

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL

PRACTICE DIRECTION NO 30

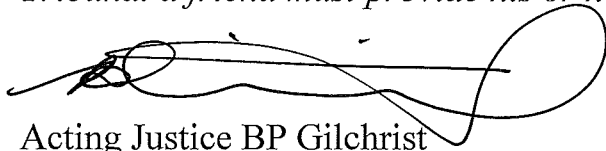
ASSISTANCE BY A FRIEND

I, Brian Patrick Gilchrist, the Acting President of the Tribunal, pursuant to rule 10(1) of the South Australian Employment Tribunal Rules 2017 do hereby make the following Practice Direction. I do so to clarify the extent to which a party may be assisted by a friend for the purposes of s 51(2) of the South Australian Employment Tribunal Act 2014.

Practice Direction 30 Assistance by a friend

In proceedings before the Tribunal a party may obtain reasonable assistance from a lay person, known under the South Australian Employment Act 2014, as a friend. Parties assisted by a friend remain litigants in person. The friend has no independent right to provide assistance. He or she has no right to act as an advocate, conduct negotiations, address the Tribunal or in any way conduct litigation on a party's behalf. He or she has no entitlement to receive any payment for any assistance provided. The friend's role is limited to providing moral support to a party, taking notes, helping with papers and, subject to any contrary ruling by the presiding member, to quietly make suggestions as to the conduct of the case.

The Tribunal retains the power to refuse to permit assistance from a friend. It may do so where it is satisfied that the interests of justice and fairness do not require the litigant to receive such assistance. Where the Tribunal permits a litigant to receive assistance from a friend, it may regulate the manner in which the assistance is provided. It may withdraw the permission if of the opinion that the administration of justice is being impeded by the friend. If requested by the Tribunal a friend must provide his or her name, address and contact details.



Acting Justice BP Gilchrist

Acting President of the South Australian Employment Tribunal

