



## Office of Hon Nikki Kaye

**MP for Auckland Central**

Minister for ACC

Minister of Civil Defence

Minister for Youth

Associate Minister of Education

2015-59

Lee M

Sent via email: [fyi-request-3313-7f33ff3c@requests.fyi.org.nz](mailto:fyi-request-3313-7f33ff3c@requests.fyi.org.nz)

Dear Lee M

On behalf of Hon Nikki Kaye, Minister for ACC, I acknowledge receipt of your email dated 3 November 2015 requesting the following:

1. Does the ACC appoint and use lawyers to represent it in preparing for review hearings, including draft review submissions?
2. If the ACC does appoint and use lawyers to represent it in preparing for review hearings, including drafting review submissions, under what circumstances does the ACC do this, and, does the ACC believe this is the most claimant friendly and cost efficient way to prepare for review hearings, including drafting review submissions? And, if the ACC does believe that appointing and using lawyers to represent it in preparing for review hearings, including drafting review submissions, is the most claimant friendly and cost efficient way to prepare for review hearings, including drafting review submissions, why does it believe that this?
3. Does the ACC appoint and use lawyers to represent the ACC at review hearings?
4. If the ACC does appoint and use lawyers to represent it at review hearings, under what circumstances does the ACC do this, and, does the ACC believe this is the most claimant friendly and cost efficient way to represent itself at review hearings? And, if the ACC does believe that appointing and using lawyers to represent it at review hearings is the most claimant friendly and cost efficient way to represent itself at review hearings, why does it believe this?
5. Does the ACC appoint and use lawyers to represent the ACC at review hearings, and then not attend the review hearing itself? If the ACC does do this, under what circumstances does it do so?
6. If the ACC does appoint and use lawyers to represent it in preparing for review hearings, including draft review submissions, and to represent the ACC at review

hearings, why does the ACC not use its own "in house" lawyers and/or experienced reviews administration staff who work in the ACC's regional Review Units located in large towns and cities across N.Z. for these purposes?

7. Does the ACC recognise and accept that if it does appoint and use lawyers to represent it at review hearings, that the large majority of ACC claimants who seek review of the ACC's decisions are not legally represented and that they see this as a bullying and intimidation tactic that gives the respondent - who made the decision against the claimant - an advantage over the claimant?

8. Does the ACC recognise and accept that if it does appoint and use lawyers as outlined above, this is funded out of the "public purse", and that claimants would likely consider this offensive particularly when the intention and purpose of the AC Act originally was to provide a "no fault", non-litigious, accident injury scheme which they have contributed to in one way or another through ACC levies?

9. If the ACC does use lawyers in relation to reviews as outlined above, would that be a private law firm, would a junior or senior ranking lawyer be appointed, and what rate would the former and latter cost approximately per hour?

Minister Kaye does not hold the information you have requested. Pursuant to s14(b)(ii) of the Official Information Act I am transferring your information request to the Accident Compensation Corporation for a direct response.

Yours sincerely



**Vicky Holmes**  
**Private Secretary (ACC)**