



Australian Government
Attorney-General's Department

Secretary

15/4708

5 May 2015

Ms Lyn Beverley
Secretary
Senate Finance and Public Administration References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Fpa.sen@aph.gov.au

Dear Ms Beverley

Inquiry into Access to Legal Assistance Services

Thank you for your letter of 12 March 2015, inviting me to lodge a written submission.

I have considered the Terms of Reference for the inquiry and do not propose to lodge a written submission. My department's role is to administer grants for the provision of legal assistance services. Of the nine Terms of Reference, my department would be happy to provide evidence, if required, in relation to:

- a) the extent to which Aboriginal and Torres Strait Islander Australians have access to legal assistance services;
- b) the adequacy of resources provided to Aboriginal legal assistance services by state, territory and Commonwealth governments;

By way of background, my department administers the Indigenous Legal Assistance Programme to fund high quality, culturally appropriate and accessible legal assistance services for Indigenous Australians. The programme's aim is to ensure that Indigenous Australians can fully exercise their rights as Australian citizens.

There are eight Aboriginal and Torres Strait Islander Legal Services funded under this programme, one in each state and territory, with two in the Northern Territory (North and South Zones) and one in New South Wales/Australian Capital Territory.

Indigenous legal assistance providers assist clients with legal assistance, advice and representation in criminal, family and civil matters from 80 permanent locations across Australia, as well as court circuits, bush courts and outreach locations. They also provide community legal education and duty lawyer services.

Total Commonwealth funding for the Indigenous Legal Assistance Programme in the 2014-15 financial year is \$74.311 million. Existing funding agreements with service providers expire on 30 June 2015, with future funding arrangements from 1 July 2015 currently being considered by Government.

My department is in the process of developing a funding model to inform the allocation of this programme between the states and territories from 1 July 2015. The model provides an evidence-based method of allocating available funding between jurisdictions on the basis of relative need for legal assistance services. The model will include a range of factors to account for differences in the cost of delivering services, as well as the relative need for services, between jurisdictions.

Commonwealth funding for legal aid commissions and community legal centres is administered by my department. These services also provide legal assistance for Indigenous Australians.

The Commonwealth Legal Aid Programme supports and funds eight legal aid commissions to provide services to disadvantaged people who have problems that come within Commonwealth legal aid priorities. State and territory governments contribute funding to legal aid commissions for state law matters. Legal aid commissions located across Australia, including in regional areas, provided legal aid to over 17 000 Indigenous Australians in 2013-14.

The Community Legal Services Programme supports and funds 131 community legal centres across Australia to provide a range of assistance on legal and related matters to people on low income. Of the total number of clients, approximately seven percent are Indigenous Australians.

In relation to item (c) of the terms of reference, Family Violence Prevention Legal Services are funded under the Indigenous Advancement Strategy which is administered by the Department of the Prime Minister and Cabinet.

Yours sincerely

Chris Moraitis PSM