



Summary of our report

Ministry of Justice: Modernising court services



To ensure that justice is not compromised, the courts must be, and must be seen to be, separate and independent from executive government. An important function of the courts is the public administration of people's right to open justice according to the law. The courts operate on a rules-based system, and processes must meet legislative requirements.

A wide variety of people and organisations participate in the delivery of justice. These include judges, lawyers, the defendant and accused for criminal cases, and government organisations such as the Ministry of Justice, the New Zealand Police, and the Department of Corrections.

Two important roles of the Ministry of Justice are providing support to the judiciary and administering court systems for both criminal and civil cases. The Ministry provides a range of services, including criminal history checks, collecting fines, and public defence. Court services have largely been provided in courthouses and been paper-based. However, in recent years, the Ministry has introduced a wide range of initiatives to improve the efficiency of court services and people's experience of them.

When making changes to court processes, the Ministry needs to engage with a lot of people and organisations, which can be challenging. The Ministry's aim is to provide a modern, effective, and trusted justice system that contributes to a safe and just New Zealand. We carried out a performance audit to assess the Ministry's investment in improving court services by looking at three projects between 2012 and 2016 that were part of this approach.

Some people's experience of using court services has improved after the Ministry's investment. However, the Ministry has not effectively tracked or measured what improvements have been made. Although there have been some indications of improvements to court services, the lack of accurate information means that the Ministry does not have a reliable or complete understanding of how effective its investment has been or what the challenges to delivering further improvements are. This means that the Ministry is not likely to have achieved the return on investment that

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it could have. People who we spoke to had different views of what improvements have been made. For example, there was general agreement that improvements had been made for people disputing infringement fines and that remote court appearances using Audio-Visual Links had improved court security and the welfare of people in custody awaiting trial.

However, there was also some disagreement about what had been achieved. For example, there was disagreement between the Ministry and some organisations about whether services for dealing with civil claims had improved.

The effectiveness of project management varied between the three projects we looked at. For example, when the Ministry consulted and communicated effectively with affected people and organisations, implementation of the project went well. On the other hand, when there was not enough consultation and communication with affected people and organisations, there were some difficulties during and after implementation. Weaknesses in project governance and accountability meant that it was unlikely decision-makers had enough information to oversee the projects effectively.

The Ministry had limited processes for receiving feedback from people and organisations affected by the projects. The Ministry largely relied on one-to-one relationships and local meetings run by its staff in District Courts. These were useful for addressing localised and individual issues, but they did not give the Ministry good oversight of significant issues created by changes to processes that affect more than one court, so that the Ministry could effectively address these issues.

For the Ministry to achieve greater improvements from its investments in improving court services, we recommend that it set up a structured approach to measuring and reporting on achievement of improvements. This should provide the Ministry with accurate information to determine the extent to which improvements have been achieved and whether further changes to improve services are needed.

To help maintain good oversight of emerging issues, the Ministry should ensure that it has effective processes for collecting, collating, analysing, and reporting on feedback from organisations and people affected by changes to court services resulting from projects. The Ministry told us that, since 2014, it has made substantial changes to internal governance and processes for investment and that further efforts to improve are ongoing.

We did not audit the changes the Ministry introduced to improve project governance and accountability because they were put in place after the three projects we looked at were implemented. In our view, it is important that the Ministry makes sure that its changes to governance and project management practices ensure adequate levels of accountability and governance over projects.