows that this result is due to Judges' concerns about the content and presentation standards of files. High Court Managers in the circuits where the results were below the target standard will be engaging the Judges to determine the reasons for the result and to develop a plan for improvements.
4.2.6	Percentage of High Court Judges surveyed re civil appeals / cases that rated courtroom support provided as satisfactory or better than satisfactory.*	70%	94.0%	33.6%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>4.3</b>	<b>Case Management Civil - District Court</b>				
4.3.1	Number of civil cases managed.	41,500	33,246	-19.9%	District Court Civil volumes have been on a downward trend in recent years. The rate of decrease has accelerated in 2002/03.
4.3.2	Number of civil court sitting hours supported.	5,500	4,826	-12.3%	This variance is a reflection that less time than predicted has been rostered for civil cases by the Judiciary. It is compensated for by more time being rostered elsewhere. The reduction in time is consistent with the reduction in civil filings.
4.3.3	Percentage of District Court Judges surveyed re civil cases that rated case management / file preparation and presentation provided as satisfactory or better than satisfactory.*	70%	82.5%	17.9%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.
4.3.4	Percentage of District Court Judges surveyed re civil cases that rated courtroom support provided as satisfactory or better than satisfactory.*	70%	85.0%	21.4%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.
<b>4.4</b>	<b>Case Management Civil - Family Court</b>				
4.4.1	Number of Family Court applications managed.	115,000	113,528	-1.3%	
4.4.2	Number of Family Court sitting hours supported.	22,750	20,553	-9.7%	
4.4.3	Percentage of Family Court Judges surveyed that rated case management / file preparation and presentation provided as satisfactory or better than satisfactory.*	70%	85.0%	21.4%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.
4.4.4	Percentage of Family Court Judges surveyed that rated courtroom support provided as satisfactory or better than satisfactory.*	70%	88.0%	25.0%	2002/03 was the first year for the use of measures of judicial satisfaction. The 70% standard was set as a reasonable level of judicial satisfaction in the absence of previous information on levels of satisfaction.
<b>4.5</b>	<b>Case Processing Civil - Disputes Tribunal</b>				
4.5.1	Number of claims disposed of.	23,000-24,000	19,710	-16.1%	Both filings and disposals have been on a downward trend over the past three years.
4.5.2	Number of sitting days supported.	6,000-6,400	6,079	0.0%	
4.5.3	Percentage of claims disposed of within 90 days of date of filing.	80%	80.0%	0.0%	

**Notes:**

\* The detailed description of the survey scales had been discussed with the Judiciary. The scales developed used terms other than satisfactory - which, nonetheless have a point which corresponds to satisfactory and were able to be reconciled with the measures described here. This was an in-house survey of the 38 High Court and 130 District Court (including Youth and Family Court but excluding Environment Court) Judges. The response rate was between 40 and 60 percent in various jurisdictions.

## Financial Summary



	Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
4.1	Case Management Civil - Court of Appeal.	1,486	1,539	-3.6%	
4.2	Case Management Civil - High Court.	12,085	11,942	1.2%	
4.3	Case Management Civil - District Court.	10,005	10,078	-0.7%	
4.4	Case Management Civil - Family Court.	27,260	27,077	0.7%	
4.5	Case Processing Civil - Disputes Tribunal.	7,358	7,403	-0.6%	
<b>Output Class Four Total.</b>		<b>58,194</b>	<b>58,039</b>	<b>0.3%</b>	

### Notes:

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

## Output Class 5 - Tribunals and Other Authorities

Output class five covers the provision of services to support the work of the Judiciary (including Judicial Officers) in determining and managing applications through the Environment Court and individual tribunals, authorities, boards, and committees administered by the Department for Courts. This output class also includes providing administrative support for Coroners and contracting mortuary services.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>5.1</b>	<b>Environment Court Support and Administration</b>				
5.1.1	Number of applications disposed of.	1,750-1,850	1,711	-4.9%	
5.1.2	Number of sitting days supported.	600-650	560	-10.4%	The result was affected by a combination of factors including judicial leave and a number of withdrawals and late settlements. In addition multi-party special fixtures took place that would normally absorb a greater number of sitting days than was otherwise the case.
5.1.3	Percentage of applications disposed of within the required timeframe guidelines.	75%	58.0%	-22.7%	Historic cases are still being resolved. The age of these historic cases at resolution is continuing to have an effect on the median age of cases being disposed of. However, caseload pending disposal has been reduced significantly.
5.1.4	Percentage of sittings completed as per schedule.	80%	68.0%	-15.0%	The Court's programming continues to be adversely affected by late settlements, withdrawals and adjournments, and by the Court and Parties having difficulty in assessing hearing time required with resultant over and under-runs. The Court is still developing a robust back-up fixture/over-scheduling policy.
<b>5.2</b>	<b>Coroners Support and Administration</b>				
5.2.1	Number of written requests for information actioned.	300-325	860	175.2%	This is a demand driven measure. All requests for information have been actioned.
5.2.2	Percentage of written requests for information actioned within 20 working days.	85%	99.0%	16.5%	Despite the increase in the number of requests received, the Department has been successful in actioning these requests within the prescribed timeframe.
5.2.3	Number of Coronal findings registered.	4,000-4,500	3,788	-10.9%	This is a demand driven measure. No backlog exists and all registrations are up to date.
5.2.4	Percentage of Coroner's recommendations actioned within 10 working days of receipt.	100%	90.0%	-10.0%	This variance is a result of an operational problem in November 2002, which has been resolved. The achievement level in subsequent months has been 100%.
5.2.5	Number of contracts for coronial postmortem facility services negotiated, concluded and managed.	15-20	15	0.0%	

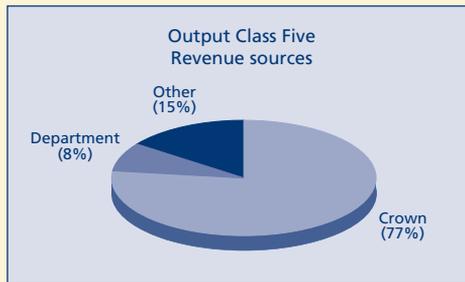
	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
5.2.6	Percentage of Pathologists' fees and expenses paid at rates prescribed in the Coroners (Fees) Regulations 1992.	100%	100.0%	0.0%	
<b>5.3</b>	<b>Tenancy Tribunal Support and Administration</b>				
5.3.1	Number of claims disposed of.	20,000-23,000	19,874	-7.6%	The Ministry of Housing provides initial mediation services for Tenancy Tribunal applications. The Ministry has increased the emphasis on and resources applied to education and mediation services. This is having an impact on the number of cases proceeding to Tribunal hearings. Those that do are those where mediation cannot be arranged or is unsuccessful. The result is that the Tribunal is dealing with the more difficult cases that, on average, take more time.
5.3.2	Number of sitting days supported.	2,700-2,850	2,695	-2.9%	
5.3.3	Percentage of sittings completed as per agreed schedule.	80%	80.0%	0.0%	
<b>5.4</b>	<b>Liquor Licensing Authority Support and Administration</b>				
5.4.1	Number of applications disposed of.	750-850	1,114	39.3%	The Authority has determined a greater number of applications than was forecast in response to continued increases in demand. The number of sitting days has increased in line with this workload, however output cost has not increased at the same rate as a result of the Authority sitting with fewer Members than in the past.
5.4.2	Number of sitting days supported.	85-90	121	38.3%	To deal with the increased volume of work, particularly in the area of enforcement action, a greater number of sitting days has needed to be scheduled in order to deal with these high priority matters.
5.4.3	Percentage of applications disposed of within the required timeframe guidelines.	80%	73.0%	-8.8%	
5.4.4	Percentage of sittings completed as per schedule.	80%	74.0%	-7.5%	
<b>5.5</b>	<b>Other Tribunals and Authorities Support and Administration*</b>				
5.5.1	Number of applications disposed of.	1,500-1,650	1,297	-17.7%	The continuing reduced availability of Judicial Officers within the area relating to District Court Accident Compensation Appeals has been the principal factor influencing this result.
5.5.2	Number of sitting days supported.	500-550	469	-10.7%	The number of sitting days provided in respect of District Court Accident Compensation Appeals is down as a consequence of the lack of available Judicial Officers.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
5.5.3	Percentage of applications disposed of within the required timeframe guidelines.	80%	55.0%	-31.3%	As signalled in the results for Key Performance Indicator 5.5.1, the lower volume of work able to be dealt with in the area of District Court Accident Compensation Appeals has been the principal factor in contributing to this result.
5.5.4	Percentage of sittings completed as per schedule.	80%	81.0%	1.3%	

**Notes:**

\* Other Tribunals and Authorities covered in output 5.5:

*Abortion Supervisory Committee, Accident Compensation Appeal Authority, Accident Compensation District Court Registry, Birdlings Flat Land Titles Act Commissioner, Copyright Tribunal, Criminal Justice Reimbursement Scheme, Customs Appeal Authority, Deportation Review Tribunal, Human Rights Review Tribunal, Land Valuation Tribunal, Lay Members of the NZ Law Practitioners Disciplinary Tribunals, District Law Societies' Lay Observers, Motor Vehicles Disputes Tribunal, Pharmacy Authority, Social Security Appeal Authority, Student Allowance Appeal Authority, Taxation Review Authority, Trans-Tasman Occupations Tribunal.*

**Financial Summary**

	Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
5.1	Environment Court Support and Administration.	6,648	5,954	10.4%	In the last quarter of the year there were fewer than expected sitting days due to a number of withdrawals and late settlements. In addition, Alternate Judges and Deputy Commissioners have not sat as much as was anticipated. Had these not occurred overall expenditure would have been on target.
5.2	Coroners Support and Administration.	1,034	1,091	-5.5%	
5.3	Tenancy Tribunal Support and Administration.	3,154	3,141	0.4%	
5.4	Liquor Licensing Authority Support and Administration.	1,023	917	10.4%	The Authority has operated with a reduced number of members over the past year. The resulting variation in the overall output cost for the year is reflective of this factor. It is expected the appointment issue will be addressed in the 2003/04 year.
5.5	Other Tribunals and Authorities Support and Administration.	4,892	4,833	1.2%	
<b>Output Class Five Total.</b>		<b>16,751</b>	<b>15,936</b>	<b>4.9%</b>	

**Notes:**

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

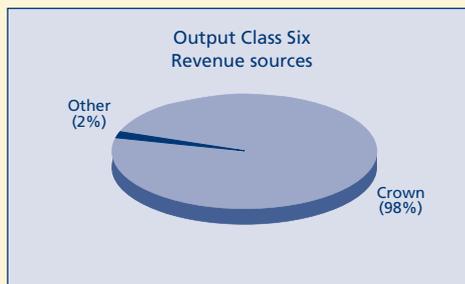
## Output Class 6 - Māori Land Information and Case Management

This output class involves keeping and providing Māori land information, providing an advisory service for Māori land owners, and providing services to support the work of the Judiciary of the Māori Land Court (MLC) and the Māori Appellate Court (MAC).

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
<b>6.1</b>	<b>Provision of Māori Land Information</b>				
6.1.1	Number of searches for information from the Māori Land Information System National index.	500,000-750,000	892,150	42.7%	The high number of hits is partly attributable to a growing number of clients using the public access PC's available in all MLC offices.
6.1.2	Percentage of written responses to requests for information from the Māori Land Court Record replied to within 10 working days of receipt.	95%	94.0%	-1.1%	
6.1.3	Number of requests for information from the Māori Land Information Office processed.	10-15	0	N/A	None received in 2002/03.
6.1.4	Percentage of Māori Land Information Office applications completed within two months of receipt.	90.0%	N/A	N/A	None received in 2002/03.
6.1.5	Percentage of enquiries responded to in accordance with quality standards.	95%	99.0%	4.2%	
<b>6.2</b>	<b>Provision of Advisory Services to Māori Land Owners</b>				
6.2.1	Number of Hui ā tui kōrero held.	700-800	971	29.5%	Demand for the service has resulted in more hui being held than was originally estimated.
6.2.2	Percentage of hui participants who complete an evaluation form who rate the service as meeting or exceeding expectations.	95%	100.0%	5.3%	
6.2.3	Number of applications generated through the Advisory Service that are accepted at Registry.	350-400	450	20.0%	Advisory Officers continue to promote succession, to ensure the record is up to date, and to promote the establishment of management structures, as per the desired outcomes for the service. Increasing numbers of title improvement applications are also being generated.
<b>6.3</b>	<b>Case Management Māori Appellate Court and Māori Land Court</b>				
6.3.1	Number of appeals to the Māori Appellate Court prepared for hearing.	5-10	2	-73.3%	This is a demand driven measure. Only two appeals were received in the year. Both have been prepared for hearing.
6.3.2	Number of reports under s 45 of the Te Ture Whenua Māori Act 1993 submitted to the Chief Judge.	20-25	69	206.7%	Continued focus on reducing backlogs of these types of applications has resulted in high numbers being submitted to the Chief Judge.

	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
6.3.3	Number of applications received.	6,500-7,500	5,810	-17.0%	The establishment of management structures continues to have an effect on the number of applications received. The following contribute to reduced applications: <ol style="list-style-type: none"> <li>1. The Court is grouping succession applications with applications for formation of a Trust when they are filed at the same time. In this case one Trust application would previously have been dealt with as a Trust application and one or more separate succession applications.</li> <li>2. Once a Trust is formed that Trust becomes responsible for management of successions, not the Court. Therefore there will be no succession applications to the MLC for the duration of the Trust.</li> </ol>
6.3.4	Number of applications concluded.	5,500-6,000	5,514	-4.1%	
6.3.5	Percentage of applications processed to be ready for hearing within 2 months of receipt.	95%	88.0%	-7.4%	
6.3.6	Percentage of applications processed in accordance with quality standards.	95%	97.0%	2.1%	

### Financial Summary



	Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
6.1	Provision of Māori Land Information.	3,004	2,967	1.2%	
6.2	Provision of Advisory Services to Māori Land Owners.	956	922	3.6%	
6.3	Case Management Māori Appellate Court and Māori Land Court.	7,329	7,356	-0.4%	
<b>Output Class Six Total</b>		<b>11,289</b>	<b>11,245</b>	<b>0.4%</b>	

#### Notes:

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

## Output Class 7 - Waitangi Tribunal

This output class covers the provision for the registration, researching, inquiring into and reporting on claims, and the provision of administrative services related to the management of claims through the Waitangi Tribunal.

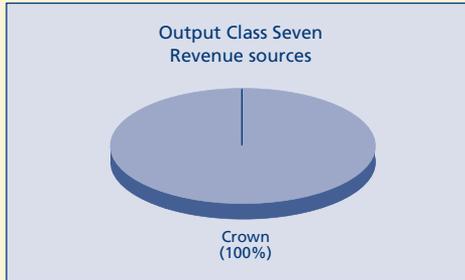
	Outputs and Key Performance Indicators	Target	Actual	Variance	Explanation of Variance
7.1.1	Number of new claims registered.	40-50	72	60.0%	Higher than expected registrations coincided with closing registrations for the Urewera and Wairarapa Inquiries.
7.1.2	Percentage of new claims registered within 3 months of receipt.	90%	55.0%	-38.9%	Some delays in registering new claims have been experienced due to the increase in numbers, the demands for three urgent Inquiries, and the departure of the Registrar. A new Registrar has now been appointed.
7.1.3	Percentage of Waitangi Tribunal research reports produced in accordance with the approved research programme.	90%	95.0%	5.6%	
7.1.4	Percentage of Waitangi Tribunal research commissions completed within the timeframes and standards set for them.	90%	95.0%	5.6%	
7.1.5	Number of casebooks advanced to the stage set out in the research programme.*	1-3	2	0.0%	
7.1.6	Percentage of casebooks completed within the timeframes and standards set for them.*	90%	100.0%	11.1%	One casebook, Wairarapa ki Tararua, was due for completion this year and was delivered by the deadline of December 2002 and to the agreed standard.
7.1.7	Number of Inquiries involving multiple hearings serviced and supported.**	4-6	7	116.0%	Result is in scope. Northern South Island in hearing. Urewera and Wairarapa ki Tararua in interlocutory conference, Whanganui in pre-conference and Central North Island (Rotorua, Taupo and Kaingaroa) also in pre-conference.
7.1.8	Percentage of Inquiries and conferences serviced and supported, to the standards set for them.	90%	100.0%	11.1%	There has been no indication that the standards required in relation to the servicing and supporting of conferences were not met.
7.1.9	Number of reports delivered to the timetables set for them.	2-5	7	100.0%	Seven reports, including three urgent reports and one interim report, were completed. These reports are listed on page 108.
7.1.10	Percentage of report writing and editorial assistance that complies with the timeframes and standards set for them.	90%	100.0%	11.1%	All report writing and editorial assistance complied with the timeframes and standards set for them.

**Notes:**

\* A casebook contains the majority of historical research reports and other evidential material needed to start a district Inquiry. The initial casebook needs to cover the main historical claims issues and is completed prior to the start of an Inquiry or a new stage of an Inquiry. The casebook is peer reviewed, and the Inquiry will not proceed to the next stage until the casebook meets the required standards.

\*\* Generally, Inquiries require multiple hearings (sittings) for a Tribunal panel. From time to time claims granted urgency may be heard in a single hearing that would constitute all hearings for that Inquiry. Urgency matters can affect the overall timetable for hearings, and are allowed for in annual planning.

**Financial Summary**



Output Costs (figures are GST exclusive)	Target* (\$000)	Actual (\$000)	Variance	Explanation of Variance
Output Class Seven Total.	6,774	6,746	0.4%	

**Notes:**

\* Target includes adjustments made in the Supplementary Estimates and transfers under s 5 of the Public Finance Act 1989.

## PART 4: FINANCIAL STATEMENTS

# STATEMENT OF ACCOUNTING POLICIES

*for the year ended 30 June 2003*

## Statutory Basis

The Department for Courts is a government department as defined by s 2 of the Public Finance Act 1989. Part IV s 35 of the Public Finance Act 1989 requires the preparation of annual financial statements in accordance with generally accepted accounting practice. Section 80 of the Public Finance Act 1989 also requires compliance with Treasury instructions that may prescribe accounting policies to be applied by the Department.

## Reporting Entity

The Department for Courts financial statements report on those activities represented by outputs supplied by the Department and related Assets, Liabilities and Taxpayers' Funds. In addition, the Department has reported the Crown and Trust activities that it administers.

## Going Concern

Under the State Sector Amendment Act 2003, the Department for Courts is to be merged with the Ministry of Justice effective from 1 October 2003. The Financial Statements have not, therefore, been prepared using the going concern assumption. However, there has been no change to the measurement basis used for assets and liabilities because the carrying value is not expected to be materially different to the realisable value. Assets and liabilities shown in the Statement of Financial Position, commitments contained in the Statement of Commitments and contingent liabilities contained in the Statement of Contingent Liabilities are to be transferred to the Ministry of Justice at their carrying value effective 1 October 2003.

## Measurement System

The financial statements have been prepared on the basis of historical costs modified for land and buildings that are stated at valuation.

## Budget Figures

The budget figures are those presented in:

- The Main Estimates (headed in financial statements as Main Estimates) as published in the Departmental Forecast Report and presented to the House of Representatives pursuant to s 34A of the Public Finance Act 1989
- The Main Estimates as amended by the Supplementary Estimates (headed in financial statements as Supplementary Estimates).

## Accounting Policies

The accounting policies have been consistently applied by the Department and are consistent with those of the previous year.

## Asset Revaluation

Land and buildings are stated at fair value as determined by an independent registered valuer as at 30 June 2003. Fair value is determined using market-based evidence. Revaluations are performed on a yearly basis although only physically inspected every three years. The last physical inspection was completed 30 June 2003.

Any surplus on revaluation of a class of land or buildings is transferred directly to Taxpayers' Funds unless it offsets a previous decrease in value recognised in the Statement of Financial Performance, in which case, it is recognised in the Statement of Financial Performance.

A decrease in value relating to a class of land or buildings is recognised in the Statement of Financial Performance where it exceeds the surplus previously transferred to Taxpayers' Funds.

These valuations were conducted by independent valuer John Dunkley, BAgCom, FNZPI, of DTZ New Zealand Limited, and are in accordance with the New Zealand Institute of Valuers' Asset Valuation Standards.

## Asset Capitalisation

Property, plant and equipment are initially recorded at cost of purchase. These are capitalised:

- If purchased individually the cost price is greater than \$3,000
- If purchased as a group the combined value is greater than \$5,000.

Capital work in progress is recognised as costs are incurred. Depreciation is not recorded until the asset is fully acceptance tested and operational.

## Depreciation

Fixed assets are depreciated on a straight-line basis over their estimated useful lives after allowing for residual values where appropriate by asset category. The estimated useful life of major asset categories is as follows:

Asset Category	Asset Life (years)	Residual Value
Buildings	50	Nil
Fitout	Up to 15	Nil
Leasehold Improvements	Up to 10	Nil
Plant and Equipment	Up to 10	Nil
Furniture and Fittings	5	Nil
Computer Equipment - PC based	3	10% of cost
Network Computer Equipment	5	Nil
Application Software Standard Packages	4	Nil
Application Software - custom written or modified packages	7	Nil
Motor Vehicles	5	30% of cost
Office Equipment	5	Nil
Other Assets	Up to 3	Nil

Depreciation is not provided on capital work in progress, or land.

Leasehold improvements are depreciated over the remaining life of the lease if this is less than 10 years.

## **Disposal of Property, Plant and Equipment**

Where property, plant or equipment is disposed of, the gain or loss recognised in the Statement of Financial Performance is calculated as the difference between the sale price and the carrying amount. If an asset is sold which has contributed to the revaluation reserve, the related portion of the reserve is transferred to taxpayers' funds.

## **Output Costing Policy**

Costs are assigned to outputs on the following basis:

Costs directly related to the production of outputs are assigned to those outputs

Overhead costs are allocated in three stages:

- At the regional level
- The national level for National Office costs of Higher Courts, District Courts, Collections and Special Jurisdictions
- The national level for the National Office corporate costs.

Overhead costs are allocated on the basis of two major drivers:

- An assessment of personnel time spent on output types
- An assessment of building area usage time on output types.

For the year ended 30 June 2003, direct costs accounted for 83.5% (2001/02 86.2%) of the Department's costs.

## **Commitments**

Commitments are future payments and expenditure to be incurred on capital and operating contracts that have been entered into at balance date and are valued at known cost.

## **Contingent Liabilities**

Contingent liabilities are disclosed at the point at which the contingency is evident.

## **Accounts Receivable**

Accounts receivable are valued at net realisable value, after making allowances for doubtful debts.

## **Revenue Recognition**

Revenue Crown is recognised on the basis of the supply of outputs to the Crown.

Revenue Other is from the supply of goods and services to third parties and other government departments, and is recognised when the goods and services have been provided.

## **Taxation**

The Department for Courts is exempt from the payment of income tax in terms of the Income Tax Act 1994. Accordingly, no income tax charge has been provided.

The Department is subject to fringe benefit tax (FBT) and goods and services tax (GST). It administers pay as you earn tax (PAYE).

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## **Goods and Services Tax (GST)**

The Statements of Departmental and Non Departmental Expenditure and Appropriations and the Statement of Unappropriated Expenditure are inclusive of GST. The GST expense within total appropriations is included based on revenue earned in accordance with Treasury instructions. The Statement of Financial Position is exclusive of GST, except for accounts payable and accounts receivable, which are GST inclusive. All other statements are GST exclusive.

The amount of GST owing to or from Inland Revenue Department at balance date is included in accounts receivable or payable as appropriate.

## **Contribution to the Government Superannuation Fund**

The Department expenses its contributions to the Government Superannuation Fund in the Statement of Financial Performance.

## **Employee Entitlements**

Provision is made in respect of the Department's liability for annual, long service and retirement leave. Annual leave has been calculated on an actual entitlement basis at current rates of pay while the other provisions have been calculated on an actuarial basis, based on the present value of expected future entitlements.

## **Financial Instruments**

The Department is party to financial instruments as part of its normal operations. These financial instruments include bank accounts, debtors, creditors and foreign currency forward contracts. Apart from foreign currency forward contracts, all financial instruments are recognised in the Statement of Financial Position and all revenues and expenses in relation to financial instruments are recognised in the Statement of Financial Performance.

## **Foreign Currency**

Foreign currency transactions are converted into New Zealand dollars at the exchange rate at the date of the transaction.

The Department sometimes enters into foreign currency forward contracts to reduce exposure to fluctuations in foreign currency exchange rates. Where a forward contract has been used to establish the price of a transaction, the forward rate specified in that foreign exchange contract is used to convert that transaction to New Zealand dollars. Consequently, no exchange gain or loss resulting from the difference between the forward exchange contract rate and the spot exchange rate on date of settlement is recognised.

Monetary assets and liabilities are translated to New Zealand dollars at the closing exchange rate. The resulting unrealised exchange gain or loss is recognised in the Statement of Financial Performance. Other exchange gains or losses, whether realised or unrealised, are recognised in the Statement of Financial Performance in the period to which they relate.

## **Leases**

Operating lease payments, where the lessors effectively retain substantially all the risks and benefits of ownership of the leased items, are classified as operating leases. Payments under these leases are charged as expenses in the periods in which they are incurred.

## **Statement of Cash Flows**

Cash means cash balances on hand and held in bank accounts.

Operating activities include cash received from all income sources of the Department, except for the disposal of property, plant and equipment. They also record the cash payments made for the supply of goods and services.

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

Financing activities comprise capital injections by, or repayments of capital to, the Crown.

## **Taxpayers' Funds**

This is the Crown's net investment in the Department.

## **Changes in Accounting Policy**

There have been no material changes in the accounting policies, including cost allocation policies, since the date of the last audited financial statements. All policies have been applied on a consistent basis with those used in the previous year.

# STATEMENT OF FINANCIAL PERFORMANCE

for the year ended 30 June 2003

		<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
	<b>Notes</b>	<b>14</b>	<b>17</b>	<b>19</b>	
<b>Revenue</b>					
Crown		158,384	161,098	159,905	154,446
Department		1,274	2,384	2,515	1,034
Other	<b>1</b>	74,759	85,757	87,906	65,843
Interest		-	-	58	43
Profit on Sale of Assets		-	160	-	-
<b>Total Operating Revenue</b>		<b>234,417</b>	<b>249,399</b>	<b>250,384</b>	<b>221,366</b>
<b>Expenses</b>					
Personnel		90,364	91,453	89,290	83,667
Operating	<b>2</b>	82,795	100,787	96,900	83,123
Depreciation	<b>3</b>	30,381	24,570	26,110	25,274
Capital Charge	<b>4</b>	30,755	30,621	30,621	31,559
<b>Total Output Expenses</b>		<b>234,295</b>	<b>247,431</b>	<b>242,921</b>	<b>223,623</b>
Other Expenses	<b>5</b>	-	-	1,184	-
<b>Total Operating Expenses</b>		<b>234,295</b>	<b>247,431</b>	<b>244,105</b>	<b>223,623</b>
<b>Net Surplus/ (Deficit)</b>		<b>122</b>	<b>1,968</b>	<b>6,279</b>	<b>(2,257)</b>

*Supp.* = Supplementary

# STATEMENT OF FINANCIAL POSITION

as at 30 June 2003

	Notes	Main Estimates 2002/03 (\$'000)	Supp. Estimates 2002/03 (\$'000)	Actual 2002/03 (\$'000)	Actual 2001/02 (\$'000)
		15	18	20	
<b>Assets</b>					
<b>Current Assets</b>					
Cash		8,473	16,692	21,330	13,418
Accounts Receivable	6	61,633	71,530	82,312	69,367
Prepayments		1,010	900	948	785
<b>Total Current Assets</b>		<b>71,116</b>	<b>89,122</b>	<b>104,590</b>	<b>83,570</b>
<b>Non-Current Assets</b>					
Property, Plant and Equipment	7	319,826	356,645	335,876	317,227
<b>Total Non-Current Assets</b>		<b>319,826</b>	<b>356,645</b>	<b>335,876</b>	<b>317,227</b>
<b>Total Assets</b>		<b>390,942</b>	<b>445,767</b>	<b>440,466</b>	<b>400,797</b>
<b>Liabilities and Taxpayers' Funds</b>					
<b>Current Liabilities</b>					
Accounts Payable and Provisions	8	5,830	10,197	14,934	17,585
GST Payable		125	320	951	283
Accrued Expenses		10,998	11,748	13,034	13,712
Provision for Payment of Surplus		1,604	3,450	8,945	3,006
Provision for Employee Entitlements		5,300	4,600	4,496	4,434
<b>Total Current Liabilities</b>		<b>23,857</b>	<b>30,315</b>	<b>42,360</b>	<b>39,020</b>
<b>Non-Current Liabilities</b>					
Provision for Employee Entitlements		2,260	4,100	3,948	3,954
<b>Total Non-Current Liabilities</b>		<b>2,260</b>	<b>4,100</b>	<b>3,948</b>	<b>3,954</b>
<b>Total Liabilities</b>		<b>26,117</b>	<b>34,415</b>	<b>46,308</b>	<b>42,974</b>
<b>Taxpayers' Funds</b>					
General Funds		358,327	373,868	371,684	350,027
Revaluation Reserve	9	6,498	37,484	22,474	7,796
<b>Total Taxpayers' Funds</b>		<b>364,825</b>	<b>411,352</b>	<b>394,158</b>	<b>357,823</b>
<b>Total Liabilities and Taxpayers' Funds</b>		<b>390,942</b>	<b>445,767</b>	<b>440,466</b>	<b>400,797</b>

Supp. = Supplementary

# STATEMENT OF MOVEMENTS IN TAXPAYERS' FUNDS

for the year ended 30 June 2003

		<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
	<b>Notes</b>				
<b>Taxpayers' Funds at the start of the year</b>		<b>358,825</b>	<b>357,823</b>	<b>357,823</b>	<b>350,658</b>
Net Surplus for the year		122	1,968	6,279	(2,257)
Increase/(Decrease) in Revaluation Reserve		-	29,688	14,678	1,298
<b>Total Recognised Revenues and Expenses for the year</b>		<b>122</b>	<b>31,656</b>	<b>20,957</b>	<b>(959)</b>
Capital Contributions from the Crown	<b>10</b>	6,000	23,841	22,841	1,345
Distribution to the Crown for the Provision for the Payment of Surplus to the Crown		(122)	(1,968)	(7,463)	(43)
Department/Crown asset/liability transfer		-	-	-	6,822
<b>Total</b>		<b>5,878</b>	<b>21,873</b>	<b>15,378</b>	<b>8,124</b>
<b>Taxpayers' Funds at the end of the year</b>		<b>364,825</b>	<b>411,352</b>	<b>394,158</b>	<b>357,823</b>

*Supp.* = *Supplementary*

# STATEMENT OF CASH FLOWS

for the year ended 30 June 2003

	<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
<b>Cash Flows from Operating Activities</b>				
<b>Cash was Provided from:</b>				
Supply of Outputs to the Crown	158,384	161,098	159,905	164,622
Supply of Outputs to Department	1,274	7,897	8,349	665
Supply of Outputs to Other	63,537	55,574	50,381	44,300
Net GST received	-	37	668	(75)
Interest	-	-	58	43
<b>Total Cash Flows from Operating Activities</b>	<b>223,195</b>	<b>224,606</b>	<b>219,361</b>	<b>209,555</b>
<b>Cash was Disbursed to:</b>				
Costs of Producing Outputs	(162,903)	(178,283)	(168,947)	(140,069)
Capital Charge	(30,755)	(30,621)	(30,621)	(31,559)
<b>Total Cash Disbursed for Operating Activities</b>	<b>(193,658)</b>	<b>(208,904)</b>	<b>(199,568)</b>	<b>(171,628)</b>
<b>Net Cash Flows from Operating Activities</b>	<b>29,537</b>	<b>15,702</b>	<b>19,793</b>	<b>37,927</b>
<b>Cash Flows from Investing Activities</b>				
<b>Cash was Provided from:</b>				
Sale of Property, Plant and Equipment	-	830	926	1,187
<b>Cash was Disbursed to:</b>				
Purchase of Property, Plant and Equipment	(29,206)	(35,575)	(34,124)	(45,360)
<b>Net Cash Flows from Investing Activities</b>	<b>(29,206)</b>	<b>(34,745)</b>	<b>(33,198)</b>	<b>(44,173)</b>
<b>Cash Flows from Financing Activities</b>				
<b>Cash was Provided from:</b>				
Capital Contribution	6,000	23,841	22,841	1,345
<b>Cash was Disbursed to:</b>				
Payment of Net Surplus	(1,910)	(1,524)	(1,524)	-
<b>Net Cash Flows from Financing Activities</b>	<b>4,090</b>	<b>22,317</b>	<b>21,317</b>	<b>1,345</b>
Net Increase/(Decrease) in Cash Held	4,421	3,274	7,912	(4,901)
Add Opening Cash	4,052	13,418	13,418	18,319
<b>Closing Cash</b>	<b>8,473</b>	<b>16,692</b>	<b>21,330</b>	<b>13,418</b>

*Supp.* = Supplementary

# RECONCILIATION OF NET OPERATING SURPLUS / (DEFICIT) TO NET OPERATING CASH FLOWS

for the year ended 30 June 2003

	<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
<b>Surplus From Statement of Financial Performance</b>	<b>122</b>	<b>1,968</b>	<b>6,279</b>	<b>(2,257)</b>
<b>Add/(Deduct) Non Cash Items</b>				
Depreciation	30,381	24,600	26,110	25,274
Other expense	-	-	1,184	-
Asset Writeoffs	-	-	1,115	4,878
Provision for Employee Entitlements	-	-	(6)	1,822
	<u>30,381</u>	<u>24,600</u>	<u>28,403</u>	<u>31,974</u>
<b>Add/(Deduct) Movements in Working Capital Items</b>				
(Increase)/Decrease in Accounts Receivable	(966)	(2,163)	(12,945)	(3,496)
(Increase)/Decrease in Prepayments	-	(115)	(163)	279
Increase/(Decrease) in Accounts Payable and Provisions	-	(1,535)	(2,651)	5,987
Increase/(Decrease) in GST Payable	-	37	668	(75)
Increase/(Decrease) in Provision for Employee Entitlements	-	312	62	(1,164)
Increase/(Decrease) in Accrued Expenses	-	(7,242)	(678)	7,364
<b>Movement in Working Capital</b>	<u>(966)</u>	<u>(10,706)</u>	<u>(15,707)</u>	<u>8,895</u>
<b>Add/(Deduct) Items Classified as Investing Activities</b>				
Loss/(Gain) on Sale of Property, Plant and Equipment	-	(160)	77	404
(Increase)/Decrease in Accounts Payable and Accrued Expenses for Property, Plant and Equipment	-	-	741	(1,089)
<b>Movement in Investing Activities</b>	<u>-</u>	<u>(160)</u>	<u>818</u>	<u>(685)</u>
<b>Net Cash Flows From Operating Activities</b>	<u>29,537</u>	<u>15,702</u>	<u>19,793</u>	<u>37,927</u>

Supp. = Supplementary

## STATEMENT OF COMMITMENTS

as at 30 June 2003

	<i>Actual</i> 2002/03 (\$000)	<i>Actual</i> 2001/02 (\$000)
<b>Capital Commitments</b>		
Less than one year	461	8,058
<b>Total Capital Commitments</b>	<b>461</b>	<b>8,058</b>
<b>Operating Commitments</b>		
Less than one year	12,914	11,157
One to two years	11,249	9,704
Two to five years	16,689	17,778
More than five years	31,839	30,448
<b>Total Operating Commitments</b>	<b>72,691</b>	<b>69,087</b>
<b>Total Commitments</b>	<b>73,152</b>	<b>77,145</b>

The Department has long-term leases on its premises throughout New Zealand.

These annual lease payments are subject to regular reviews, ranging from three to ten years, and comprise \$49.690 million of total operating commitments (2001/02: \$47.660 million).

The Department has entered into non-cancellable contracts for telephone network services, computer maintenance and other contracts for service. These contracts totalled \$23.001 million as at 30 June 2003 (2001/02: \$20.828 million).

Capital commitments relate to contracts entered into as part of the Modernisation Programme for \$0.364 million (2001/02: \$2.572 million) and for the upgrading and construction of courts for \$0.097 million (2001/02: \$5.486 million).

## STATEMENT OF CONTINGENT LIABILITIES

as at 30 June 2003

	<i>Actual</i> 2002/03 (\$000)	<i>Actual</i> 2001/02 (\$000)
<b>Legal Proceedings and Disputes</b>		
Quantifiable	1,442	715
<b>Total Contingent Liabilities</b>	<b>1,442</b>	<b>715</b>

The claims relate primarily to false imprisonment, personal grievances, and loss of income.

## GUARANTEES AND INDEMNITIES

The Acts administered by the Department have been reviewed and all guarantees and indemnities fall into normal business guarantees and indemnities, which are non-quantifiable.

## STATEMENT OF DEPARTMENTAL EXPENDITURE AND APPROPRIATIONS

for the year ended 30 June 2003

Vote: Courts	Notes	Main Estimates 2002/03 (\$000)	Supp. Estimates 2002/03 (\$000)	Approp'n Voted* 2002/03 (\$000)	Actual 2002/03 (\$000)	Actual 2001/02 (\$000)
		16	21			
<b>Output Class Appropriations</b>						
OC1	Policy Advice and Ministerial Servicing	1,960	2,228	2,228	2,039	1,839
OC2	Collection or Enforcement of Fines and Civil Debts	58,947	66,181	68,991	67,946	51,611
OC3	Case Management - Criminal	97,685	105,781	102,821	100,820	96,783
OC4	Case Management - Civil	68,500	65,175	65,325	65,107	66,285
OC5	Tribunals and Other Authorities	18,225	18,900	18,900	18,051	16,446
OC6	Māori Land Information and Case Management	11,986	12,700	12,700	12,656	12,172
OC7	Waitangi Tribunal	6,296	7,621	7,621	7,593	6,154
<b>Total Output Class Appropriations</b>		<b>263,599</b>	<b>278,586</b>	<b>278,586</b>	<b>274,212</b>	<b>251,290</b>
<b>Capital Contribution Appropriation</b>		<b>6,000</b>	<b>23,841</b>	<b>23,841</b>	<b>22,841</b>	<b>1,345</b>

Supp. = Supplementary; Approp'n. = appropriation

\* These amounts include adjustments made in the Supplementary Estimates and transfers made between outputs under s 5 of the Public Finance Act 1989.

## TRANSFERS UNDER SECTION 5 OF THE PUBLIC FINANCE ACT 1989

for the year ended 30 June 2003

	Supp. Estimates (\$000)	Section 5 Transfers (\$000)	Final Appropriation (\$000)	
<b>Departmental Output Class</b>				
OC1	Policy Advice and Ministerial Servicing	2,228	-	2,228
OC2	Collection or Enforcement of Fines and Civil Debts	66,181	2,810	68,991
OC3	Case Management - Criminal	105,781	(2,960)	102,821
OC4	Case Management - Civil	65,175	150	65,325
OC5	Tribunals and Other Authorities	18,900	-	18,900
OC6	Māori Land Information and Case Management	12,700	-	12,700
OC7	Waitangi Tribunal	7,621	-	7,621
<b>Total Departmental Output Classes</b>		<b>278,586</b>	<b>-</b>	<b>278,586</b>

Supp. = Supplementary; Section 5 = Section 5 of the Public Finance Act 1989

The transfer provides for the latest forecast outturns. Of note, it has been recognised since Supplementary Estimates that the fines provisioning movement and fines remission expense forecast allocations between output class two and output class three needed to be adjusted to reflect actual results.

## STATEMENT OF UNAPPROPRIATED DEPARTMENTAL EXPENDITURE

for the year ended 30 June 2003

	Actual 2002/03 (\$000)	Approp'n 2002/03 (\$000)	Unapprop. Expenditure 2002/03 (\$000)	Unapprop. Expenditure 2001/02 (\$000)
<b>Departmental Other Expenses:</b>	1,184	-	1,184	-

Approp'n = Appropriation, Unapprop. = Unappropriated

An independent review of the carrying value of the Case Management System has resulted in a write-down in its capital value. This resulted in an unappropriated departmental other expense. Approval of the above unappropriated expenditure has been obtained under s 12 of the Public Finance Act 1989.

## RECONCILIATION OF OUTPUT COSTS FOR GST

for the year ended 30 June 2003

	Main Estimates 2002/03 (\$000)	Supp. Estimates 2002/03 (\$000)	Actual 2002/03 (\$000)	Actual 2001/02 (\$000)
<b>Total Operating Expenses in Departmental Statement of Financial Performance</b>	<b>234,295</b>	<b>247,431</b>	<b>242,921</b>	<b>223,623</b>
GST on Revenue Crown	19,800	20,137	19,989	19,306
GST on Revenue Department	159	298	314	129
GST on Revenue Other	9,345	10,720	10,988	8,232
<b>Total GST</b>	<b>29,304</b>	<b>31,155</b>	<b>31,291</b>	<b>27,667</b>
<b>Total Operating Appropriations in Departmental Statement of Appropriations and Expenditure</b>	<b>263,599</b>	<b>278,586</b>	<b>274,212</b>	<b>251,290</b>

Supp. = Supplementary

	<i>Actual Output Class Cost GST Excl (\$000)</i>	<i>GST on Total Revenue (\$000)</i>	<i>GST Inclusive Vote (\$000)</i>
<b>Departmental Output Class</b>			
OC1 Policy Advice and Ministerial Servicing	1,791	248	2,039
OC2 Collection or Enforcement of Fines and Civil Debts	59,358	8,588	67,946
OC3 Case Management - Criminal	89,806	11,014	100,820
OC4 Case Management - Civil	58,039	7,068	65,107
OC5 Tribunals and Other Authorities	15,936	2,115	18,051
OC6 Māori Land Information and Case Management	11,245	1,411	12,656
OC7 Waitangi Tribunal	6,746	847	7,593
<b>Total Departmental Output Classes</b>	<b>242,921</b>	<b>31,291</b>	<b>274,212</b>

# STATEMENT OF TRUST MONIES ADMINISTERED ON BEHALF OF THE CROWN

for the year ended 30 June 2003

The following trust money was administered on behalf of the Crown under Part VII of the Public Finance Act 1989.

The statement shows the opening and closing trust balances, and the movements during the year.

	<i>Court Law Trust Account (\$000)</i>	<i>Fines Trust Account (\$000)</i>	<i>Māori Land Court Trust Account (\$000)</i>	<i>Foreign Currency Trust Account (\$000)</i>
<b>Opening Cash Balance</b>	<b>9,559</b>	<b>26,130</b>	<b>48</b>	<b>215</b>
Contributions	27,964	148,033	2	926
Distributions	(27,749)	(162,436)	(8)	(1,137)
Revenue	-	-	1	1
<b>Closing Cash Balance</b>	<b>9,774</b>	<b>11,727</b>	<b>43</b>	<b>5</b>

## COURT LAW TRUST

This trust account holds deposits made by persons filing for action in the District Court, the High Court or the Court of Appeal. There are 68 individual Law Trust accounts, which are managed by the individual Court and Collections offices.

## FINES TRUST ACCOUNT

This trust account holds deposits for all fines collected and associated fees prior to disbursement back to the Crown, the Department (output classes two and three), local authorities or victims. Fines collected are Court-imposed fines (including reparations) and infringement fines collected on behalf of Police, local authorities, and other prosecuting agencies.

## MĀORI LAND COURT TRUST

This trust account holds money received that relates to the filing of an application for confirmation by the Court of a resolution for the sale or lease of land. This account is also used for holding security for costs on appeals.

## FOREIGN CURRENCY TRUST

This trust account holds foreign currency in a trust account until completion of any pending admiralty cases as directed by the High Court.

## NON DEPARTMENTAL STATEMENTS AND SCHEDULES

The following non-departmental statements and schedules record the expenses, revenue and receipts, assets and liabilities that the Department for Courts manages on behalf of the Crown.

Measurement and recognition rules applied in the preparation of these non-departmental statements and schedules are consistent with generally accepted accounting practice and Crown accounting policies.

The non-departmental balances are consolidated into the Crown Financial Statements and therefore readers of these statements and schedules should also refer to the Crown Financial Statements for 2002/03.

# STATEMENT OF NON-DEPARTMENTAL EXPENDITURE AND APPROPRIATIONS

for the year ended 30 June 2003

Vote: Courts		Main Estimates 2002/03 (\$000)	Supp. Estimates 2002/03 (\$000)	Actual 2002/03 (\$000)	Actual 2001/02 (\$000)
	Notes	22	23	24	
<b>Other Expenses to be Incurred by the Crown, Annual Appropriations</b>					
Abortion Supervisory Committee					
- Certifying Consultant Fees		3,500	3,500	3,528	3,367
Assistance to Victims of Crime		45	45	35	-
Children Young Persons and their Families Professional Costs					
Coroner related Fees and Expenses		6,752	7,212	7,172	6,705
Coroner-directed Post-mortems		1,200	1,200	882	1,179
Costs in Criminal Cases		5,300	5,775	5,242	5,194
Family Court Counselling and Professional Services		90	150	185	130
Fees associated with Orders under the Domestic Violence Act		22,000	23,380	22,956	21,513
Judicial Review Costs		5,000	4,810	3,946	4,476
Justices of the Peace Association		600	600	185	463
Medical and Other Professional Services		155	155	155	150
Motor Vehicle Disputes Tribunal Adjudicator Remuneration and Assessors Costs		1,800	1,800	1,759	1,720
Offenders and Civil Legal Aid		445	281	267	-
Personal Protection Property Rights Costs		100	100	125	68
Representations for Blood Sampling		1,100	1,100	1,008	990
Witness Fees and Expenses		11	11	-	-
Youth Court Professional Fees		2,000	2,500	2,297	2,267
		4,300	4,300	4,126	4,295
<b>Total Other Expenses, Annual Appropriations</b>		<b>54,398</b>	<b>56,919</b>	<b>53,868</b>	<b>52,517</b>
<b>Other Expenses to be Incurred by the Crown, Other</b>					
Judges' Salaries and Allowances		46,548	48,400	47,584	44,055
<b>Total Non-Departmental Other Expenses Appropriation</b>		<b>100,946</b>	<b>105,319</b>	<b>101,452</b>	<b>96,572</b>

Supp. = Supplementary

**ABORTION SUPERVISORY COMMITTEE - CERTIFYING CONSULTANTS FEES**

Payments to Certifying Consultants for providing opinions under s 33 of the Contraception, Sterilisation, and Abortion Act 1977.

**ASSISTANCE TO VICTIMS OF CRIME**

Funding for the Criminal Justice Assistance Reimbursement Scheme.

**CHILDREN YOUNG PERSONS AND THEIR FAMILIES PROFESSIONAL COSTS**

Payments to Court-appointed counsel and specialists providing reports as directed by the Court in relation to care and protection orders under the Children, Young Persons and Their Families Act 1989.

**CORONERS RELATED FEES AND EXPENSES**

Payments to Coroners for the performance of their judicial responsibilities.

**CORONERS-DIRECTED POST-MORTEMS**

Cost of pathology services and mortuary facilities for Coroners-directed post-mortems.

**COSTS IN CRIMINAL CASES**

Costs awarded to defendants by a Court under the Costs in Criminal Cases Act 1967.

**FAMILY COURT COUNSELLING AND PROFESSIONAL SERVICES**

Payments to Court-appointed counsel and specialists providing reports and counselling as directed by the Court in relation to custody and access matters and matrimonial disputes.

**FEES ASSOCIATED WITH ORDERS UNDER THE DOMESTIC VIOLENCE ACT**

Payments to Court-appointed counsel and programme providers in relation to the Domestic Violence Act 1995.

**JUDICIAL REVIEW COSTS**

Cost of legal services in case of Judicial Review.

**JUSTICES OF THE PEACE ASSOCIATION**

Cost of administrative services from the Royal Federation of Justices to roster Justices of the Peace for court hearings.

**MEDICAL AND OTHER PROFESSIONAL SERVICES**

Funding for medical and other professional services as required by legislation.

**MOTOR VEHICLE DISPUTES TRIBUNAL ADJUDICATOR REMUNERATION AND ASSESSORS COSTS**

Remuneration paid to Adjudicators and fees and allowances paid to Assessors of the Motor Vehicle Disputes Tribunal.

**OFFENDERS AND CIVIL LEGAL AID**

Funding for civil legal aid payments (applications prior to February 1992).

**PERSONAL PROTECTION PROPERTY RIGHTS COSTS**

Payments to service providers appointed by the Court under the Protection of Personal and Property Rights Act 1988.

## REPRESENTATION FOR BLOOD SAMPLING

Cost of representation for parties (aged under 17) appearing before the Court with regard to providing blood samples in criminal investigations.

## WITNESS FEES AND EXPENSES

Payments to ordinary and expert witnesses appearing in criminal jury trials.

## YOUTH COURT PROFESSIONAL FEES

Payments to Court-appointed counsel and specialists providing reports as directed in the Youth Court.

## JUDGES' SALARIES AND ALLOWANCES

Costs related to the terms and conditions of remuneration for Judges in the Court of Appeal, High Court, District Court and Māori Land Court incurred pursuant to s 9A of the Judicature Act 1908, s 6 of the District Courts Act 1947 and s 13 of the Te Ture Whenua Māori Land Act 1993.

# SCHEDULE OF NON-DEPARTMENTAL REVENUE

for the year ended 30 June 2003

<i>Vote: Courts</i>	<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
<b>Revenue</b>				
Court Fines	120,222	158,988	145,798	193,165
Money forfeit to the Crown	2	2	10	39
<b>Total Revenue</b>	<b>120,224</b>	<b>158,990</b>	<b>145,808</b>	<b>193,204</b>

*Supp.* = Supplementary

# SCHEDULE OF NON-DEPARTMENTAL EXPENDITURE

for the year ended 30 June 2003

<i>Vote: Courts</i>	<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
<b>Expenses</b>				
Personnel - Judges Salaries and Allowances	46,548	48,400	47,584	44,055
Change in debt provisions	4,776	30,656	10,856	77,948
Debt write-offs	18,241	18,273	19,379	20,250
Other operating	54,398	56,919	53,868	52,517
<b>Total Operating Expenses</b>	<b>123,963</b>	<b>154,248</b>	<b>131,687</b>	<b>194,770</b>

*Supp.* = Supplementary

## SCHEDULE OF NON-DEPARTMENTAL ASSETS AND LIABILITIES

as at 30 June 2003

	<i>Main Estimates 2002/03 (\$000)</i>	<i>Supp. Estimates 2002/03 (\$000)</i>	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
<b>Assets</b>				
Current Assets				
Cash and Bank Balances	15,885	3,900	14,519	6,868
Fines Collectable	218,313	276,397	251,868	215,241
Less provision for doubtful debt	(75,985)	(106,559)	(86,768)	(75,903)
Net fines collectable	142,328	169,838	165,100	139,338
<b>Total Current Assets</b>	<b>158,213</b>	<b>173,738</b>	<b>179,619</b>	<b>146,206</b>
Crown Charges				
Sundry Debtors	10,296	8,955	8,282	8,981
	-	-	2,208	16,677
<b>Total Assets</b>	<b>168,509</b>	<b>182,693</b>	<b>190,109</b>	<b>171,864</b>
Current Liabilities				
Accounts Payable and Provisions	29,651	22,830	22,888	29,307
<b>Total Liabilities</b>	<b>29,651</b>	<b>22,830</b>	<b>22,888</b>	<b>29,307</b>

Supp. = Supplementary

## SCHEDULE OF NON-DEPARTMENTAL COMMITMENTS

as at 30 June 2003

	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
<b>Capital Commitments</b>		
Less than one year	-	-
<b>Total Capital Commitments</b>	<b>-</b>	<b>-</b>
<b>Operating Commitments</b>		
Less than one year	5,169	5,881
One to two years	-	-
Two to five years	-	-
More than five years	-	-
<b>Total Operating Commitments</b>	<b>5,169</b>	<b>5,881</b>
<b>Total Commitments</b>	<b>5,169</b>	<b>5,881</b>

## SCHEDULE OF NON-DEPARTMENTAL CONTINGENT LIABILITIES

as at 30 June 2003

	Actual 2002/03 (\$000)	Actual 2001/02 (\$000)
<b>Legal Proceedings and Disputes</b>		
Quantifiable	7,813	1,887
<b>Total Contingent Liabilities</b>	<b>7,813</b>	<b>1,887</b>

In 2003 a contingent liability of \$6.0 million was provided for one claim relating to a matrimonial property hearing.

## STATEMENT OF NON-DEPARTMENTAL UNAPPROPRIATED EXPENDITURE

for the year ended 30 June 2003

	Actual 2002/03 (\$000)	Approp'n 2002/03 (\$000)	Unapprop. Expenditure 2002/03 (\$000)	Unapprop. Expenditure 2001/02 (\$000)
<b>Non-Departmental Expenditure</b>				
Offenders and Civil Legal Aid	125	100	25	-
Witness Fees and Expenses	-	-	-	267
Abortion Supervisory Committee - Certifying Consultants Fees	3,528	3,500	28	-
Costs in Criminal Cases	185	150	35	40
<b>Total Non-Departmental Expenditure</b>	<b>3,838</b>	<b>3,750</b>	<b>88</b>	<b>307</b>

*Approp'n = Appropriation; Unapprop = Unappropriated*

Approval of the above unappropriated expenditure has been obtained under s 12 of the Public Finance Act 1989.

## UNAPPROPRIATED EXPENDITURE IN 2002/03

### NON-DEPARTMENTAL: OFFENDERS AND CIVIL LEGAL AID

This appropriation is to fund civil legal aid payments for applications prior to February 1992. This expenditure is unpredictable in nature and unavoidable. In the last two financial years the actual expenditure incurred was within the appropriation. There was no indication at the time of the Final Technical Changes budget baseline submission that the appropriation would be exceeded. Most of the expenditure incurred during this financial year was for legal representation costs for one individual in a civil case.

### NON-DEPARTMENTAL: ABORTION SUPERVISORY COMMITTEE - CERTIFYING CONSULTANTS FEES

This expenditure is volume driven. The costs incurred under this appropriation are for fees payable to Certifying Consultants for providing opinions under s 33 of the Contraception, Sterilisation, and Abortion Act 1977. A forecast increase in expenditure was not provided for in Supplementary Estimates as volumes were expected to remain at a similar level as 2001/02. However, there was a greater demand in the last quarter of the 2002/03 financial year compared with previous years.

### NON-DEPARTMENTAL: COSTS IN CRIMINAL CASES

This appropriation is to meet costs awarded to defendants by a Court under the Costs of Criminal Cases Act 1967. These costs are difficult to forecast accurately as they are driven by the validity of criminal prosecutions, which is a factor outside the control of the Department for Courts. A forecast increase in this appropriation was provided for in the Supplementary Estimates but the actual costs incurred over the last quarter of this financial year were greater than expected.

## UNAPPROPRIATED EXPENDITURE IN 2001/02

### NON-DEPARTMENTAL: WITNESS FEES AND EXPENSES

These costs are driven by the actions of the Crown Law Office and the Police who use Crown witnesses to appear in criminal jury trials. Witness fees and expenses associated with the Bouwer (\$0.194 million) and Taylor (\$0.091 million) trials, held at the Christchurch High Court, have driven the over-expenditure.

### NON-DEPARTMENTAL: COSTS IN CRIMINAL CASES

These costs are difficult to forecast accurately as they are not volume driven but are driven by the validity of criminal prosecutions. The defendant was awarded \$0.064 million costs after a case put by the Inland Revenue Department was dismissed.

# NOTES TO THE FINANCIAL STATEMENTS

for the year ended 30 June 2003

## Note 1: Revenue Other

	<i>Actual</i> <i>2002/03</i> <i>(\$000)</i>	<i>Actual</i> <i>2001/02</i> <i>(\$000)</i>
Court Costs	21,464	19,520
Enforcement Fees	38,058	16,662
Filing Fees	17,520	17,997
Other	10,864	11,664
<b>Total Revenue Other</b>	<b><u>87,906</u></b>	<b><u>65,843</u></b>

## Note 2: Operating Expenses

	<i>Actual</i> <i>2002/03</i> <i>(\$000)</i>	<i>Actual</i> <i>2001/02</i> <i>(\$000)</i>
Fee for Audit of Financial Statements	190	190
Fees to Auditors for Other Services Provided	18	1
Leases	6,124	5,933
Debt and fine writeoffs	7,652	6,048
Judicial Support	13,052	14,116
Professional/Counselling Fees	19,294	18,405
Increase in Provision for Doubtful Debts	11,688	1,575
Loss on Sale of Property, Plant and Equipment	77	403
Asset writeoffs	1,115	4,878
Other Departmental Operating	37,690	31,574
<b>Total Operating Expenses</b>	<b><u>96,900</u></b>	<b><u>83,123</u></b>

### DEBT AND FINE WRITE-OFFS

These are primarily fines that have been remitted by the Judiciary. A remitted fine is often replaced by another fine or by an alternative sentence.

### ASSET WRITE-OFFS

These include assets disposed of at nil value, that have been depreciated over their useful lives, but still had remaining a book value. It also includes costs associated with assets that are deemed to have no ongoing benefits.

### Note 3: Depreciation

	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
Buildings	12,024	12,049
Plant and Equipment	13,000	12,046
Furniture and Fittings	821	914
Motor Vehicles	265	265
<b>Total Depreciation Charge</b>	<b><u>26,110</u></b>	<b><u>25,274</u></b>

### Note 4: Capital Charge

The Department pays a capital charge to the Crown on Taxpayers' Funds as at 30 June and 31 December each year. The capital charge rate for the year ended 30 June 2003 was 8.5% (9% for 2001/02).

### Note 5: Asset write-down

An independent review of the carrying value and economic life of the Case Management System resulted in a write-down of \$1.318 million off the carrying value of the asset through the recognition of \$0.201 additional depreciation against Departmental Output Classes and an unappropriated Departmental Other Expense of \$1.184 million (GST not applicable).

### Note 6: Receivables and Advances

	<i>Actual 2002/03 (\$000)</i>	<i>Actual 2001/02 (\$000)</i>
Fines Debtors (court costs and enforcement fees)	131,006	100,209
less Provision for Doubtful Debts	50,892	39,864
<b>Net Trade Receivables</b>	<b><u>80,114</u></b>	<b><u>60,345</u></b>
Sundry Debtors	2,106	2,365
Owed by the Crown	-	6,618
Debtor Crown	-	-
Employee Advances	92	39
<b>Total Accounts Receivable</b>	<b><u>82,312</u></b>	<b><u>69,367</u></b>

## Note 7: Property, Plant and Equipment

	<i>Cost or Valuation 2002/03 (\$000)</i>	<i>Accum. Dep'n 2002/03 (\$000)</i>	<i>Carrying Amount 2002/03 (\$000)</i>	<i>Cost or Valuation 2001/02 (\$000)</i>	<i>Accum. Dep'n 2001/02 (\$000)</i>	<i>Carrying Amount 2001/02 (\$000)</i>
Land (at valuation)	65,212	-	65,212	49,603	-	49,603
Buildings - Improvements (at valuation)	132,899	-	132,899	128,246	-	128,246
Buildings - Fit Out	134,474	74,309	60,165	129,473	66,896	62,577
Plant and Equipment	80,526	46,282	34,244	72,413	36,682	35,731
Furniture and Fittings	20,867	18,605	2,262	20,378	18,216	2,162
Motor Vehicles	4,310	2,192	2,118	4,168	2,436	1,732
Other Assets	-	-	-	-	-	-
Work in Progress	38,976	-	38,976	37,176	-	37,176
<b>Total</b>	<b>477,264</b>	<b>141,388</b>	<b>335,876</b>	<b>441,457</b>	<b>124,230</b>	<b>317,227</b>

*Accum. Dep'n = Accumulated Depreciation*

The Department has assets valued at \$49.45 million listed under the Historic Places Trust Act 1993 (2001/02: \$40.93 million).

The fair value of the land and buildings valued by DTZ New Zealand Limited as at 30 June 2003 was \$198.111 million (2001/02: \$177.849 million).

## Note 8: Accounts Payable and Provision

<b>8A</b>	<i>Actual</i> <b>2002/03</b> <i>(\$000)</i>	<i>Actual</i> <b>2001/02</b> <i>(\$000)</i>
Accounts payable	6,617	10,515
Provisions (Note 8B)	2,524	1,791
Owing to Fines Trust Account	5,793	5,279
<b>Total Accounts Payable and Provisions</b>	<b>14,934</b>	<b>17,585</b>

<b>8B Provisions</b> <b>2002/03</b>	<i>Refurb</i> <i>(\$000)</i>	<i>Remun.</i> <i>Related</i> <i>(\$000)</i>	<i>Restruct.</i> <i>(\$000)</i>	<i>Other</i> <i>(\$000)</i>	<i>Total</i> <i>(\$000)</i>
<b>Opening balance</b>	<b>120</b>	<b>1,157</b>	<b>312</b>	<b>202</b>	<b>1,791</b>
Additional provisions made during the year	100	750	200	569	1,619
Charged against provision for the year	(53)	(247)	(312)	-	(612)
Unused amounts reversed during the year	(67)	-	-	(207)	(274)
<b>Closing balance</b>	<b>100</b>	<b>1,660</b>	<b>200</b>	<b>564</b>	<b>2,524</b>

<b>2001/02</b>	<i>Refurb.</i> <i>(\$000)</i>	<i>Remun.</i> <i>Evaluation</i> <i>(\$000)</i>	<i>Restruct.</i> <i>(\$000)</i>	<i>Other</i> <i>(\$000)</i>	<i>Total</i> <i>(\$000)</i>
<b>Opening balance</b>	<b>420</b>	<b>-</b>	<b>-</b>	<b>202</b>	<b>622</b>
Additional provisions made during the year	81	1,157	312	-	1,550
Charged against provision for the year	(180)	-	-	-	(180)
Unused amounts reversed during the year	(201)	-	-	-	(201)
<b>Closing balance</b>	<b>120</b>	<b>1,157</b>	<b>312</b>	<b>202</b>	<b>1,791</b>

*Refurb.* = Refurbishment; *Remun.* = Remuneration; *Restruct.* = Restructuring.

The refurbishment provision represents amounts relating to "make good" provisions in property lease contracts Department for Courts have relinquished.

The Department for Courts began an exercise at the start of July 2002 to evaluate and revise current remuneration structures. As at 30 June 2003 \$1.847 million has been paid to staff, \$0.910 million has been provided to cover those staff whose salary reviews have yet to be finalised. An additional \$0.750 million was provided for employee performance payments that are expected to be paid out in 2004, relating to 2003 performance reviews under the new remuneration structures.

The opening balance of the restructuring provision arises from the restructuring of the Special Jurisdictions Group. This was completed during 2003. In 2003 \$0.200 million was provided for costs arising out of the planned merger between Department for Courts and Ministry of Justice on 1 October 2003.

## Note 9: Revaluation Reserve

	<i>Land</i> <i>2002/03</i> <i>(\$000)</i>	<i>Buildings</i> <i>2002/03</i> <i>(\$000)</i>	<i>Total</i> <i>2002/03</i> <i>(\$000)</i>	<i>Land</i> <i>2001/02</i> <i>(\$000)</i>	<i>Buildings</i> <i>2001/02</i> <i>(\$000)</i>	<i>Total</i> <i>2001/02</i> <i>(\$000)</i>
Balance brought forward	1,594	6,202	7,796	565	5,933	6,498
<b>Adjusted balance</b>	<b>1,594</b>	<b>6,202</b>	<b>7,796</b>	<b>565</b>	<b>5,933</b>	<b>6,498</b>
Revaluation changes for current year	16,052	(1,374)	14,678	1,029	269	1,298
<b>Closing Balance</b>	<b>17,646</b>	<b>4,828</b>	<b>22,474</b>	<b>1,594</b>	<b>6,202</b>	<b>7,796</b>

## Note 10: Movements in Taxpayers' Funds

The Department received \$22.841 million in capital contributions for:

- The development and implementation of an extended Collections contact centre (\$2.800 million)
- To fund working capital pressures and highest property related risks facing the Department (\$3.000 million)
- To improve and sustain the effectiveness of the Environment Court (\$0.200 million)
- Providing for the purchase of assets associated with the appointment of two additional District Court Judges (\$0.103 million)
- To complete the development of the Case Management System (\$5.000 million)
- The Fines Collection at International Airports new initiative (\$0.525 million)
- A working capital injection to support higher fines debtors (\$10.000 million)
- For the establishment of a New Zealand Supreme Court (\$1.213 million).

The capital contribution appropriation in 2001/02 was for \$1.345 million for the purchase of assets associated with the implementation of sentencing reform and implementation of the Property (Relationships) Amendment Act 2001 and a capital contribution for the 2000/01 realised gains on sales of fixed assets.

The Provision for Payment of Surplus represents the 2003 surplus \$7.664 million. In 2001/02, the Provision for Payment of Surplus matches interest received in the Statement of Financial Performance.

## **Note 11: Financial Instruments**

The Department is party to financial instrument arrangements as part of its everyday operations. These include instruments such as bank balances, investments, accounts receivable, and foreign currency forward contracts.

### **CREDIT RISK**

In the normal course of its business, the Department incurs credit risk from sundry debtors, fines debtors, and transactions with financial institutions and the New Zealand Debt Management Office.

The Department does not require any collateral or security to support financial instruments with financial institutions that the Department deals with, nor with the New Zealand Debt Management Office, as these entities have high credit ratings. Provision is made in the Statement of Financial Performance for the expected level of fines that will not be collected and for sundry debtors.

### **FAIR VALUE**

The fair value is the equivalent to the carrying amount disclosed in the Statement of Financial Position.

### **INTEREST RATE RISK**

The Department has no significant exposure to interest rate risk on its financial instruments.

All interest, net of bank fees, earned on short-term deposits with the New Zealand Debt Management Office is returned to the Crown as part of the surplus repayable to the Crown.

### **CURRENCY RISK**

Currency risk is the risk that debtors and creditors due in foreign currency will fluctuate because of changes in foreign exchange rates.

The Department uses foreign exchange forward contracts to manage foreign exchange exposures. There are no forward exchange contracts in place at balance date.

## **Note 12: Related Party Information**

The Department is a wholly owned entity of the Crown. The Government significantly influences the roles of the Department as well as being its major source of revenue.

The Department enters into numerous transactions with other government departments, Crown agencies and state-owned enterprises on an arms length basis. These transactions are not considered related party transactions.

## **Note 13: Events Occurring after Balance Date**

Under the State Sector Amendment Act 2003, the Department for Courts is to be merged with the Ministry of Justice effective from 1 October 2003. The Financial Statements have not, therefore, been prepared using the going concern assumption. However, there has been no change to the measurement basis used for assets and liabilities because the carrying value is not expected to be materially different to the realisable value. Assets and liabilities shown in the Statement of Financial Position, commitments contained in the Statement of Commitments and contingent liabilities contained in the Statement of Contingent Liabilities are to be transferred to the Ministry of Justice at their carrying value effective 1 October 2003.

***Variance Explanations Between Main Estimates 2002/03 Budget Figures and Supplementary Estimates Budget Figures for 2002/03 for Departmental Financial Results.***

**Note 14: Variances in Statement of Financial Performance**

The increase in revenue and expenses reflects appropriation increases for the forecasting changes for fines revenue provisioning and remissions, Case Management System (CMS) technology project, additional support costs for two additional District Court Judges and a new inquiry process for historical Māori land claims. There was also a decrease relating to the delay in enactment of the Motor Vehicle Sales Act 2003 and expense transfers of Collections contact centre funding, Land Valuation Tribunal funding and Child Victims and Child Witness Education Programme funding to 2003/04.

**Note 15: Variances in Statement of Financial Position**

The higher cash balance is mainly the result of the working capital injection to support higher fines debtors (\$10.000 million). Accounts receivable is higher due to a revised Fines collection forecast that resulted in higher fines revenue and subsequently a higher fines debtor balance. The increase in Fixed Assets and the Revaluation reserve was based on the early indicators from the valuers regarding the 2003 valuation exercise for Land and Buildings.

**Note 16: Variances in Statement of Departmental Expenditure and Appropriations**

The changes in appropriations between output classes reflect fiscally neutral transfers of resources between output classes and reflects appropriation increases described in Note 14. There was also a decrease relating to the delay in enactment of the Motor Vehicle Sales Act 2003 and expense transfers of Collections contact centre funding, Land Valuation Tribunal funding and Child Victims and Child Witness Education Programme funding to 2003/04. Full details of the changes are detailed in the publication The Supplementary Estimates of Appropriations.

***Variance Explanations Between Actual 2002/03 and Supplementary Estimates Budget 2002/03 for Departmental Financial Results.***

**Note 17: Variances in Statement of Financial Performance**

The variance in Crown revenue relates to the approved in principle expense transfers of Collections contact centre funding and Case Management System funding to 2003/04. The increase in Other Revenue is mainly due to higher Fines Revenue than originally forecast. The decrease in Operating expenses mainly relates to lower fines provisioning than was originally forecast at the time of Supplementary Estimates. Depreciation was higher due to a number of assets being capitalised from Work in Progress. The review of Work in Progress had not been completed at the time of Supplementary Estimates.

**Note 18: Variances in Statement of Financial Position**

A higher than forecast cash and bank balance was generated from higher fines collection and expenditure being incurred in the 2002/03 financial year but not actually paid out until the 2003/04 year. This is also a major factor in Accounts Payable and Provisions and Accrued Expenses showing higher levels than forecast. The actual revaluation movement from the 2003 revaluation of Land and Buildings was lower than the originally indicated figure supplied by the valuers at the time of Supplementary Estimates.

***Variance Explanations Between Actual 2002/03 and Actual 2001/02 for Departmental Financial Results.***

**Note 19: Variances in Statement of Financial Performance**

The increase in Other Revenue mainly relates to increased Fines revenue due to increased enforcement activity. This has been partly offset by a decrease in filing fees and other miscellaneous income. Increase in personnel costs is due to the implementation of the remuneration evaluation that has resulted in an increase in base salaries and expanded Collections contact centre. The main increase in operating expenditure relates to an increase in fines provisioning of \$10.113 million relating to the increase in Fines revenue.

**Note 20: Variances in Statement of Financial Position**

Cash and bank balances are higher than last year reflecting the working capital injection received in June 2003 to support higher Fines debtors (\$10.000 million). Accounts Receivable has increased as a result of the increase in Fines Revenue. The increase in Fixed Assets is the result of the increase in Land arising from the 2003 revaluation exercise.

**Note 21: Variances in Statement of Departmental Appropriation and Expenditure**

For explanations for variances between Actual 2002/03 and Supplementary Estimates refer to Note 17.

***Variance Explanations Between Main Estimates 2002/03 Budget Figures and Supplementary Estimates Budget Figures for 2002/03 for Non-Departmental Financial Results.***

**Note 22: Variances in Statement of Non-Departmental Appropriation and Expenditure**

A number of budget transfers were made in Supplementary Estimates from appropriations which have traditionally been substantially under spent at year-end, to those that were forecast to experience cost or volume pressures. This resulted in reduced appropriations for Fees associated with Orders under the Domestic Violence Act and increased appropriations for Family Court Counselling and Professional Services, Coroners-directed Post-mortems, Costs in Criminal Cases and Children Young Persons and their Families Professional Costs. There was also a decrease relating to the delay in enactment of the Motor Vehicle Sales Act 2003.

***Variance Explanations Between Actual 2002/03 and Supplementary Estimates Budget 2002/03 for Non-Departmental Financial Results.***

**Note 23: Variances in Statement of Non-Departmental Appropriation and Expenditure**

Substantial variances in Abortion Supervisory Committee-Certifying Consultant Fees, Civil Legal Aid and Costs in Criminal Cases reflect their unpredictable nature.

Abortion Supervisory Committee-Certifying Consultant Fees, Offenders and Civil Legal Aid and Costs in Criminal Cases overspent appropriation by \$0.28 million, \$0.25 million and \$0.35 million respectively as outlined under the Statement of Unappropriated Expenditure.

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***Variance Explanations Between Actual 2002/03 and Actual 2001/02 for Non-Departmental Financial Results.***

**Note 24: Variances in Statement of Non-Departmental Appropriation and Expenditure**

Increased volumes and costs have driven the expenditure variances in Abortion Supervisory Committee-Certifying Consultant Fees, Coroners-Directed Post-mortems, Children Young Persons and their Families Professional Costs, Family Court Counselling and Professional Services, and Coroners Related Fees and Expenses. Costs in Criminal Cases and Offenders and Civil Legal Aid are unpredictable by nature.



Audit New Zealand

## REPORT OF THE AUDITOR-GENERAL TO THE READERS OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT FOR COURTS FOR THE YEAR ENDED 30 JUNE 2003

We have audited the financial statements on pages 39 to 89. The financial statements provide information about the past financial and service performance of the Department for Courts and its financial position as at 30 June 2003. This information is stated in accordance with the accounting policies set out on pages 60 to 64.

### RESPONSIBILITIES OF THE CHIEF EXECUTIVE

The Public Finance Act 1989 requires the Chief Executive to prepare financial statements in accordance with generally accepted accounting practice in New Zealand that fairly reflect the financial position of the Department for Courts as at 30 June 2003, the results of its operations and cash flows and service performance achievements for the year ended on that date.

### AUDITOR'S RESPONSIBILITIES

Section 15 of the Public Audit Act 2001 and section 38(1) of the Public Finance Act 1989 require the Auditor-General to audit the financial statements presented by the Chief Executive. It is the responsibility of the Auditor-General to express an independent opinion on the financial statements and report that opinion to you.

The Auditor-General has appointed H C Lim, of Audit New Zealand, to undertake the audit.

### BASIS OF OPINION

An audit includes examining, on a test basis, evidence relevant to the amounts and disclosures in the financial statements. It also includes assessing:

- the significant estimates and judgements made by the Chief Executive in the preparation of the financial statements; and
- whether the accounting policies are appropriate to the Department for Courts' circumstances, consistently applied and adequately disclosed.

We conducted our audit in accordance with the Auditing Standards published by the Auditor-General, which incorporate the Auditing Standards issued by the Institute of Chartered Accountants of New Zealand. We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatements, whether caused by fraud or error. In forming our opinion, we also evaluated the overall adequacy of the presentation of information in the financial statements.

We have carried out an assurance related assignment for the Department for Courts in the area of quality assurance over a cost allocation model. Other than this assignment and in our capacity as auditor acting on behalf of the Auditor-General, we have no relationship with or interests in the Department for Courts.

### DISESTABLISHMENT OF THE DEPARTMENT FOR COURTS

In forming our opinion, attention is drawn to the Statement of Accounting Policies on page 60 of the financial statements that the Department for Courts is to be merged with the Ministry of Justice effective from 1 October 2003. The financial statements have not, therefore, been prepared using the going concern assumption. However, there has been no change to the measurement basis used for assets and liabilities as all assets and liabilities are to be transferred to the Ministry of Justice at their carrying value effective 1 October 2003. We consider the carrying value basis to prepare the financial statements to be appropriate in this circumstance.

### UNQUALIFIED OPINION

We have obtained all the information and explanations we have required.

In our opinion the financial statements of the Department for Courts on pages 39 to 89:

- comply with generally accepted accounting practice in New Zealand; and
- fairly reflect:
  - the Department for Courts' financial position as at 30 June 2003;
  - the results of its operations and cash flows for the year ended on that date; and
  - its service performance achievements in relation to the performance targets and other measures set out in the forecast financial statements for the year ended on that date.

Our audit was completed on 30 September 2003 and our unqualified opinion is expressed as at that date.

H C Lim  
Audit New Zealand  
On behalf of the Auditor-General  
Wellington, New Zealand

## **Matters relating to the electronic presentation of the audited financial statements**

This audit report relates to the financial statements of the Department for Courts for the year ended 30 June 2003 included on the Department for Courts' website. The Chief Executive is responsible for the maintenance and integrity of the Department for Courts' website. We have not been engaged to report on the integrity of the Department for Courts' web site. We accept no responsibility for any changes that may have occurred to the financial statements since they were initially presented on the web site.

We have not been engaged to report on any other electronic versions of the Department for Courts' financial statements, and accept no responsibility for any changes that may have occurred to electronic versions of the financial statements published on other websites and/or published by other electronic means.

The audit report refers only to the financial statements named above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements. If readers of this report are concerned with the inherent risks arising from electronic data communication they should refer to the published hard copy of the audited financial statements and related audit report dated 29 September 2003 to confirm the information included in the audited financial statements presented on this web site.

Legislation in New Zealand governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

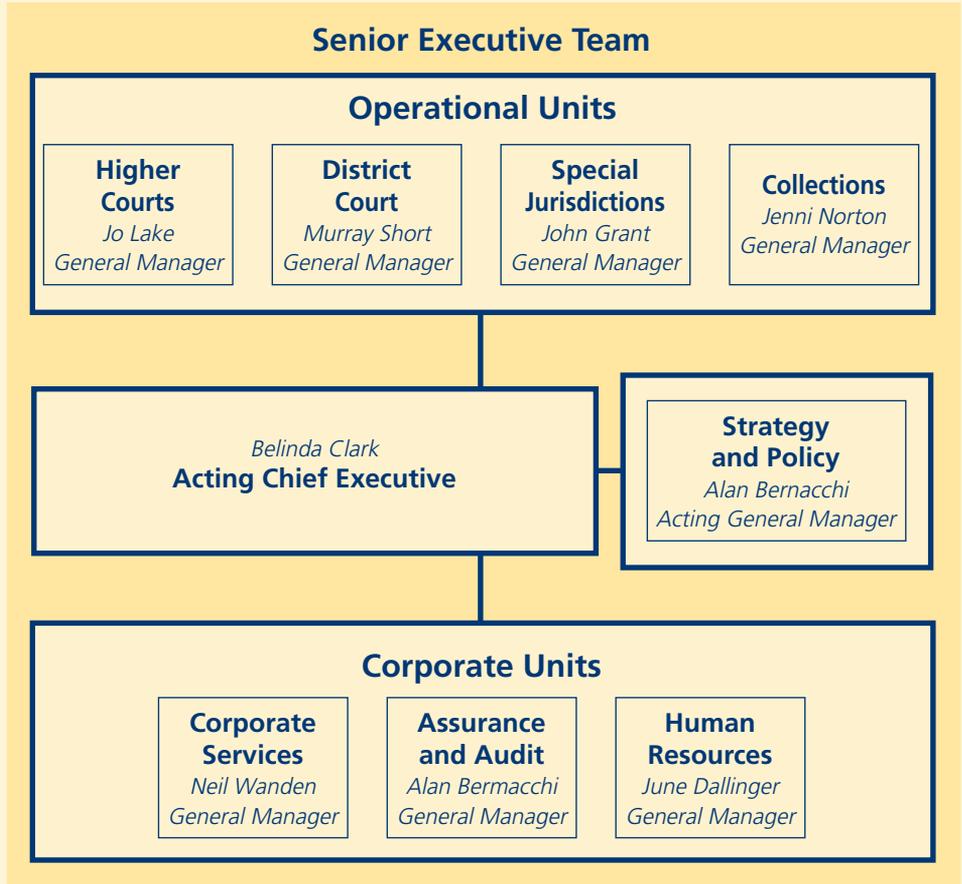
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## PART 5: OTHER INFORMATION

# DEPARTMENTAL STRUCTURE AND STAFFING

## Senior Management Structure

Departmental management is provided through the Senior Executive Team made up of the Chief Executive and eight General Managers. The governance approach involves the Senior Executive Team taking collective responsibility for developing strategy, prioritising, initiating, monitoring, assessing risks and controlling project work and day-to-day operations.



The Chief Executive consults with and is advised by several groups involving the Judiciary and outside experts. Key advisory groups include the:

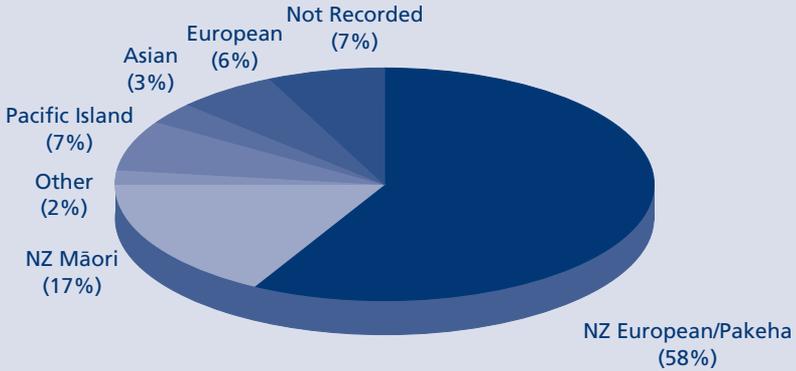
- Courts Executive Council, which considers major policy matters of concern to the Department and the Judiciary
- Change Board, which considers matters relating to the Modernisation Programme
- Business Assurance Committee, which considers matters relating to the Business Assurance work programme.

The relationship with the Judiciary is also supported by joint Departmental and Judicial Management Committees at the Court of Appeal, High Court and District Court levels. These committees focus on operational matters.

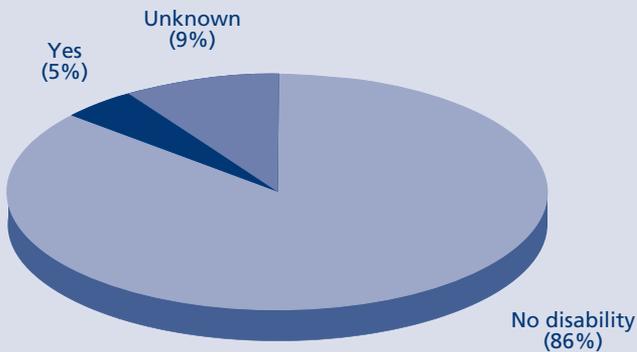
## HUMAN RESOURCES

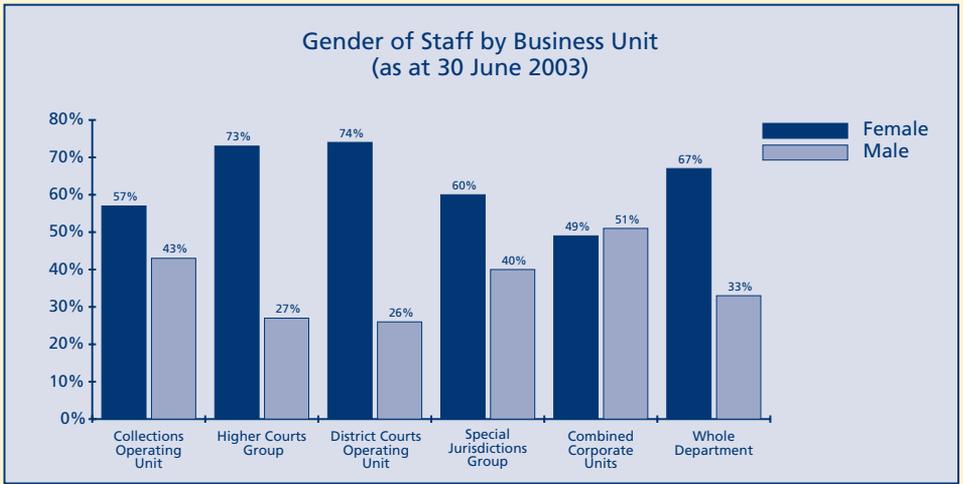
The Department has approximately 2,200 staff working throughout New Zealand.

### Ethnic Background of the Department's Staff (as at 30 June 2003)



### Department Staff with a Recorded Disability (as at 30 June 2003)





## Equal Employment Opportunity

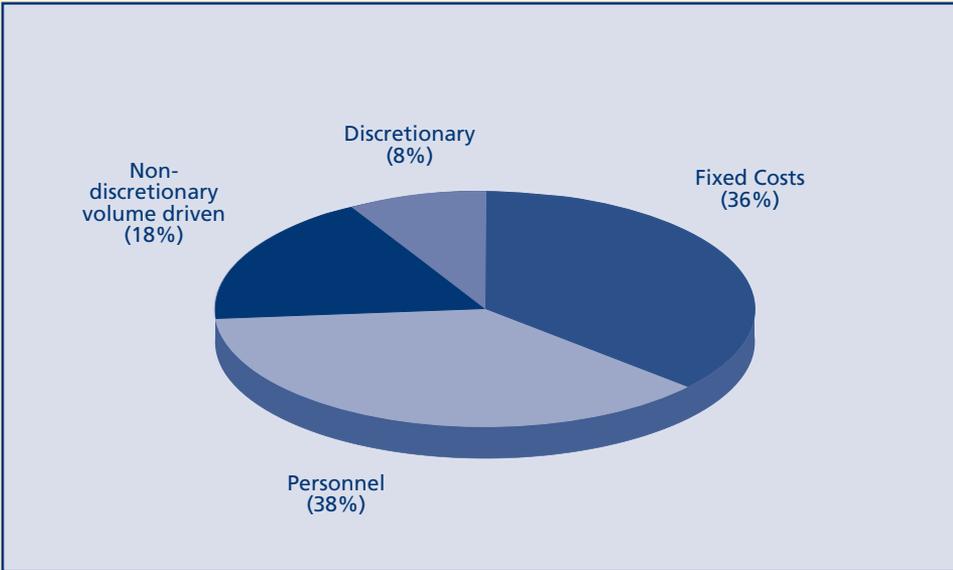
The Department for Courts commitment to its targets under the State Services Commissions "EEO to 2010" are continuing to be met. The Departments EEO policy continues to contribute to an environment where barriers to full participation and the opportunities to develop and achieve are equally encouraged and distributed and where the added value of a diverse workforce is recognised as being good business sense.

## OTHER INFORMATION

### Other Financial

#### COMPOSITION OF THE BASELINE

The current baseline of the Department for Courts is made up as follows:



#### PERSONNEL (38%) (2001/02: 37%)

Personnel costs comprise the highest portion of the Department's current baseline. The Personnel costs comprise Salaries and Wages, Temporary Workers and Contractors, Superannuation Costs, ACC levies and Performance Pay. It does not include the costs of training as this has been classified as discretionary expenditure.

#### FIXED COSTS (36%) (2001/02: 42%)

Fixed costs comprise the second highest portion of the Department's current baseline. Fixed costs comprise Depreciation, Capital Charge, IT fixed costs, Property fixed costs and the Audit Fee. The IT fixed costs comprise the contract costs of LES, the Wide Area Network contract costs, and the Personal Computer Maintenance contract costs. The Property fixed costs comprise rent, local body rates, insurance, electricity gas and other utilities, together with maintenance contracts for cleaning, security maintenance, lifts, air conditioning etc. These costs are classified as fixed as they are predominantly driven by the property that the Department operates from, or they are driven by contracts in place regarding the IT costs. The Fixed Costs can therefore only be influenced by changes in the property holdings of the Department or new IT systems being implemented.

Personnel and Fixed Costs together comprise 74% of the Department's normal operating baseline.

#### NON-DISCRETIONARY VOLUME DRIVEN (18%) (2001/02: 13%)

Non-Discretionary volume driven costs comprises mainly fines that are remitted, the Provision movement relating to fines debtors, jurors fees and expenses, Disputes Tribunal Referees' fees and expenses, Tenancy Adjudicators' fees and expenses, Authority Boards' fees, salaries and expenses. The volume of output produced by the Department drives all of these costs. There is no discretion available to the Department regarding these costs, as the outputs produced are the sole determination of the costs. As shown above these costs represent 18% of the Department's normal operating baseline.

## DISCRETIONARY ITEMS (8%) (2001/02: 8%)

Discretionary items only comprise 8% of the Department's normal operating baseline. The items that have been classified as discretionary include Staff Training, Library Costs, Telecommunications Costs, Motor Vehicle Costs, Travel Costs, Discretionary Property Maintenance Costs, Miscellaneous Equipment Purchases, Printing and Stationery Costs, Consultancy Costs. Although these costs have been classified as discretionary some are only discretionary in the short term such as staff training and property maintenance. If these costs are not maintained at an appropriate level over time then it will have an impact on the Department's ability to deliver its expected outputs. Other costs that have been classified as discretionary are heavily driven by the volume of output delivery, such as travel costs. The travel costs include Judicial Circuit Travel costs which are determined by the location of hearings.

## Financial History and Highlights for the year ended 30 June 2003

	Unit	2002/03	2001/02	2000/01	1999/00	1998/99	1997/98
<b>Operating Results</b>							
Revenue: Third Parties	\$000	87,906	66,877	71,969	67,315	69,801	57,708
Output Expenses	\$000	242,921	223,623	219,574	212,525	243,801	231,410
Operating Surplus before Capital Charge	\$000	36,900	29,302	37,542	38,496	35,717	34,920
Net Surplus/(Deficit)	\$000	6,279	(2,257)	2,200	3,196	(155)	43
<b>Working Capital</b>							
Liquid Ratio		0.58	0.39	0.86	2	1	1
Current Ratio		2.54	2.27	3.11	4.25	2	2
Average Debtors							
Outstanding	days	280	311	415	428	341	372
Average Creditors							
Outstanding	days	40	24	26	19	18	15
<b>Resource Utilisation</b>							
<i>Physical Assets:</i>							
Physical Assets as % of Total Assets	%	76%	79%	78%	72%	77%	81%
Additions as % of Physical Assets	%	10.2%	14%	14%	12%	11%	9%
<i>Taxpayers' Funds:</i>							
Level at year-end	\$000	394,158	357,823	350,658	353,416	353,673	326,112
Taxpayers' Funds as % of Total Assets	%	89%	89%	92%	93%	90%	91%
<b>Net Cash Flows</b>							
Surplus/(Deficit) from Operating Activities	\$000	19,793	37,927	31,948	(2,359)	31,730	3,981
Surplus/(Deficit) from Investing Activities	\$000	(33,198)	(44,173)	(36,228)	(14,511)	(33,513)	(25,448)
Surplus/(Deficit) from financing Activities	\$000	21,317	1,345	-	-	-	-
Net Increase/(Decrease) in Cash Held	\$000	7,912	(4,901)	(12,476)	(13,089)	27,955	(3,215)

## COLLECTIONS

The Collections Unit was established in 1995 to boost the effectiveness of fines administration and enforcement. The Unit's core business is divided into three roles:

- The collection and enforcement of fines, including Court-imposed fines, filed infringements, reparation, court costs and fees
- The enforcement of civil debt on behalf of creditors where payment has been ordered by the Court
- The service of Court documents.

### Factors that impact on success of collection activity

There are five key factors that influence the success of collection activity:

- Whether the person is aware that they have incurred a fine
- The quality of information filed with the Unit on the person owing the fine
- The rate of imposition growth
- An individual's ability to pay
- An individual's ability to be contacted to obtain payment.

The Unit has worked to influence the impact of these factors by developing strategies for improving the quality of information obtained from other agencies, advancing a business case for additional resourcing in the Collections contact centre, data-matching and offering the option of the payment of fines by instalment.

### Where do fines come from?

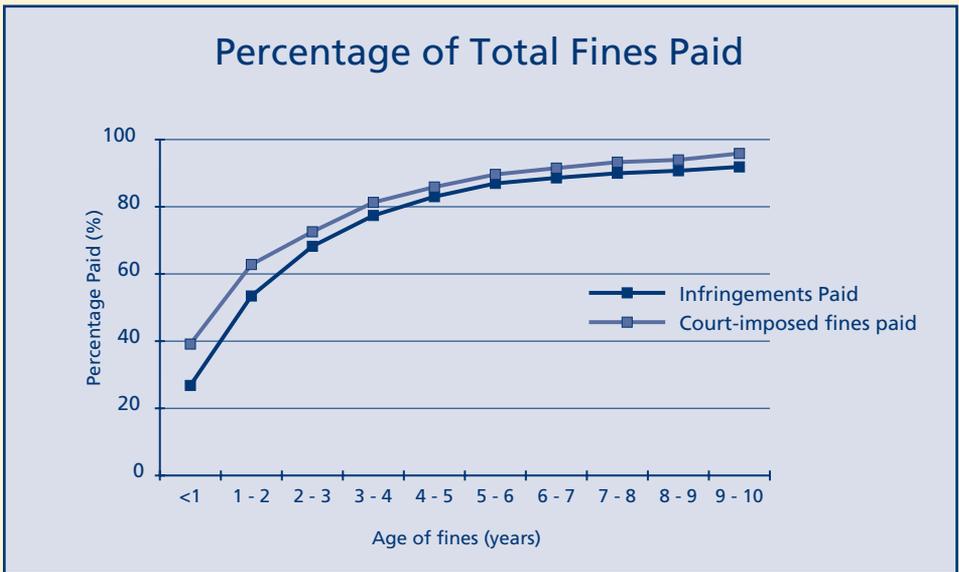
The Collections Unit deals with two main classes of fines: Court-imposed fines (including reparation<sup>2</sup>), and infringements imposed by the Police and other prosecuting authorities. The credibility of monetary orders, as a sanction within the justice system, will only be maintained if fines are successfully collected. Of the total value of fines imposed in New Zealand, an estimated 39% of infringements are paid to the relevant prosecuting authorities. The balance - the "hard to collect" fines - are filed with the Unit for action. All Court-imposed fines are actioned by the Unit.



<sup>2</sup> Reparation includes reparation, restitution and part-payment to victims.

## How successful is the Collections Unit in resolving fines?

Once with the Collections Unit, the Unit has considerable success resolving impositions. Viewed in dollar terms, 39% of Court-imposed fines are resolved within the first year of the date of filing, rising rapidly to over 80% after 4 years. For infringements 27% of fines are resolved within a year, rising to over 77% after 4 years.



In the 2002/03 year, \$150 million of fines has been collected, an increase of 30% over the previous year. This is an increase of \$14 million on the previous record amount collected of \$136 million in 2000/01.

	Unit	2000/01	2001/02*	2002/03
Fines imposed during the year	\$000	203,289	213,544	260,878
Fines collected during the year	\$000	135,738	113,382	149,703
Fines remitted or alternative sentences during the year	\$000	28,518	29,144	31,624
Percentage of total fines actioned		57.0%	40.7%	55.2%

\* Results for 2001/02 have been revised due to data conversion issues that emerged subsequent to the publication of the 2001/02 Annual Report.

Resources are directed towards the early actioning and collection of new impositions. As timeliness in acting on information is fundamental to the successful collection or resolution of fines, the timeliness of fines either fully paid or under arrangement are key measures.

	2000/01	2001/02	2002/03
Percentage of total fines* either paid or under arrangement within 4 months of imposition	51.2%	52.2%	63.1%
Percentage of total fines* either paid or under arrangement within 6 months of imposition	58.8%	61.2%	69.3%
Percentage of total fines* either paid or under arrangement within 12 months of imposition	70.8%	78.0%	78.5%

\* Total fines includes Court-imposed fines and infringements

## Types of Fines Collected

### COURT-IMPOSED FINES (INCLUDING REPARATION)

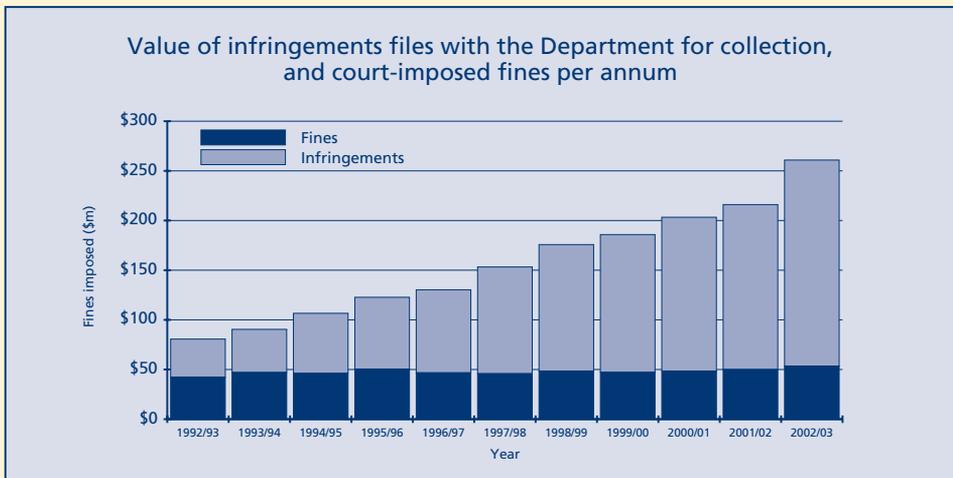
The Collections Unit has developed proactive processes to assist with the collection of Court-imposed fines, including the use of "court walkers" to escort people to arrange payment immediately after they have had a fine imposed. Reparation to victims by offenders is a particular priority. These processes, together with the Unit's control over the quality of information collected in the case of Court-imposed fines, ensure that arrangement for payment is obtained quickly. However, the Unit does not always control the rate of payment ordered and does not control the size of debt relative to the ability of the person to pay (e.g. income or assets).

	Unit	2000/01	2001/02	2002/03
Court-imposed fines (excluding reparation) collected	\$000	29,185	22,998	27,713
Percentage of Court-imposed fines (excluding reparation) either paid or under arrangement within 6 months of imposition		67.8%	75.4%	78.2%
Reparations collected	\$000	10,116	9,423	12,279
Percentage of Reparation either paid or under arrangement within 6 months of imposition		79.7%	72.2%	79.3%

### INFRINGEMENTS

The Police and other prosecuting authorities such as local councils impose infringement fines for speeding, illegal parking or failing to register a car etc. If these fines are not paid, they are filed with the Collections Unit to enforce payment. There has been considerable growth in infringements, whilst the number of Court-imposed fines has remained stable. In 1992/93 the proportion, by value, of infringements (48%) to Court-imposed fines (52%) was even, while by the end of the 2002/03 financial year 80% of all fines were infringements. The increasing proportion of infringements has had a considerable impact on Collections' business because they are more difficult to collect:

- "Easy" infringement fines - where people are locatable and readily compliant - have already been paid to the relevant prosecuting authorities. This means the "harder to collect" fines are filed with the Unit
- With court impositions the Collections Unit has greater control over the quality of the information it needs to collect the fines, whereas with infringements the Unit is dependent on other agencies to provide that information.



	Unit	2000/01	2001/02	2002/03
Police infringement fines collected	\$000	73,299	64,112	83,638
Percentage of police-imposed infringements paid or under arrangement within 6 months of imposition		55.9%	59.4%	68.8%
Other infringement fines collected	\$000	23,140	18,521	26,073
Percentage of other infringements paid or under arrangement within 6 months of imposition		49.9%	49.1%	59.4%

Once the Unit is able to contact people, payment or resolution of the fine does tend to follow. Electronic information matching with the Ministry of Social Development (since 1999) and the Inland Revenue Department (since 2002) has improved the quality of infringement information and increased collection efficiency.

## REMISSIONS

In cases where people clearly cannot pay a fine and enforcement action is not viable, they may be brought back in front of a Judge to have a case for remission of the fee considered or their fine replaced by an alternative sentence. A Court Registrar can remit Courts costs and a fine not exceeding \$25.

	Unit	2000/01	2001/02*	2002/03
Judge-ordered remissions	\$000	14,941	12,800	11,807
Registrar-ordered remissions and late payments to authorities*	\$000	3,048	2,121	2,947
Remission with alternative sentence ordered	\$000	12,410	14,223	16,870
Total remissions	\$000	30,399	29,867	31,624

\* Late payment to authorities have been re-classified for prior years as a remission.

## THE VALUE OF FINES OUTSTANDING

The total of unpaid fines as at 30 June 2003 was \$500.79 million. This total includes both overdue fines (\$305.67 million) and fines which are not yet under appeal or under arrangement (\$195.12 million), as shown in the two sections below.

## THE VALUE OF FINES OVERDUE

If a fine becomes overdue, an individual is subject to enforcement action (such as an attachment order, seizure, a deduction order from bank accounts or a warrant to arrest) and may incur a further penalty fee. In the last year both the amount of overdue fines overall, and the amount where individuals have breached payment arrangements established, have reduced from the previous year, despite a rise in impositions.

	Unit	2000/01	2001/02*	2002/03
Court-imposed fines (excluding reparation)	\$000	48,100	44,783	40,059
Reparation	\$000	(incl. above)	30,655	21,974
Police infringements	\$000	115,324	175,275	164,373
Other infringements	\$000	57,206	83,088	79,264
Total	\$000	220,630	333,801	305,670
Average age of overdue fines	years	3.35	3.3	3.72

\* Results for 2001/02 have been revised due to data conversion issues that emerged subsequent to the publication of the 2001/02 Annual Report.

## THE VALUE OF FINES NOT OVERDUE

While full payment of a fine is always sought, an increasing number of individuals on low incomes and without assets are unable to pay this. Enabling these people to pay their fines under a time to pay arrangement ensures that the fine is collected and the credibility of the penalty as a justice sanction maintained.

\$178 million fines were being complied with under arrangement as at 30 June 2003. The remaining \$17 million of unpaid fines not overdue included fines unpaid less than 28 days and fines under appeal.

	Unit	2000/01	2001/02*	2002/03
Court-imposed fines (excluding reparation)	\$000	41,426	13,077	23,284
Reparation	\$000	(incl. above)	13,272	25,678
Police infringements	\$000	69,223	47,891	116,328
Other infringements	\$000	18,821	12,661	29,830
Total	\$000	129,470	86,901	195,120

\* Results for 2001/02 have been revised due to data conversion issues that emerged subsequent to the publication of the 2001/02 Annual Report.

# HIGHER COURTS<sup>3</sup>

## Court of Appeal Statistics

Year ended 30 June:	2000	2001	2002	2003
<b>Civil Appeal Cases</b>				
On hand - start of period	174	143	210	133
New business	283	336	263	264
Disposed	314	269	340	244
On hand - end of period	143	210	133	153
Hearings supported	156	147	153	128
<b>Criminal Appeal Cases</b>				
On hand - start of period	113	106	120	157
New business	556	468	425	481
Disposed	563	454	388	451
On hand - end of period	106	120	157	187
Hearings supported		319	302	349

## High Court Statistics

Year ended 30 June:	2000	2001	2002	2003
<b>Jury Trial Cases</b>				
On hand - start of period	128	143	170	135
New business	417	440	409	376
Disposals	402	413	444	382
On hand - end of period	143	170	135	129
Sitting hours supported	6,837	6,838	7,686	7,132
<b>Defended Civil Cases</b>				
On hand - start of period	360	400	392	381
New business	1,379	1,348	1,174	757
Disposed	1,339	1,356	1,185	836
On hand - end of period	400	392	381	302
Sitting hours supported*	5,527	4,994	4,645	4,693

\* does not include chambers or others

<b>Civil &amp; Family Appeal Cases</b>				
On hand - start of period	74	93	60	100
New business	341	335	335	255
Disposed	322	368	295	282
On hand - end of period	93	60	100	73
Sitting hours supported	1,022	928	674	721
<b>Criminal Appeal Cases</b>				
On hand - start of period	128	83	115	127
New business	966	910	875	887
Disposed	1,011	878	863	920
On hand - end of period	83	115	127	94
Sitting hours supported	814	630	650	785

<sup>3</sup> These figures will not match previously reported filings and disposals, which excluded transfers and reactivations of cases. All such case movements have been included in these tables in order to provide a reconciled view from opening balance to closing balance for each year.

# DISTRICT COURTS <sup>4</sup>

## District Court Statistics

Year ended 30 June:	2000	2001	2002	2003
<b>Jury Trial Cases</b>				
On hand - start of period	996	929	978	1,111
New business	2,508	2,478	2,527	2,761
Disposed	2,575	2,429	2,394	2,633
On hand - end of period	929	978	1,111	1,239
Sitting hours supported	16,440	15,952	14,718	17,174
<b>Criminal Summary Cases*</b>				
On hand - start of period	22,013	24,343	25,709	28,474
New business	135,732	137,710	136,874	141,658
Disposed	133,402	136,344	134,109	138,565
On hand - end of period	24,343	25,709	28,474	31,567
Sitting hours supported	28,714	28,984	28,398	28,788
<b>Youth Court Cases*</b>				
On hand - start of period	1,260	1,333	1,363	1,199
New business	4,257	4,444	3,951	4,372
Disposed	4,184	4,414	4,115	4,171
On hand - end of period	1,333	1,363	1,199	1,400
Sitting hours supported	2,722	2,737	2,573	2,875
<b>Defended Civil Cases</b>				
On hand - start of period	3,562	2,966	2,138	2,068
New business	2,888	2,637	2,570	2,136
Disposed	3,484	3,465	2,640	2,306
On hand - end of period	2,966	2,138	2,068	1,898
Sitting hours supported	6,507	6,108	5,079	4,826
<b>Defended Family Court Applications**</b>				
On hand - start of period****	2,095	1,966	2,006	2,381 ***
New business	11,889	12,341	12,362	9,115 ***
Disposed****	12,018	12,301	11,987	8,985 ***
On hand - end of period****	1,966	2,006	2,381	2,511 ***
Sitting hours supported	20,098	20,387	21,116	20,554

\* Because of the allocation of criminal charges to different cases in LES, new business has been estimated based on cases on hand and disposals.

\*\* Applications on hand, new business and disposals relate to Mental Health, Domestic Violence and Defended Custody/ Access applications only.

\*\*\* Due to the implementation of CMS, the method of reporting has changed and these statistics are available only to 31 March 2003.

\*\*\*\* Because of under-reporting of disposals, the figures above for both disposals and applications on hand have been estimated.

4 These figures will not match previously reported filings and disposals, which excluded transfers and reactivations of cases. All such case movements have been included in these tables in order to provide a reconciled view from opening balance to closing balance for each year.

## SPECIAL JURISDICTIONS

### Environment Court - Case Statistics

Year ended 30 June:	2000	2001	2002	2003
On hand - start of period	2,869	2,949	3,068	2,706
New Business	1,270	1,395	1,355	1,069
Disposed	1,188	1,269	1,717	1,711
On hand - end of period	2,949	3,068	2,706	1,841
Reserved at end of period				223*
Sitting days supported	447	514	649	560

\* For 2002/03 reserved decisions that have not yet been delivered were counted separately from "on hand".

### Tribunals and Authorities - Applications Filed Statistics

Year ended 30 June:	2000	2001	2002	2003
Abortion Supervisory Committee		-	-	
Accident Compensation Appeal Authority	24	17	22	13
Accident Compensation Appeal DC Registry	638	575	581	684
Copyright Tribunal	2	1	0	0
<b>Coronial Services</b>				
- Completed inquests received				
- Inquests held*	4,084			
- Findings registered			3,824	3,788
Criminal Justice Reimbursement Scheme	5	5	0	2
Customs Appeal Authority	37	24	16	22
Deportation Review Tribunal	13	26	25	32
Disputes Tribunal	24,047	22,091	19,805	19,587
Human Rights Review Tribunal**	48	55	60	57
<b>Liquor Licensing Authority</b>				
- Managers certificates	5,387	337	367	412
- Applications	2,295	590	681	693
Motor Vehicle Disputes Tribunals	391	379	380	376
Pharmacy Authority	15	19	17	9
Social Security Appeal Authority	300	324	281	283
Student Allowance Appeal Authority	197	117	74	44
Taxation Review Authority	63	43	69	132
Tenancy Tribunal	24,103	24,807	23,548	19,874
<b>Total***</b>	<b>61,649</b>	<b>49,410</b>	<b>49,750</b>	<b>46,008</b>

\* From 1999 includes inquiries into deaths and death notifications supported.

\*\* Formerly Complaints Review Tribunal

\*\*\* Not including figures for those tribunals that have ceased to operate over the period covered by this table.

## Tribunals and Authorities - Sitting Days Supported Statistics

Year ended 30 June:	2000	2001	2002	2003
Abortion Supervisory Committee	15	12	12	12
Accident Compensation Appeal Authority	5	9	9	5
Accident Compensation Appeal DC Registry	110	145	118	110
Copyright Tribunal	0	0	0	0
Criminal Justice Reimbursement Scheme	0	1	0	1
Customs Appeal Authority	19	11	8	3
Deportation Review Tribunal	11	13	14	14
Disputes Tribunal		6,242	5,949	6,079
Human Rights Review Tribunal*	31	27	19	47
<b>Liquor Licensing Authority</b>	86	78	88	121
- Managers certificates				
- Applications				
Motor Vehicle Disputes Tribunals	134	138	122	133
Pharmacy Authority	6	6	10	3
Social Security Appeal Authority	41	53	48	49
Student Allowance Appeal Authority	15	6	15	13
Taxation Review Authority	50	21	26	96
Tenancy Tribunal	2,576	2,572	2,445	2,695
<b>Total Sitting Days**</b>	<b>3,099</b>	<b>9,334</b>	<b>8,883</b>	<b>9,381</b>

\* Formerly Complaints Review Tribunal

\*\* Not including figures for those tribunals that have ceased to operate over the period covered by this table.

## Māori Land Court Statistics

Year ended 30 June:	2000	2001	2002	2003
<b>Māori Land Court and Tribunals Serviced</b>				
Applications filed	6,860	6,505	6,009	5,837
Applications concluded	5,791	4,961	6,563	6,038
<b>New Land Management Structures*</b>				
Ahu Whenua Trusts	79	30	23	-
Agencies	29	20	2	5
Māori Incorporations	2	0	0	0
Whenua Topu Trusts	0	0	1	-
<b>New Share Management Trusts**</b>				
Kai Tiaki	40	8	12	-
Putea	0	0	0	-
Whanau	183	39	45	-
<b>Blocks with Land Management Structures*</b>				
Blocks with Ahu Whenua Trusts	-	-	-	6,661
Blocks with Whenua Topu Trusts	-	-	-	49
<b>Blocks with Share Management Trusts**</b>				
Blocks with Kaitiaki Trusts	-	-	-	3,127
Blocks with Putea Trusts	-	-	-	0
Blocks with Whanau Trusts	-	-	-	10,499
<b>Māori Land Court Record Updated</b>				
Titles updated by new Court orders	9,692	6,292	6,867	11,832
New ownership interests	48,570	24,725	28,288	64,494
<b>Written Enquiries (by Source)</b>				
General (fax, email, mail, internal)	10,603	9,120	8,119	6,939
Phone enquiries	6,285	2,841	1,582	851
Counter enquiries	9,971	3,023	1,220	666
Website enquiries	-	-	154	225
Estate Searches - Blocks Affected	11,115	19,093	13,894	14,779
Māori Land Information Office applications	4	25	2	0
<b>Total Enquiries Processed</b>	<b>37,978</b>	<b>34,102</b>	<b>24,971</b>	<b>23,460</b>

\* Note for 2002/03 onward the measures of new Ahu Whenua and Whenua Topu trusts have been replaced with a measure of the number of blocks with those trusts.

\*\* Note for 2002/03 onward the measure of new trusts has been replaced with a measure of the number of blocks with trusts.

## Waitangi Tribunal Statistics

### STATUS OF CLAIMS

Year ended 30 June:	2000	2001	2002	2003
<b>Status of claims</b>				
Tribunal hearing days	90	116	102	77
Tribunal conferences*	24	29	31	29
Urgency Applications (that went to hearing)	1	3	2	2
Report writing meetings	12	26	17	58
Mediations (days)	5	2	0	0
New Inquiries	1**	3**	5	2**

\* Including urgency applications

\*\* Urgency

<b>Comparative Statistics</b>				
New claims	66	75	49	72
Claims in casebook research	21	111	89	227
Claims in interlocutory conferencing or hearing	142	123	145	106
Claims in report writing	23	78	78	174
Claims disposed of	194	214	218	257
Claims awaiting inquiry	470	391	440	278
Total claims registered (since 1975)	850	917	97	1,042
Inquiries in interlocutory conferencing or hearing	6	5	6	6
Inquiries in urgent hearing	1	3	2	4
New research commissions	42	30	26	24
Commissioned research reports completed	30	28	29	26

WAITANGI TRIBUNAL REPORTS 2002/03

Ngāti Awa Settlement Cross-Claims

Kaipara interim

Aquaculture and Marine Farming (Ahumoana)

Tarawera Forest

Ngāti Tūwharetoa ki Kawerau Settlement Cross-Claim

Whanganui a Tara me ona Takiwa

Petroleum

TRIBUNAL REPORTS IN PREPARATION

Gisborne [12 claims]

Hauraki [56 claims]

Kaipara [28 claims]

Tauranga Raupatu [55 claims]

Mohaka ki Ahuriri [23 claims]

INQUIRIES IN HEARING OR INTERLOCUTORY CONFERENCING

Northern South Island [28 claims]

Indigenous Flora and Fauna [1 claim]

Tauranga Moana 20th Century [55 claims (counted above and not here)]

Urewera [48 claims]

Wairarapa ki Tararua [29 claims]

INQUIRIES IN CASEBOOK RESEARCH

Whanganui [30 claims]

East Coast [18 claims]

Central North Island [154 claims]

Wairoa [25 claims]

INQUIRIES RETURNING FOR REMEDIES HEARINGS

Te Whanganui-a-Orotu [1 claim]

Muriwhenua [24 claims]

CLAIMS RESEARCH

Tribunal research staff completed a total of 8 commissioned research reports during the year and a further 18 commissioned research projects or reports were completed by external contractors, making a total of 26. A total of 24 research reports were commissioned during the year, 9 from Tribunal staff and 15 from external contractors.

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## LEGISLATION ADMINISTERED BY THE DEPARTMENT FOR COURTS

### Legislation that is administered by the Department for Courts:

Courts Security Act 1999.

### Legislation that is jointly administered by the Department for Courts and the Ministry of Justice:

Admiralty Act 1973.

Coroners Act 1988.

Costs in Criminal Cases Act 1967.

Crimes Act 1961 - Part XII.

Declaratory Judgments Act 1908.

Disputes Tribunals Act 1988.

District Courts Act 1947.

Family Courts Act 1980.

Family Proceedings Act 1980.

Inferior Courts Procedure Act 1909.

Judicature Act 1908.

Juries Act 1981.

Reciprocal Enforcement of Judgments Act 1934.

Summary Proceedings Act 1957.

### Legislation that is jointly administered by the Department for Courts, the Department of Corrections and the Ministry of Justice:

Criminal Justice Act 1985.

Sentencing Act 2002.

## **TERMS AND DEFINITIONS**

### **ADR**

ADR stands for Alternative Dispute Resolution. It is used to refer to processes of dispute resolution other than traditional litigation. Within the New Zealand Courts environment, “ADR” is often used to mean mediation as this can be the most frequently considered alternative process to litigation.

### **APPROPRIATION**

An appropriation is a Parliamentary authorisation for Ministers to incur expenses or liabilities or make expenditure.

### **AUDIO DIGITAL**

Audio digital is a medium for recording evidence.

### **CONTACT CENTRE**

The Collections Operating Unit maintains a contact centre, which collects overdue fines by means of inbound and outbound call activity and traces fines defaulters through datamatching with a number of agencies.

### **CASEBOOK**

A casebook is the main body of evidence (research reports) for a Waitangi Tribunal Inquiry.

### **CASEFLOW MANAGEMENT**

Caseflow management is a system for managing the disposal of cases.

### **CASE MANAGEMENT**

Case management comprises the actions taken in regard to the process of one individual case in order to bring it to resolution.

### **COLLECT**

COLLECT stands for Collection Enforcement Computer Technology and is the new name for the Collections computer system to replace the Law Enforcement System (LES) and several in-house systems. COLLECT is a nationally-integrated, profile-focused system.

### **COMMUNITY MAGISTRATE**

Community magistrates carry out functions and powers that are conferred under the Summary Proceedings Act 1957, or the Summary Offences Act 1981 or by any other enactment.

### **COURT-IMPOSED FINE**

A Court-imposed fine is a fine imposed by a Judge, Community Magistrate or Justice of the Peace. It may be the whole or part of a sentence.

### **COURT-REFERRED RESTORATIVE JUSTICE**

Court-referred restorative justice is the pilot project being undertaken by the Department for Courts in Auckland, Waitakere, Dunedin and Hamilton District Courts. The project commenced in August 2001. See also: Restorative Justice.

### **INFORMATION**

An information is the document by which a criminal charge is brought against one or more persons in the District Court.

### **INFRINGEMENT FINE**

Infringements are issued by prosecuting authorities such as the Police, local authorities or other Government agencies for minor offending. If infringements are not paid to the prosecuting authority, they can lodge the infringement in Court for collection.

## INQUIRY

The Waitangi Tribunal is a standing commission of inquiry into claims made by Māori under the Treaty of Waitangi Act 1975 relating to acts and omissions of the Crown. Claims are addressed through an Inquiry process. There are two main types of claim. First, claims relating to geographic areas, which are generally dealt with as a group under a district Inquiry. Secondly, generic claims, which are not geographic in nature and each claim is generally dealt with as a generic Inquiry. Examples of generic Inquiries are the fisheries and radio spectrum Inquiries. The Inquiry process includes compilation of evidence, hearings, and writing a report, which is sent to the claimants, the appropriate Minister(s) of the Crown, and others as the Tribunal thinks appropriate. Evidence includes that provided by claimants and the Crown, and may also include historical research commissioned by the Tribunal itself.

## JUDICIARY

The Judiciary adjudicate disputes in the Courts. The Judiciary forms one of three branches of the government, and under the doctrine of separation of powers must exercise its powers exclusive of the Legislature and the Executive. (The Department for Courts itself forms part of the Executive.)

## JURISDICTION

A jurisdiction is the Court's power and authority to hear and determine issues between parties.

## JURY

A jury is a body of persons sworn to hear evidence and to reach a verdict based upon that evidence.

## LES

LES is the Law Enforcement System, also known as the "Wanganui Computer".

## MLIS

MLIS is the Māori Land Information System. The MLIS comprises the following main components:

- National Index. This is an index of all current Māori land owners, Māori land, and Māori land management structures set up under the Māori Affairs Act 1953 and the Te Ture Whenua Māori Act 1993. This component of MLIS supports the capture, maintenance and searching of Māori land titles, owners and ownership.
- Workflow (Application Processing). This is a workflow component where items of work are entered into the system and processed to completion. This component of MLIS includes scheduling and panui compilation.
- Imaging. Imaging is the process of electronically recording and storing an image of a paper document. The following historical records of the Māori Land Court are being imaged into the MLIS to enable retrieval and reference:
  - Court Minute Books. These contain the record of Māori Land Court hearings
  - Court Orders. These are orders made by the Māori Land Court Judge or registrar
  - Block Order Files. These superseded block ownership lists, memorial schedules, title and other orders pertaining to Māori freehold land titles
  - Title Notices. These are notices and various other documentation issued by the Court or other Government departments and agencies in relation to Māori freehold land, (includes lease and mortgage documents).

Since the deployment of MLIS, all Māori Land Court documentation generated through the MLIS is automatically stored on the system as an image and is retrievable for searching and annotation purposes. The MLIS enables access to national Māori Land Court records through any of the Māori Land Court offices throughout New Zealand.

**OUTCOMES**

Outcomes are the impacts on, or the consequences for, the community of the outputs or activities of the Government.

**OUTPUTS**

Outputs are goods or services provided by departments and other entities.

**PANUI**

Panui is a notice or list of upcoming events/information. In the case of the Māori Land Court, the Panui lists all cases to appear before the Court on a specified date and time.

**PARTNERSHIP FOR QUALITY**

Partnership for quality is the relationship between the Department and the Public Service Association.

**PRACTICE NOTE**

A practice note is a set of guidelines issued by the Judiciary usually about procedural matters, requiring matters to be dealt with in a certain way.

**REGISTRAR**

A Registrar is an officer responsible for the administrative functions and keeping a record of proceedings of a court. Registrars also exercise quasi-judicial powers as prescribed by legislation.

**REPARATION**

Reparation is a penalty imposed by a Judge or Community Magistrate that is payable to a victim of an offence.

**RESTORATIVE JUSTICE**

Restorative justice is an approach to criminal justice processes broadly based on identification and inclusion of victim and community interests, as well as the State's interests. It can provide an alternative process to the criminal justice system or it can take place within the traditional processes and provide the Court with additional information.

**REVENUE: CROWN**

Revenue: Crown is for the supply of outputs to the Crown.

**REVENUE: DEPARTMENT**

Revenue: Department is for the supply of goods and services to other government departments.

**REVENUE: OTHER**

Revenue: Other is for the supply of goods and services to third parties.

**STAY OF PROCEEDINGS**

A stay of proceedings is the termination of criminal proceedings on the grounds of undue delay under s 25(b) of the New Zealand Bill of Rights Act 1990.

**SUMMARY JURISDICTION**

Summary jurisdiction is the power given to the District Court to hear and determine criminal cases not dealt with by Judge and jury.

**VOTE**

A Vote is a grouping of one or more appropriations that are the responsibility of one Minister of the Crown and are administered by one department.

## **COURTS, COMMITTEES, TRIBUNALS AND OTHER AUTHORITIES**

The following Courts, Committees, Tribunals and other Authorities are administered and serviced by the Department:

### **ABORTION SUPERVISORY COMMITTEE**

The Abortion Supervisory Committee has the responsibility of keeping under review all the provisions of the abortion law in New Zealand, and the operation and effect of those provisions in practice. This includes licensing institutions for the performance of abortions and appointment of certifying consultants to consider cases. The Committee consists of three members, two of whom are to be registered medical practitioners. One member is appointed as Chairperson. The Committee is constituted under the Contraception, Sterilisation and Abortion Act 1977.

### **ACCIDENT COMPENSATION APPEAL AUTHORITY**

The Accident Compensation Appeal Authority has one or more members who must be barristers and solicitors of the High Court of not less than seven years practice. There is at present one member. The Authority determines appeals of the decisions of the Accident Rehabilitation and Compensation Insurance Corporation, under the Accident Compensation Act 1982.

### **ACCIDENT COMPENSATION APPEAL DISTRICT COURT REGISTRY**

The Accident Compensation Appeal Registry comprises District Court Judges who determine appeals from any decision of a review officer on an application for review under s 91 of the Accident Rehabilitation and Compensation Insurance Act 1992 and s 152 of the Accident Insurance Act 1998 and s 149 of the Injury Prevention Rehabilitation and Compensation Act 2001.

### **BIRDLINGS FLAT LAND TITLES ACT COMMISSIONER**

The Birdlings Flat Land Titles Act Commissioner must be a barrister or solicitor of the High Court or a person with specialist knowledge of resource management legislation. The Commissioner is appointed under s 5 of the Birdlings Flat Land Titles Act 1993 and carries out functions, including making written orders to effect the division of the Birdlings Flat Land into separate titles, including making written orders.

### **COPYRIGHT TRIBUNAL**

The Copyright Tribunal is constituted by s 30 of the Copyright Act 1962 and continued by s 205 of the Copyright Act 1994. The Tribunal has three members, one of whom is appointed chairperson and must be a barrister or solicitor of the High Court of not less than seven years practice. The Tribunal deals with disputes about licences issued for the purposes of copying, performing and broadcasting of works. Some proposed or operative schemes for licensing can be referred by interested parties.

### **CORONERS**

Coroners are judicial officers appointed under the Coroners Act 1988. Their role is to establish, so far as possible, the cause and circumstances of death in cases of sudden or unexplained deaths and deaths in other special circumstances. Coroners may authorise post-mortem examinations and hold inquests into deaths.

### **COURT OF APPEAL**

The Court of Appeal is constituted under the Judicature Act 1908 and is the highest level of court based in New Zealand. It is located in Wellington. The Court deals with civil and criminal appeals from matters heard in the High Court and criminal matters on indictment in the District Court. The Court hears appeals on questions of law from the Employment Court.

### **COURTS MARTIAL APPEAL COURT**

The Courts Martial Appeal Court is a superior court of record constituted under the Courts Martial Appeals Act 1953 and comprises the Judges of the High Court and other members, who are either barristers or former Judges of the High Court. The Court deals with appeals from matters heard in the Courts Martial of the armed forces.

### CRIMINAL JUSTICE REIMBURSEMENT SCHEME

The Criminal Justice Reimbursement Scheme is administered by the Tribunals Unit within the Special Jurisdictions Group of the Department for Courts. Applications are considered for compensation for any material loss caused by victimisation suffered as a result of assisting in the administration of justice.

### CUSTOMS APPEAL AUTHORITY

The Customs Appeals Authority comprises a District Court Judge or barrister or solicitor of the High Court of not less than seven years practice. It sits as a judicial authority for hearing and deciding such appeals as are authorised by the Customs and Excise Act 1996 or any other Act against assessments, decisions, rulings, determinations and directions of the Controller of Customs.

### DEPORTATION REVIEW TRIBUNAL

The Deportation Review Tribunal is constituted under the Immigration Act 1987 and has three members, one of whom is the chairperson and who must be a barrister or solicitor of the High Court of not less than five years standing. The Tribunal deals with appeals from people subject to deportation as a result of a conviction or revocation of residence permit.

### DISPUTES TRIBUNAL

The Disputes Tribunal is constituted under the Disputes Tribunal Act 1988 and is a division of the District Court. It provides resolution of civil disputes up to a value of \$7,500 or up to \$12,000 by agreement of the parties. This jurisdiction is presided over by a Disputes Referee.

### DISTRICT COURTS

District Courts are constituted under the District Courts Act 1947, which also sets the jurisdiction of the Court. In the civil jurisdiction, the District Court can determine claims involving up to \$200,000. In the criminal jurisdiction, the District Court hears summary cases and conducts trials for some serious offences.

### DISTRICT LAW SOCIETIES' LAY OBSERVERS

The principal function of Lay Observers, constituted under s 96 of the Law Practitioners Act 1982, is to examine any written allegation made by or on behalf of a member of the public concerning any District Law Society's treatment of a complaint about the conduct of a practitioner, or an employee of a practitioner.

### ENVIRONMENT COURT

The Environment Court was established pursuant to the Resource Management Act 1991 and presently comprises seven Judges, with the support of three Alternate Judges. In addition, there are fourteen Environment Commissioners and three Deputy Commissioners. Commissioners are appointed by the Minister of Justice after consultation with the Minister for the Environment and Minister of Māori Affairs. Each Judge is generally assisted by two Commissioners but may on occasion sit with one.

The Court's jurisdiction is principally derived from the Resource Management Act, the Local Government Act, the Public Works Act, and the Historic Places Act. Its powers are contained in the Resource Management Act and the District Courts Act. Within its jurisdiction, the Court determines appeals in respect of resource consents, the content of regional and district planning instruments and abatement notices. The Court can also make declarations about the application and interpretation of resource management law.

### FAMILY COURT

The Family Court is constituted under the Family Courts Act 1980 and is a specialist division of the District Court. The jurisdiction is focused on family law, which includes care of children, domestic violence, relationship property and dissolution.

## HIGH COURT

The High Court is constituted under the Judicature Act 1908 and has jurisdiction to hear serious criminal offences and civil claims involving more than \$200,000. It deals with judicial reviews of administrative action and admiralty proceedings. The High Court also hears appeals from the District Court and various tribunals.

## HUMAN RIGHTS REVIEW TRIBUNAL

The “Complaints Review Tribunal” was renamed the Human Rights Review Tribunal by the Human Rights Amendment Act 2001. The Tribunal has a Chairperson, who must be a barrister or solicitor of the High Court of not less than seven years’ practice, and who sits with two members appointed from a panel consisting of not more than 20 members. The Tribunal hears proceedings brought by the Director of Human Rights Proceedings or any aggrieved person for breaches of certain provisions of the Human Rights Act 1993 relating to discrimination, the Privacy Commissioner pursuant to the Privacy Act 1993 and the Director of Proceedings from the Office of the Health and Disability Commissioner pursuant to the Health and Disability Commission Act 1994.

## LAND VALUATION TRIBUNAL

Land Valuation Tribunals are constituted in accordance with s 19 of the Land Valuation Proceedings Act 1948. Each Tribunal consists of a Chairperson, who is a District Court Judge, and two registered valuers.

The Land Valuation Tribunal is a specialist tribunal that deals with matters arising from a number of Acts, including matters to do with land valuations and title.

## LAY MEMBERS OF THE NZ LAW PRACTITIONERS DISCIPLINARY TRIBUNAL

Lay Members sit as members of the District and New Zealand Law Practitioners Disciplinary Tribunals in accordance with s 108 of the Law Practitioners Act 1982.

## LIQUOR LICENSING AUTHORITY

The Liquor Licensing Authority is a full-time body consisting of a District Court Judge as chairperson, and up to three members. Its function is to determine such applications for the grant or variation of on-licences, off-licences and club licences (and renewals of those licences where variation is sought or where they may be opposed) and Managers’ Certificates as may be referred to it by District Licensing Agencies; to consider and determine appeals against decisions of District Licensing Authorities; to determine enforcement/disciplinary proceedings and such other functions conferred on it by the Sale of Liquor Act 1989.

## MĀORI APPELLATE COURT

The Māori Appellate Court is contained under Part Two of Te Ture Whenua Māori Act 1993. The Court hears appeals from orders or preliminary determinations of the Māori Land Court as well as cases stated by the Māori Land Court, the High Court and the Waitangi Tribunal. Any three or more Judges of the Māori Land Court have power to act as the Appellate Court.

## MĀORI LAND COURT

Nā te mea i roto i te Tiriti o Waitangi i motuhake ai te noho a te iwi me te Karauna: ā, nā te mea e tika ana kia whakaūtia anō te wairua o te wā i roto atu ai te kāwanatanga kia roto mai ai te mau tonu o te rangatiratanga e takoto nei i roto i te Tiriti o Waitangi: ā, nā te mea e tika ana kia mārama ko te whenua he taonga tuku iho e tino whakaaro nuitia ana e te iwi Māori, ā, nā tēra he whakahau kia mau tonu taua whenua ki te iwi nōna, ki ō rātou whānau, hapū hoki, a, hei whakamāmā i te nohotanga, i te whakahaeretanga, i te whakamahitanga o taua whenua hei painga mō te hunga nōna, mō ō rātou whānau, hapū hoki: ā, nā te mea e tika ana kia tū tonu he Kōti, ā, kia whakatakototia he tikanga hei āwhina i te iwi Māori kia taea ai ēnei kaupapa te whakatinana.

For the foregoing reasons, Parliament enacted the provisions of Te Ture Whenua Māori Act 1993.

Te Ture Whenua Māori Act 1993 provides that there shall continue to be courts of record called the Māori Land Court<sup>5</sup> and the Māori Appellate Court<sup>6</sup> and that the Department for Courts is responsible for all matters relating to their administration<sup>7</sup>.

The Māori Land Court is constituted under Part One of Te Ture Whenua Māori Act 1993. The Māori Land Court consists of eight Judges, including a Chief Judge and a Deputy Chief Judge. The Māori Land Court's primary jurisdiction is to hear and decide applications relating to the ownership, management and occupation of Māori land.

## MOTOR VEHICLES DISPUTES TRIBUNAL

The four Motor Vehicles Disputes Tribunals each consist of a chairperson and two members to represent the interest of licensees on the one part and consumers on the other (appointed by the Minister of Justice). The Tribunal inquires into any disputes referred to it by the Motor Vehicle Dealers Institute in respect of warranty, compensation and misrepresentation under the Motor Vehicle Dealers Act 1975.

## PHARMACY AUTHORITY

The Pharmacy Authority is constituted under the Pharmacy Act 1970 and is a one-member Authority, who must be a barrister or solicitor of the High Court of not less than seven years practice. The Authority considers certain applications relating to the establishment, ownership and operation of pharmacies.

## SOCIAL SECURITY APPEAL AUTHORITY

The Social Security Appeals Authority is constituted under the Social Security Act 1964 and consists of three persons appointed by the Governor-General on the recommendation of the Minister of Social Welfare after consultation with the Minister of Justice, of whom one member is appointed chairperson. The Authority sits as a judicial authority for the determination of appeals against any decision of the Benefits Review Committees.

## STUDENT ALLOWANCE APPEAL AUTHORITY

The Student Allowance Appeal Authority is constituted under the Education Act 1989 and comprises one member appointed by the Minister of Education to hear and determine appeals against decisions of the Chief Executive of the Department of Work and Income relating to bursaries and grants.

## TAIAPURE-LOCAL FISHERIES TRIBUNAL

Taipure-Local Fisheries Tribunals are constituted from time to time under Part 9 of the Fisheries Act 1996 to inquire into objections and submissions in respect of proposals to establish taiapure-local fisheries. Tribunals consist of a Māori Land Court Judge and may include one or more assessors.

<sup>5</sup> S 6, Te Ture Whenua Māori Act 1993

<sup>6</sup> S 50, Te Ture Whenua Māori Act 1993

<sup>7</sup> S 14, Te Ture Whenua Māori Act 1993

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## TAXATION REVIEW AUTHORITIES

Taxation Review Authorities are constituted under the Taxation Review Authorities Act 1994. They are one-member Authorities who may be District Court Judge or a barrister and solicitor of the High Court of not less than seven years practice. They sit as Judicial authorities to determine objections to assessments of tax or duty, or decisions or determinations of the Commissioner of Inland Revenue.

## TENANCY TRIBUNAL

Tenancy Tribunals are constituted under the Residential Tenancies Act 1986. The Tribunal adjudicates disputes involving residential tenancies. This jurisdiction is presided over by a Tenancy Adjudicator.

## TRANS-TASMAN OCCUPATIONAL TRIBUNAL

The Trans-Tasman Occupational Tribunal is constituted under the Trans-Tasman Mutual Recognition Act 1997 and consists of a chairperson, who must be a barrister and solicitor of the High Court of not less than seven years practice or a District Court Judge who sits with two other individuals appointed from a panel of not more than 15 individuals maintained by the Minister of Justice or one member from the panel and a member of the Australian Tribunal. It reviews decisions about the registration in New Zealand of equivalent occupations in Australia.

## WAITANGI TRIBUNAL

The Waitangi Tribunal is a standing Commission of Inquiry into claims by Māori related to acts and omissions of the Crown under the Treaty of Waitangi Act 1975.

## YOUTH COURT

The Youth Court is constituted under the Children, Young Persons and their Families Act 1989 and is a specialist division of the District Court. The Court deals with young people aged up to 17 years, who have been charged with a criminal offence.

## PUBLICATIONS

### Departmental Publications

Accessing personal information from the Law Enforcement System.  
 Annual Report for the year ended 30 June 2001.  
 Courtside - quarterly magazine of the Department for Courts.  
 Departmental Forecast Report for the year ended 30 June 2002.  
 Departmental Strategic Plan 2001-2003.  
 Report of the New Zealand Judiciary 1999.

### Courts Operating Unit Publications

*(Publications are in Māori and English - unless otherwise stated.)*

#### FAMILY COURT

Children's Supervised Access *(available in English only)*.  
 Counselling - information on counselling services available through the Family Court.  
 Family Court - information on services available through the Family Court.  
 Going your own way - information on the law on separation and dissolution of marriage (divorce).  
 Guardianship, Custody and Access - information on the law on the care of children when parents separate.  
 Handbook for Family Court Counsellors.  
 Handbook for specialist report writers.  
 Paternity - information on the law on paternity.  
 Power to Care - information on the protection of personal and property rights.  
 Relationship property - information about matrimonial and de facto property law.  
 The Mediation Conference - information on Family Court mediation conferences.  
 The Protection of Personal and Property Rights Act 1988 *(available in English only)*.

#### DOMESTIC VIOLENCE

Dealing with Domestic Violence.  
 Domestic Violence Act - Domestic violence programmes *(available in English only)*.  
 Domestic Violence Act - for the Applicant *(also available in Samoan and Tongan)*.  
 Domestic Violence Act - for the Respondent *(also available in Samoan and Tongan)*.  
 Standing up to Domestic Violence *(also available in Samoan, Tongan, Cook Islands Māori and Chinese)*.

#### CRIMINAL

Being a Witness.  
 Community Magistrates *(available in English only)*.  
 Court Services for Victims *(also available in Samoan, Tongan, Cook Islands Māori, Chinese, Croatian, Farsi, Fijian, Tokeluan, Nuiean, Korean, Thai, Vietnamese and Hindi)*.  
 How to tell the Court of your Cultural Background *(also available in Samoan, Tongan, and Cook Islands Māori)*.  
 Information for jurors.  
 Jury Service.  
 Restorative Justice Pilot Project.  
 Status Hearing Information (booklets) and Status Hearing factsheets *(also available in eight other languages)*.  
 Te Ara Whakatika - bi-monthly newsletter of the Court-Referred Restorative Justice Project *(available in English only)*.

#### GENERAL PUBLICATIONS

Department for Courts' Service Charter.  
 Keeping Courts Safe - Court Security Officers.  
 Speaking Māori in Court.

## Collections Operating Unit Publications

*(Publications are in English only unless otherwise stated)*

How to Deal with Debt.

Reparation to Victims.

Dealing with Attachment Orders (For Employers).

Walking the Fine Line.

All about Court Fines.

If you're on a Tight Budget.

Selling Your Car?

How to Save \$100.

If you're on a Tight Budget.

Time to Pay?

Can we help?

Information about Fines *(also available in Samoan, Tongan, Cook Is Māori, Tokelauan, and Fijian)*.

Your rights and what you must do *(also available in Māori, Cook Is. Māorii, Samoan, Tongan, Chinese (traditional), Hindi, and Chinese (modern))*.

## Special Jurisdictions Operating Unit Publications

### CORONERS

When Someone Dies - A Guide to the Coroners Court.

### DISPUTES TRIBUNAL

Disputes Tribunal - General Information.

Disputes Tribunal - If a decision is against you.

Disputes Tribunal - If a decision is in your favour.

### MĀORI LAND COURT PUBLICATIONS

Application Process.

Glossary - Te Ture Whenua Māori.

Transferring Māori Land Shares.

Māori Incorporations - A guide.

Māori Land Trusts - A guide.

Māori Reservations - A guide.

Services and Funding - A guide.

Succession - A guide.

Title Improvement - A guide.

Trustees' Duties - A guide.

Te Pouwhenua.

### WAITANGI TRIBUNAL PUBLICATIONS

The Claims Process of the Waitangi Tribunal: Information for Claimants.

Preparing claimant evidence for the Waitangi Tribunal.

Primary School Resource Kits on Treaty of Waitangi Past and Present.

Secondary School Resource Kit on Four Specific Claims.

Te Manutukutuku - quarterly newsletter.

The Waitangi Tribunal (brochure).

Various Rangahaua Whanui research reports both on districts and by theme.

Business Strategy 2001, Management Plan 2001.

Web site: [www.waitangi-tribunal.govt.nz](http://www.waitangi-tribunal.govt.nz) or  
[www.knowledge-basket.co.nz/waitangi](http://www.knowledge-basket.co.nz/waitangi)

