

25 September 2023

s9(2)(a)

Ref: OIA 107024

Tēnā koe^{s9(2)(a)}

Official Information Act request: Legal Aid files

Thank you for your email of 24 August 2023 to the Ministry of Justice (the Ministry), requesting, under the Official Information Act 1982 (the Act), information on Legal Aid totals for Mr Danny Jaz and Mr Roberto Jaz.

Your request has been referred to me for response, as it falls within my responsibilities as Group Manager, National Service Delivery, and is being managed in accordance with the provisions of the Act.

On 31 August 2023, the Ministry contacted you to clarify your request. You confirmed that your request could be broken down by categories of costs. Please find the response to your request below.

I am advised that at the date of your request, the total cost of legal aid paid to the lawyer acting for Mr Danny Jaz is \$498,214.44, and the total amount paid to the lawyer acting for Mr Roberto Jaz is \$398,302.77. These are the current figures based on invoices received to date. Please note, that the legal aid files remain open and further invoices may be received, so these amounts are subject to change.

Please see attached two tables, outlining the total hours and disbursements paid to the assigned lawyers on these files to date.

Criminal legal aid work, especially for lower-level matters, operates on a fixed fee basis; the lawyer is paid a fixed amount for a certain type of activity, such as an unopposed application for bail or hearing time. More information about fixed fees can be found on the Ministry website at: justice.govt.nz/about/lawyers-and-service-providers/legal-aid-lawyers/proceeding-steps-and-fixed-fee-schedules/ More complex matters, such as these ones, are invoiced using actual hours at a set rate.

Hourly rates depend on the experience level of the lawyer and the level of the case. Further information regarding hourly rates can be found on the Ministry website at: justice.govt.nz/about/lawyers-and-service-providers/legal-aid-lawyers/provider-rates-and-special-rates/criminal-fee-rates/

In addition to payment for their work, legal aid lawyers also invoice for disbursements, which are other costs incurred in representing a legally aided person, such as travel or office costs. The Legal Aid Services Grants Handbook contains the policies around disbursements and can be found on the Ministry website at: justice.govt.nz/about/lawyers-and-service-providers/legal-aid-lawyers/legal-aid-provider-manuals/

If you require any further information, please contact Media & Social Media Manager Joe Locke at media@justice.govt.nz

Please note that this response, with your personal details removed, may be published on the Ministry website at: justice.govt.nz/about/official-information-act-requests/oia-responses/

If you are not satisfied with this response, you have the right to make a complaint to the Office of the Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to info@ombudsman.parliament.nz or by phone on 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink that reads "Tracey Baguley". The signature is written in a cursive, flowing style.

Tracey Baguley
Group Manager, National Service Delivery

Table 1: Total hours and disbursements paid to the legal aid lawyers assigned to Mr Danny Jaz

Fixed fees	Hours
Pre-trial	1.75
Preparation	1.00
Unopposed application for bail, name suppression	2.00
Activities	Hours
Hearing time	55.50
Initial Grant - preparation time	40.00
Pre-trial preparation	250.00
Discussion between counsel	8.00
Co-counsel tasks	114.00
Hearsay	10.00
New charges	97.00
Statement admissibility	30.00
Further disclosure (initial examination)	182.00
Mode and name suppression applications	12.00
Trial preparation	165.00
Experts	26.00
Witness	37.00
Judgement	12.00
Propensity	111.00
New charges	10.00
Statement PTA	10.00
Counsel to Counsel	24.00
Expert	24.00
New summary of facts	8.00
Expert hunt	14.00
Initial Grant	40.00
Hearing time	373.00
Trial preparation	610.00
Court of appeal analysis	25.00
Trial opinion	30.00
Pre-trial application	40.00
Suppression issues	10.00
Trial preparation	340.00
Name suppression appeal	24.00
Sentencing preparation	9.00
Name suppression application	8.00
Disbursements	\$ Dollars
Social media analysis	\$9,953.75
Printing of disclosure	\$1,850.00
Hard drive	\$112.17

Printing	\$1,550.00
Private investigator	\$10,735.40
Forensic toxicologist	\$15,300.00
Report – Psychiatric/Psychiatrist	\$9,375.00
Travel personal car	\$88.00

Table 2: Work invoiced and paid for on Mr Roberto Jaz's legal aid file

Activities	Hours
Initial grant	40.00
Hearing time	91.5
Disclosure and pre-trial	40.00
Disclosure review	42.00
Pre-trial	44.00
Trial Preparation	300.00
New charges and mode of evidence application	23.00
Expert Evidence	16.00
Further pre-trial application	6.00
Witness disclosure	16.00
Recusal	4.00
Disclosure	40.00
Collate files, data, disclosure	5.00
Preliminary work	90.00
Pre-trial preparation	150.00
Trial preparation	861.00
Name suppression appeal to HC	50.00
Hearing time	668.00
Disbursements	\$ Dollars/hours
Office disbursement	\$100.00
Photocopying	\$800.00
Printing of disclosure	\$450.00
Travel – personal car	\$66.00
Travel time (Hrs)	2.00
Office disbursement	\$10.00
Printing of disclosure	\$1,076.76
Experts	\$5,975.00
Travel – personal car	\$65.10
Printing of disclosure	\$500.00
Travel time (Hrs)	1.10