

**SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS**

**BUDGET ESTIMATES 2016 - 2017**

**Attorney General's Department**

**Program: 1.4 Justice Services**

**Question No. BE17-148**

**Senator Pratt asked the following question on 05 June 2017:**

- 1) No additional funding was announced in the budget for Legal Aid to represent litigants in cases where family violence is alleged. How will parties that have been refused the right to personally cross-examine be able to obtain legal representation, without extra funding for legal aid?
- 2) Will the Government be providing any additional funding to Legal Aid to ensure that the reforms can be implemented?
- 3) Or will existing legal assistance services be required to absorb the cost of representing litigants who are refused the right to personally cross-examine?

**The response to the honourable Senator's question is as follows:**

On 17 July 2017, the Government released an Exposure Draft of the *Family Law Amendment (Family Violence and Cross-examination of Parties) Bill 2017*. The Exposure Draft includes provisions for the appointment of a court-appointed (intermediary) person to ask questions in cases where a self-represented party is banned from undertaking direct cross-examination.

The consultation paper released with the Exposure Draft canvases the issue of a court-appointed person and stakeholder submissions will inform the Government's consideration of the appropriate model to adopt.