

**MESSAGE FROM THE**

**LIV**



## **Update to the legal profession on Industry Restriction Levels for offices and professional services**

Dear member,

We have today been advised of the latest changes to professional services including the legal profession, as outlined under the State Government's roadmap for reopening.

Following continuous advocacy from the LIV, there has been a relaxation of restrictions to assist the legal profession to carry out its essential role in the administration of justice in this State.

The Government has published a revised Industry Restriction Level (IRL) for Professional Services (Legal – additional requirements) in the Metropolitan Melbourne region.

The DJCS has confirmed that Melbourne is currently in the Second Step.

This IRL provides guidance that:

- Under the First and Second Steps (currently deemed closed), the legal profession will be able to:
  - Access work sites for collecting and scanning documents, processing payments and other essential activities that enable the business to operate through working from home.

In addition to the above exemptions the following additional requirements also apply for the legal profession. All work sites closed except:

- Where it is not reasonably practicable for a person to work from the premises where they normally reside
- You need to attend court where requested and required by the Head of Jurisdiction.

- You need attend a medico-legal appointment to support a legal, compensation, insurance or other matter that cannot be undertaken remotely
- Under the Third Step (restricted), all activities in the legal profession that can be done at home, should.
  - Under this step solicitors and barristers will be permitted to access work sites to:
    - Attend court where requested and required by the Head of Jurisdiction.
    - Participate in remote court hearings from the office site. Workforce density rules apply.
    - Participate in court ordered dispute resolution, arbitration, mediation, conciliation, settlement conference, statutory conference and inquiries.
    - Attend a medico-legal appointment to support a legal, compensation, insurance or other matter.
    - In relation to clients, they should not attend office sites unless the matter cannot be undertaken reasonably and/or the client cannot participate reasonably in an online communication, teleconference or by means of an audio-visual link facility.
    - Furthermore, this step sets out overarching requirements that those that can work from home “should”, rather than “must”. Where access to the office is deemed necessary firms will need to ensure things such as staggered arrival / break / departure times for high capacity offices.

The full guidelines can be [found here](#).

There are also further revisions on what applies to Courts and Tribunals. Here are details of the current [Public Administration Courts and Tribunals industry restrictions](#).

In our most [recent contact with the office of the Attorney General and the Department of Justice and Community Safety](#) we proposed a number of workable solutions to support the reopening of the justice sector and legal practice.

We are pleased to report that the government has [responded favourably to a number of our requests](#) to ensure the justice system can operate effectively. These measures are accessible to all law practices regardless of size.

The government has thanked the LIV for our tireless efforts to finalise industry specific requirements for the profession. While these measures may not be seen to go far enough

for some members, they are important steps and we will continue to work with government and advocate on behalf of all members.

We recognise and thank all our members and firms who have given us practical examples and suggestions about what you need to return to some sort of a COVID safe normal.

We will continue to work with government and relevant agencies to provide feedback and share your experiences to ensure that the legal profession and the justice system can provide essential professional services for the community into the future.

Please [contact us](#) with any information or suggestions.

We will also keep you up to date with any further information released by the Premier on Sunday 18 October and encourage you to check our [COVID-19 hub](#) and our daily LawNews for the latest information.

Please stay safe and well,

**Sam Pandya**  
President

**Adam Awty**  
Chief Executive

Follow us:



Disclaimer: This email was sent by the Law Institute of Victoria to your nominated email address. You are receiving this because you have currently opted to receive this communication in your LIV membership subscription preferences. This email and any attachments transmitted with it are confidential. If you are not the intended recipient or person responsible for delivering the email to the intended recipient, you are prohibited from disclosing, copying or using the information contained in it. If you have received this email in error, please inform us by emailing [membership@liv.asn.au](mailto:membership@liv.asn.au), and delete the message and attached documents.

Address: Law Institute of Victoria Limited, Level 13, 140 William Street, Melbourne, VIC 3000  
(ABN 32 075 475 731) [www.liv.asn.au](http://www.liv.asn.au)

Privacy: The LIV handles all personal information received in accordance with its Privacy Policy and the Australian Privacy Principles contained in the Privacy Act 1988 (Cth). Further information on the LIV Privacy Policy is available at [www.liv.asn.au/privpolicy](http://www.liv.asn.au/privpolicy)

[Update email preferences](#) | [Unsubscribe](#)