

20 July 2026

Paul White

Email: [fyi-request-34967-26d0747b@requests.fyi.org.nz](mailto:fyi-request-34967-26d0747b@requests.fyi.org.nz)

Our ref: OIA 133851

Tēnā koe Paul.

**Official Information Act request: Public Defence Service policies**

Thank you for your email of 25 June 2026 requesting, under the Official Information Act 1982 (the Act), information relating to Public Defence Service (PDS) policies.

Specifically, you requested:

I would like to request a copy of all the Public Defence Service policies on providing representation and defending a legally aided client, including the cost of obtaining an independent expert witness.

In response to your request, the Public Defence Service has identified the following documents as relevant to the provision of legal representation and defence services for legally aided clients:

- PDS Code of Conduct for Lawyers;
- PDS Conflicts of Interest Policy;
- PDS Disclosure Guidelines
- PDS Expert Expenditure Process Guidelines;
- PDS Non-Expert Witnesses – Travel Costs
- PDS EVI Policy;
- PDS Court of Appeal and Supreme Court Appeals Guidelines;
- PDS Appeals Process;
- PDS Approvals Policy;
- PDS Complaints Management Policy;
- PDS Fixed Fee Policy.

Copies of these documents are attached.

These documents set out the standards, obligations and operating procedures that apply to PDS lawyers when acting for legally aided clients, including duties owed to clients and the Court, lawyer approval and competency requirements, management of conflicts of interest, disclosure obligations, handling of evidential material, engagement of expert witnesses, witness-related expenditure, appeal processes, allocation of appellate counsel, complaints management processes, and the delivery of legal aid services within the PDS framework.

In relation specifically to the cost of obtaining an independent expert witness, the PDS Expert Expenditure Process Guidelines set out the process for determining whether expert

evidence is required, selecting experts, obtaining quotations, approving expenditure, and engaging experts in legally aided matters. The attached Non-Expert Witnesses – Travel Costs guidance also addresses circumstances in which PDS may approve expenditure associated with defence witnesses

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/](https://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 Ombudsman under section 28(3) of the Act. The Office of the Ombudsman may be contacted by email to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or by phone on 0800 802 602.

Yours sincerely

A handwritten signature in black ink that reads "Peter Hutchinson". The script is cursive and fluid.

Peter Hutchinson  
**Director, Public Defence Service**