

TRANSCRIPT

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Inquiry into the Victorian Government's Response to the COVID-19 Pandemic

Melbourne—Tuesday, 19 May 2020

Members

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr Danny O'Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Ingrid Stitt

Ms Bridget Vallenge

WITNESSES

Mr Sam Pandya, President, and

Mr Adam Awty, Chief Executive Officer, Law Institute of Victoria.

The CHAIR: I welcome the Law Institute of Victoria to the public hearings for the Public Accounts and Estimates Committee Inquiry into the Victorian Government's Response to the COVID-19 Pandemic. The Committee will be reviewing and reporting to the Parliament on the responses taken by the Victorian Government, including as part of the national cabinet, to manage the COVID-19 pandemic and any other matter related to the COVID-19 pandemic. All mobile telephones should now be turned to silent.

All evidence taken by this Committee is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you repeat the same things outside this forum, including on social media, those comments may not be protected by this privilege. You will be provided with a proof version of the transcript for you to check. Verified transcripts, presentations and handouts will be placed on the Committee's website as soon as possible. The hearings may be rebroadcast in compliance with standing order 234. I would ask photographers and camerapersons to follow the established media guidelines and the instructions of the secretariat.

Thank you for joining us today. We invite you to make a brief opening statement of no more than 5 minutes. We ask that you state your name, position and the organisation you represent, for broadcasting purposes. This will be followed by questions from the Committee members in order relative to their representation at the table. Thank you.

Mr PANDYA: Thank you for the opportunity to address the Committee on behalf of the solicitors of Victoria. I am Sam Pandya, President of the LIV, and I am here today with CEO Adam Awty, and we represent almost 19 000 members of the Law Institute of Victoria.

We are a broad church, with membership across all sectors of the legal profession, including large law firm groups, government lawyers, community legal centre lawyers, small firms and sole practitioners. We also have a large student membership. We represent lawyers in every legal practice area. We are active across Victoria and support 10 regional law associations and five suburban law associations. Our members volunteer their time and expertise to help shape the laws of Victoria and ensure a strong legal profession for the future. We have 1400 active section and committee members who provide expert advice to Government, MPs, the courts, regulators and inquiries such as this one.

We are pleased to contribute to this timely Inquiry. I would like to say that this pandemic has presented both challenges and opportunities to the justice system and the legal profession. Social distancing and other requirements meant that the Government, courts and the legal profession had to immediately review and adjust the way justice is delivered and accessed in this state. It is a work in progress, and new updates are implemented every day. We have been in constant contact with the courts, the Government and the regulators to make sure that the justice system could continue to function efficiently. The courts have not closed, legal services are still available to clients, but we have had to adjust to different ways of providing legal services. We have gone from primary, face-to-face service delivery and paper-based services to virtual and digital services in six to eight weeks. The justice system is complex, and reform can be slow while implications are carefully tested. Some of the reforms introduced during this pandemic will stand the test of time. The Government's omnibus Bill and regulations were introduced to keep the wheels of justice turning. We need time to examine all reforms in practice to ensure that access to justice is not compromised by emergency measures.

May I expand a little on what the LIV has been doing in response to COVID-19. We closed our offices in March 2020 and transferred to digital online service delivery, including webinars for our members and wellbeing support. We also dramatically reduced membership fees by 80 per cent and provided a \$4 million support package for our members, established a COVID-19 information hub for our members to include the latest legislative and practice support information from the courts, governments and the regulators. We advocated and consulted with courts, governments and others about legislative and regulatory changes required to enable effective administration of the justice system. We wrote to Attorneys-General both state and federal with detailed recommendations to assist the legal profession and justice sector in dealing with the crisis.

Large numbers of our lawyers across the state contacted us with concerns about job losses, the impact on their clients and practice viability as well as systematic issues with the courts and the administration of justice. The LIV is part of the criminal justice sector stakeholder group chaired by Judge John Cain on behalf of the Chief Justice, Anne Ferguson, which considers issues arising from COVID-19. We are also part of the common law and civil justice stakeholder group chaired by Chief Justice Ferguson, and we have been in regular contact with the Federal and Family courts about issues including family law matters.

We were consulted on the Government's *COVID-19 Omnibus (Emergency Measures) Bill 2020*, which included most of the recommendations made by the LIV to ensure the legal and justice system operates efficiently and effectively during the crisis. We were also consulted on the operation of the supporting regulations on witnessing documents released last week. We commend the Victorian Government's consultative and efficient approach with the legal profession during this unprecedented crisis. The LIV wishes to acknowledge the leadership of the courts in adapting procedures to remain open for the community during this crisis, and we also acknowledge additional Federal and State justice funding, including for IT support.

Adam and I are here to answer any questions the Committee may have. Thank you.

The CHAIR: Thank you very much. I will pass first to Mr Gary Maas, MP, for the first lot of questions.

Mr MAAS: Thank you, gentlemen, for your appearance this afternoon and for your presentation too, Sam. And thank you as well for the advocacy that you do for the members across the state. You made mention that you raised several issues with the Victorian Government, and you said that the *COVID-19 Omnibus (Emergency Measures) Act 2020* addressed those issues. Would you be able to explain how that subject Act will be able to assist your members during the pandemic?

Mr PANDYA: Thank you for that question. There were a number of recommendations put forward to both the State and attorneys-general in March this year when we consulted our members. We have about 80 committees and 12 sections where a lot of issues were raised during those meetings. Did you want to elaborate on that?

Mr AWTY: I can. Thank you, Sam, Mr Maas. A number of the issues that obviously have been affecting the profession are the ability to actually get in contact with their clients, witnessing documents—that physical interaction—the ability to move through the court system, the rent relief requirements. So there has been a whole raft of issues that the profession have been seeing not only in terms of their own practice but also in terms of their clients. So that omnibus Bill—as you would all know, it was quite a detailed Bill—provided a lot of relief to enable the access to justice to keep moving through this crisis. I heard earlier this morning, the Attorney mentioned the fact that we had had solicitors actually going and witnessing wills and documents in people's cars, the fact that there is now electronic witnessing of documents and the like. It actually just makes it easier for our practitioners to actually deal directly with their clients and also ensure a smooth access to justice process.

Mr MAAS: You mentioned the use of IT in that online, face-to-face communication. Would you be able to explain the court's role in that and how the courts and the legal profession are able to work together to increase that use of technology during COVID-19?

Mr AWTY: Again, it is a very good question. The court system is obviously a very legacy part of our system of community. The ability for the court, in very swift time frames, to move to a lot of digital delivery, whether it be lodgement of documents, whether it be digital appearances, whether it be the access in the corrections facilities to clients and our practitioners to be able to actually interact with them via iPads and other things. So the digital service delivery has been a fundamental shift, and quite frankly I think it has actually been one of the real areas where the profession, the justice system, the court and the stakeholders have actually come together to try and work out quite rapid solutions. Many of the changes that we have seen in terms of the electronic delivery of justice in a normal year or in a normal cycle probably would have taken a number of years to actually get up and running. All the different jurisdictions have their own requirements, but I think together we have actually managed to get a solution that not only supports the community but also supports the profession as well.

Mr MAAS: That is excellent. I was actually going to ask you about the different types of jurisdictions and how the technology would affect each one, because each jurisdiction has its own particular requirements. If you could go into slightly more detail and maybe some examples across the different jurisdictions.

Mr AWTY: Some of the issues are also to do with volume. Obviously the lower courts are where there is a lot of physical press in terms of the system, so VCAT and the Magistrates Court, they are high-volume jurisdictions. So again, to try and have the ability for those infrastructures, for an IT system, has been probably a bit more complex to get up and running just because of the volume. Also the other element of that end of the spectrum is you often get more self-represented litigants. So again, trying to actually get those individuals who are representing themselves without the advice of a lawyer to interact with those technologies is also one of the things we are obviously beginning to grapple with. Obviously at the superior courts the ability to do video links, to use the technology, whether it be Webex, Zoom or others, to actually make sure that the justice system can keep moving has been a critical thing during this crisis.

Mr MAAS: Are you finding any differences between the larger firms and the smaller firms?

Mr AWTY: Another very good question. I have to say it has actually been somewhat firm size agnostic, and the reason I say that is because some of it is dependent on the nature of the work. For example, one of the boon areas at the moment in the profession is wills. A lot of people when COVID hit were rushing to update their wills and get all their powers of attorney and everything in order because of the pandemic. But there are other areas—property transactions, criminal law matters, some of the family law matters—that have actually been delayed.

When you look at the big end of town, there have been standdowns of staff, there have been reductions in salaries, there have been reductions in working days. That is also happening at the smaller end of town. The one thing I would say, or probably note, is that probably around 70 per cent of Victorian legal practitioners are sole practitioners or one-partner firms, so they in themselves are no different to a small business. They are actually dealing with the same issues, probably more acutely in terms of cash flows and other things, as magnified at the larger end of town.

Ms VALLENCE: What was that percentage?

Mr AWTY: 70 per cent.

Mr MAAS: Going back to the *COVID-19 Omnibus (Emergency Measures) Act 2020*, could you explain how that Act will assist the courts with remote hearings for your members and what innovations your members have developed for hearings in those matters?

Mr PANDYA: It has really assisted our practitioners, the new technology that has been incorporated by the courts, especially I suppose in the superior courts. There is more ability to have that technology available. It has allowed matters to be heard without delays. It has also allowed our clients to be able to have their day I suppose in court, so to speak. So it has been I suppose a win-win for both the clients, our practitioners and the courts.

Mr MAAS: Excellent. Thank you. You mentioned before that you also have members who are community lawyers as well. How will the Government's funding of \$17.5 million for legal assistance providers, such as community legal centres and Victoria Legal Aid, support those members?

Mr PANDYA: Well, those members, I suppose, are the most vulnerable in our society. This frontline legal services funding is really going to assist them, especially in the areas of family violence and the debt and tenancy issues that a lot of our vulnerable members of the community face. This \$17.5 million announced recently by the Attorney-General is really going to assist those members of our society, and I suppose our practitioners who work with Victoria Legal Aid and the community legal centres, and Aboriginal legal centres as well.

Mr MAAS: Terrific. Thank you. I understand that the law institute has waived its membership fees. Is that correct?

Mr AWTY: Not waived. We have made a very big decision to significantly reduce our fees. So for full practising members, their fees were reduced by over 80 per cent. The total support package for our members

was over \$4 million, and of a turnover of about \$15 million for the LIV annually that is a big revenue hit for the LIV. However, we believed it was an important step for us to try and take some financial pressure off our practitioners, particularly those who are at the small end of town where cash flow is tight. But even at the big end of town, taking some financial relief off the table and also making sure that our members stay connected to the legal community through the LIV during this important period of time was actually critical.

Mr PANDYA: And I suppose just to add to that, to access the services available for wellbeing that we do provide for our members free of charge, as well as being part of that collegiate environment in this crisis that I think everybody needs to support each other.

Mr MAAS: So in spite of those fee reductions then, are you still able to deliver all the services that the peak body delivers?

Mr AWTY: One of the commitments we made to our members when we announced that was that there would be no diminution of our services. If anything, we have probably stepped up our services and stepped up our free delivery of services. So to give some context, in April we had close to 2500 practitioners across the state access free webinars, free web chats on everything from employment law issues, business contingency through to the application of the omnibus Bill and witnessing of documents. So we have actually stepped up our service offering, but obviously it is a thing that we do need to keep a balance on. As a non-profit we do need to make sure that we are obviously using members' funds wisely.

Mr MAAS: The mental health pressures on legal practitioners are quite well documented. What are some of the benefits of membership of the law institute that might go to address that sort of thing?

Mr AWTY: Every member of the LIV has access to an employee assistance program. The LIV has an employee assistance program that any member can access free of charge, so they can get up to three to five consulting sessions with a psychologist as needed. We have seen a slight step up of that, because particularly in some of the regional areas off the back of bushfires then straight into COVID, obviously some of our members are actually feeling a reasonable amount of duress in terms of getting their businesses back to normal on both of those issues. They also have access to a lot of toolkits and a lot of support services in addition, but the employee assistance and that sort of counselling service is one of the things we really do pride ourselves on in making that free for all members.

Mr MAAS: Thank you. The retail leases are a large area, particularly for sole practitioners. Would you be able to explain how the Government's moratorium on the commercial tenancy evictions will assist some of your members?

Mr AWTY: Obviously by providing some certainty around the ability not to necessarily be evicted, again unless under the certain circumstances that have been defined. Also the rent relief that is available to them. The flip side of it is a lot of them are landlords as well, so it is trying to get that balance between both the landlord and the tenant. I think the way it has been drafted it gives the right balance from our perspective, and again, for all small businesses one of your largest outlays is usually your rent and your staff, and providing the ability to take some of that stress off the table enables these small businesses to keep not only their staff engaged but also their doors open.

Mr MAAS: Would you be able to explain how the decision of the Legal Practitioners Liability Committee on insurance premiums would be able to assist your members?

Mr AWTY: Again, that is an issue largely around cash flow. So again for context, the LPLC have enabled members to defer their insurance premium payments. That just enables the practitioners and the firms to defer some of their cash flow management. What happens at this time of the year is the profession gets three lots of bills. They get one from us as the Law Institute of Victoria membership; they get their practising certificate renewals from the legal services board and they get their insurance renewals. Enabling some of those deferrals, or in our case sort of reductions in fees, just takes some of that cash pressure off many of our members.

Mr MAAS: I think finally from me, the Government announced yesterday some shovel-ready projects across the state to support courts in upgrading critical facilities and making it safe for people to attend court, as well as supporting construction jobs around the state. Would you be able to talk about the value of those upgrades for court users, particularly in the regions?

Mr AWTY: Yes. We have obviously long advocated to all parties around the need to upgrade some of our court infrastructure around the state. Some of our court infrastructure around the state is obviously beautiful heritage-based buildings, but they have constraints around security and they have constraints around access. So, you know, it could be disability access, it could be security, particularly in some of the smaller areas where you have got domestic violence and you have got to try and have both potentially the perpetrator and the victim entering the court system. So some of these investments will take some of the anxiety and the actual pressure off the community when they are accessing these facilities and, again, just make it safer—particularly in the environment now where we all are very much focused on family violence. Some of these measures actually do give a lot more comfort to the victims around the system as they evolve.

Mr LIMBRICK: Thank you, Mr Pandya and Mr Awty, for coming today. The omnibus Bill is one thing that has gone through recently which has been a big change for the way law operates in Victoria, but another thing that has happened which is very unusual is this emergency declaration and the effect that that has had on people. What sort of reports have you heard from members about inquiries that they are getting around people needing legal advice for dealing with some of these social distancing measures—things like fines, businesses, and compliance with these laws and declarations? What sort of things are you hearing from your members about that?

Mr PANDYA: I have not heard anything around those particular issues. I do not know if Adam wants to add to that.

Mr AWTY: No, nothing specific, Mr Limbrick, but I think some of it has been the rapid nature of this change. So I think both our members but also the community are trying to understand, ‘Where do all these things fit?’. So a good example is, you know, ‘Can I actually go and witness somebody’s will or their power of attorney? What are the requirements around the legislation? Was the legal profession an essential service, and how did that actually work through?’. I think there is a lot more a level of calmness around that now, as things have become a bit more stable, but it really was that consciousness of, ‘What does that mean for me? What does that mean for me if I am a tenant?’ or ‘What does that mean for me in terms of employment if I’ve been stood down from my job?’. So there have been those sorts of things happening in the main.

Mr LIMBRICK: So in hindsight, with the benefit of hindsight, do you think that there was something that the Government could have done differently that would have alleviated some of these concerns, maybe through communication or implementation or consultation or something like that?

Mr AWTY: I think from our perspective the Government has been quite transparent with us as a profession, particularly on the impact on the justice sector. As to how do we actually either manoeuvre through this but also how do we evolve it, I think the reality is that this crept up on everybody quite quickly and some of the things that had to happen were so rapid. In particular in that sort of early period of the pandemic, people were really getting concerned about, ‘How do I isolate some of the physical pressures?’—so if you look at some of the courts, for example, just the volume of people going through the Magistrates Court or VCAT, for example. In hindsight, yes, you can always do things a bit differently, but in reality I think that the sector, the stakeholders and the Government have actually worked quite collaboratively to try and get as smooth a transition in uncertain times as we could get.

Mr LIMBRICK: And with some of the changes that have happened to the way that law operates through the omnibus Bill, there is talk amongst lots of people—and I am guessing amongst your members as well—about: this is sort of like a trial run for some of these things and maybe we might want to keep some of these things in the future. If I can give a specific example, about witnessing documents, is there any reason that you see that the changes that we have made there could not persist into the future or is this something that you feel should be quarantined temporarily?

Mr AWTY: I think, from a broad perspective, while this crisis has created a lot of challenges it has also created opportunities to look at how we do business, and obviously in our case how the justice system works. There are some measures that have been implemented that I think over time we should continue to look at whether they have future benefits for either coming back or evolving. What we would say, of course, is obviously given the rapid nature in which we had to implement some of the emergency measures, if we were to go into a more fulsome adoption of some of these, we would need to do further analysis and consultation as to how they would actually operate in whatever the new normal is. So we would say we do not want to lose any

opportunity, but we also caution that we still do need to make sure that we review them in the light of what we think we should be doing across the sector.

Mr LIMBRICK: And if you were going to identify some of those things, say, that were in the omnibus Bill that should be reviewed later, what would maybe be the top couple of things from that Bill that have gone through that you think maybe deserve a bit more of a look at and review to consider using in the future?

Mr PANDYA: I think the judge-only trials is something that we have been looking at, that the Government has been looking at, for quite some time. We, as the LIV, have put forward a submission on that. I suppose that is something that we obviously need to go through the consultation process on. I suppose in this six-month period it is a good way to look and see how it is working, but I think we really need to go through that consultation process to see whether that is something that can continue in the future.

Mr AWTY: I also think about the digital delivery of justice. Again, whether it be the courts, whether it be witnessing of documents, whatever it may be, I think we do need to look at some of the opportunities that have come out of the digital service delivery in the justice sector and see what things actually are fit for purpose going, you know, into the next decade and the decade beyond. I think that is where some of the innovation and some of the real conversation in the sector can be about—how do we deliver justice differently?

Mr LIMBRICK: And just lastly, on the judge-only trials one specific issue that I questioned this morning with another witness might be problematic is that in the current situation the accused is sort of incentivised to go for it because otherwise they will end up on remand for a long period of time. Is that an issue that you think might be a problem during the pandemic in the delivery of justice?

Mr AWTY: I think obviously from a judge-only trial perspective we still need to make sure the safeguards are there and that the accused has the ability to have a determination as to whether they actually want to proceed with a judge-only trial. That is also where the role of their lawyer comes into play to make sure that they are comfortable and that there is no coercion or otherwise for the accused to have to be entering that process.

Ms VALLENCE: Thank you for your time appearing today for our Inquiry. I will just follow on from the questions from Mr Limbrick in terms of judge-only trials. You mentioned that you had made a submission. Has the position of the LIV changed at all in terms of supporting judge-only trials, or does your submission talk to supporting judge-only trials? I thought the LIV might have been in favour of jury trials.

Mr AWTY: We are supportive of judge-only trials, obviously in limited circumstances and particularly where the accused and the prosecution agree for that to occur. Obviously from a system of justice we are supporting the continuing of jury trials and the resumption of jury trials when it is safe to do so for the judicial officers, the court staff, the public and also the profession.

Ms VALLENCE: So what issues, if you can flesh that out a little bit more, might you have with judge-only trials?

Mr AWTY: Issues we have?

Ms VALLENCE: Yes.

Mr AWTY: It is more when they should actually occur. So obviously when there are specific issues, whether it be the ability for an individual to get a fair trial because of media or otherwise, then as long as the accused and the prosecution actually agree to that we do believe there is some merit to pursuing judge-only trials, but in limited circumstances.

Ms VALLENCE: Okay, and so in terms of us supporting a return for jury trials—and we understand with physical distancing and so forth that might take some time—do you support some alternative formats to return as soon as possible, as soon as it is safe to do so, for example, having juries sitting in separate rooms to the main courtroom or changing the size of the jury?

Mr AWTY: I think all of those things need to be considered in light of the individual's access to justice, particularly for the individual being accused of a crime. The fact that they can actually access it, and are they comfortable with it—does it impinge on their civil liberties and the like—I think those things would need to be

considered. But of course the LIV is open to looking at different ways of delivering justice. But, again, as long as the person who is being accused is still getting a fair trial and their civil liberties are maintained.

Ms VALLENCE: You mentioned in your presentation that you had been consulted and made some recommendations in terms of the omnibus Bill put before the emergency sitting of Parliament. You said most of your recommendations were taken up. Could you share with the Committee which recommendations you made that were not?

Mr PANDYA: I think we recommended the release of prisoners on remand. That was one recommendation that was not taken up. I think the Attorney mentioned that this morning.

Mr AWTY: Remote hearings, I think, was another area, for people in custody. Again, we can probably provide some more detail—

Mr PANDYA: We could take that—

Mr AWTY: On notice—that is okay?

Ms VALLENCE: That is fine, thank you. Have you made any representations at all to the State Government—you mentioned in your presentation and in some other answers the pressures on legal practitioners, with the vast majority of legal practitioners being independent sole traders—have you made any representations around the cost of state fees and charges and freezing those? Do you support that position?

Mr AWTY: I am not aware that we have made any specifically about that one.

Ms VALLENCE: Would you support that, I guess, to help legal practitioners to get back—

Mr AWTY: I think the reality is any support that can be made for any small business to operate in these times is a positive step. As I have said, the LIV has done its own fee reduction in that context. So I think anything that we can do to get businesses back up and running, particularly those in the regions, and, again, take some cash flow pressure off them, is important.

Ms VALLENCE: I would like to take this opportunity to thank and congratulate the LIV in terms of the huge reduction in your fees. For many lawyers, they are on a modest income. I think many lawyers are, much against public understanding, on sub \$100 000, so thanks for your support of those small business operators there. On that, the Victorian Government announced a business support fund to help businesses that have been impacted because of coronavirus with the \$10 000 grants. Can you clarify if you know of any of your lawyer members or suburban—particularly suburban—and rural and regional law firms that are eligible and have applied and received that \$10 000 grant?

Mr AWTY: We do not have the data as to whether any of our members have accessed those grants. However, one of the things that we have been very conscious about is communicating to our members what is available to them—so all of the grants, all of the different government subsidies, both State and Federally. We have been trying to document it to them and also make it easy for them to access it. So how are they accessing it? That is something we actually are not aware of, but we are very keen on making sure they are aware of what is available.

Ms VALLENCE: So they are aware of the \$10 000 grant?

Mr AWTY: Yes.

Ms VALLENCE: Great. You mentioned earlier that there is a high volume, that some of the particular courts and tribunals have a very high volume, and you mentioned—in your earlier presentation or perhaps an earlier answer—about VCAT having a particularly high volume of hearings. We understand as well from Justice Quigley that around some of the challenges it is more of a paper-based system; there is not the video capability, video facilities available for VCAT hearings. How has that impacted the backlog of VCAT hearings? To what extent is it in percentage terms that you could provide us?

Mr AWTY: In terms of that, you probably had best direct that to VCAT in terms of their direct backlogs. Obviously from our perspective we are keen for matters to keep proceeding, and a number of those are via

hearings, telephone hearings or otherwise. Obviously it is well documented that we do need to invest money into VCAT to move the system to more digital delivery, but in terms of the quantum you had probably best direct that to President Quigley or VCAT directly.

Ms VALLENCE: Okay. Are you hearing from your members in terms of their lack of ability or that that has caused any changes to the way they are working or the backlog or their ability to do hearings in VCAT or in fact any of our Victorian courts? The Family Court, I think you mentioned as well, delays—how is that impacting?

Mr AWTY: So our members are having to adapt, exactly as the courts are, to deliver the justice in the state in the mechanisms that are now available, whether it be digital delivery or otherwise. The reality is that the quick nature of this has meant that we have had to slow some of our normal service delivery, and we are going to need to continue to respond to: how do we continue to move and progress that through the system?

Ms VALLENCE: In terms of the impacts to courts that have closed, or the restrictions on their ability to conduct hearings, I would be interested in your views for criminal hearings in particular and any impacts for criminal lawyers there.

Mr AWTY: So obviously with no jury trials, that obviously puts an amount of pressure on our criminal solicitors in terms of—

Ms VALLENCE: Yes, appearance.

Mr AWTY: appearances and the like. However, for those of our practitioners who do a lot of legal aid work, legal aid have put some processes in place to make sure private practitioners representing legal aid clients are being paid as quickly as they can, and they actually have escalated the payments to practitioners. The criminal justice system has probably been an area where this has been more acutely felt, because obviously—the Magistrates Court in particular—it has a high volume. But our practitioners are working hand in glove with the courts to try and make sure we are moving as much through the system and keeping the system working.

Ms VALLENCE: Would you say it is the criminal justice side that has been impacted the most, or the Family Court? Where—

Mr AWTY: It has been one that has been more acutely impacted, just by volume, as has VCAT. They are just high-volume, high-traffic courts. But again, in that six- to eight-week period the amount of change and the ability to flip from a very traditional, face-to-face service delivery model in partnership with the courts has been amazing.

The CHAIR: Thank you very much. We are out of time. We thank the Law Institute very much for your appearance before our Committee today. We will follow up with any questions which were taken on notice in writing, and responses will be required within five days. The Committee will now move to consideration of the next witness. Thank you for your time.

Witnesses withdrew.

