

12 June 2026

Our ref: 2026/34

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Tēnā koutou katoa

Accessible and Affordable Justice programme

The Minister of Justice, Hon Paul Goldsmith, gave a speech to a Law Association of New Zealand breakfast gathering in Auckland this morning. In his speech, the Minister outlined the outcome of the 2025 Triennial Review of the Legal Aid scheme and launched the Accessible and Affordable Justice programme. I would like to update you on what it means for the legal profession. I would appreciate it if you could circulate this letter to your members

The Government recognises that legal aid is a cornerstone of the justice system that ensures people who need legal services and cannot afford to pay for them have access to legal advice and representation. The Government has continued to invest in the scheme, providing an additional \$30 million for 2026/27 that is time-limited for that financial year only.

The Triennial Review highlighted that the scheme is under significant strain. Feedback from legal aid lawyers was that they were struggling to service their clients and respond to the administrative demands of the system. The legal profession also noted the scheme was struggling to retain existing lawyers and attract new ones. The cost of legal aid is

outstripping inflation and has risen from \$192.5 million to \$304.7 million in the last five years and is projected to increase further. The Government does not consider this to be a sustainable trajectory.

Analysis undertaken by the Ministry has identified that these increases are not primarily driven by the number of cases, but rather by how they work their way through the court system. Legal aid costs are largely being driven up by changing practices in the justice system – such as a significant increase in the number of defendants electing trial by jury and increasingly complex cases, as well as inefficiencies, churn and delays. These pressures cannot be addressed solely through changes to the legal aid scheme as many of the issues stem from how cases are progressed and resolved. It will take concerted action by everyone in the Justice sector to find meaningful solutions.

In response, the Ministry is leading the Accessible and Affordable Justice programme. The Ministry has appointed a Programme Director, who is standing up a small team to work directly with the Judiciary, the legal profession and sector agencies on a range of high-impact changes to produce timeliness gains and efficiencies that will then flow through into savings in the justice system and the legal aid scheme. The programme will look at a wide range of options, such as changes to jury trial settings, changes that reduce demand for legal aid, and changes that reduce the effects of high volumes of case material and the complexity of evidential requirements.

The programme will also consider targeted changes to legal aid scheme settings. These settings influence overall demand on the scheme and influence how cases progress through the system.

In addition, the programme will look at court and coronial cost pressures, which are also being managed through time-limited funding provided in Budget 2026. A range of regulatory and operational options to improve efficiency and manage costs across court and coronial services may be considered.

We will soon be establishing a small Practitioners Advisory Group, with its members being appointed by me as Secretary for Justice. The group will bring together experienced practitioners with a strong understanding of how the system operates in practice and will be used to test proposals and options at an early stage.

The broad approach will see officials develop options for change, and then work proactively with the Practitioners Advisory Group, the wider legal profession, the Judiciary and sector agencies. The Ministry will then provide advice to Ministers to enable them to make decisions for Budget 2027.

The Ministry will be proactively publishing information later today about the outcome of the Triennial Review to coincide with the Minister's speech.

I will also be speaking about the Accessible and Affordable Justice programme at the Chief Judges' call with the professional bodies on Thursday 18 June.

Nāku noa, nā



Andrew Kibblewhite

Pou Whakarae mō te Ture
Secretary for Justice