

Under the Inquiries Act 2013
In the matter of the Royal Commission into Historical Abuse in State Care and in the
Care of Faith-based Institutions

Reply brief of Brett Anthony Dooley for the Ministry of Justice – Redress

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1 Introduction

- 1.1 My full name is Brett Anthony Dooley.
- 1.2 I am the Group Manager, National Service Delivery, at the Ministry of Justice (**the Ministry**) and hold the office of Legal Services Commissioner (**Commissioner**). I have held these roles since October 2018.

2 Overview of this reply brief

- 2.1 I have provided this inquiry with a brief of evidence dated 27 January 2020 (my **initial brief**). I continue to rely upon my initial brief.
- 2.2 This second brief of evidence is in reply to the brief of evidence filed on behalf of Cooper Legal dated 31 January 2020 (the **Cooper Legal brief**) and responds to matters arising in Chapter 2 (*Funding the claims*) and, to a lesser extent, Chapter 3 (*Psychiatric Hospital Claims: pre- Ministry of Health*) of that brief.
- 2.3 Consistent with the principles the Crown has committed to in its participation in this Royal Commission of Inquiry, in particular the principles of manaakitanga and of openness, my objective in providing this further brief is to assist the Commission with information that may be relevant to its work. I have limited my comments on the Cooper Legal brief, but my doing so should not be taken as acceptance of all the statements in that brief.
- 2.4 This reply brief firstly makes general comments in relation to the balance that is needed to be struck in terms of the competing demands in granting legal aid for historic abuse claims, before going on to address aspects of the Cooper Legal brief that warrant a specific response, namely:
- (a) The independence of the Commissioner and how this is preserved.
 - (b) Some of the reasons for delays in the legal aid process in respect of historic abuse claims.
 - (c) Several issues that the Cooper Legal brief raises in relation to the relationship between Cooper Legal and the Legal Services Agency (**LSA**) and, subsequently, the Legal Aid Services team within the Ministry (**Legal Aid Services**) in around 2011, specifically:
 - (i) correspondence between Legal Aid Services and Crown agencies with regard to historic abuse claims;
 - (ii) how Legal Aid Services/the Commissioner seeks legal advice;
 - (iii) concern expressed in Cooper Legal brief that Legal Aid Services advised claimants of the availability of the Care Claims and Resolution Team (**CCRT**) processes through the Ministry of Social Development (**MSD**) (and that this communication indicated that a lawyer was not required for a claimant to participate);
 - (iv) suggestion by Cooper Legal that Legal Aid Services refused to fund litigation; and

(v) the Special Audit of Cooper Legal in 2011.

- 2.5 I was not involved in all of the events referred to in this document and therefore have, at times, relied on relevant documents held by the Ministry relating to work undertaken both by the LSA (until its disestablishment in mid-2011) and that of Legal Aid Services.

3 General comments

- 3.1 I would firstly like to acknowledge the work of Sonja Cooper and her colleagues over many years, and their advocacy work on behalf their clients. On behalf of Legal Aid Services, I welcome and agree with the statement in the Cooper Legal brief that we currently have a very positive and strong relationship with each other. I acknowledge that this has not always been the case, and that substantial work has been undertaken by both Cooper Legal and Legal Aid Services to strengthen the relationship over the years.
- 3.2 Since my appointment, I have observed that the staff within Legal Aid Services always work to the best of their abilities to treat legal aid applicants fairly within the statutory parameters of the Legal Services Act 2011 (the Act). As outlined in my initial brief, the LSA and Legal Aid Services have had to react and respond to events as they developed. Both the Commissioner and Legal Aid Services (under the current structure) and the LSA under the previous structure, have had to work within the specific statutory parameters of the applicable legislation. In my view, important improvements have been made in the way we process applications for legal aid. Some of the more recent improvements were also outlined in my initial brief.
- 3.3 A significant factor in responding to historic abuse claims is balancing a series of important competing demands. From a legal aid perspective, these include the need to ensure access to justice, as well as the relevant statutory parameters, the responsible use of public funds, and the need to ensure that the independent role of the Commissioner is not compromised (which I discuss further below).
- 3.4 Although Legal Aid Services operates within strict legal and fiscal requirements, we work to make pragmatic improvements wherever possible to prioritise the needs of claimants. I discuss below some of the initiatives that were undertaken prior to my appointment, such as arrangements that were put in place with Crown agencies to write off the legal aid debt of historic abuse claimants (subject to individual review to ensure the ongoing independence of the Commissioner). Other initiatives were also undertaken, such as the waiver of the initial application user charge to remove a disincentive that might prevent vulnerable historic abuse claimants from making their claim (this is discussed further in my initial brief at paragraphs 4.37 and following). These are examples of how legal aid has worked to carefully make changes where possible within its legal and fiscal parameters.

4 Response to the Cooper Legal brief: general issues

Independence of the Commissioner

- 4.1 The Cooper Legal brief notes that Legal Aid Services now sits within the Ministry, and that Cooper Legal has had concerns about Legal Aid Services being in a “conflict position” with other Crown agencies.¹
- 4.2 As noted at paragraphs 2.1 to 2.3 of my initial brief, the Act sets out certain functions of the Commissioner, which must be exercised independently.
- 4.3 The creation of the Commissioner as an independent statutory office occurred when the legal aid function was brought within the Ministry in mid-2011, to ensure that there was appropriate separation between decision-making on applications for legal aid and the work of the Ministry. This means that when exercising functions that have been given to the Commissioner under statute, I must not act under the direction or influence of anyone else. For example, neither the Secretary for Justice nor the Minister of Justice could dictate how I exercise those statutorily independent functions. The Commissioner does not take account of political matters, nor is he or she influenced by the current Government’s priorities.
- 4.4 However, the requirement for the Commissioner to act independently does not prevent me (or my delegates) from seeking or receiving information or advice, including from Senior Advisors (Legal Aid)² within Legal Aid Services, or from external legal counsel. It also does not prevent the Commissioner from seeking general information or engaging with other agencies, so long as I make decisions on individual matters independently.
- 4.5 At a practical level, there are delegations³, policies and information technology restrictions in place that maintain the separation. For example, the case management system our officers use is protected to ensure that only those with Commissioner delegations have access.
- 4.6 The Act also clearly outlines the delegations between the Secretary and the Commissioner and our support teams ensure these are followed when answering correspondence, complaints, and media enquiries.

Delays

- 4.7 The Cooper Legal brief expresses concern about the delays in the legal aid process in several places.⁴ As Commissioner I accept that there were delays in processing some legal aid applications and regret that this caused distress for claimants.
- 4.8 I do not wish to comment on individual cases, but I think it is important to note that many factors can either cause or exacerbate delays in processing legal aid

¹ Paragraph 147 of the Cooper Legal brief.

² Formerly National Specialist Advisors (**NSAs**).

³ Letters of delegation are signed by individual staff members as part of their induction and are specific to their particular roles.

⁴ Including at paragraphs 156, 193 and 236.

applications. I have touched on this in paragraphs 4.18 and 5.6 of my initial brief, but wish to reinforce those general points by reference to an example of how several factors can exponentially impact on timeframes: by 2009, some legal aid applications were taking many months to be determined, largely due to heavy workload issues (due to the volume of applications), as well as delays in the Legal Aid Review Panel (**LARP**) process due to an overwhelming number of reviews. Additionally, new applications were being considered in light of the 2007/2008 High Court decisions.⁵ If LARP directed reconsideration of an application, further information would be sought from Cooper Legal, which at times included waiting for psychiatric reports or other supporting documentation. The implementation of the CCRT processes then over-took the LARP processes, and required updated claimant details to be sought from Cooper Legal and a reassessment for each applicant who wished to be transferred into the CCRT process.

- 4.9 In the following years, there were also other occasions when significant volumes of amendment to grant applications and invoices were submitted all at once, creating a significant administrative burden that took time to work through.⁶
- 4.10 I am pleased to report that delays have not been such a significant issue in recent years due to the imbedding of the CCRT processes and improvements Legal Aid Services has been able to make to administrative processes. We continue to identify and implement further improvements to our processes.

5 Response to the Cooper Legal brief: issues arising between LSA/Legal Aid Services and Cooper Legal in 2011

Legal Aid Services' interaction with Crown defendants in Historic Abuse Claims

- 5.1 In the Cooper Legal brief, concern is expressed about Legal Aid Services engaging in direct communications with Crown defendants in historic abuse claims, namely MSD and the Crown Health Financing Agency (**CHFA**), in around 2011.⁷
- 5.2 On occasion, direct communications between Legal Aid Services and Crown agencies has been necessary for the purposes of achieving legitimate objectives. In particular, in 2011, I understand that the LSA/Legal Aid Services⁸ communicated with MSD and CHFA (and later the Ministry of Health [**MOH**] and the Ministry of Education [**MOE**]) in order to:
- (a) find out more about the development of alternative dispute resolution (**ADR**) processes proposed by the defendants for addressing historic abuse claims so that Legal Aid Services could consider an appropriate

⁵ These judgments and their impact are outlined in my initial brief in paragraphs 4.9-4.19.

⁶ For example, towards the end of April 2012 legal aid received 1180 amendments to grants and 1180 invoices for historical abuse claims. On one occasion, 648 requests for a reconsideration of a Commissioner decision were received in one day – meeting notes from Director Legal Aid Services to Legal Services Commissioner, 21 May 2012. **Crown Bundle - Tab 60**

⁷ Paragraphs 217-222 of the Cooper Legal brief.

⁸ As I noted in my initial brief, in mid-2011, the LSA was disestablished and Legal Aid Services was established within the Ministry of Justice, together with the creation of the role of Legal Services Commissioner.

funding model for dealing with historic abuse claims outside of the court process; and

- (b) explore arrangements to address legal aid repayments in the event claims were settled.
- 5.3 These discussions were at a general level and did not involve discussion of the approaches to resolving individual claims or its communications with individual claimants.

Discussions between Crown agencies about ADR/alternative processes

- 5.4 I understand that discussions between Crown agencies, including the LSA, around a protocol for settlement of outstanding historic claims were actively pursued by all parties, and encouraged by the judiciary. I refer in particular to a Minute of Miller J dated 8 June 2011,⁹ following a periodic case management conference for the (Department of Social Welfare (**DSW**) litigation¹⁰. Although not party to the litigation, the Minute records that counsel for the LSA attended at short notice, at the Judge's request.
- 5.5 Miller J states in his Minute that he requested the attendance of the LSA for two reasons. First, it was noted that the progress of these cases was being "substantially affected by the existence of a large number of legal aid disputes". Second, "and more importantly", Miller J wished to encourage the participants to settle on a protocol under which those cases that needed to be tried were identified and brought on; and those cases that should be settled were handled outside the Court process.
- 5.6 Miller J proposed to schedule a further conference in December 2011. At the conference, one of the issues to be addressed was:¹¹
- "... whether all participants, including the Legal Services Agency, can agree a protocol under which cases in which settlement should be explored can be settled outside the Court process. I am aware that the Ministry of Social Development has already established a team which has settled a number of cases. It may be that can be extended to the Crown Health Financing Agency and that the Legal Services Agency can find some appropriate model for funding the necessary legal representation. These possibilities should be explored."
- 5.7 The development of a protocol was explored, however, in the meantime, MSD took steps to implement a new process for resolution of historic abuse claims, which ultimately meant that the need for a formal protocol lessened.¹²
- 5.8 On 15 September 2011, representatives from Legal Aid Services met with representatives from MSD. The minutes of this meeting record that the reason for the meeting was "to discuss in more detail the proposed MSD/CCRT

⁹ Minute of Miller J, 8 June 2011, CIV 2006-485-662.

¹⁰ Discussed at paragraph 316 of the Cooper Legal brief.

¹¹ Minute of Miller J, 8 June 2011, CIV 2006-485-662, at [5].

¹² Letter from Legal Aid Services to Cooper Legal regarding MSD settlement process (3 October 2011).

processes for settlement in order that [Legal Aid Services] can develop appropriate funding models.”

- 5.9 Subsequently, a letter dated 3 October 2011¹³ was sent to Sonja Cooper from a Senior NSA from Legal Aid Services. This letter entitled “MSD Settlement Process” followed a meeting on 23 September 2011 at the chambers of Francis Cooke QC (as he then was)¹⁴ which I understand was attended by representatives from Legal Aid Services as well as MSD.
- 5.10 In that letter, the meeting with MSD was addressed. It was explained that the meeting was for the purpose of gathering information about the CCRT process and it was not intended to hide the meeting from Cooper Legal:

“In relation to your subsequent e-mail of 27 September last, I regret that the meeting with MSD has caused concern. That meeting was organised by head office and I was asked to arrange for an NSA to attend. The purpose of the meeting was simply to seek as good an understanding of the process as we could, particularly given your criticisms that we did not fully understand the position and the meeting was also what the communications from MSD/Crown Law appeared to invite. There was not intention to hide the fact that the meeting had taken place and as you know, it was agreed that you would be provided with a copy of the minutes.

As noted above, the intention that we participate in the more significant meetings you have with MSD/Crown Law in the future should assist in avoiding such misunderstandings.”

Discussions about debt write-off

- 5.11 As the Cooper Legal brief acknowledges,¹⁵ there were also important discussions between Legal Aid Services and Crown agencies in relation to legal aid repayments.
- 5.12 As discussed at paragraphs 4.27 and following of my initial brief, legal aid is granted on the basis that it will be repaid.¹⁶ Where legal aid is granted, one of the functions of the Commissioner is to determine what repayments will be sought from recipients.¹⁷ This function must be exercised independently. However, the Commissioner may decide not to recover debt¹⁸ or may write off repayment of debt in certain circumstances.¹⁹
- 5.13 From 2009, the LSA, and then Legal Aid Services, engaged with Crown agencies²⁰ who sought to develop an arrangement in respect of legal aid costs for

¹³ Letter from Legal Aid Services to Cooper Legal regarding MSD settlement process (3 October 2011).

¹⁴ As I discuss further below, independent advice was sought from Mr Cooke as, to ensure the independence of his functions, the Commissioner does not instruct Crown Law on legal aid matters.

¹⁵ Paragraphs 297-299 and 301 of the Cooper Legal brief.

¹⁶ Legal Services Act 2011, s 18.

¹⁷ Legal Services Act 2011, s 71(1)(b).

¹⁸ Legal Services Act 2011, s 42.

¹⁹ Legal Services Act 2011, s 43.

²⁰ Memorandum from Provider Consultant, Legal Aid Services to General Manager, Legal Aid Services regarding historic abuse debt write-off (16 September 2013). **Crown Bundle - Tab 64**

claimants. It was proposed that the agencies could contribute to part of the legal aid costs, and the Commissioner could write off the balance using his powers under s 43 of the Act.

- 5.14 The purpose of these meetings between the LSA and Crown agencies was to discuss relevant practical considerations if such an arrangement went ahead, including the proportionate amounts that would be split between the agencies.
- 5.15 These discussions had no negative impact on the claimants as the purpose was to seek an arrangement that would enable their legal aid debt to be separately dealt with without impacting on the claimant's financial settlement. Any related legal costs were also unaffected by these discussions as they were fixed and would be unaffected by debt write-off for the claimant. Therefore, the interests of the claimants were protected, and there was no impact on Cooper Legal and their costs. I discuss at paragraphs 4.27 to 4.35 of my initial brief the agreements that were ultimately entered into with each Crown agency.
- 5.16 As noted at paragraph 4.29 of my initial brief, when the Commissioner wrote to MSD in October 2011²¹, the Commissioner noted that debt write-off decisions were made on a case-by-case basis. In practice, Legal Aid Services "consider(s) the facts of the case" and "consider(s) whether serious hardship could result, what repayment programmes may already be in place and also whether there are other considerations around the merits of the case which suggest a degree of write-off would be appropriate". The Commissioner noted that he was not permitted under the Act to provide an undertaking that he would write off debt in all historic abuse cases. This is also the position with the arrangements entered into with CHFA²², MOH²³ and MOE²⁴.

How Legal Aid Services/the Commissioner obtains legal advice on whether to grant/fund legal aid:

- 5.17 Legal Aid Services employs Senior Advisors (Legal Aid), previously called National Specialist Advisors, who are experienced lawyers and provide advice on issues arising in complex legal aid files (predominantly relating to granting/payment decisions in conjunction with the Act).
- 5.18 Legal Aid Services also contracts with experienced external legal counsel to assist our internal legal advisors. These external lawyers assist with workload pressures and reconsideration of legal aid decisions (as reconsiderations need to be considered by a lawyer who has not previously dealt with the file). In respect of historic abuse matters, external counsel have typically been instructed to provide advice on discrete legal issues, for the purposes of litigation, and to assist with developing a protocol for dealing with historic abuse claims (which, as I have discussed above, was not finalised).

²¹ Letter from Legal Aid Services Commissioner to the General Manager of Client Advocacy and Review at Ministry of Social Development regarding Resolution of Historic Abuse Claims (28 October 2011). **Crown Bundle - Tab 58**

²² Memorandum to Legal Services Commissioner regarding historic abuse cases – CHFA's global settlement offer (20 October 2011). **Crown Bundle - Tab 57**

²³ Letter from MOH Chief Legal Advisor to General Manager, Legal Aid Services regarding Historic Abuse Claims (31 July 2013). **Crown Bundle - Tab 63**

²⁴ Letter from MOE to General Manager, Legal Aid Services regarding arrangement to meet a portion of costs (3 December 2013). **Crown Bundle - Tab 66**

- 5.19 Consistent with the independent role of the Commissioner, I do not instruct Crown Law in respect of the performance of my functions as the Legal Services Commissioner. I also do not instruct the Ministry's Office of Legal Counsel on any matters relating to the determination of legal aid.

LSA advised claimants of availability of CCRT processes through MSD

- 5.20 Cooper Legal has expressed concern at letters sent by the LSA to legally aided DSW clients, advising them of the availability of the CCRT process in 2011. Cooper Legal suggests that these letters indicated to clients that a lawyer was not needed as part of that process.²⁵
- 5.21 As I noted at paragraph 4.25 of my initial brief, the letter that was sent to all current open historic abuse claimants with claims against MSD informed claimants that no changes had been made to the terms of their legal aid, and explained that the CCRT process within MSD was available to them.²⁶
- 5.22 I do not consider the letter to be an attempt on the part of the LSA to "force all DSW clients through the CCRT process", but instead I believe it was intended to inform claimants that the CCRT process was available to them. It did not mention whether or not a lawyer was required for the CCRT process but did suggest that if the client wanted further information on the process then they should contact their lawyer or the CCRT team directly. An MSD booklet was attached to the letter which outlined the process and did explain that a lawyer was not required to participate in the process.²⁷
- 5.23 Additionally, the LSA wrote to Cooper Legal on 21 April 2011 confirming 3 things:²⁸
- (a) the LSA had received an independent legal opinion from confirming that it was permissible for the LSA to inform legally aided persons of the availability of ADR processes;
 - (b) the LSA had therefore written to each Cooper Legal client who had a grant of legal aid to take proceedings against DSW, to inform them of the ADR process (a sample copy of the letter sent to claimants was attached); and
 - (c) the LSA confirmed it had not made any changes to the legal aid grants held by Cooper Legal clients or taken any steps to withdraw or amend the legal aid grants available to them.
- 5.24 Prior to this period, in early 2010, the LSA had included information about the MSD CCRT team and their ADR process in letters to claimants advising that their legal aid would be discontinued. Cooper Legal objected to the LSA including this information in the letters to claimants and felt the inclusion of this information

²⁵ Paragraphs 224-226 of the Cooper Legal brief.

²⁶ Sample correspondence from Legal Services Agency to clients regarding Availability of The Care Claims and Resolution Team Process. **Crown Bundle - Tab 104**

²⁷ Appended to the above sample correspondence.

²⁸ Letter from Legal Services Agency to Cooper Legal regarding Availability of the Care, Claims and Resolution Team process (21 April 2011).

(in a letter advising the withdrawal of legal aid) equated to providing their clients with legal advice.

- 5.25 The LSA responded to Cooper Legal’s concerns in a letter on 24 March 2010²⁹ stating that the information was already in the public domain, and did not “purport to provide legal advice”. The LSA explained:

“The Agency is tasked with administering the legal aid scheme in a cost-effective and efficient manner and part of that process is to support any process that *“avoids or brings to an end any proceedings”*Where the Agency believes that the MSD process offers a viable ADR alternative to litigation, but where the process does not preclude continuing litigation if settlement is not achieved, the Agency has an obligation to ensure its views are made known to its clients. This is particularly the case where the Agency is advising both you and the legally aided person that aid will be withdrawn.”

- 5.26 A way forward was suggested that Cooper Legal advise the LSA as to why the CCRT process would not be suitable for their clients and then the LSA could work further with Cooper Legal to address any ongoing areas of concern.

Suggestion that Legal Aid Services refused to fund litigation

- 5.27 The Cooper Legal brief suggests that in around 2011, Legal Aid Services was refusing to fund litigation for the DSW claimants.³⁰
- 5.28 I have referred above to a letter dated 3 October 2011 to Sonja Cooper from Legal Aid Services. This letter was entitled “MSD Settlement Process” and followed a meeting on 23 September 2011 at the chambers of Francis Cooke QC.
- 5.29 In that letter, it was noted that at the meeting, Ms Cooper agreed to promptly engage with Crown Law “in an endeavour to reach agreement for those proceedings to be parked on the basis that the clients were moving into the CCRT process”.³¹ Legal Aid Services expressly confirmed that where there was an existing grant of aid for litigation proceedings, this would continue in the interim.
- 5.30 Ms Cooper’s view that there would be a small number of cases unsuitable for entry into the CCRT process was acknowledged. Legal Aid Services confirmed it would need to be satisfied on the usual criteria that the continuation of court proceedings had merit and that prior approval would need to be sought.
- 5.31 It was also acknowledged that Ms Cooper had advised that an alternative may not be court proceedings but another form of ADR or arbitration. The letter confirmed “in principle, legal aid funding will be available for such a process, subject to [Legal Aid Services’] prior approval”. The letter also confirmed that it was Legal Aid Services’ expectation the remaining clients with a DSW claim would move to the CCRT process, subject to those already mentioned as being potentially unsuitable for entry into that process.

²⁹ Letter from Legal Services Agency to Cooper Legal regarding letter of complaint (24 March 2010). **Crown Bundle - Tab 48**

³⁰ Paragraphs 223-226.

³¹ Letter from Legal Aid Services to Cooper Legal regarding MSD settlement process (3 October 2011)

- 5.32 Where Cooper Legal were able to satisfy Legal Aid Services that a case was not suitable for CCRT then legal aid for litigation was granted.

Special Audit of Cooper Legal

- 5.33 I wish to make some comments on the Special Audit of Cooper Legal that was initiated by the LSA in March 2011.³²
- 5.34 Under the 2011 Act, Special Audits are a function performed by the Secretary for Justice.³³ This is not a role performed by the Commissioner, nor is it one of the functions that has been delegated to me by the Secretary. I therefore rely on information I have received from the Ministry to provide a response to this section of the Cooper Legal brief.
- 5.35 Section 78 of the Legal Services Act 2000 expressly permitted the LSA to audit legal aid providers. An audit could be done at any time.³⁴ The purpose of an audit was “to enable the Agency to assess the quality and value of the services provided by the listed provider that have been, or may be, paid for by the Agency.”³⁵
- 5.36 Due to the dis-establishment of the LSA, and the enactment of the Act, responsibility for the Special Audit of Cooper Legal was transferred to the Ministry and it was completed under s 91 of the Act (all NSAs have a written delegation from the Secretary to carry out audits, and external auditors are also appointed). Under s 91, the purpose of an audit is to “enable the Secretary to assess and review the quality and value of the services provided by the provider that have been, or may be, paid for by the Secretary.”
- 5.37 The Special Audit of Cooper Legal in 2011 was undertaken for the following reasons:³⁶
- (a) the high volume of legally aided clients carried by Cooper Legal; and
 - (b) being a high cost provider of services to the LSA (being consistently in the top 5 providers across all law types).
- 5.38 The scope of the Special Audit was to assess the following:³⁷
- (a) the quality of legal advice and representation to the aided person;
 - (b) communication with the aided person, including keeping the aided person informed as to all options available to them, and the progress of the case;

³² Referred to at paragraphs 231—234 of the Cooper Legal brief.

³³ Legal Services Act 2011, s 91.

³⁴ Legal Services Act 2000, s 78(1).

³⁵ Legal Services Act 2000, s 78(3).

³⁶ Legal Services Agency Memorandum *Authorisation of Terms of Reference for Special Audit* (7 March 2011). **Crown Bundle - Tab 54**

³⁷ Letter from Legal Services Agency to Cooper Legal regarding Special Audit of Listed Provider – Provider Number 5795 (9 March 2011). **Crown Bundle - Tab 55**

- (c) the file management and record keeping (including time recording) processes in place; and
- (d) the management of cases.

5.39 Any provider may be audited, and it is not unusual for such a significant provider to be subject to a Special Audit. Providers are advised and agree in their Contract for Service that they may be subject to an audit at any time. As noted above, audits are an important part of the process to ensure the quality and value of services provided.

6 Concluding remarks

- 6.1 I trust the information contained in both my initial brief and this reply brief have been helpful and informative.
- 6.2 I am available to provide any further points of clarification or answer any questions that may be of assistance.

GRO-C

Brett Anthony Dooley

