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Te Whare Māngai o Aotearoa

Justice Committee
Komiti Whiriwhiri Take Ture

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2024/25 Estimates for Vote Justice

Presented to the House of Representatives
by James Meager, Chairperson

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Vote Justice

Recommendation

The Justice Committee recommends that the appropriations for the year ending 30 June 2025 for Vote Justice, as set out in Parliamentary Paper B.5 Vol.6, be accepted.

About Vote Justice

In 2024/25, the appropriations sought for Vote Justice total \$845.729 million. This is 12.3 percent less than the estimated actual expenditure of \$964.705 million in 2023/24. The appropriations sought include:

- \$297.354 million for legal aid services
- \$195.478 million for services provided directly by the Ministry of Justice, including for the public defence service, administration of legal services, justice policy advice, sector leadership, and property and shared services
- \$186.621 million for capital expenditure
- \$40.258 million for the general election and electoral services, which is part of a multi-year appropriation of \$246.927 million that is funded from 2024/25 to 2026/27
- \$70.388 million for community justice support and assistance services and tangata whenua-led whānau and community wellbeing initiatives
- \$40.410 million for advice and promotion services from the Human Rights Commission, the Privacy Commissioner, the Independent Police Conduct Authority, the Criminal Cases Review Commission, the Law Commission, the Inspector-General of Intelligence and Security, the Inspector-General of Defence, and protective fiduciary services from the Public Trust.

The Minister of Justice is responsible for all but one appropriation in the Vote. The Ministry of Justice is responsible for administering those appropriations. In 2024/25, the Minister for the Prevention of Family and Sexual Violence is responsible for an appropriation of \$20.2 million. Te Puna Aonui, the interdepartmental executive board for the elimination of family violence and sexual violence, administers this appropriation. We discuss this appropriation in more detail later in our report.

We held separate hearings with the Minister of Justice, Hon Paul Goldsmith, and the Minister for the Prevention of Family and Sexual Violence, Hon Karen Chhour, on 20 June 2024. We also heard from the Associate Minister of Justice, Hon Nicole McKee, on 18 June 2024 to discuss her delegated portfolio responsibilities, notably firearms policy.

Trends in the Vote

For comparison, the following table shows the amount sought in Budget 2024 against spending over the previous three years.

	2021/22 Actual \$million	2022/23 Actual \$million	2023/24 Estimated Actual \$million	2024/25 Estimates sought \$million
	588.627	817.586	964.705	845.729
% increase or (decrease)		38.9		18.0
				(12.3)

Hearing with the Minister of Justice

The Minister's priorities for the justice sector

The Justice Cluster was introduced in Budget 2022 to enable more efficient and effective inter-agency investment and better collaboration across the justice system. The cluster consists of the five justice sector agencies: the Ministry of Justice, the New Zealand Police, the Department of Corrections, the Serious Fraud Office, and the Crown Law Office. Cluster Ministers in the previous Government identified four priority areas: better outcomes for victims, addressing issues with remand, improved access to justice, and better enabled organisations and workforce.

The Minister of Justice is the lead Minister for the cluster. The Minister highlighted his three priorities for the cluster. They are reducing the number of victims of serious crime, dealing with the small group of serious youth offenders, and addressing the very long delays in the court system. He pointed to the delays as one of the main reasons for the high number of prisoners on remand; they now make up more than 40 percent of the prison population. The Minister said that the Government remains "very interested" in remand. However, its primary focus is to speed up the processes of the courts and access to justice.

Reducing the number of victims

The Minister described the Government's approach as "even more fundamental" than wanting better outcomes for victims. Rather, it wants fewer victims so the best thing it can do is prevent them becoming victims in the first place.

We agree with the aim of reducing the number of victims. However, some of us suggested that the Government's programmes appear to be largely aimed at accountability and deterrence rather than victims. We asked about programmes that will reduce crime by diverting people from criminal offending rather than catching them and "coming down hard on them". The Minister explained that, although the justice sector response is an important part, it is not the entirety of the Government's response. The justice sector's response is about increasing the chance of a person being caught and holding them to account. The Government also continues to work with a range of different approaches within the court system. Te Ao Mārama¹ and specialist courts for addictions are examples of these different

¹ Te Ao Mārama is a new model for the future of the District Court. It is judicially led and involves partnering with iwi and communities to work with the court and justice sector to ensure that all court participants can understand and better take part in the cases that relate to them.

approaches. The Minister added that the broader government effort is equally significant. It includes a range of policies relating to matters such as housing and truancy.

We referred to the enhanced “circuit-breaker” intervention programme for young offenders, an initiative introduced under the previous Government. We understand that this programme, along with Te Ao Mārama, has been put on hold. We asked why work has not progressed on these interventions given that they do not involve “just sending people to prison for longer”. The Minister observed that the previous Government expanded Te Ao Mārama to eight locations, and the current Government plans to continue at these sites. However, it intends to evaluate the programme before expanding it. He told us that, if the programme achieves what it promised, the Government will keep expanding it “in due course”.

Improving outcomes for victims of crime

In Budget 2024, the initiative *Victims of Crime: Improving Outcomes Tagged Contingency* returns \$4.687 million as part of some funding held in contingency for work on an operating model to support victims of crime. About \$17 million total remains in the tagged contingency, to be used for other government measures and initiatives to support victims of crime.

When asked, the Minister accepted that many people who are in prison are themselves victims, having experienced difficult lives. He said that this is often but not always the case. We asked how this view aligns with the cut in funding for the *Victims of Crime: Improving Outcomes* initiative. The Minister told us that the funding was largely unallocated, and the Government will continue to develop various programmes with half of the allocated funding. We heard that the basis of the Government’s approach to justice is that people have a choice and are accountable for their actions. At the same time, the approach would “never deny” an understanding of the background and difficulties that many people face. For this reason, an “enormous effort” is made across the justice sector to attempt to rehabilitate and offer programmes and support.

We observed that many community organisations that support victims are “screaming out for funding”. We asked why the funding was unallocated. The Minister explained that the Government has allocated \$8 million of additional funding over four years to increase financial grants for the victims of serious crime. He noted that the grants help families of homicide victims, and victims of serious sexual violence and serious crime. The additional funding will allow the grants to be adjusted for inflation. We were told that the Government has money set aside for further programmes and is focused on ensuring that the programmes it inherited work effectively.

We are interested in specific actions in Budget 2024 to support victims. The Minister said he thinks the cash payments are an important component. The Government also continues to fund direct support through Victims Support. More broadly, he considers that one of the most important things the Government can do is ensure that victims receive timely access to justice; at present, many people are waiting three years to have their case heard. The Minister is also concerned about large numbers of cases where people have been convicted of very serious crimes. However, they have ultimately been sentenced to home detention after receiving multiple sentencing discounts. In his view, victims of crime are left feeling like they have not achieved justice.

Responding to family harm incidents

We referred to our hearings with the Minister of Police and the Minister for the Prevention of Family and Sexual Violence. These were held on the same day as our hearing with the Minister of Justice. At these hearings, we discussed the Police's plan to step back from family violence incidents unless there is an immediate risk to life or safety, and whether anyone would fill the gap. We asked whether the Minister has concerns that, as the Minister responsible for the justice sector, the gap will result in more victims of lower-level family violence. Some of us consider that this will continue to drive crime over the longer term. The Minister said it is not helpful or appropriate for him as Minister to comment on decisions and judgements that the Police make about where they put their resources. The Government expects and hopes that all justice agencies are focused on reducing the number of victims across the many measures that are used.

We understand from the *New Zealand Crime and Victims Survey* that only about 20 percent of family violence incidents are reported. We note that the survey and The Backbone Collective indicate that a key reason that people do not report crime is due to previously calling police and receiving either no response or an unsatisfactory response. We asked whether the Minister believes the Government's approach will increase the number of incidents that are reported. The Minister said he hopes that it would, and thinks that building confidence in the justice system, generally, is more likely to lead to increased reporting. He suggested that the most common reason people do not report crimes is that they see no consequences for the offenders, which the Government wants to change.

Increase in the number of interactions with victims

The *Community Harm Reduction* non-departmental output expense category is intended to achieve a reduction in victimisation and harm by supporting victims of crime. It does so by providing services that focus on increasing community safety and reducing crime. In 2023/24, the performance standard was that 22,000 to 28,000 victims were supported. We note that the proposed standard in Budget 2024 has increased to 35,000–41,000. The standard was increased in 2024/25 due to an increase in funding and demand for this service. We asked whether the increased funding is sufficient to deal with the projected increase.

The Minister explained that a range of funding is available in the Budget and in contingency for programmes to help victims of crime. In November 2023, the Government announced that it would stop taxpayer funding for section 27 cultural reports (pre-sentencing background reports). The Minister told us that the money saved by not funding section 27 reports will be transferred to help victims of crime. He reiterated that the best way to help victims of crime is by preventing them from becoming victims, and by providing timely justice and real consequences.

Increase in fraud and cybercrime

Cycle 5 of the *New Zealand Crime and Victims Survey* is based on data collected between November 2021 and November 2022. We note that the rates of fraud and deception significantly increased from Cycle 4 (2021). We asked about strategies across the justice sector to address victims and perpetrators of this type of crime. The Minister acknowledged the large number of victims, and that fraud is a growing area of crime. He highlighted work

that his Ministerial colleagues (the Minister of Commerce and the Associate Minister of Justice) are involved in. The work relates to anti-money laundering and the legislative framework regarding commerce, banks, and consumer rights. The Minister said he “wouldn’t say it’s not a priority” of his. Rather, the justice sector is primarily focused on violent crime.

Reduction in the Chief Victims Advisor’s budget

The ministry has identified savings of \$959,000 from the policy initiative *Reducing the Justice Sector Directorate Operating Budget*. We asked why the Government reduced the Chief Victims Advisor’s budget. The ministry explained that its Sector Directorate houses the Chief Victims Advisor. Her budget was identified as a potential area of savings because of the extensive research about victims that has been undertaken to date. This research has been incorporated into the work on the victims operating model. The chief advisor role has now refocused to help progress that work, rather than focusing on ongoing research. The Sector Directorate team now also provide additional support to the chief advisor.

Tougher approach to sentencing

Budget 2024 proposes funding of \$5.695 million over four years to address the court-related costs resulting from the Government’s tougher approach to sentencing. In his opening remarks, the Minister noted that the Government intends to limit the ability to apply very large discounts at sentencing and to bring back the “three strikes” legislation. We observed that sentencing is one element of upholding the rights of victims, and sought an overview of the Government’s approach.

In the Minister’s view, the previous focus on reducing the number of people in prisons tended to “filter through the system”, resulting in significant changes in sentencing. People were given shorter sentences because more discounts were applied, including for pleading guilty, being young or remorseful, and for cultural reports. Consequently, people who were convicted of serious crimes received what many people would regard as very light sentences, sometimes home detention.

The Minister explained that the Government is working to introduce legislation that will limit the overall discounts to 40 percent. He stressed that the Government is “absolutely crystal clear” about the separation between Parliament, the Executive, and courts regarding interfering in decision making about individuals. However, Parliament sets the sentencing legislation so the Minister considers it appropriate for it to set rules about sentencing discounts.

Responding to retail crime

We note that the appropriations for the justice sector Votes total \$7.493 billion in 2024/25. We observed that 250,000 New Zealanders work in and around retailing, and crime has been a big issue for many of them. We asked whether people who are afraid when entering their businesses can be confident that this funding is adequate to start addressing the many issues related to retail crime.

The Minister acknowledged the large increase in retail crime in recent years, particularly the ram raids, “smash and grabs”, and general sense of intimidation in communities. He

stressed that the Government's broader approach involves the "core fundamentals"—victims of retail crime need to feel confident that offenders will face consequences and will not return the next weekend. We heard that the Government is investing more in the Police and the justice sector. It is giving the Police extra tools to deal with organised crime, which is responsible for much of the crime. We were told that the Government will focus on developing new options and ideas over the next three years. This aims to help combat retail crime so people can feel safe in their work environment.

Prison population

In May 2024, the Government announced that Budget 2024 would invest in more prison capacity, including an expansion of Waikeria Prison. We asked about the Government's ambition in this area, with some of us questioning whether it would be "signing up" for a new prison or expansions every few years. The Minister said he would like to see fewer people in prison, but this must follow the occurrence of fewer serious violent crimes, rather than the other way around. He considers that the number of people in prison ultimately reflects the extent of violent and serious crime. We heard that the Government's strong desire is to reduce the number of serious violent and sexual crimes so that people are safer in their community. Fewer people in prison will be the consequence of this. Some of us consider that the Minister did not outline how this would be achieved.

The Minister referred to a recent study on the long-term insights into the prison population. He highlighted the changes to the New Zealand prison population over the past 30 years. Now, most people who are in prison are there for serious violent and sexual offending. Thirty years ago, far more people were in prison for property crime than now, and for serious drug offending. He considers that any characterisation of many people being imprisoned for low-level offending is not correct. The Minister emphasised that the criminal-justice element is only one part of reducing the amount of serious crime. Other elements that need to be addressed include dealing with offenders' mental health and addiction issues, as well as long-term unresolved issues resulting from sexual violence in their youth.

We agree with the Minister's sentiment that he would like to see fewer people in prisons only after fewer crimes are committed that would put them there. However, some of us consider that his solution appears to be keeping people in prison for long enough so that they cannot commit crime. The Minister reiterated that this is part of the solution, but not the entirety. Other parts include dealing more effectively with truancy and investing additional resources to give remand prisoners better access to rehabilitation. The Minister added that these things take time and the Government is working as fast as it can in a sensible and careful way.

Pipeline effects of the Government's approach to crime

We discussed how the Minister of Justice, as the Minister responsible for the justice cluster, will manage the "pipeline" effects of the Government's tougher approach to crime. For example, the court system is "bursting at the seams" and prisons have capacity issues. The discussion included any metrics that would show whether the Government was doing a good job. The Minister provided three metrics. He added that the Government has two clearly articulated targets, which are reducing the numbers of serious repeat youth offenders and the victims of serious violent crimes. The Government also wants to speed up the courts,

and a range of measures are being developed to assess this. The Minister pointed out that no area of the justice system can solve how to accelerate court processes on their own. Corrections, the Police, and the ministry all have different roles, and the independent judiciary is also involved. The Minister told us that he meets with the agencies and they have “clear focuses” on what they are trying to achieve.

In June 2024, the Chief District Court Judge announced new performance standards indicating how quickly cases should be completed, based on the seriousness of the charges. We asked when the Minister expects to announce some clear targets aimed at the court backlogs. The Minister recognised that, because of the judiciary’s independence, these targets are not as simple as many others in the public sector. The Government is therefore working with the judiciary. The Minister considers that it would make a “huge difference” if the District Court’s new performance standards were achieved.

In April 2024, the Government announced its law and order target related to serious violent offending. The target is a 15 percent reduction (from 185,000 to 165,000) in the number of people who are the victim of an assault, robbery, or sexual assault offence, by June 2029. We asked why the Government has set a five-year target that is higher than the total number of victims in 2022. The Minister explained that the Government received advice that the target would not be particularly easy to achieve given the “real pressures” in the system. He thinks it would be a great outcome if the Government could improve on the target, noting that it would still be 20,000 fewer victims than in 2023.

We note that, in nearly every year between 2018 and 2022, the number of victims of serious violent offending reduced. We asked whether the Government would consider the strategies that were used over that period. We heard that the Government is working to develop a robust measure of the actual incidence of crime and violent crime. It is using the *New Zealand Crime and Victims Survey*, which the Minister would like to deepen. The Government is also exploring ACC figures and hospital statistics for serious violent offences to better understand what is happening in communities.

Overrepresentation of Māori in the justice system

We observed that Māori are overrepresented in all parts of the justice system. We also note that the Māori population is very young. About 70 percent of them are under 40, and half are under 25, equating to one third of the population under 25 identifying as Māori. Given the increasing population of young Māori, we consider it critical to address the overrepresentation of Māori in the justice system. We asked about the key initiatives targeted at addressing this.

The Minister said he does not think that anybody is happy with the *status quo* regarding the overrepresentation of Māori in all elements of the justice system. He explained that the Government is particularly concerned about Māori victims of crime. The Minister noted that the five-yearly review of the crime and victims survey identified people who had experienced four or more instances of crime in the past year. Of the 4 percent of New Zealanders who had been highly victimised, 30 percent were Māori. He suggested that people tend to think that Māori will be more heavily affected by the more punitive elements of the Government’s approach to violent crime. However, he considers that, equally, they are more likely to

benefit from this approach, which he described as “more effective”. Broader government policies targeted at the younger age group include dealing more effectively with truancy, emergency housing, and addictions.

We asked whether the Minister intends to develop and grow cultural competency so staff in the justice sector have capability as young Māori come through the justice system. We heard that the Government is continuing to invest in cultural competency within the justice sector, although “not quite” at the scale of the previous Government. The Minister attributed this to the need for spending restraint because of the “massive” increase in overall spending.

Ināia Tonu Nei agreement

The Justice Sector Leadership Board consists of the chief executives of the five justice cluster agencies and Oranga Tamariki. The board has a Mana Ōrite (equal status) agreement with a group of Māori leaders (Ngā Kaitiaki) under the name Ināia Tonu Nei. In 2024/25, the appropriation *Community Justice Support and Assistance* is \$69.938 million compared with \$95.854 million in the previous year. This includes a decrease of \$1.5 million, which reflects savings resulting from the conclusion of the Mana Ōrite relationship. The ministry explained that the parties are in discussions to determine the most effective way forward. It described the relationship as “rigorous” and “robust”.

Some of us expressed concern as to how the removal of funding for such an important relationship will affect Māori overrepresentation in the justice system. The Minister said he does not think that the Mana Ōrite arrangement is the “only thing relevant to the broader discussion”. He pointed out that overrepresentation of Māori has been one of “most enduring” elements of the justice system over many decades. Many Governments have focused on trying to improve outcomes for Māori, both as perpetrators and as victims of crime. The Minister told us that this Government is also focused on doing so.

The Minister noted that there are many funded relationships across the justice sector in individual departments, which continue. They include the Te Ao Mārama approach in district courts; all are based on deep relationships with local iwi.

Operation of elections

Budget 2024 includes a multi-year appropriation *General Election and Electoral Services*, which aims to achieve the efficient operation of New Zealand’s elections and referenda. The appropriation, with funding of \$246.927 million over three years, commenced on 1 July 2024 and expires on 30 June 2027. We sought the Minister’s views on potential improvements to the operation of elections and electoral legislation.

The Minister noted that, under the previous Government, an independent panel reviewed New Zealand electoral law and made recommendations for improvements. The panel’s report is now with the Government. The Electoral Commission must also report to the Minister within six months after a general election, covering its administration of the election and any legislative changes it considers necessary or desirable.

We are currently considering an Inquiry into the 2023 General Election. The Minister said he looks forward to seeing any suggestions for improvement we propose. Typically, the Government then introduces legislation to make changes within the three-year cycle. The

Minister thinks there was a general level of disquiet about elements of the last election campaign, particularly the time it took for votes to be counted. Other areas of concern include discoveries that some votes had been missed, voting cards arriving later than they should have, and the appropriateness of some voting booths.

The Minister observed that the previous Government enabled same-day enrolment and voting on election day, which has added to the time taken to count votes. We understand that at least one analysis indicated that 90,000 people who enrolled and voted on election day would not have voted at all if that option had not been available. The Minister pointed out that, previously, people had to be enrolled a month before the election. He considers that many of the 90,000 voters would have enrolled earlier if they had not been allowed to enrol on election day. The Minister suggested that this would have made the whole system more efficient and effective, and the vote counting could have been faster. We heard that, when same day enrolment and voting was introduced, the advice was “quite clear” that it would be more difficult to get a timely count. The Minister said that this is a “trade-off”, which the Government is considering but has not made any decisions about.

Reduced funding for human rights agencies

We note that the Government has reduced funding for the Human Rights Commission, the Privacy Commissioner, and the Criminal Cases Review Commission. We observed that these entities generally indicate that they are working at full capacity and are unable to undertake many of the tasks that are asked of them. The Minister gave the example of the Human Rights Commission, which has had a 43 percent increase in funding since 2017. He told us that, collectively, that sort of increase “across the board” has proved unsustainable. We heard that the Minister of Finance sent a very clear instruction that savings needed to be found. The Minister told us that the justice sector was unable to achieve the requested 6.5 percent saving due to necessary investment in law and order. However, the Government felt that some agencies that had received substantial increases in funding could carry some savings.

We asked whether the scope of some of these agencies’ functions has become too large and needs to be reconsidered. The Minister said this is a decision for every Government and that it is appropriate for it to debate the scope of these agencies’ work. He told us he has used his letter of expectations with all such agencies to make his views clear about a range of topics.

Other matters considered

- **Legal Aid**—Budget 2024 proposes funding of \$297.354 million for Legal Aid. The Minister acknowledged the “massive” investment in legal aid, which he described as a critical part of the justice system. He considers that legal aid expenditure and the timeliness of the court system are “deeply interrelated”. This is because having a more efficient and speedier court system keeps expenditure under control. At the same time, having “decent” legal aid and the ability to hire qualified lawyers helps speed up the court system. *(See transcript, pages 24 and 25.)*
- **Longer-term investments in the justice sector**—Some of us consider that the longer-term investments that might cost more and take more time have not been prioritised in

the Budget. Examples include investments in court digitisation, Te Ao Mārama, and crime prevention. The Minister said that the work involves many layers that can lead to better outcomes, not all of which involve extra spending. We heard that the Government thinks it can achieve better outcomes if the sector works collectively. (*See transcript page 26.*)

Hearing with the Minister for the Prevention of Family and Sexual Violence

About the prevention of family and sexual violence portfolio

As previously noted, the Minister for the Prevention of Family and Sexual Violence is responsible for an appropriation of \$20.2 million, titled *Elimination of Family Violence and Sexual Violence*. The appropriation is intended to achieve the enhanced and sustainable wellbeing of New Zealanders through the proactive and responsive elimination of family violence and sexual violence.

In November 2021, the Cabinet Social Wellbeing Committee agreed to establish an interdepartmental executive board—the Executive Board for the Elimination of Family Violence and Sexual Violence (Te Puna Aonui). To better align with the Te Puna Aonui strategy, Te Puna Aonui began administering the *Elimination of Family Violence and Sexual Violence* appropriation from July 2022.

The Minister is responsible for leading the whole-of-government approach to addressing family violence and sexual violence. She does so by overseeing and coordinating a cross-government approach to implementing Te Aorerekura, a national strategy to eliminate family violence and sexual violence. Te Puna Aonui has also developed an action plan for Te Aorerekura. The plan groups 40 actions under 6 “shifts”. The next action plan is expected towards the end of 2024. The Minister, Hon Karen Chhour, acknowledged her predecessor, Hon Marama Davidson, for her hard work to start this “important conversation”.

Prioritisation of the prevention of family and sexual violence

We note that Te Puna Aonui estimated that the annual costs for family violence and sexual violence in 2014 were \$7 billion and \$6.9 billion respectively. Some of us therefore consider that the prevention of family and sexual violence was not prioritised in Budget 2024, with an appropriation of only \$20.2 million. The Minister did not agree with this view and told us that it is a very important and multi-agency issue. She highlighted two Government law and order targets that family violence and sexual harm fall under, where work will occur. The targets, which were announced in April 2024, are:

- a 15 percent reduction in the total number of children and young people with serious and persistent offending behaviour by June 2029
- a 15 percent reduction in the proportion of people who were the victim of an assault, robbery, or sexual assault by June 2029.

Identifying service gaps

We observed that the aim of Te Aorerekura was to build a network of support so people do not fall “between the cracks”. We referred to a recent report from the Ministry of Social Development that outlined the current gaps in family and sexual violence services in New

Zealand. The Minister said she had read the report and understands that a lot of service gaps exist. For this reason, her mission in her first six months has been to learn about several matters. They are where the gaps are and agencies' views about the first and next Te Aorerekura action plans. The Minister considers that the way that data is collected and shared is "quite siloed", and there is potential for agencies to collaborate to close the gaps.

The portfolio includes the mandate to coordinate Budget bids, with the cooperation and support of contributing Ministers and their agencies through Te Puna Aonui.² We asked why Te Puna Aonui was not asked to place a Budget bid in 2024 if the Minister understands that significant gaps exist. We heard that the Government is working to build a framework of how it wants Te Aorerekura and Te Puna Aonui to progress. Once the framework is developed, a document can be produced that shows the direction to Te Puna Aonui, ministries, NGOs, iwi, and organisations around the country. The Minister said that these areas can then be focused on, and bids proposed.

The Minister told us that she is focused on spending six months travelling the country, talking to frontline providers and workers. We are interested in what frontline providers and agencies have been telling the Minister during their meetings with her. The Minister said that the issues include Ministers not leading by example regarding "across-the-table conversations". If NGOs, community organisations, and iwi are asked not to silo themselves, then Ministers also need to do the same. We heard that the Government is having Ministerial discussions to determine how Ministers can work together to ensure they are not siloing themselves.

Responding to family violence incidents

At our hearing with the Minister for Police on the 2024/25 Estimates for Vote Police, we discussed how the Police are stepping back from responding to family harm incidents. Instead, they will only attend if there is an immediate threat to life and safety. We explored this matter further with the Minister for the Prevention of Family and Sexual Violence.

The Minister acknowledged that funding across ministries for the prevention of family violence and sexual harm has not increased, which was a collective decision. However, she said it was also not an area where it was appropriate to make cuts or to "just keeping throwing money at" without planning for a solution. She added that there is "no point" bidding for money if priorities are not yet known.

The Minister told us that she is working very closely with the Minister of Police. She said she understands that the Police are still working on what their response will entail and how they will implement it. She explained that when someone is in immediate danger or harm is occurring and they call 111, police will show up. People are still encouraged to call 111, but other agencies will step in if the situation is not appropriate for police to attend.

We asked whether the Minister had asked for a risk assessment or analysis to be undertaken to determine the effect of the Police stepping back from family violence call outs. We also asked whether the sector has capacity to address the void that the Police will leave.

² Te Puna Aonui agencies include the Accident Compensation Corporation, Department of Corrections, Ministry of Education, Ministry of Health, Ministry of Justice, Ministry of Social Development, New Zealand Police, Oranga Tamariki, and Te Puni Kōkiri.

The Police explained that they are still designing the triage and are recalibrating what they respond to. They have trialled a proof of concept, during which time they supported about 2,700 victims. Of these, 73 percent did not want police to attend, but they were referred to an appropriate agency for support.

Te Aorerekura national strategy

Increasing workforce capability through Te Aorerekura

Te Puna Aonui highlighted workforce as the “number one thing” repeatedly identified in the gaps review. It said it is taking those gaps, particularly through workforce, and is “looking to drive that through” the next Te Aorerekura action plan. Te Puna Aonui explained that it published family violence capability frameworks in 2022. These are the entry-to-expert standards and framework that enable the government and non-government workforce to raise their capabilities. The workforce ranges from a person who might interact with a potential victim, perpetrator, or whānau, through to specialist providers. Te Puna Aonui told us that it has been able to ensure that many of its agencies are adopting the frameworks. It has also received funding for national trainers in previous Budgets. Te Puna Aonui also plans to finalise a second set of frameworks related to sexual violence. It has worked with the sector and is finalising competency standards.

Measuring progress towards Te Aorerekura

Te Aorerekura: The National Strategy to Eliminate Family Violence and Sexual Violence Outcomes and Measurement Framework was published in September 2023. Te Puna Aonui noted that the framework sets out how it is progressing towards Te Aorerekura and the shifts within the strategy. The framework also measures the emerging incidence, prevalence, and information. In the next action plan, Te Puna Aonui intends to start aligning activities and actions to where it wants better outcomes. It added that it needs to ensure that it has “leading indicators” to show whether it is on the right track because the change will take time.

The Minister considers that, because Te Aorerekura is a 25-year strategy, it needs an achievable goal to focus on, which is about breaking the cycle of harm. This involves identifying the perpetrators of harm, who are often victims themselves and have repeated the cycle, and dealing with their trauma to lessen the risk of repetition. The Minister said that every agency and Minister knows how important this is. Although there is no “magic wand that can fix it overnight”, having everyone “on the same page” is vitally important to achieving those goals.

The Minister said she has been talking to Ministers about their priorities and how they can align with other ministries. This will enable ministries with a prevention role to back each other up. For example, if a call to the Police does not warrant their attendance, they should be responsible for referring the person to the correct agency for support. She suggested that coordinating the approach will also stop multiple agencies “showing up on a person’s doorstep”, which can be quite intimidating for a person.

The Minister's advocacy work with other agencies

We are interested in the Minister's advocacy work. We asked whether she maintains clear oversight and leadership over the work of the joint violence prevention Ministers in their respective agencies. We also asked whether she intends to prioritise a prevention of violence lens across all of the Government's work. The Minister said she continues to lead and advocate very strongly every day. She observed that prevention takes many forms; the area the Government is focusing on, and she advocates very strongly for, is "before harm occurs". Other important elements of prevention include stopping violence from occurring and ensuring that people can heal from trauma to prevent generational trauma.

One of us recalled that the "biggest call" from the sector regarding social sector commissioning has been to stop "clogging" them up with multiple contracts. The sector wants the Government to work more flexibly with it, in a way that is relational, not transactional. The Minister agreed with this assessment. She said she has heard that a multi-agency approach can sometimes have unintended consequences for contracting. Since starting her role, she has constantly asked every Minister whether contracting could be made simpler or more cohesive. The Minister added that the matter is on her "radar", and it will "probably progress" through the next Te Aorerekura action plan.

Working with evidence-based services

We note that some well-established organisations, particularly kaupapa Māori organisations, have been working effectively in prevention for many years. We understand that some of these organisations have outlined best practice and provided clear evidence, including in reports for the Family Violence Death Review Committee. We asked whether the Minister intends to advocate in Budget 2025 for those evidence-based services who know and can prove what works. The Minister said she has met with many Māori organisations and iwi who are working in prevention and are doing some "really amazing things". Where evidence-based programmes are demonstrating real differences in communities, she stated, "why wouldn't we be making sure that they have everything they possibly need to do what they're doing and do what they're doing well and actually expand what they're doing."

We wondered whether the Minister did not yet feel in a position to make strong bids for the evidence-based approaches that work. The Minister said she is, and that she advocates for them every day. She pointed out that although the Budget included no extra funding it also contained no cuts. This is because the Government did not want to be cutting work that is making a real difference. The Minister told us that time is needed to determine what is working, and the next Budget bid can focus on evidence-based approaches that are positively affecting communities.

Target for reducing the prevalence of family violence

We note that considerable work was undertaken to develop a target for reducing the prevalence of family violence. This was based on the *New Zealand Crime and Victims Survey*, subject to wider agreement. We asked why this specific target had not been implemented. The Minister explained that several options were brought to her that explored reductions. However, she said that neither she nor other Ministers felt it was appropriate to have a target in this area.

Matters related to youth justice

Hon Karen Chhour is also the Minister for Children, who is responsible for most of the appropriations in Vote Oranga Tamariki. We discussed youth justice matters as they relate to her prevention of family and sexual violence portfolio, given that many children who criminally offend are themselves victims of violence. The Minister explained that her role is to coordinate the different Ministers, ask what role they play, and make sure they are “on the same page”. She expects that Oranga Tamariki will provide the correct wraparound services to young people to help them deal with the trauma and harm they have experienced. Her role is to also work in prevention so people are not harmed “in the first place”. This includes providing support to perpetrators of harm so that they no longer harm another young person.

We also briefly discussed two interventions for young offenders that were introduced under the previous Government. The Fast Track and Enhanced Fast Track programmes were funded through Vote Oranga Tamariki. The Minister noted that the Government will no longer fund the Enhanced Fast Track programme. However, it will continue funding the Fast Track programme, which she said had a high success rate. The programme will also be extended to older children (those aged from 14 to 17), where appropriate.

Hearing with the Associate Minister of Justice

Amendments to firearms legislation

The Associate Minister told us that successive amendments to the Arms Act 1983 have been unable to reduce the harm caused by firearms violence and have placed an unfair burden on law-abiding firearm owners. We heard that the Government is committed to making further amendments to the Act and regulations to increase public safety, simplify regulatory requirements, and improve compliance. The Minister explained that the \$51 million allocated for justice policy advice and sector leadership in the Budget would include funding for firearms policy review. The review would proceed in four phases: first, the changes already completed to firearms prohibition orders, then the review of clubs and ranges, the firearms registry review, and finally amendments to the Arms Act.

Review of the firearms registry

The firearms registry is under review by the Ministry of Justice. According to the Associate Minister of Justice, the review will gather data and information, including stakeholder insights and domestic and overseas experiences with firearms record-keeping. It would aim to better understand whether the registry effectively contributes to improving public safety. The review would help to inform any changes to the law governing firearms safety.

The Associate Minister commented that her personal view on the effectiveness of the registry differs from her colleagues. She accepts that there is merit in having some parts of a registry, but she does not think that a full registration system would even be “an ambulance at the bottom of the hill for the crime that we’re seeing”. The Associate Minister maintained that more than half the firearms that the Police find and seize do not have serial numbers and would not be recorded on the firearms registry. She suggested that a nationwide digital registration system of all guns bought and sold at gun stores might help prevent multiple purchases of guns at different locations by gang members and aid the Police in uncovering illegal commercial activities. However, the Associate Minister recommended that the registry continue for pistols, collector items, and restricted weapons.

Some of us expressed concern about the limited number of stakeholders that have been consulted for the review and whether victims of firearms violence and their families would be able to provide feedback. We heard that the Government has chosen to undertake targeted consultation, including both owners and non-owners of firearms, and a member of the Muslim community. The Associate Minister suggested that the victims of firearms violence and their families would have the opportunity to be heard through the select committee process if any legislative changes resulted.

Regulation of gun clubs and ranges

We asked why it had been decided to reverse the commitment in the coalition agreement to repeal part 6 of the Arms Act, which concerns shooting clubs and ranges. According to the Associate Minister, current requirements for the operation of firearms ranges include matters such as the security of firearms held overnight on premises. A blanket repeal of Part 6 would remove all the conditions placed on pistol clubs, including these security requirements.

Consultation on changes to the Act and regulations

The Associate Minister stated that the Government would still like to make some changes to Part 6 of the Arms Act, relating to shooting clubs and ranges. Consultation with various stakeholders, including firearm owners, club users, and volunteers, would ascertain the effects of the proposed changes to the Act and regulations. The consultation would also highlight what amendments would be needed to maintain public safety, essential for any type of firearms use and storage.

We expressed interest in whether collaboration with the Ministry for Regulation would take place on firearms regulations. The Associate Minister indicated that the Ministry for Regulation might be involved in the future, but that would be premature at this stage, when consultation was still ongoing.

Whether gun clubs and ranges are over-regulated

The Associate Minister told us she had heard from some gun clubs and ranges that they are frustrated with the current regulatory requirements and find them increasingly difficult to operate. Some members of the committee questioned this claim, given that no non-pistol clubs or ranges have been shut down because of failure to comply with regulation.

The Associate Minister stressed that clubs and ranges are important places to learn about gun safety and gain knowledge of appropriate gun use. She suggested that clubs and ranges may start to shut down because the volunteers who run them are worried about their own security or they do not understand the complexity of the new rules. The Associate Minister said that while reporting and oversight are needed, she does think clubs and ranges are being over-regulated. She observed that some reporting has to be done twice, and does not contribute to public safety.

Military-style semi-automatic weapons

We asked whether competitive shooters should be allowed to own and use military-style semi-automatic weapons (MSSA weapons). The Associate Minister told us there would be further consultation on the matter when the Government seeks to amend the Act. Some of us are concerned by the risk that MSSA weapons could be more readily available through illegal commercial activities if competitive shooters were allowed to use them.

We are particularly troubled by the use of one of these weapons during the terrorist attack on mosques in Christchurch. The Associate Minister explained that the terrorist obtained an A-category firearm and equipped it with a large capacity magazine, which turned the gun into an E-category firearm (MSSA).³ We heard that, before the terrorist attack, the Firearms Community Advisory Forum had lobbied without success for large capacity magazines to be assigned to the E-category. The Associate Minister also told us that, despite the ban on

³ A-category firearms are those that do not fall into any other category and are the vast majority of legally owned firearms in New Zealand. E-category firearms included military-style semi-automatic rifles or shotguns. The E endorsement is now no longer valid.

MSSA weapons, semi-automatic weapons with reduced magazine capacity are still available to licence holders with a P endorsement.⁴

Increases in fees and charges

We asked about the Government's intentions regarding fees for firearms licences: whether it would seek full cost recovery or subsidise some of the cost. The Associate Minister said that proposals under the previous Government indicated that fees could increase to \$1,000 a year if they covered the full cost of processing firearms licences. She said a lot of people cannot afford full cost recovery, especially those who live in rural and isolated communities. Some people hunt because they cannot afford to buy their meat from the supermarket.

We heard that a large increase in licence fees could lead to growth in a "grey market".⁵ However, the Associate Minister conceded that licence fees had remained stagnant for some time and may need to increase. This would need to be carefully balanced to ensure that firearms owners would continue complying with the law.

Three-strikes regime

We asked about the Government's intention to reimplement a three-strikes regime for criminal offending, given the Associate Minister's comments that aspects of the previous regime were a failure. She explained that, overall, the previous regime had not punished the worst offenders but rather those who were repeatedly committing minor offences. This led to offenders serving long sentences that did not reflect the nature of the offending. These outcomes were not the intent of the new version of the three-strikes regime. Rather, it was intended to target repeat offending by violent, sexual, and serious offenders to ensure that these offenders were not in the community, re-victimising people, nor creating new victims.

We expressed interest in what a revised three-strikes regime might look like. The Associate Minister said the proposed three-strike regime would only apply to offenders sentenced for 24 months or longer. The Government would prioritise removing recidivist offenders from the community and ensuring that they were rehabilitated in prison. A second strike would require that the sentence be served without parole, while a third strike would carry the maximum penalty for the offence, served without parole.

Other matters considered

- **Firearms registry transfer cost**—We asked about the cost of transferring the firearms registry to another department. The Associate Minister said the Ministry of Justice would help to ascertain the most appropriate organisation to oversee the registry. She had not yet received any advice on the cost of the transfer. (*See transcript from p 13.*)
- **Anti-money-laundering and countering financing of terrorism**—We heard that the Government has prioritised reform of the AML/CFT regime. The Associate Minister said

⁴ P endorsement holders are permitted to use prohibited shotguns and centrefire rifles, which includes semi-automatic weapons and magazines, for pest control. The criteria for applying for a P endorsement for pest control have been expanded to include farming, agricultural, horticultural, or silvicultural activities.

⁵ The term "grey market" typically refers to the unauthorised trading of securities or goods through channels that are not recognised or regulated by the official authorities.

it is important to ensure that terrorism is not financed in New Zealand. However, it is equally important that businesses can operate without undue restrictions. (*See transcript from p 10.*)

Appendix

Committee procedure

We met on 18 and 20 June, 25 July, and 1 August 2024 to consider Vote Justice. We heard evidence for 2 hours and 55 minutes from the Minister of Justice, Hon Paul Goldsmith, the Minister for the Prevention of Family and Sexual Violence, Hon Karen Chhour, the Associate Minister of Justice, Hon Nicole McKee, the Ministry of Justice, Te Puna Aonui, and the New Zealand Police. We received advice from the Office of the Auditor-General.

Committee members

James Meager (Chairperson)
Hon Ginny Andersen
Jamie Arbuckle
Cameron Brewer
Tākuta Ferris
Paulo Garcia
Dr Tracey McLellan
Rima Nakhle
Tamatha Paul
Todd Stephenson
Hon Dr Duncan Webb

Hon Marama Davidson participated in some of this review.

Related resources

In addition to the standard Estimates documents, we considered the following documents as evidence and advice. They are available on the [Parliament website](#), along with the [Hansard transcript](#) and recordings of our meetings with [the Minister of Justice](#), [the Associate Minister of Justice](#), and [the Minister for the Prevention of Family and Sexual Violence](#) on 18 and 20 June 2024.

- Standard Estimates Questionnaire responses (Minister of Justice).
- Standard Estimates Questionnaire responses (Minister for the Prevention of Family and Sexual Violence).
- Minister of Justice (Responses to additional questions).
- Minister for the Prevention of Family and Sexual Violence (Responses to additional questions).
- Associate Minister of Justice (Responses to additional questions).
- Office of the Auditor-General (Briefing on Vote Justice).