
SENATE LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE

INQUIRY INTO THE IMPACT OF FEDERAL COURT FEE INCREASES SINCE 2010
ON ACCESS TO JUSTICE IN AUSTRALIA

PUBLIC HEARING 17 MAY 2013

QUESTIONS ON NOTICE

Federation of Community Legal Centres Victoria

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Ms Larkins: I do have two comments on the list of exempt CLCs, which is the legal aid schemes and services approval instrument. Firstly, not all agencies who should be on the list are on the list. I think that is more of an operational issue rather than a policy issue. Secondly, even if a CLC is on that list, you are still not exempt from paying the divorce fee.

CHAIR: In relation to the distinction between an operational issue as opposed to a policy issue, is there a recommendation you would be asking the committee to make about including more agencies that should be on there but are not?

Ms Larkins: Yes. We would recommend that the legal aid schemes and services approval instrument is reviewed, because not all CLCs that should be on the list are currently on that list.

CHAIR: Could you on notice identify those community legal centres or legal assistance providers that are not included but you think should be?

Ms Larkins: We would be very happy to notify you of Victorian CLCs that are not on that list and should be on it.

Julie Dennett
Committee Secretary
Senate Standing Committee on
Legal and Constitutional Affairs
PO Box 6100
Parliament House
Canberra ACT 2600
Via email: legcon.sen@aph.gov.au

24 May 2013

Dear Ms Dennett,

Inquiry into the impact of increases to federal court fees – response question taken on notice in relation to the Legal Aid Schemes and Services Approval Instrument

Thank you for the opportunity to provide you with further details about the Victorian CLCs which would like to be added to the Approved Legal Aid Schemes and Services Approval instrument.

As you know, organisations which are included on the Approved Legal Aid Schemes and Services Approval instrument ("the instrument") are exempt from paying a number of federal court fees.

Several Victorian CLCs are missing from the instrument. My understanding is that this is due to an operational oversight.

The following Victorian CLCs have expressed an interest in being added to the instrument:

AED Legal Centre

AED Legal Centre represents people with disabilities in the areas of employment and education law.

Asylum Seeker Resource Centre

The Asylum Seeker Resource Centre (ASRC) is an independent not-for-profit organisation. It is the largest provider of aid, advocacy and health services for asylum seekers in Australia. The ASRC Human Rights Law Program, accredited by the National Association of Community Legal Centres, and auspiced within the broader ASRC, provides a legal service to a large number of asylum seekers at all stages of the refugee determination process.

Human Rights Law Centre

The Human Rights Law Centre is an independent not-for-profit which is dedicated to promoting and protecting human rights.

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Public Interest Law Clearing House (PILCH)

PILCH is a not for profit organisation assisting marginalised and disadvantaged people experiencing unmet legal need by connecting them with lawyers who provide their services on a pro bono basis. Through its clinic services it assists people who are homeless or at risk of homelessness and older people experiencing elder abuse or other issues associated with ageing. PILCH also provides advice and assistance to not for profit community organisations.

Southport Community Legal Service Inc.

Southport Community Legal Service is a small not-for-profit community legal centre which provides free legal advice, referrals and ongoing casework in all areas of law. It represents vulnerable people who live, work and study in the Port Phillip council area.

Villamanta Disability Rights Legal Service Inc.

Villamanta Disability Rights Legal Service Inc. is a community legal centre that works on disability-related legal and justice matters for people in Victoria who have a disability. Almost without exception Villamanta's clients are financially and socially disadvantaged making access to the justice system extremely difficult for them. Villamanta has very limited resources and struggles to meet the demand for its services.

All of the organisations listed above are members of the Federation of Community Legal Centres Victoria.

The Committee may want to consider making a recommendation that the fee exemption apply to any community legal centre that is a member of a state or territory community legal centre peak body. If the instrument was drafted in this way, it would remove the need for the Attorney General's Department to regularly update the list of CLCs.

Please do not hesitate to let me know if you have any questions.

Sincerely,

Lucy Larkins
Senior Policy Adviser