



Tauāki Takune
2023-2027
Statement of Intent
2023-2027





Presented to the House of Representatives by Te Kāhui Tātari Ture | Criminal Cases Review Commission pursuant to the provisions of the Crown Entities Act 2004. Te Kāhui Tātari Ture | Criminal Cases Review Commission is an independent Crown Entity under the Crown Entities Act 2004, with its role established under the Criminal Cases Review Commission Act 2019.

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He Kupu Whakataki

Foreword

**Hutia te rito o te harakeke, kei whea te korimako e ko,
Ki mai ki ahau he aha te mea nui o te ao?
Māku e kī atu, he tangata, he tangata, he tangata!**

Aotearoa New Zealand's justice system has well-established rights of appeal and various procedural safeguards against unsafe convictions. But miscarriages of justice sometimes occur, because as with any system, mistakes are made.

Te Kāhui Tātari Ture (Te Kāhui) provides an additional safety valve for addressing concerns that New Zealanders may have about the independence, timeliness, quality, and fairness of investigations into miscarriages of justice and the handling of unsafe convictions.

The role of Te Kāhui is to identify cases where an applicant's conviction or sentence, or both, represents a possible miscarriage of justice, and so, in the interest of justice, ought to be considered by an appeal court.

It is important that the services of Te Kāhui are delivered in a way that are accessible, effective, timely, and fair, improving justice outcomes, particularly for Māori and Pacific peoples across the country.

Te Kāhui must have regard to the interests of justice when it reviews and investigates convictions and/or sentences and decides whether to refer them back to an appeal court.

The strategic role and purpose of Te Kāhui aligns with the Government's vision of delivering people-centred justice services that contribute to a safe and just Aotearoa New Zealand.

We have already established a reputation for delivering fair and rigorously researched decisions, reached by following coherent frameworks and procedures. In 2022/23 Te Kāhui referred one case to an appeal court. As we enter 2023/24, we have a number of section 25 investigations underway that could provide for additional referrals to be made.

Our procedures reflect statutory obligations that are consistent with Te Tiriti o Waitangi (Te Tiriti). Te Kāhui further improved these in 2021 by reviewing our operating model and the introducing a triage model to our case procedures.

Over the coming four years, we will continue to identify cases where the potential unreliability of a conviction or sentence is apparent to us and where those cases, on analysis, represent a possible miscarriage of justice which ought to be considered by an appeal court.

Our key priority (Impact 1 in our Strategic Framework) during 2023-2027 is to ensure that potential miscarriages of justice are identified and reviewed fairly. We are seeking to accelerate the review of applications, leading to meritorious referrals being made more quickly and a reduction in the number of active cases. To achieve this acceleration and reduce the high number of active cases, we will continue to use our existing reserves prudently.

Other key priorities remain to raise awareness about the role of Te Kāhui (impact 2), including full implementation of Te Pou Tarāwaho, our outreach and education action plan. We seek to increase the proportion of applications from Māori, people from Pacific communities, and people who subscribe as female, through an emphasis on targeted outreach to those groups as a priority. Where other issues are identified limiting access to justice, we will advocate for changes that remove those barriers.

Impact 3 is about improving confidence in the Aotearoa New Zealand criminal justice sector by undertaking inquiries into systemic issues. Te Kāhui will undertake section 12 inquiry work, where, through the assessment, investigation, and analysis of cases, we identify a critical issue that creates a high likelihood of multiple miscarriages of justice.

Impact 4 is about ensuring that Te Kāhui has excellent governance and the right people, who embrace our uara | values and ethics to lead Te Kāhui to success.

Throughout our mahi it is essential that those who have potentially suffered a miscarriage of justice are dealt with fairly and in a mana-enhancing way, and that we recognise, too, the interests of victims of crime.

Building on the success of continuing to work collegially across the justice sector, Te Kāhui aims to deliver its full mandate to contribute to having a safe and just society for all people who call Aotearoa New Zealand home.



A handwritten signature in blue ink that reads "Carruther".

Colin Carruther KC
Kaikōmihana Matua | Chief Commissioner
Chair, Te Komiti Whakahaere
o Ngā Tāngata | People Committee



A handwritten signature in blue ink that reads "Rose".

Paula Rose QSO OStJ
Kaikōmihana Matua Tuarua | Deputy
Chief Commissioner
Chair Te Komiti Haumarū Mōrearea | Risk
and Assurance Committee

15 Pipiri | June 2023

Tauākī Whakamana ā Te Kāhui

Te Kāhui Statement of Authorisation

Our Statement of Intent is presented to the House of Representatives in accordance with the requirements of section 141 of the Crown Entities Act 2004 and is for the four years from 1 Hōngongoi | July 2023 to 30 Pīpiri | June 2027.

Our Statement of Intent should be read in conjunction with the Statement of Performance Expectations current for each year.

We are satisfied that the information on strategic intentions prepared by Te Kāhui Tātari Ture is consistent with the policies and performance expectations of the Government, as expressed through the Minister of Justice.

Our Statement of Intent was approved and signed by all Commissioners on 15 Pīpiri | June 2023.



Colin Carruthers, KC
Kaikōmihana Matua | Chief Commissioner

Chair, Te Komiti Whakahaere o Ngā Tāngata | People Committee



Paula Rose QSO OSTJ
Kaikōmihana Matua Tuarua | Deputy Chief Commissioner

Chair Te Komiti Haumarū Mōrearea | Risk and Assurance Committee



Nigel Hampton CNZM OBE KC
Kaikōmihana | Commissioner



Professor Tracey McIntosh MNZM (Ngāi Tūhoe)
Kaikōmihana | Commissioner



Dr Virginia Hope MNZM CFInstD
Kaikōmihana | Commissioner



Kingi Snelgar (Ngāpuhi, Ngāti Whakāue, Te Whakatōhea, Ngāi Tahu)
Kaikōmihana | Commissioner



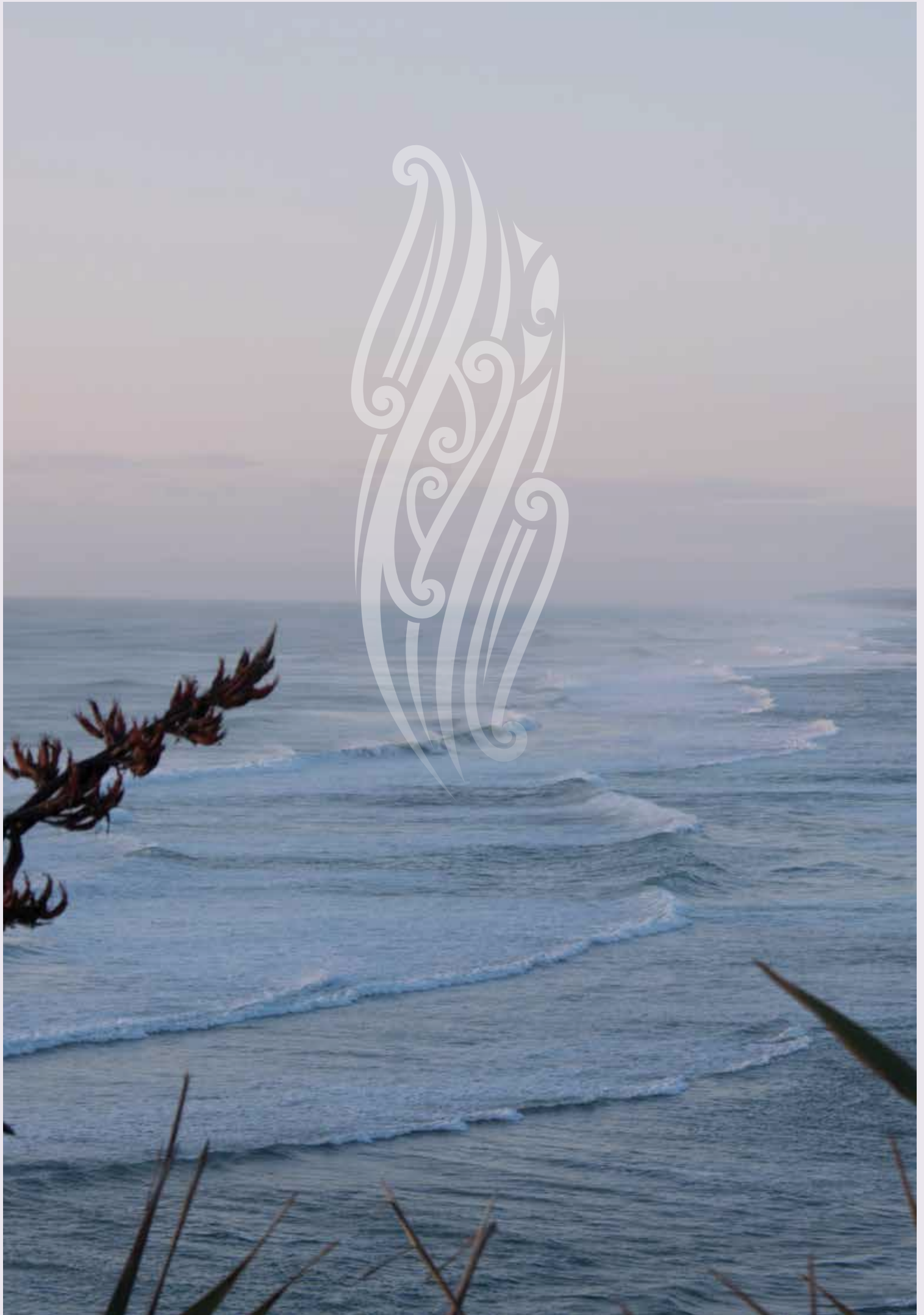
Associate Professor Tamasailau Suaalii-Sauni
Kaikōmihana | Commissioner



Ngā Rārangi Take

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Te Ingoa

Our Name: Te Kāhui Tātari Ture

Waikato-Tainui, the mandated tribal entity of Kirikiriroa | Hamilton region, gifted the name of Te Kāhui Tātari Ture to the Criminal Cases Review Commission in recognition of the Māori-Crown relationship between the two organisations as Treaty partners.

The provenance of Kāhui Tātari is synonymous with the ancient Whare Wānanga or centres of learning with a role in adapting procedures, processes, and maatauranga, mainly led by a Tohunga Ahurewa (High Priest).

The literal meaning of the full name Te Kāhui Tātari Ture:

- » Kāhui or group,
- » Tātari or review,
- » Ture or law.

It is an honour for the Commission to receive Te Kāhui Tātari Ture as our name and understanding as it specifically recognises the work and role of the Commission.

We acknowledge Rahui Papa, Taki Turner, and Mahana Toka for their advice and guidance to the Commission.

Te Kāhui Tātari Ture is used as our preferred name.



Te Kāhui Tātari Ture at a Glance

Te Tūranga Our Role

The primary role of Te Kāhui is to review criminal convictions or sentences in Aotearoa New Zealand and decide, if it is in the interest of justice, to refer them to an appeal court.

The purpose of this function is to:

- » Improve the independence, timeliness, quality, and fairness of investigations into miscarriages of justice in Aotearoa New Zealand.
- » Review suspected miscarriages of justice and refer cases back to the appeal courts if it is in the interests of justice to do so.
- » Enhance public confidence in the justice system through the delivery of its primary function. It will do this by:
 - > serving the interests of justice;
 - > maintaining independence;
 - > resolving cases in a timely manner;
 - > providing transparency over its processes and appropriately managing the expectations of the people involved;
 - > increasing the level of participation from Māori and Pacific peoples.

A secondary function is that we carry out outreach and education to promote our primary function as outlined above.

Te Kāhui also has the power to initiate and conduct inquiries into a general matter. This applies if, when performing our functions, we identify a practice, policy, procedure, or other matter of a general nature that we consider may be related to cases involving a miscarriage of justice, or has the potential to give rise to such cases.

Te Mana Whakahaere A-Ture Legislative Mandate

The Criminal Cases Review Commission Act 2019 established Te Kāhui as an Independent Crown Entity on 1 July 2020.

The following legislation is most relevant to the governance functions of Te Kāhui:

- » Criminal Cases Review Commission Act 2019
- » Crown Entities Act 2004¹
- » Public Service Act 2020
- » Public Finance Act 1989.

The Criminal Cases Review Commission Act 2019 can be accessed on the New Zealand legislation website at: <http://www.legislation.govt.nz/act/public/2019/0066/latest/LMS90599.html>

A suite of background documents on the development of the Criminal Cases Review Commission Act can be accessed on the Ministry of Justice website at:

<https://www.justice.govt.nz/justice-sector-policy/key-initiatives/criminal-cases-review-commission/>

Te Minita Haepapa Responsible Minister

The Minister of Justice is the government minister responsible for Te Kāhui.

We expect to engage with our Minister regularly each year. Our annual engagement with the Minister will include:

- » Keeping the Minister informed on our activities, for the purposes of financial security and ensuring outputs are delivered.
- » Providing the Minister with regular reporting including:
 - › quarterly performance reports covering key results and performance highlights, any emerging issues, and significant performance variances or risks;
 - › an audited annual report for each financial year.
- » The Minister informing Te Kāhui Board of the Government's expectations for the coming year, through a letter of expectations and providing feedback on the Statement of Performance Expectations.
- » Informing the Minister, as appropriate, on any issues that may result in significant media, public, or parliamentary attention. Te Kāhui will also work constructively with the Ministry of Justice as the Minister's Monitoring Agency.

¹ The Crown Entities Act 2004 applies to Te Kāhui except to the extent the Criminal Cases Review Commission Act 2019 provides otherwise.

Mo Te Kāhui Tātari Ture

About Te Kāhui Tātari Ture

The purpose of Te Kāhui is to review potential miscarriages of justice and refer appropriate cases back to an appeal court. If a living person convicted of a criminal offence in Aotearoa New Zealand believes they have been wrongly convicted or sentenced, they can apply to have Te Kāhui independently review their conviction, sentence, or both. Te Kāhui was established under the Criminal Cases Review Commission Act 2019 and commenced reviewing applications from 1 Hōngongoi | July 2020.

Te Kāhui is based in Kirikiriroa | Hamilton, which was a deliberate move to signify our independence from the traditional government and judicial centres of Aotearoa New Zealand.

Our work is directed by a Board of Commissioners comprising a Kaikōmihana Matua | Chief Commissioner, a Kaikōmihana Matua Tuarua | Deputy Chief Commissioner, and five Kaikōmihana | Commissioners. We have seven Kaikōmihana as at 30 June 2023, including our Kaikōmihana Matua and Kāikōmihana Tuarua.

Our investigations into possible miscarriages of justice are rigorous and thorough, to minimise the risk of error, and to preserve Aotearoa New Zealanders' confidence in the criminal justice system.

Our case procedures and processes are designed to ensure every application is treated independently, fairly, and efficiently. Te Kāhui has received a higher-than-expected number of applications, and within that, applications are more complex than expected. We estimate that some of our more complex applications may take up to three years to complete. This can be due to the time that has elapsed since conviction, the complexity of the legal matters involved, the availability of records from other justice partners, and other contributing factors.

The initial policy assumptions anticipated up to 125 applications in the first year. These same assumptions also assumed that the first referral made by Te Kāhui to an appeal court would be after a three-year operational timeframe. Te Kāhui has delivered our first referral within the third year of operation, while managing the higher-than-expected demand and complexity. Between 1 Hōngongoi | July 2020 and 20 Poutū-te-rangi | March 2023 Te Kāhui received many more applications than expected.

Applications received	Applications we closed	Applications we referred	Active applications remaining	Applications currently in s25 investigation
362	112	1	249	20

As the only jurisdiction in the world with an outreach and education function in our Act, we are committed to meeting our legislative obligations and continuing to meet our responsibilities under Te Tiriti o Waitangi.

To address the current disparity and inequity observed throughout the Aotearoa New Zealand criminal justice sector, the outreach and engagement function is essential to meeting these obligations. It will have targeted measures to raise awareness of Te Kāhui services to those more at risk of being impacted by a wrongful conviction.

The Commission may identify a practice, policy, procedure, or other matter that may give rise to a miscarriage of justice. Under section 12 of the Criminal Cases Review Commission Act 2019, it may conduct an inquiry if it is satisfied that an inquiry is in the public interest. Several potential section 12 issues have been identified, and work is underway to develop at least one issue for a formal section 12 inquiry in the 2023 calendar year.

Te Kāhui has formally adopted Ngā Uara | Values and a Tikanga Matatika | Code of Ethics to serve as Pou | Pillars to inform the way in which Te Kāhui conducts its mahi. We are also guided by the principles of Te Tiriti.

Ngā Uara Our Values

We embrace these principles and values.

- » **Manaakitanga:** we care for, and acknowledge, the equal mana of all.
- » **Aroha:** we are respectful and compassionate.
- » **Kaitiakitanga:** we are stewards and consciously aware of the inter-generational consequences and impacts of our advice, actions, and decisions.
- » **Te Tika me Te Pono:** we are committed to doing the right thing with transparency, honesty, and integrity.
- » **Kotahitanga:** we work collectively and are united in our shared purpose to operate as an independent body to investigate and review criminal convictions or sentences, or both, and decide whether there has been a wrongful conviction.
- » **Hiranga:** we consistently strive for excellence and leadership within our sector.

We will enable this by:

- » consistently applying a partnership approach to everything we do;
- » influencing and supporting the justice sector for all New Zealanders;
- » ensuring we draw on the lived experiences of those who we work with; and
- » through our work help to reduce the number of Māori within the justice system.

Ngā Tikanga Matatika Our Code of Ethics

In May 2021, as part of the governance work undertaken, a Kawenata | Charter was created that describes how Ngā Kaikōmihana | Commissioners will work and ensure an ethical approach to investigating criminal convictions and sentences where there is a claimed miscarriage of justice.

Ngā Kaikōmihana | Commissioners have committed:

- » not to contravene, or cause or agree to Te Kāhui Tātari Ture contravention of the Crown Entities Act 2004 or Criminal Cases Review Commission Act 2019;
- » to exercise the powers and discretions conferred upon them in good faith and honestly in the interests of, and for the benefit of Te Kāhui Tātari Ture;
- » not to delegate decisions or act under a third party's direction, except as permitted by law;
- » not to act for their own benefit, or for the benefit of any third party;
- » not to disclose information or make use of it, except when required for Te Kāhui Tātari Ture to perform its functions and as permitted by law;

- » not to promote personal interests by making or pursuing a gain in circumstances in which there is a conflict (i.e., real, potential, or perceived) between the Board Member's personal interests and those of Te Kāhui Tātari Ture;
- » to ensure proper use of Te Kāhui Tātari Ture resources and that any expenditure is not wasteful, excessive, or inappropriate for a Crown entity;
- » not to receive undisclosed gifts; and
- » not to work for Te Kāhui Tātari Ture in any professional capacity (e.g., be a paid consultant), in addition to their Board Member role. This restriction is noted in the Cabinet Fees Framework for Crown Entity Board Members and the Minister's Letter of Appointment.

Te Kāhui Tātari Ture Board Members will ensure they exhibit the highest standards of ethical and professional behaviours required to undertake their Board role effectively.

These behaviours include (but are not limited to):

- » **Cultural competency.** Board Members will seek to use Te Reo Māori on all forms of communication, particularly statutory accountability documents, and will uphold the values drawn from Te Ao Māori in policies, procedures, and reporting documents. Board Members will have a level of awareness, understanding, and ability to apply tikanga Māori in appropriate settings.
- » **Strategic perspective.** Board Members need to be able to think conceptually and see the 'big picture'. They should focus, as much as possible, on strategic goals and overall progress in achieving those, rather than on operational detail.
- » **Integrity.** Board Members must demonstrate the highest ethical standards and integrity in their personal and professional dealings. They should also challenge and report unethical behaviour by other Board Members.
- » **Independent judgement.** Board Members need to bring to the Board objectivity and independent judgement based on sound thought and knowledge. They need to make up their own mind rather than follow the consensus.
- » **Courage.** Board Members must be prepared to ask tough questions and be willing to risk rapport with fellow Board Members to take a reasoned, independent position.
- » **Respect.** Board Members should engage constructively with fellow Board Members, entity management, and others, in a way that respects and gives a fair hearing to their opinions. To foster teamwork and engender trust, Board Members should be willing to reconsider or change their positions after hearing the reasoned viewpoints of others.
- » **Collective responsibility.** Board Members must be willing to act on, and remain collectively accountable for, all decisions even if individual Board Members disagree with them. Board Members must be committed to speaking with one voice once decisions are taken on entity strategy and direction.
- » **Participation.** Board Members are expected to be fully prepared, punctual, and regularly attend for the full extent of Board meetings. Board Members are expected to enhance the quality of deliberations by actively asking questions and offering comments that add value to the discussion.
- » **Financial literacy.** Boards monitor financial performance and thus all Board Members must be financially literate. They should not rely on other Board Members who have financial qualifications and should undertake training to improve their own financial skills where necessary.

Te Tiriti o Waitangi

Te Kāhui is committed to being a good partner to successfully address inequality and promote development. We are committed to being a member of a better, more inclusive public service. Our Act requires that our operating procedures are consistent with Te Tiriti (section 15).

Building capability to better support the Māori-Crown relationship has been identified by Māori, the Government, and the public service as a critical area of development for the public service.

Te Kāhui has specific obligations to improve services and outcomes for Māori and strengthen the Crown's relationship with Māori. Te Kāhui continues to achieve this by addressing inequity, developing and maintaining our cultural capability to engage with Māori, and giving tangible effect to Māori perspectives. This has included incorporating tikanga Māori in our policies, practices, and procedures, each contributing to positive outcomes for Māori in the criminal justice system.

We are committed to living up to the name that Waikato-Tainui gifted us: Te Kāhui Tātari Ture.

We are committed to this mahi, including:

- » Maintaining relationships with kaumātua from Waikato-Tainui (mana whenua).
- » Ngā Kaikōmihana | Commissioners with expertise in tikanga and te ao Māori.
- » Our Tumu Whakarae | Chief Executive and Pou Matua | Engagement and Communications Manager have expertise in te ao Māori and te reo Māori.
- » A Māori Advisory Board is being established to advise and challenge us in our mahi of investigating miscarriages of justice.
- » A growing partnership with Waikato Tainui including property, translation services, recruitment, cultural support, and training.
- » Development of a tikanga policy and kawa guidelines for Te Kāhui.
- » Development of a Māori Language Plan and incorporation of te reo Māori in our policies, documents, and everyday mahi.
- » Te Pou Tarāwaho | Outreach and Education Action Plan operationalised, with a focus on Māori and Pacific peoples.
- » Continued engagement with mana whenua from across the motu through our outreach and education mahi.
- » Māori and Pacific language translations for all application forms and resources. Internal capability to conduct interviews in Māori.
- » We will continue to champion Māori-Crown relations across the public sector and within our own organisation.

Ngā Whāinga Rautaki o Pae Tawhiti

Strategic Long-term Outcomes

To support the Government’s priority of improving the wellbeing of all New Zealanders and their whānau and families across a range of portfolio areas, including justice, we have identified and set out strategic long-term outcomes for Te Kāhui in our Statement of Intent 2023-2027.

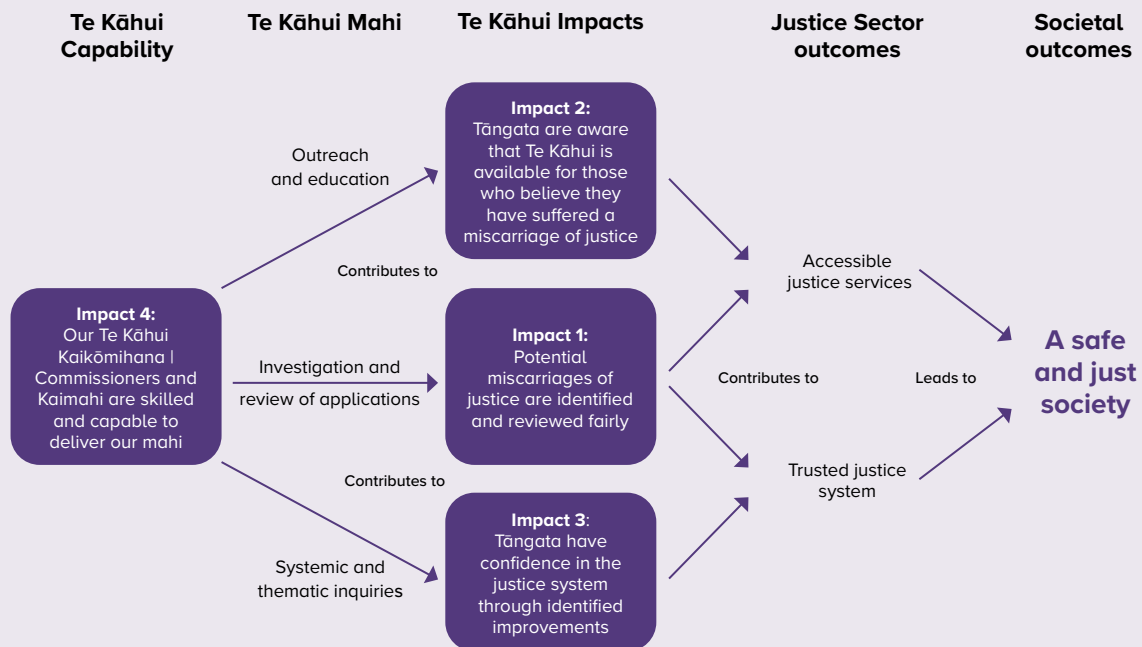
Our strategic long-term outcomes are:

1. improved access for anyone who has suffered a miscarriage of justice in relation to a criminal conviction or sentence in a New Zealand court;
2. increased public trust and confidence in the justice sector through addressing miscarriages of justice; and
3. improved accessibility and justice outcomes for Māori and Pacific peoples through targeted outreach and engagement to groups overrepresented in the criminal justice sector.

These outcomes contribute to an overall societal outcome of a safe and just Aotearoa New Zealand.

Te Aronga Rautaki

Strategic Framework



During the term of this 2023-2027 Statement of Intent, Te Kāhui expects to build on the systems and processes developed during the establishment phase that led to our first referrals of miscarriage(s) of justice during 2022/23.

Ngā Rautaki Whakaarotau Strategic Priorities

Impact 1 – Potential miscarriages of justice are identified and reviewed fairly.

Our top priority is to ensure that all applications/cases to Te Kāhui are treated independently, fairly, and efficiently.

The 2023-2027 Statement of Intent seeks to increase the number of completed applications, leading to meritorious referrals being made more quickly and a reduction in the number of active cases.

Te Kāhui aims to be open, transparent, accessible, and independent in all its mahi. We will continue to publish all our procedures on our website, and will continue our outreach and education programme to those with unsafe convictions or sentences, or both.

Te Kāhui will maintain the skills and expertise to undertake our mahi, and where necessary will utilise external experts and specialists.

Te Kāhui will work hard to ensure that the information required to undertake the investigations is available without barriers. We will continue to do this through our established relationships with our justice sector partners who hold the information required for our investigations. We will maintain memoranda of understanding with all organisations/institutions that hold files pertinent to miscarriages of justice and advocate for improved access on a timely basis.

Subject to available funding, our priorities for the coming four years are set out below.

2023/24	2024/25	2025/26	2026/2027 & beyond
Growing the number of referrals.	Complete more active cases in triage and initial assessments.	Improve timeliness of reviews of applications within triage.	Improve timeliness of reviews of applications.
Using reserves to complete more reviews of applications.	Process improvements where required.		
Actively manage application volumes.			

Impact 2 – Tāngata are aware that Te Kāhui is available for those who believe they have suffered a miscarriage of justice.

We want to ensure that the people who need to know about our services are aware and can access information on how to apply.

During 2023-27 we will work toward fully implementing Te Pou Tarāwaho, our outreach and education action plan. This will help us to target those who may have had an unsafe conviction or sentence, their whānau, their advocates, and/or representatives.

Māori and Pacific peoples are overrepresented in the criminal justice system and have less access to appeals. We will increase the proportion of applications from Māori and Pacific peoples, through an emphasis on outreach to these groups. Where other issues are identified that limit access to justice, we will advocate for changes that remove those barriers.

Subject to available funding, our priorities for the coming four years are summarised below.

2023/24	2024/25	2025/26	2026/2027 & beyond
Targeted outreach for Māori through relationships with key Tāngata Whenua communities.	Targeted outreach to Māori and Pacific peoples.	Targeted outreach to Māori, Pacific peoples, women, and youth.	Targeted outreach to Māori, Pacific peoples, women, and youth.
Targeted outreach to those incarcerated.	Targeted outreach to those incarcerated.	Targeted outreach to those incarcerated.	Targeted outreach to those incarcerated.

Impact 3 – Tāngata have confidence in the justice system through identified improvements.

Te Kāhui can initiate and conduct inquiries into matters that it considers may contribute to miscarriages of justice.

Te Kāhui will undertake section 12 inquiry work, where, through the assessment, investigation, and analysis of cases, we identify a critical issue that creates a high likelihood of multiple miscarriages of justice.

Through our mahi to address miscarriages of justice and our recommendations on criminal justice system improvements, we seek to reduce disparities.

Subject to available funding, our priorities for the coming four years are summarised below.

2023/24	2024/25	2025/26	2026/2027 & beyond
Raising the awareness of Te Kāhui to vulnerable communities.	Formal s12 systemic inquiry with report to the Minister of Justice.	Recommendations from s12 systemic inquiry lead to reform within the justice sector.	Robustness of the justice sector has been improved through adoption of recommendations from a s12 inquiry or less formal advice.
Raising awareness of issues in the justice sector, including advocacy not covered by systemic inquiries.	Raise awareness of issues in the justice sector, including advocacy not covered by systemic inquiries.		
Collaborating with an agency or agencies on a potential systemic inquiry.			

Impact 4 – Our Te Kāhui Kaikōmihana | Commissioners and kaimahi are skilled and capable to deliver our mahi.

Te Kāhui is mindful to ensure its Board is well advised, supported, and has access to appropriate training.

Our Board endeavours to be a high-performing board. The Board will undertake an annual self-assessment process, which will result in improved governance and management practices. It will also ensure the effective use of resources and better-informed decision making.

The Board will continue to develop its understanding of Te Ao Māori and other cultures that may be overrepresented in the criminal justice system.

At Te Kāhui our people are critical to our success. Our kaimahi are skilled, dedicated, conscientious, and culturally aware. We put a premium on research and analytical skills, and the ability to demonstrate sensitivity.

Our kaimahi embrace our uara | values and the pou | pillars that guide our mahi and the way we manage relationships. These principles include manaakitanga, ensuring that we protect and enhance the mana of all in the way we work. They include whanaungatanga, ensuring that we involve applicants' whānau and support networks, and recognising that the issues we deal with can have far-reaching and inter-generational impacts.

Te Kāhui prioritises being an equal opportunity employer with a workforce that is as diverse as Aotearoa New Zealand. We have Utu Tapiri Rautaki | Remuneration Strategy, which includes guidance on advertising salary bands and other information that improves equity and reduces the likelihood of discrimination.

He Oranga Pou Manawa | Performance Development Framework is used annually to agree kaimahi goals and to identify tailored development to support each individual. In 2023/24 we seek to implement our talent programme, encompassing these to continue to enable the development and recognition of our people.

Health, safety, and wellbeing are of critical importance to Te Kāhui Board. Our safety and wellbeing system is based on Te Whare Tapa Whā,² focussing on taha tinana (physical health and safety), taha wairua (spiritual wellbeing), taha whānau (family wellbeing and relationships), and taha hinengaro (mental wellbeing).

Te Kāhui Board has established a subcommittee, Te Komiti Whakahaere o Ngā Tāngata | People Committee, and our Board agenda always reflects the importance of our kaimahi and their wellbeing.

Te Kāhui will operate in a financially prudent manner. We will operate within the constraints of our long-term funding, maintaining reserves to address unexpected shocks in accordance with our reserves policy.

Where Te Kāhui Board are of the opinion that cost pressures (either volume or economic) are such that Te Kāhui may not be sustainable, they will raise the need for additional funding with our Minister.

Subject to available funding our priorities for the coming four years are summarised below.

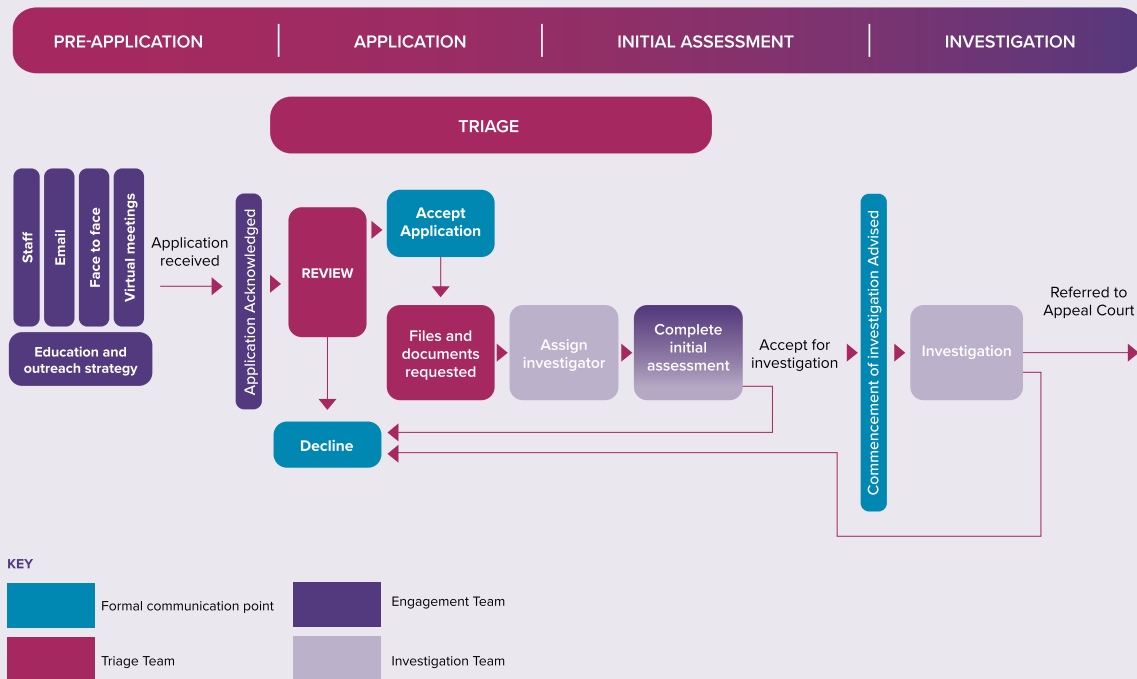
2023/24	2024/25	2025/26	2026/2027 & beyond
Attracting and retaining Commissioners with the required capability (ongoing)	Attraction and retention of required Commissioners capability (ongoing)	Attraction and retention of required Commissioners capability (ongoing)	Attraction and retention of required Commissioners capability (ongoing)
Training and growing understanding of various cultures, especially those overrepresented in the criminal justice system	Growth and strengthening as Board rotation occurs		

² Te Whare Tapa Whā was developed by Tā Mason Durie.

Te Anga Whakahaere Operating Model

Our current operating model will be described in each Statement of Performance Expectations.

At the time of the approval of this Statement of Intent 2023-2027 our operating model is shown below:



Manaaki i Ngā Pārurenga Caring for Victims

Te Kāhui is committed to ensuring it treats all victims with respect and dignity throughout the duration of our mahi.

Each application is unique and often complex, so a tailored approach is taken for each application with an identifiable victim. Wherever possible, victims are not notified of an application until it is deemed necessary and appropriate. At the appropriate time, consideration is given to the best approach, recognising and giving effect to the needs and rights of victims, doing all we can to enhance the safety of victims and whānau throughout our processes.

Te Kahui will often engage with appropriate experts, Police, other agencies, or victim advocates to ensure victims' needs are always met.

Te Kahui is committed to continuously improving its victim management as the organisation matures.

Te Haepapa Angitū

How we will measure success

Te Kāhui reports its performance against:

- » the functions set out in Criminal Cases Review Commission Act 2019;
- » the strategic long-term outcomes set out in the current Statement of Intent 2023-2027;
- » the Government's vision of delivering people-centred justice services that contribute to a safe and just Aotearoa New Zealand; and
- » the Minister of Justice's letter of expectations, outlining the priorities and how Te Kāhui is expected to contribute.

We provide the following documents, in accordance with the Crown Entities Act, as part of our monitoring reporting and accountability arrangements:

- » The Statement of Intent, a four-year document detailing our strategic direction.
- » The Statement of Performance Expectations, an annual document setting our forecast performance.
- » Annual Report, an annual document reporting our actual performance.

In selecting measures and targets for each Statement of Performance Expectations, we consider the characteristics of relevance and understandability. Value is placed on measures that we, Te Kāhui Board, can use to guide decisions and measure the wider organisation's performance. Where possible, the measures selected are ones that are already used to manage our activities.

Measures from prior years that are not due to be completed will be carried over into the appropriate Statement of Performance Expectations.

Actual performance will be measured in the Annual Report related to the year the measure is included in the Statement of Performance Expectations.

Societal outcome	Justice Sector outcome	Te Kāhui Impact	Te Kāhui Key Measure
A safe and just society	Trusted Justice System / Accessible Justice Services	Impact 1: Potential miscarriages of justice are identified and reviewed fairly.	Applications are addressed within agreed timeframes.
			Applicants are aware of the status of their application.
			Procedures are published on our Te Kāhui website.
A safe and just society	Accessible Justice Services	Impact 2: Tāngata are aware that Te Kāhui is available for those who believe they have suffered a miscarriage of justice.	Community awareness of Te Kāhui services.
			Proportion of applications from: <ul style="list-style-type: none"> » Māori » Pacific peoples » Female » People under the age of 39.
			Number of Corrections facilities engaged with.
A safe and just society	Trusted Justice System	Impact 3: Tāngata have confidence in the justice system through identified improvements.	Number of s25 applications closed during the year ended 30 June.
			Awareness and collaboration on a potential systemic inquiry with another agency or agencies.
A safe and just society	Trusted Justice System	Impact 4: Our Te Kāhui Commissioners and kaimahi are skilled and capable to deliver our mahi.	Te Kāhui Board has the appropriate skills and is using best practice.
			Understanding and competence of Te Ao Māori and specifically Te Tiriti o Waitangi and tikanga.

Ko Ngā Mahi Mana Whakahaere Governance

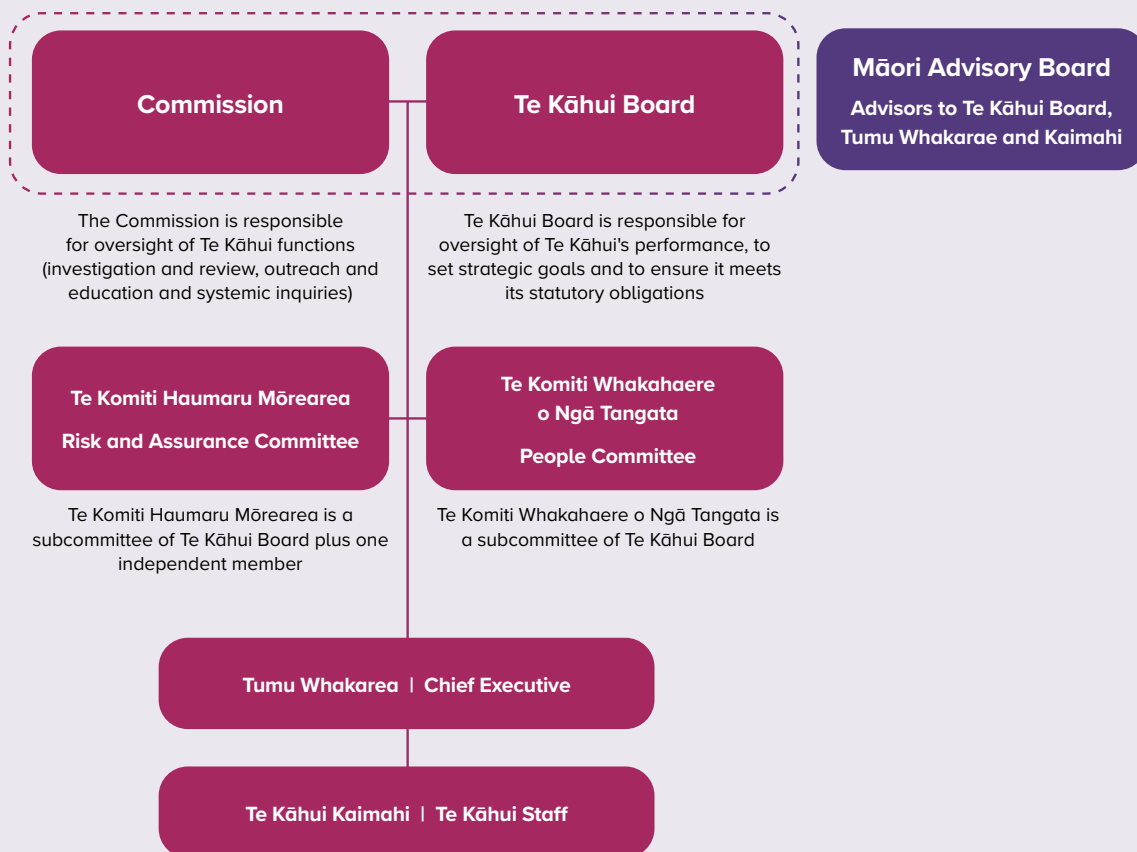
Ngā Kaikōmihana | Commissioners undertake a dual governance role:

- » The Commission’s role to deliver on its functions as set out in the Criminal Cases Review Commission Act 2019.
- » The Board’s role is to deliver a sustainable organisation as a Crown entity as per the Crown Entities Act 2004 and other relevant acts, such as the Health and Safety at Work Act 2015.

The Commissioners of Te Kāhui have a range of skills and experience, including experience in community and corporate governance, legal expertise, academia, and in the public sector.

The Criminal Cases Review Commission Act stipulates that at least one Kaikōmihana | Commissioner must have knowledge or understanding of te ao Māori and tikanga Māori; at least one-third must be legally qualified; and at least two-thirds must have experience working in the justice system. Our Kaikōmihana | Commissioners meet this requirement of the Act.

Ko Ngā Mahi Mana Whakahaere | Governance



Kaikōmihana Matua | Chief Commissioner

Colin Carruthers KC is one of New Zealand's most experienced barristers and has an extensive legal repertoire. He has led many high-profile defence and prosecution cases throughout his career, which began after he completed a Bachelor of Laws (with Honours) at the University of Auckland. He has substantial experience in commercial litigation, particularly in cases concerning directors' and auditors' responsibilities. He has also had considerable experience in criminal work, both prosecution and defence, including Serious Fraud Office, securities, and tax prosecutions. Mr Carruthers has worked with those who have had unsafe convictions and has a deep understanding of adversarial reviews and court procedures through his criminal defence work.

He was appointed King's Counsel in 1990 and was awarded the New Zealand 1990 Commemorative Medal for services to New Zealand.

As Chief Commissioner he chairs the Board of Te Kāhui and leads the implementation of the Criminal Cases Review Commission Act 2019. He led the development of key operational policies, such as the investigative process and how applications are made and handled. He leads engagement with key stakeholders from the political, judicial, and other spheres, including victims' rights organisations, and is responsible for the relationship with the Te Kāhui's monitoring agency, the Ministry of Justice. Colin is in the role for a term of four years from 15 June 2020.

Kaikōmihana Matua Tuarua | Deputy Chief Commissioner

Paula Rose QSO OStJ has investigation experience, is a former member of the NZ Parole Board, and has worked in a range of governance roles. Ms Rose's experience in criminal justice comes from her work with NZ Police, including as National Manager Road Policing. Ms Rose is a very experienced Crown governor. She is a Commissioner on the Transport Accident Investigation Commission, a member of the Electricity Authority, and a lay member of the Social Workers Registration Board. Previous governance roles include organisations such as WorkSafe NZ and Broadcasting Standards Association. Paula is in the role for a term of five years from 15 June 2020.

Ms Rose is a Hato Hone St John volunteer and is currently a member of the Priory Board.

As Deputy Chief Commissioner she chairs Te Kāhui's Te Komiti Haumarua Mōrearea | Risk and Assurance Committee.

Kaikōmihana | Commissioners

Nigel Hampton CNZM OBE KC is a criminal trial and appeal lawyer who has worked in New Zealand and on the international stage, including the Pacific. Mr Hampton has been a King's Counsel since 1989. He was Chief Justice of the Kingdom of Tonga, was the first Disciplinary Commissioner of Counsel in the International Criminal Court, and has just completed his mandate as Presiding Member of the Disciplinary Board for the International Criminal Court counsel. His experience in the criminal justice sector includes academic writing on advocacy and criminal law, including in Adams on Criminal Law, and as an advocate for needed systemic reforms. He is also an instructor on litigation skills, including in New Zealand, Tonga, and Samoa. Nigel is in the role for a term of three years from 15 June 2020.

Dr Virginia Hope MNZM CFinstD, scientist, researcher, and medical specialist in both public health medicine and medical administration. She has worked in local, regional, and national regulatory, public health and science settings, and across government, Crown Research Institutes, and academia. She is currently part-time Medical Director for the Institute of Environmental Science and Research, and Chief Medical Officer for New Zealand Food Safety. Dr Hope has significant experience as a Crown governor, having been Chair of the former District Health Boards for Capital and Coast and for the Hutt Valley 2010-2016, and appointed to diverse Crown boards, ministerial and advisory committees. She has served on the boards of professional organisations and is currently a member of the board of Taumata Arowai and the Hastings Health Centre. Virginia is in the role for a term of three years from 15 June 2020.

Professor Tracey McIntosh MNZM (Ngāi Tūhoe) is a Professor of Indigenous Studies at Te Wānanga o Waipapa (School of Māori Studies and Pacific Studies) at the University of Auckland. Dr McIntosh is also currently the Chief Science Advisor for the Ministry of Social Development. She has a strong interest in the interface between research and policy, and ensuring that processes are responsive to, and inclusive of, tikanga and mātauranga Māori. Her expertise in the criminal justice system has been centred on extensive research on the experience of Māori and Indigenous people with the criminal justice system, with a particular focus on incarceration. Professor McIntosh's research focuses on social harm reduction, increasing collective wellbeing, and disrupting the inter-generational transmission of social inequalities. Tracey is in the role for a term of four years from 15 June 2020.

Kingi Snelgar is a lawyer based in Tāmaki Makaurau. He has whakapapa to Ngāpuhi, Ngāti Whakaue, Te Whakatōhea, and Ngāi Tahu. He has experience working in the justice system as a prosecutor, defence lawyer, and youth advocate. He has training that is contemporary and relevant to the CCRC's work. Mr Snelgar is also an academic with knowledge and understanding of tikanga Māori and te ao Māori. Before working as a barrister he worked at Meredith Connell, specialising in criminal prosecution; was a human rights observer at Standing Rock; and was also a judge's clerk at the Oglala Sioux Tribal Court in the USA. He has completed a Master of Law at Harvard Law School as a Fulbright Scholar. Kingi is in the role for a term of five years from 15 June 2020.

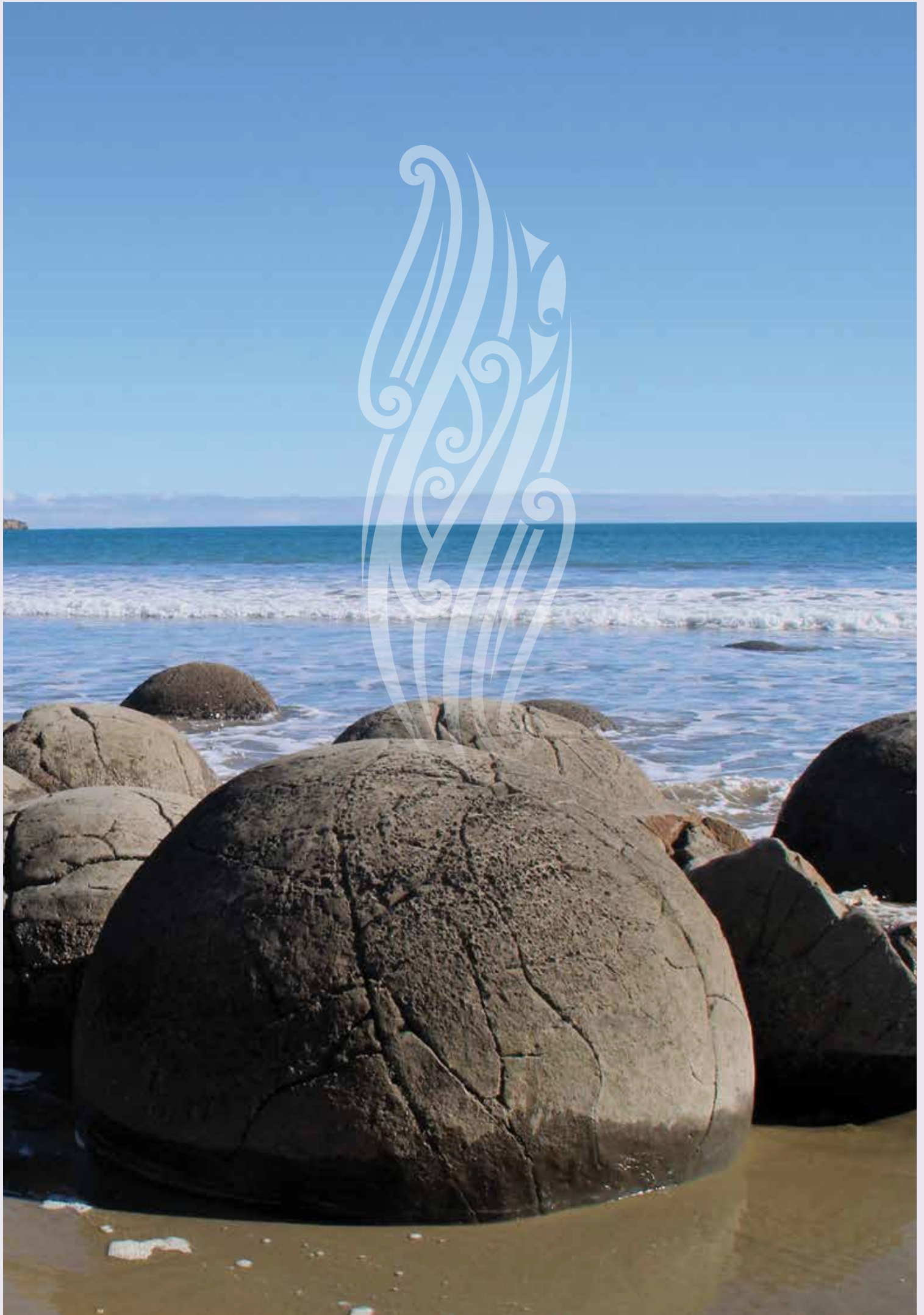
Associate Professor Tamasailau Suaalii-Sauni (Sāmoan, Tongan) teaches Sociology and Criminology in the School of Social Sciences at the University of Auckland. Dr Suaalii-Sauni is a social scientist with legal training and has held several community board and government advisory governance roles. She was an inaugural board member of Goshen Mental Health Trust Services in Samoa, and in more recent years was on the Auckland Central Police District Commander's Pacific Advisory Board, and the NZ Royal Commission of Inquiry into Abuse in Care's inaugural research ethics advisory panel. Her expertise in the criminal justice system centres on developing Pacific indigenous jurisprudential theories and conducting Pacific indigenous criminological research. Her research portfolio has also focused on models for addressing social inequalities and inequities affecting Pacific peoples, and the development of Pacific research tools and Pacific peoples' research capacity and capability in Aotearoa New Zealand. Tamasailau is in the role for a term of four years from 12 May 2021.

Tumu Whakarae Chief Executive

In 2020, Parekawhia McLean (Ngāti Mahanga, Waikato, Ngāti Maniapoto) was appointed the inaugural Tumu Whakarae | Chief Executive of Te Kāhui. She has previously held executive roles at Counties Manukau District Health Board as the Director of Strategy and Infrastructure, Regional Director for Waka Kotahi | NZ Transport Agency, and Chief Executive of Waikato-Tainui.

Parekawhia spent almost six years as a strategic advisor working in the Department of Prime Minister and Cabinet alongside three Prime Ministers. One of her major achievements as a government official was the establishment of the Māori Television Service – where she was the lead Crown advisor at the time of its establishment.

She has a Master in Social Science degree from Waikato University and a Master of Arts in Public Administration and Development Policy from the University of Wisconsin, USA. She is a member of the Distinguished Alumni of Waikato University.





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