



DRAFT MEMORANDUM
TO COUNSEL APPEARING BEFORE THE NEW ZEALAND PAROLE BOARD

1. We encourage lawyers to appear for offenders before the Board.
2. Set out below is a set of guidelines to help lawyers know the Board's approach to venue appearances before the Board. We stress these are guidelines only. They can be changed or amended at the discretion of the convenor of any Board.

Guidelines

3. If at all possible counsel should appear with his/her client at the same venue when the client has a Board hearing. This has several advantages. Self-evidently, counsel will be able to see and talk to the offender before the hearing. From time to time during the hearing, counsel may need to get instructions from the offender. Being in the same room as the offender enables this to be easily achieved.
4. The Board understands that offenders are regularly transferred between prisons. Where this happens and counsel cannot travel the best solution is likely to be a transfer of instructions to local counsel.
5. The Board does not have facilities in Wellington which easily allow counsel to be present and representing an offender by AVL.
6. The prisons generally have adequate AVL facilities. However, if counsel and the offender are at different prisons there are real problems of communication.
7. If however, counsel for appropriate reasons, cannot be at the same venue as the offender and cannot instruct other counsel then an early (at least one week before the Board hearing) application for approval of the proposed arrangements should be made to the Board. This will allow time for the convenor to consider the application and for appropriate arrangements to be made.

8. The same situation applies to persons wishing to appear before the Board to support an offender. Where counsel is involved an appropriate application for all who wish to attend should be made to the Board if supporters wish to appear other than with the offender in person. Once again the application should be made at least seven days prior to the Board hearing so that if necessary appropriate arrangements can be made.

Sir Ron Young
Chairperson

4 March 2019