

**Inquiry into Anti-Discrimination and Human Rights Legislation Amendment
(Respect at Work) Bill 2022**

**National Legal Aid
Question on Notice**

17/10/2022

Senator Barbara Pocock asked:

I would like to say to any of you who have any further information that you want to offer in relation to costs to take it as a question on notice to send us anything further. I personally would appreciate that.

Answer:

Our recommendation that the Bill adopt an Equal Access model/asymmetric approach to costs is based on our deep practice experience assisting victim-survivors of workplace sexual harassment and referring clients to private firms when they are ineligible for legal aid assistance because of their income or assets. Our recommendation is also based on our organisational experience of assisting clients in the federal courts with matters under the Family Law Act, which has a provision upon which the Bill's proposed costs provision is based. Based on this experience we consider that the proposed approach to costs in the Bill may not achieve its intended objectives and could be significantly strengthened