Ebborn Law Limited

SERVICE DELIVERY POLICY

1. What is Service Delivery?

1.1. Quality Improvement is any activity being performed by an organisation to maintain or improve quality.

2. Why is a Service Delivery Policy needed?

2.1. To ensure that all clients are treated consistently.

2.2. To assist in meeting the vision, mission and objectives of the firm.

2.3. To avoid making errors and mistakes in the first instance, but to learn from errors and mistakes when they are made.

2.4. To provide a framework for emergent technologies relating to artificial intelligence and blockchain.

2.5. To provide an internal complaints system that is just and client focused.

2.6. This Policy ensures consistency across the entire firm.

3. Documents governed or affected by this Policy

3.1. The following Procedures are governed by this Policy:

- PRLEG-602.01 - Complaint Investigation Procedure
- PRLEG-602.02 - Privacy Breach Procedure
- PRLEG-602.03 - Quality Assurance Procedure

3.2. The following documents are informed by this Policy:

- GULEG-602.03A - Internal Audit Guidelines
- GULEG-602.03B - External Lead Provider Guidelines
- OPLEG-602.03B - Appointing External Lead Provider SOP
- FOLEG-602.01 - Client Satisfaction Survey
- FOQLA-009A - Deep Audit Report (LA) Form
- FOQLA-009B - Deep Audit Report (FLAS) Form
- FOQLA-009C - Deep Audit Report (Private) Form
- FOLEG-602.03A.4 - Deep Audit Report (Ext Lead Provider) Form
- FOLEG-602.03B - Memorandum of Agreement (Ext Lead Provider)
- OTSUP-503.01B - Client Care Statement
- OPLEG-602.05A – Teams SOP

4. Key principals

4.1. We will always act in an ethical way, with our ultimate goal to improve access to justice for people. This includes being transparent and open with our clients.

4.2. Mistakes and errors happen and what is important is how we fix them, how we treat the people involved and that we learn in the process.

4.3. All complaints are treated as serious and must be investigated immediately, as per this policy.

4.4. A complaint occurs at the first instance a client expresses dissatisfaction with an employee or agent of Ebborn Law – in other words a client does not need to make a formal approach to the Chief Executive Officer, they just need to express dissatisfaction, and any staff member may institute the complaints process as an own-motion.

5. Commitment to Te Tiriti o Waitangi and a bicultural Aotearoa/New Zealand

5.1. Ebborn Law is committed to the principles of Te Tiriti o Waitangi and the spirit of partnership between Māori and non-Māori. These principles must be used to inform any interpretation of this policy/procedure.

6. Commitment to the United Nations Women's Empowerment Principles

6.1. Ebborn Law is committed to the UN WEPS. These principles must be used to inform any interpretation of this policy/procedure.

7. Client complaints

7.1. Requirement to Act

- If a client's complaint cannot be resolved immediately to their satisfaction, Ebborn Law will appoint a senior lawyer who has not been involved in the matter to deal with it promptly and fairly.
- If a client remains unsatisfied they have the right to take the matter up with the New Zealand Law Society's complaints service. Information about the complaint process is online at www.LawSociety.org.nz or freephone (0800) 261 801.

7.2. Receiving a Complaint

- Complaints can be received a number of ways, and staff must be alert to any comment that – whilst not couched in the form of a complaint – could raise an issue and be treated as such.

7.3. Natural Justice

- Any staff member who receives a complaint concerning them has the right to be informed of the complaint and who has made the complaint, and shall be given an opportunity to respond to any allegations.

7.4. Customer Survey

- In addition to a passive complaints procedure Ebborn Law shall also survey clients who have had services provided over a twelve (12) month period, with a view to identifying any failure in service.

8. Supervision

8.1. Supervision requirements must meet or exceed the standards of the Ministry of Justice and Legal Service Act at all times, whether or not the client is a recipient of legal aid. They must work under the supervision of the firm (including internal firm systems and lead providers) unless an exception has been explicitly given in writing by the Principal Lawyer.

8.2. Unless explicitly approved by the Principal Lawyer, all external supervisors must be lead providers approved by the Ministry of Justice, and must:

- only be used when necessary;
- hold a current practising certificate;
- be suitable and experienced supervisors of junior lawyers;
- be briefed by the CEO prior to conducting supervision;
- have signed a memorandum of agreement;

8.3. The client must be made aware that a lawyer external to the firm is providing supervision.

9. Veracity of evidence

9.1. Commitment to the Court

- Ebborn Law affirm its duty to the Court to provide truthful, accurate, and reliable information. Under no circumstances will our staff or clients knowingly present false or misleading evidence.

- If an error is discovered in information presented to the Court, it will be promptly corrected, and the Court will be notified as appropriate.

9.2. Alteration of evidence using technology

- It is permissible to alter evidence presented to the Court for the following reasons:
  - to improve the quality of an image, video or audio file for the purpose of clarity;
  - to reduce the size of a digital file, through either data compression or editing, for the purpose of data transmission;
  - to remove a part or parts of a video or audio file for the purpose of complying with legislation (such as the Privacy Act 2020) or to remove information unrelated to the client's evidence, or;
  - to redact a part or parts of a video or image file for the purpose of complying with legislation (such as the Privacy Act 2020) or to remove information unrelated to the client's evidence.
- If evidence has been altered then this fact must be disclosed in the accompanying affidavit or affirmation.
- Original data must be retained and released to the Court or parties to the proceedings on request.
- It is not permitted to combine or merge two or more items of evidence, nor is it permitted to add any additional elements to digital or printed evidence aside from an exhibit stamp.

9.3. Client misuse of technology to alter evidence

- Any staff member who identifies or suspects that a client has used GAI to create or manipulate evidence falsely must investigate immediately and make a risk assessment. If it is likely there has been malfeasance then the staff member must report their concerns to the Principal Lawyer (or Senior Associate in their absence) and the Privacy Officer without delay, and: —
  - cease work on the affected matter, and;
  - file note the issue and who has been notified within the firm, and;
  - discuss the issue directly with the client and explain the legal implications of their actions, and;
  - provide the client with an opportunity to explain.

  Refer to the Complaint Investigation Procedure (PRLEG-602.01) for further guidance.

9.4. At all times staff must comply fully with the *Guidelines for Use of Generative Artificial Intelligence in Courts and Tribunals* (07 Dec 2023) or any subsequent advice issued by the Courts.

9.5. All affidavits/affirmations submitted by Ebborn Law on behalf of a client must contain the following paragraph:

"Furthermore, I say that my affirmation and any evidence attached herein is authentic and has not been altered or generated by digital or AI-related tools in any way (except for: *list any way the evidence has been altered*)."

Note: Alteration of evidence might be (for example) required in the case of a video that needs to be 'snipped' to preserve privacy, or photographs that must be reduced in size to allow emailing.

10. Emergent Technologies

This part outlines the principles for staff use of artificial intelligence, blockchain technology, and our responsibilities concerning accuracy and ethical practices, particularly in relation to court proceedings and client conduct.

10.1. Permissible use of generative artificial intelligence (GAI) tools

- GAI may be utilised to enhance efficiency, provided these tools comply with privacy laws and do not compromise the accuracy or confidentiality of client data. For the purpose of clarity:
  - no client information shall be knowingly inputted into any GAI tool, and;
  - GAI tools will not be activated on any software or SAAS used by Ebborn Law staff without express and written permission from the Privacy Officer.
- All outputs generated by GAI tools must be independently reviewed by the CEO or Principal Lawyer (dependent on the context) to ensure compliance with our commitment to providing 100% accurate advice and information.

- Staff must have received internal training and demonstrate competency on the appropriate and ethical use of GAI tools, emphasising their limitations and risks, before being permitted to access or use GAI tools in the workplace.
- Use of artificial general intelligence (AGI) or artificial super intelligence (ASI) tools are permitted for work purposes only after the tool has been subject to a Privacy Impact Assessment, once approved by the Privacy Officer and Principal Lawyer. Otherwise no such tools may be installed or accessed on work devices while this version (v02.3) of the Service Deliver Policy POLEG-602 is current.

10.2. Permissible use of blockchain technology

- The firm acknowledges the potential applications of blockchain technology (e.g., secure data storage, transaction verification) and will assess its feasibility and compliance before adoption.
- If implemented, blockchain solutions must align with Ebborn Law's data protection standards and legal obligations.
- The responsibilities of the firm, and the consequences of providing false or misleading evidence using GAI, are no different from any other act of perjury (see 9.3 in this document).

10.3. Preventing misuse of GAI

- Clients will be advised during the onboarding process of their obligations to provide truthful and accurate information and the potential consequences of using GAI to generate false evidence.
- A zero-tolerance policy toward perjury or presenting falsified evidence to the firm will be highlighted in the standard Terms of Engagement.
- All written evidence provided to the Court from the firm will include a statement that – to the extent of the client's knowledge – the information is accurate and not created or altered through use of artificial intelligence.

10.4. Compliance and Review

- This policy will be reviewed annually to ensure alignment with technological advancements and regulatory changes.

11. Delivery of Service

11.1. Legal services may be delivered face-to-face, via telephone, or by using video (AVL).

11.2. When delivering services remotely, consideration must be given to advice published by the New Zealand Law Society on offering legal services on the internet[1].

11.3. Rules 2.5 and 2.6 of the Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008 ("RCCC") impose a general responsibility to be satisfied as to the identity, capacity and bona fides of a client on whose behalf they make representations or issue certificates. This must be balanced with the requirement of the Privacy Act 2020 to only gather personal information for a lawful purpose (therefore if we can be satisfied that a person is who they say they are, it is probably not necessary to take a photocopy of their driver's licence unless exceptions exist as outlined below).

- The Anti-Money Laundering and Countering Financing of Terrorism Act 2009 may require the verification of identity to a specific standard. This is covered under the firm's AML-CFT Policy (POSTR-106).

11.4. The key considerations in determining the methodology of service delivery are:

a. Technical issues including privacy (are we able to safely deliver the service?)
b. Duty to the Court
c. Access to justice
d. Duty to the client (including consideration of convenience, cost and safety)
e. Convenience to the firm
f. Convenience to the staff member

[1] https://www.lawsociety.org.nz/professional-practice/practice-briefings/offering-legal-services-on-the-internet/

12. Complaints

12.1. Any complaints must be handled according to *POLEG-602 - Service Delivery Policy* and *PRLEG-602.01 - Complaint Investigation Procedure*.

13. Privacy and confidentiality

13.1. All information that relates to client matters or Court activities are private and confidential and must be treated as such. At no time will information we hold on behalf or about clients be disclosed unless we are required to do so by law or – if allowed under legislation and other various covenants – where it is necessary to do so to provide our services to the client or when requested by the client or with their consent.

SCHEDULE ONE

Version Control Table

Version	Date	Updated by	Change	Page
1.0	10/07/12	JC	Draft version developed (as Quality Improvement Policy)	All
2.0	02/09/20	JC	Update to new format and repurposed	Content changed to cover client complaints
2.1	20/11/20	JC	Updated content and renamed	2 (2.2, 2.3, 2.4)
2.2	26/06/23	JC	Updated to include emergent tech, external supervision, commitment to TOW and WEPS.	3 (additional documents added) 5 (new) 6 (new) 8 (new) 9 (new) 10 (new)
2.3	09/04/25	JC	Added clause 9.4 (compliance with guidelines) Added clause 9.5 (statements in affidavit/affirmation evidence) Amended clause 10.1, allowing for limited use of approved AI tools	4 4 5
2.4	22/09/25	JC	Added clause 11 (service delivery) Clauses 12 and 13 renumbered	4 5