

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S PORTFOLIO**

**Program: Federal Circuit Court of Australia**

**Question No. AE17/061**

**Senator Pratt asked the following question at the hearing on 28 February 2017:**

1. How do duty lawyer services and social support services assist the Federal Circuit Court to operate efficiently and effectively?
2. Are the duty lawyer services that are currently available in the Federal Circuit Court sufficient to meet client demands and to ensure the efficient and effective operation of the Courts?

**The answer to the honourable senator's question is as follows:**

1. Legal aid commissions provide duty lawyer services at the larger court registries. These services are free to users and provide information and assistance including legal advice for those unable to afford a lawyer. There are however limitations on the time a duty lawyer can spend on an individual resulting in a need to triage and, where appropriate, to refer parties to both legal and non-legal service providers. Duty lawyer services focus on legal advice and assistance rather than representation.

There are a number of social support services that the Court works with in a collaborative way. This involves liaison with and referrals to a range of service providers, including the family relationship sector, supervised contact providers, mental health services, behaviour change programs, and those services which aim to meet the ongoing safety and support needs of children and family members. In parenting proceedings, in appropriate cases, the Court orders parties to attend a conference with a family consultant who may also be asked to provide advice as to the services appropriate to the needs of the child or parties.

Both forms of service are important to the work of the Court. In the case of duty lawyer schemes, by assisting unrepresented parties thereby improving the efficiency of pre-trial and trial processes. In the case of social support services, by providing necessary adjuncts to the judicial process.

2. Funding and adequacy overall of duty lawyer services is a matter for Government.