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25 November 2011

## CRIMINAL LEGAL AID

### OUR AGREEMENT

The New Zealand Law Society requires that I set some matters out in writing and there are some things we need to have a clear understanding on.

#### Services to be provided

1 The following is a summary of my brief:

1

#### Client Services

- 2 The Rules of Conduct and Client Care for lawyers of the New Zealand Law Society require that in all events, subject to the duties of the barrister to the courts and to the justice system, a barrister must:
- a act competently, in a timely way, and in accordance with instructions received and arrangements made with the client;
  - b protect and promote the client's interests and act for the client free from compromising influences or loyalties;
  - c discuss the client's objectives and how they should best be achieved;
  - d provide the client with information about the work to be done, who will do it and the way the services will be provided;
  - e charge the client a fee that is fair and reasonable, and let the client know when the client will be billed;

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- f give the client clear information and advice;
  - g protect the client's privacy and ensure appropriate confidentiality;
  - h treat the client fairly, respectfully, and without discrimination;
  - i keep the client informed about the work being done and advise when it is completed;
  - j let the client know if the Instructions are of the sort where the client may be eligible for legal aid, and if so whether you are prepared to undertake the work if paid by legal aid;
  - k let the client know how to make a complaint, and deal with any complaint promptly and fairly.
- 3 If you require any further details regarding the legal obligations of a barrister, please visit [www.lawsociety.org.nz](http://www.lawsociety.org.nz) or telephone 0800 261 801.

**Legal Aid**

- 4 The amount to be paid to me will be the sum approved by the Ministry of Justice (Legal Aid).
- 5 You will take all steps required of you by the Ministry of Justice (Legal Aid) to obtain and protect your grant of legal aid.
- 6 I am required to pass information to Ministry of Justice (Legal Aid) and the usual solicitor client privilege will not, to that extent, always apply in the course of your instructions to me and that privilege will not apply if Ministry of Justice (Legal Aid) audits or investigates me.
- 7 You authorise me to apply to the Ministry of Justice (Legal Aid) for any necessary increase in the amount of a grant of legal aid and to apply for reconsideration and review of any decision of the Ministry of Justice (Legal Aid).

**Professional Indemnity Insurance**

- 8 I hold professional indemnity insurance that meets or exceeds the minimum standards specified by the New Zealand Law Society.

Complaints

- 9 If you have a complaint about my services, I would be happy to meet with you to discuss the nature of the complaint so that we can attempt to resolve it between ourselves. If you are not happy with the response to your complaint, you may refer your complaint to the New Zealand Law Society (telephone 0800 261 801, email [www.lawyers.org.nz](http://www.lawyers.org.nz) or mail to PO Box 5041, Wellington 6145).

Your Obligations to Me

- 10 You need to:
- a keep me advised of any change in your contact details
  - b responded to correspondence
  - c arrive on time for any court appearances

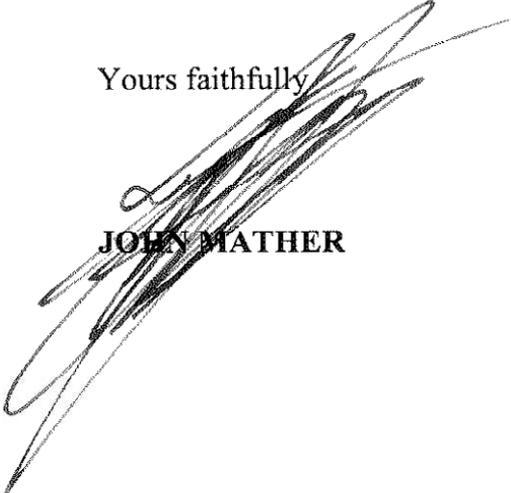
Acceptance

- 11 Please confirm your acceptance of these terms either by signing a copy of this letter below and returning it to me, or by some written means, including email.

Consequences of Failing to Accept in Writing or to keep a Grant of Legal Aid

- 12 If you fail to accept in writing I will provide services under the grant of legal aid but this agreement will still apply
- 13 If your grant of legal aid is withdrawn I will cease to provide services.

Yours faithfully



**JOHN MATHER**