

REVIEW OF REMAND SERVICES

What did we review?

We conducted research with three key groups: people who had been on remand, people who deliver the remand services, including lawyers (VLA lawyers and private lawyers) and administrative staff, and other professionals that support people on remand, like social workers. We held focus groups and interviews about their experiences of the remand service.

We also spoke with other remand stakeholders, including court staff, magistrates and Victoria Police staff, as well as VLA program staff, to provide context to the work of the remand service.

What we found

We found that VLA's remand service provides an essential and valuable service for clients, the courts, and the broader justice system. Providing people with legal assistance when first remanded seeks to protect people's rights to liberty and can reduce reoffending by reducing people's time in custody.

The assistance that lawyers can provide to people on remand is limited by the client being in custody, and the time that lawyers can spend with their client. Lawyers currently need to meet the demands from the justice system, and have limited time and resources. The way services are provided on remand varies across the state, and this variation means that some clients miss out.

VLA provides much more than a legal service to people in custody. People on remand have complex needs that don't only relate to legal assistance. People's non-legal needs are important to the client's wellbeing, as well as to the lawyer's task of making a bail application. VLA's service seeks to meet these needs but more resources, and different resources, are required to do this properly.

VLA's lawyers and private practitioners both play a key role in ensuring clients have the legal assistance they need. Currently, only assistance that results in a bail application will be funded. This does not recognise all the important work that lawyers do.

All up, working as a lawyer providing remand services is rewarding but it's highly stressful. Lawyers need support and resourcing to continue to perform this work effectively.

VLA has a leadership role in the criminal justice system, and has a powerful role to play in advocating for and creating change at a systemic level.

What we recommended

We made 7 key recommendations to VLA to improve its remand service.

These were to:

- Make immediate improvements to the remand service by:
 - Setting up a model that responds to legal and non-legal needs of clients in custody
 - Increasing the time that lawyers spend with clients
 - Making sure lawyers have the technology to perform their roles effectively
- Developing a dedicated remand service model at VLA. This involves defining the scope and purpose of the service, mapping the journey of clients through the service, and designing – with clients – how to improve the service.
- Prioritising the help VLA provides to people when they are first remanded. VLA should do this by using duty lawyers and non-duty lawyers, and adding to its priority groups those that are most at risk, such as people with cognitive disability or serious mental health diagnosis.
- VLA supporting its staff who work in the remand service, making sure they are trained to perform their role and supported to be healthy and well at work
- That VLA continue to advocate for its clients, including by taking a leadership role, working with stakeholders and communicating about its advocacy activities.
- Improving VLA's data collection and understanding about its remand service
- Seeking funding to ensure that VLA can implement the Recommendations.

More information

To read the full report, please see link on this webpage.