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Dear Penny

### **Legal Aid Consultation: Limited and Temporary Approvals**

Thank you for the opportunity to comment on proposed changes to the Legal Aid Provider Manual to incorporate Temporary (Part 1a) and Limited Approvals (Part 1b).

The Law Society's Legal Services Committee has considered the proposed changes and brief comments are noted below. We note that the proposed additions and changes reflect recent amendments to the Legal Services (Quality Assurance) Regulations 2011, and that there do not appear to be substantive changes between the old temporary approval policy and the new limited approval policy.

### **Timeframes**

We note there are tight timeframes stated in the policies for the Internal Assessor to report but none for the Secretary or Review Authority. This could significantly delay matters and given that temporary approvals (if not limited approvals) are often urgent, timeframes should, if possible, also be recorded for the Secretary and Review Authority.

### **General applicability of the policies**

As you will know from recent discussions with Bronwyn Jones, there has been some confusion over when to use the policies. We think this could be more clearly stated and the distinctions between the policies could be clearer. A Queen's Counsel or senior lawyer who wants a one-off approval to do a case but who does not need a waiver of experience/competence and does not want to be a legal aid provider other than for the single case, needs to be able to simply and quickly find the appropriate approval type to be applied for.

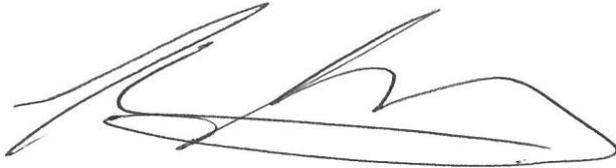
In addition, the policies specify some of the effects of applying and being granted these approvals – such as the provider's name being passed to the New Zealand Law Society – but there are some unanswered questions. For example, if the providers have been granted limited or temporary

approval in the criminal area does this mean they are obligated to be on the criminal rotation roster and have their name included in the public list of legal aid providers?

**Conclusion**

We hope these comments are helpful and if further discussion would assist, please do not hesitate to contact Bronwyn Jones ([bronwyn.jones@lawsociety.org.nz](mailto:bronwyn.jones@lawsociety.org.nz) / 04 463 2906).

Yours sincerely

A handwritten signature in black ink, appearing to be 'K. Beck', written in a cursive style.

Kathryn Beck  
**President**