

MAY 2015

Legal Aid News is your official regular communication from Legal Aid Services on all matters related to legal aid. *Legal Aid News* is generally published in the last week of every month.

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Parole work has moved to Wellington

From **1 June 2015**, new parole applications will be managed by the Wellington legal aid office. Managing the administration of all parole matters in one office will ensure consistent information requirements and decision-making.

Please send any new legal aid applications for a parole matter to the Wellington legal aid office by email at wellington.legalaid@justice.govt.nz or by post to DX: SX10146, Wellington.

Parole cases that have an existing grant of aid will continue to be managed from their current legal aid office.

Non-GST registered suppliers

We have been advised that legal aid providers cannot levy GST on claims for reimbursement where a third party supplier is not GST registered (eg expert witness, interpreter, document server). This is a change to our existing policy.

This change will be implemented from **1 July 2015**.

Services are acquired from third parties by legal aid providers, as agents on our behalf, because:

- the goods or services would not be supplied unless authorised by us (via prior approval or by policy)
- we are aware that the services will be supplied by third parties and

- legal aid providers are authorised (implicitly or expressly) to acquire the services on our behalf.

This new policy complies with the [Goods and Services Tax Act 1985 - section 60\(2\) - supply to an agent](#).

Clarification on legal aid fees for restorative justice

The Auckland District Law Society recently ran a webinar on “The New Restorative Justice Regime”. Confusion has since arisen about whether legal aid is available for lawyers’ attendance at restorative justice conferences and pre-conferences.

For clarification, there is **no fee or amendment available** to lawyers for attending restorative justice pre-conference meetings or conference meetings.

Currently, the following legal aid fees can be claimed in relation to Restorative Justice matters:

1. fixed fee relating to the Restorative Justice report (as per the legal aid fee schedules)
2. from 15 December 2014:
 - a) flat fee (via amendment) for preparation for the second and/or subsequent appearance resulting from an adjournment for the purposes of restorative justice investigations
 - b) actual time (hearing/waiting) at the second or subsequent appearance.

Family and Civil Court of Appeal and Supreme Court cases have moved to Wellington

From **1 June 2015**, new Court of Appeal and Supreme Court Family and Civil cases will be managed by the Wellington legal aid office.

From this date, please send any new legal aid applications for any Court of Appeal or Supreme Court matter to the Wellington legal aid office by email at wellington.legalaid@justice.govt.nz or by post to DX: SX10146, Wellington.

Queries?

If you have queries about any article in this newsletter, please contact legalaidnews@justice.govt.nz.