SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Questions on Notice

Inquiry into Access to Justice– 27 October 2009

Senator LUDLAM asked the following question at the hearing on 27 October 2009:

Funding surplus and deficits for legal aid

Senator Ludlum noted that Victoria Legal Aid operated with a substantial deficit in 2007-08 and that New South Wales Legal Aid apparently returned a surplus. He requested any available statistics that could be tabled regarding funding deficits and surpluses for the legal aid groups across Australia over the last few years.

The answer to the honourable senator's question is as follows:

For the 2007-08 financial year, Victoria Legal Aid reported a Commonwealth operating deficit of $13.747 million. This was offset against retained surplus funds from previous financial years. At the end of that financial year Victoria Legal Aid reported Commonwealth accumulated surplus of $3.392 million.

The following table details the financial position reported by each legal aid commission in relation to Commonwealth funding for the last three financial years. Figures in brackets indicate a deficit in Commonwealth funds.

Commonwealth Accumulated Funds

State/Territory Legal Aid Commission	2006-07 $m	2007-08 $m	2008-09 $m
NSW	4.033	2.224*	2.265*
VIC	17.139	3.392	3.395
QLD	2.481	4.187	2.341
WA	0.991	1.780	2.487
SA	7.748	8.056	7.549
TAS	0.898	0.188	(0.166)
ACT	1.268	1.226	0.575
NT	1.145	1.433	1.889

* Excludes separate funding provided to the Commission under the Expensive Commonwealth Criminal Cases Fund..

The following table shows Commonwealth funding provided to legal aid commissions in accordance with the legal aid funding agreements

State/Territory legal aid commission	2006-07 $m	2007-08 $m	2008-09 $m
NSW	48.801	50.682	53.091
VIC	30.616	33.433	35.396
QLD	32.070	34.225	35.425
WA	14.947	16.022	16.258
SA	13.360	13.641	13.736
TAS	4.999	5.322	5.838
ACT	3.887	3.997	4.082
NT	3.427	4.154	4.228

Note: The above totals include payments made under the Regional Innovations Program for Legal Services (RIPLS), the Northern Territory Emergency Response (NTER) and one-off additional payments, but exclude payments made from the Expensive Commonwealth Criminal Cases Fund. Program improvement expenditure incurred directly by the Commonwealth is also excluded.

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Inquiry into Access to Justice– 27 October 2009

Senator LUDLAM asked the following question at the hearing on 27 October 2009:

Baseline funding for CLCs

That the Department to confirm that the average baseline funding for CLCs in 2006 was approximately $176,000.

The answer to the honourable senator's question is as follows:

In 2006, the average amount of Commonwealth funding provided to community legal centres under the Commonwealth Community Legal Services Program was $173,000. In 2009, the average amount of Commonwealth funding provided to CLCs is $183,990.

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Senator LUDLAM asked the following question at the hearing on 27 October 2009:

Access to online resources

What the Government could do to facilitate access to online legal resources for community legal centres.

The answer to the honourable senator's question is as follows:

In 2007, the Department provided funding of approximately $60,000 to the National Association of Community Legal Centres to undertake a trial of a national legal library resource project. The project allowed community legal centres to access, through the National Association's website, online legal journals, databases, news feeds and reports supplied by various legal publishing companies.

In November 2008, following an evaluation of that project, the Attorney-General approved an amount of $196,740 over three years for the ongoing supply of the resources which community legal centres found to be most useful, accessed most frequently and considered essential to their operations.

The package provides desktop access to a range of online resources, including: *First point, TLA Online (Laws of Australia), Commonwealth Law Reports, Industrial Reports, NSW Law Reports, Unreported Judgements, Federal Magistrates Court Guidebook, Magistrates Court (SA), NSW Civil Practice and Procedure (local, district and supreme court), Queensland Civil Practice, Law relating to Banker and Customer,* and the *Lawyers Practice Manual (NSW, QLD, VIC, WA).*

The Department has initiated discussions to determine what further initiatives can be taken to enable community based funded organisations to access Government/Departmental online resources.

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Inquiry into Access to Justice– 27 October 2009

Senator LUDLAM asked the following question at the hearing on 27 October 2009:

Aboriginal Interpreter Services

That statistics be provided on the use and accessibility of interpreter services for Aboriginal people in particular.

The answer to the honourable senator's question is as follows:

Indigenous interpreting services exist in some states and territories, with varying coverage.

Northern Territory

The Australian Government jointly funds the Northern Territory Aboriginal Interpreter Service (NTAIS) under a bilateral agreement between the Australian and Northern Territory Governments.

The current agreement with NTAIS is from 2006-07 to 2009-2010 with the Australian Government providing $4.576m this financial year. The Australian Government has also allocated an additional $884,000 in 2009-10 to meet demand associated with the Northern Territory Emergency Response.

NTAIS provides a predominantly oral interpreter service for Aboriginal people in the Northern Territory. NTAIS currently has interpreters for 105 Indigenous languages with the core of 15 major languages necessary to ensure geographical coverage of all areas. NTAIS currently employs approximately 351 interpreters, including 78 who are accredited.

NTAIS reports a significant increase in demand for its services, particularly since the introduction of the Northern Territory Emergency Response. For the period July 2008 to June 2009, NTAIS received 5,452 requests for an interpreter which is an increase of 38% from 2007-08. Over the past five years, NTAIS reports that interpreter usage has increased by 211%.

Western Australia

In Western Australia, the Kimberley Interpreting Service (KIS) provides access to interpreters in 20 language groups in the Kimberley region. KIS operates a central booking service for accredited Aboriginal language interpreters for use in a wide range of contexts, including legal, medical, and welfare and professional development and support to interpreters as well as identifying and training new interpreters. KIS also co-ordinates interpreters in the Pilbara, Goldfields and Perth areas.

The Department does not have data on the usage of the KIS.

South Australia

In South Australia all translating and interpreting services, including four Aboriginal languages, are arranged through the SA Government's Interpreting and Translating Centre (ITC). The ITC operates on a full cost recovery basis and is the only SA Government interpreting and translating agency. Multicultural SA also offers limited Indigenous interpreting mainly in the Pitjantjatjara language.

The Department does not have data on Indigenous people's usage of ITC.

Other Jurisdictions

The Department understands that there are no Aboriginal interpreter services operating in Queensland, New South Wales, Victoria, Tasmania or the ACT.

Remote Service Delivery National Partnership

Under the *Remote Service Delivery National Partnership Agreement*, the Australian Government is contributing $19.8 million over six years for translation and interpreting services, and the States will be contributing $18.9 million.

The Commonwealth will be working with the States and the Northern Territory to develop and introduce a national framework for the effective supply and use of Indigenous language interpreters and translators, in line with the National Partnership.

Components of the proposed national framework are being discussed. They may include: strategies to develop and strengthen Indigenous interpreting and translating services; training and accrediting Indigenous interpreters; and strategies for the effective supply and use of Indigenous interpreters.

Additionally, the 2009-10 Budget announced an extension of funding until 2012 (in total $8.085 million) to the NT Government to further develop and support Indigenous interpreting services. The purpose of the funding is to employ Community Liaison Officers/Mentors to coordinate work and support Indigenous interpreters; recruit, train and employ interpreters in identified Indigenous communities and develop training programs and implement training for interpreters, including professional development and accreditation.

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Senator FISHER asked the following question at the hearing on 27 October 2009:

The Australian Industrial Relations Commission is not included in the table on page 37 and the graph on page 53 of the Access to Justice Taskforce report *A Strategic Framework for Access to Justice in the Federal Civil Justice System*.

a) Why are they not there?

b) Do you have the data available?

c) If you do, can you provide us with a table that puts them there with everybody else?

The answer to the honourable senator's question is as follows:

a) Several of the institutions and programs listed on page 35 of the Access to Justice Taskforce Report, including the AIRC, did not feature in the table on pages 37-38 of the Report and subsequent graphic representations. The table on page 37-38 seeks to demonstrate the variation in cost of different services across the justice system.

   The AIRC reports on lodgments over the reporting period (ie matters initiated), while the calculations on pages 37-38 of the Report are based on the number of matters finalised. Consequently, the AIRC data is not comparable with the other data used.

b) The following information is available from the AIRC and Australian Industrial Registry annual report:

   - The total appropriation for the AIRC for dispute resolution, orders and decisions was $49.558m in 2007-08.[1]
   - Table 1 below, extracted from the annual report, provides information on lodgments over the financial year.

   There is a wide variation in types of matters dealt with by the AIRC over the reporting period, from dispute resolution and unlawful termination matters through to award modernisation work. The Taskforce did not source data to cost each element of the AIRC's work. An aggregated cost per service figure would not be meaningful.

   The Taskforce considered that significant change in jurisdiction of the AIRC over the relevant reporting period, and further changes subsequently, reduced the ongoing usefulness of data available on the AIRC in 2007-08 as a comparison point.

c) For the reasons outlined in b) above, sufficiently comparable data is not available.

[1] AIRC/AIR Annual Report p149

TABLE 1[2]

Table 1: *Historical table of caseload categories*

Application	2003–04	2004–05	2005–06	2006–07	2007–08
Dispute notification[1]	2121	1675	1191	245	219
Award variation	2054	1701	1538	1230	1062
Notification under dispute settling procedure of agreement[2]	764	851	956	1142	1081
Agreement (extension, variation and termination)	9217	6656	8836	189	89
Suspension or termination of bargaining period	67	33	37	8	220
Application for protected action ballot order	-	-	23	271	574
Order relating to industrial action	480	424	344	112	144
Termination of employment	7044	6707	5758	5173	6067
• Jurisdiction	434	340	305	473	648
• Substantive arbitration	223	202	124	101	69
• Costs	90	34	62	22	20
Full Bench matters (including appeals)	285	248	215	876	228
Referral of Australian workplace agreement to Commission	1273	1177	1297	761	0

(1) Includes notifications lodged pursuant to s.99 of the pre-reform Act, ss.699 and 704 and clause 33 of Schedule 6 of the WR Act.
(2) Includes notifications lodged pursuant to ss.170LW and 170VG of the pre-reform Act and s.709 of the WR Act.

[2] AIRC/AIR Annual Report 2007-08 p7

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Question No. 1

Senator LUDLAM asked the following question:

How many Family Relationship Centres currently (a) exist and (b) receive Commonwealth funding? What is the client base of Family Relationship Centres?

The answer to the honourable senator's question is as follows:

There are a total of 65 Family Relationship Centres, all of which receive Commonwealth funding. The client base for the Centres includes intact families needing help with family relationships and parenting, and separating or separated families needing help to achieve workable parenting arrangements. In the last financial year (2008-09), the Centres assisted over 60,000 clients. Since the establishment of the Centres in July 2006, over 111,000 clients have received assistance.

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Question No. 2

Senator LUDLAUM asked the following question:

What evidence is there to support the view that Family Relationship Centres improve Indigenous peoples' access to the family law system?

The answer to the honourable senator's question is as follows:

Through the Family Relationship Centres, additional funding has been provided to selected locations to provide Indigenous outreach services. This is to enable Centres to engage Indigenous advisers to assist Indigenous people in each region to access Centres and other services, and to develop the capacity of Centres to provide effective services to Indigenous families. The funded locations were identified as high need areas or having significant Indigenous populations and include Darwin, Lismore, Townsville, Nowra, Geraldton, Broome, Midland, Cairns, Rockhampton, Bundaberg, Dubbo and Port Augusta. Data indicates the Centres provided assistance to over 1,400 Indigenous people in the last financial year (2008/09).

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Question No. 3

Senator LUDLAM asked the following question:

What is the Department's current position with regard to the Rush-Walker funding model, which apportions Commonwealth legal aid funding based on demographic, social and economic variables, and cost factors affecting service delivery?

The answer to the honourable senator's question is as follows:

The Commonwealth's legal aid funding model provides a more sophisticated approach to distributing Commonwealth legal aid funds than the historical approach that preceded it, or a simple per capita distribution. During 2008 and 2009 the Department engaged a consultant (formerly with the Commonwealth Grants Commission) to undertake some supplementary work on the Rush-Walker funding model and to update the key variables used in the model.

As part of the discussions for a new National Partnership Agreement between the Commonwealth and the States and Territories, consideration will be given to an appropriate funding model.

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Question No. 4

Senator LUDLAM asked the following question:

Does the Department have available statistics regarding the number of services provided by LACs in the areas of criminal, civil and family law across Australia for the past 5 years, including the number of applications for assistance which are refused?

The answer to the honourable senator's question is as follows:

The Department only collects statistics on Commonwealth funded services provided by legal aid commissions.

The following table details the number of services requiring a grant of legal aid provided by commissions across Australia for the years 2004-05 to 2008-09 in the areas of family, Commonwealth criminal and civil law. Duty lawyer services do not require a grant of aid. Information, advice and community legal education service numbers are not included.

	2004-05	2005-06	2006-07	2007-08	2008-09
Family Dispute Resolution Grants	12,559	13,369	14,536	16,183	15,473
Litigation (Grants)					
Family Law Litigation	27,014	29,688	30,676	26,545	23,187
Criminal Law Litigation	1,389	2,420	2,155	2,396	2,434
Civil Law Litigation	1,079	1,072	1,062	902	819
Total Grants	**42,041**	**46,549**	**48,429**	**46,026**	**41,913**
Duty Lawyer (DLS)					
Family DLS	4,515	11,636	11,667	11,450	11,050
Criminal DLS	2,762	3,347	2,655	5,176	7,384
Civil DLS	406	414	414	340	277

The following table details the number of applications for assistance which have been refused by the LACs across Australia for the years 2004-05 to 2008-09.

	2004-05	2005-06	2006-07	2007-08	2008-09
Number of applications refused					
Family	13,345	13,132	11,048	11,010	13,354
Criminal	433	368	389	391	496
Civil	388	364	325	253	391
Total Applications Refused	**14,166**	**13,864**	**11,762**	**11,654**	**14,241**

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Question No. 5

Senator LUDLAM asked the following question:

Submissions state that LACs are struggling to maintain financial viability, and meet the needs of the communities they serve. What is the Department's response to claims that service numbers and levels are being adversely affected by inadequate Commonwealth funding?

The answer to the honourable senator's question is as follows:

The level of funding provided to legal aid commissions is a decision for Government in the context of competing budget priorities. The Department is aware that a number of commissions are experiencing financial pressures. However, it is expected that commissions will continue to provide services at a level commensurate to the resources provided by Government. In recognition of the financial pressures commissions have been experiencing the Government provided one-off additional funding of $7m during 2007-08 and $10m during 2008-09.

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Question No. 6

Senator LUDLAM asked the following question:

Does the Commonwealth/state funding divide create an arbitrary distinction between legal matters and inhibit the effective provision of legal aid?

The answer to the honourable senator's question is as follows:

As part of the discussions with the States and Territories about a national partnership for legal aid, the Commonwealth is giving consideration to ensuring greater flexibility for the use of Commonwealth funding by legal aid commissions.

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Question No. 7

Senator LUDLAM asked the following question:

When were the income and assets test levels (for the legal aid means test) last reviewed? How does the Department ensure that these properly reflect fluctuations in CPI, declared poverty levels, etc.?

The answer to the honourable senator's question is as follows:

Setting and reviewing the legal aid means test is not the responsibility of the Department. It is the responsibility of individual commissions.

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Question No. 8

Senator LUDLAM asked the following question:

In the March 2008 review of the CLSP, the department stated that it was investigating the possibility of reducing some financial reporting requirements (pp 87-89). What was the outcome of this investigation?

The answer to the honourable senator's question is as follows:

The report made two recommendations (9 and 12) relating to introducing greater flexibility in reporting as well as streamlined reporting. Consultation with stakeholders found that while there was recognition that flexibility in terms of service delivery is important, there was also a concern that this flexibility should not override the need to account for the expenditure of funding provided under distinct sub-programs (such as for welfare rights or child support).

The Government has accepted recommendation 9 - *funding by sub-program should be re-evaluated and options considered to allow for greater flexibility in reporting for those community legal centres funded under more than one sub-program* - but the implementation of any options for flexibility in reporting will need to be the subject of further consultation during the course of the next service agreement period.

Recommendation 12 -*the Department should re-evaluate financial reporting requirements with a view to streamlining them for the purposes of the next round of service agreements* - was agreed to in-principle by stakeholders, subject to further consultation on the details. However, it was noted that the current financial reporting requirements are well understood and generally accepted.

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Question No. 9

Senator LUDLAM asked the following question:

Although most CLCs comply with their financial reporting obligations, what accountability measures are in place for those CLCs who (a) breach that obligation or (b) whose report reveals financial mismanagement?

The answer to the honourable senator's question is as follows:

All CLCs must be accountable for all funds provided under their service agreement. The Department monitors compliance with the terms and conditions of the service agreement for organisations in each State through a program manager located in the State legal aid body (the Attorney-General's Department in South Australia). State Program Managers are required to report to the Department where there are any issues of concern in relation to funded organisations meeting obligations under the service agreement. The Department has direct program management of CLCs in the Australian Capital Territory and the Northern Territory.

State Program Managers review all financial reports required under the agreement to ensure that funds paid to organisations specifically for the purpose of carrying out services are expended appropriately and not used for any other purpose. State Program Managers will require CLCs to resubmit any financial reports which are inaccurate.

The service agreement also provides for access to organisation premises for auditors to conduct audits or inspections in relation to any purpose associated with the agreement including any review of performance under the agreement. State Program Managers also have the right under the service agreement to conduct investigations from time to time where risk is identified, or where there is concern regarding the organisation's compliance with any of its obligations under the agreement. The Commonwealth and State Program Managers will generally work with CLCs to ensure any identified financial reporting issues are addressed.

Where a CLC is found to have breached of any of its obligations under the funding agreement, the Commonwealth may request remedial action to be taken, and withhold funding until the breach is remedied. If the breach is not remedied the Commonwealth may terminate the agreement with the organisation. In such an instance, the organisation is required to return all funds to the Commonwealth except funds that have been legally committed for expenditure in accordance with the agreement.

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Question No. 10

Senator LUDLAM asked the following question:

What conditions are CLC's required to comply with in relation to the use of public funds?

The answer to the honourable senator's question is as follows:

Funding is provided to CLCs subject to satisfactory performance under the terms and conditions of a service agreement. Each CLC is expected to operate within the limits of its allocated funding. Guidelines are in place to assist CLCs to understand their obligations.

CLCs are required to submit for approval an annual accrual budget, quarterly funding acquittals, an annual audited financial statement and a copy of their Annual Report. CLCs are also required to comply with a range of funding conditions in relation to surplus funds, disclosure of other income, budget transfers and maintenance of an assets register, and, to have and maintain financial management and accounting systems that allow budgeting and reporting on an accrual basis and meet applicable Australian Accounting Standards.

CLCs are required to comply with all relevant statutes, regulations, by-laws and requirements of any Commonwealth, State or Territory, or local authority, to ensure that all terms and conditions of employment are in accordance with all relevant industrial laws and to meet State or Territory Occupational Health and Safety Regulations in the workplace.

State Program Managers monitor service activity levels to ensure that services are provided at the projected level and in accordance with program guidelines. State Program Managers review all financial reports required under the agreement to ensure that funds paid to organisations specifically for the purpose of carrying out services are expended appropriately and not used for any other purpose.

CLCs are required to maintain compliance with the Program's service standards. State Program Managers may conduct an independent service standards audit to verify compliance.

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Question No. 11

Senator LUDLAM asked the following question:

On what basis are contracts awarded for the provision of Indigenous legal services?

The answer to the honourable senator's question is as follows:

In 2004 the Australian Government introduced a competitive tender process for Indigenous legal aid services to improve the quality and efficiency of service delivery. The tender selection process required prospective tenderers to respond to a range of criteria, including their ability to provide Indigenous leadership and culturally sensitive legal services. Tenderers were assessed on how they would provide services to remote, regional and metropolitan locations, as well as target volumes for the number of clients to be assisted in the areas of criminal, family and civil law across those locations. Following the assessment, contracts were awarded to successful tenderers, giving service providers greater power to direct their resources towards the provision of core Indigenous legal aid services.

The Department exercised the provision under the contracts to extend the arrangements for a further three years, negotiating new contracts for the period 1 July 2008 to 30 June 2011 with all existing service providers, except the North Queensland provider.

Following continued complaints about the service provider in North Queensland, and the unsuccessful implementation of measures to improve its underperformance against the Contract, the Department tendered the delivery of Indigenous legal aid services in North Queensland in October 2007. Although eligible to participate in the competitive tender process, the provider in North Queensland was not successful. The successful tenderer (the South Queensland provider) was awarded the contract and commenced service delivery in North Queensland on 1 July 2008. The result is that there is a single service provider for all of Queensland.

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Question No. 12

Senator LUDLAM asked the following question:

Are one-off funding injections acting as substitutes for substantial increases in core funding from the Commonwealth?

The answer to the honourable senator's question is as follows:

The Attorney-General provided one-off funding injections to legal assistance services in 2008-09 and 2009-10 in recognition of the funding pressures they are experiencing. This funding is not intended to address the longer term demand pressures on services.

At the meeting of the Standing Committee of Attorneys-General on 5 and 6 November 2010 ministers focussed on access to justice and emphasised the importance of legal assistance services in achieving access to justice. Ministers recognised there is a need for a strategic approach to improve access to justice in the civil justice system. A strategic approach based on an agreed framework to access to justice will allow resources to be most effectively directed to areas of most need.

Attorneys-General requested that National Justice CEOs consider:

a) opportunities for greater coordination and collaboration of service delivery across the legal assistance sector

b) empirical information on factors affecting supply and demand of legal assistance services as well as unmet legal need, and

c) alternative sources of revenue to put funding of legal assistance programs on a more sustainable footing, including introduction of cost recovery schemes.

A copy of the Standing Committee of Attorneys-General Communiqué is attached.

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Question No. 13

Senator LUDLAM asked the following question:

Submissions suggest that Indigenous women should have a legal service independent of the ATSILS or even their own law and justice advocacy body. What is the Department's response to such a suggestion?

The answer to the honourable senator's question is as follows:

The Government (through the Attorney-General's Department) funds eight projects under the Community Legal Services Program, sub program - Indigenous Women's Program which facilitates access to justice for Indigenous women. Also, Indigenous women have access to a range of Government funded Indigenous Law and Justice Programs which provide access to justice in various forms and provide a range of services. Previously, the Australian Government funded the National Network for Indigenous Women's Legal Services under the Law and Justice Advocacy Development program. However, funding was not continued as the National Network became insolvent at the end of the 2006-07 financial year.

The Government also funds Family Violence Prevention Legal Services that operate in 31 locations throughout Australia to provide legal and related assistance to victim-survivors of family violence.

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Question No. 14

Senator LUDLAM asked the following question:

The committee has been told that the auspice arrangements for some FVPLS units are flawed, with conflicts of interest between the unit and auspice body. Is the Department aware of actual or perceived conflicts of interest? If so, what measures have been undertaken to eradicate the conflict?

The answer to the honourable senator's question is as follows:

The FVPLS Funding Agreement and Operational Framework for the provision of FVPLS services requires that organisations involved in the provision of FVPLS services (including auspiced bodies) have clear governance structures, including an incorporated Board of Directors, the appointment of a separate CEO or Coordinator, Steering Committee, Chairperson, or Funds Controller and a formal process for dealing with any conflict of interest and a complaints handling mechanism in place.

Units and auspiced bodies must take measures to ensure any real or perceived conflict of interest is dealt with immediately and utilise its complaints handling processes. Complaints may relate to the standard of services provided, or to the diligence, competency, behaviour or attitude of staff. Also, the Department is notified of any issues that may arise relating to conflict of interest matters.

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Question No. 15

Senator LUDLAM asked the following question:

What are the criteria for the establishment of a FVPLS unit? Why is this legal service restricted to rural, regional and remote areas?

The answer to the honourable senator's question is as follows:

The FVPLS program complements State and Territory initiatives to respond to family violence by locating units in areas where there are little or no other legal services available for Indigenous victims. The location of the units was largely determined on the basis of research commissioned by the Department and consultations which identified high need service areas for services to assist victim-survivors of family violence (see answer to question 16).

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Question No. 16

Senator LUDLAM asked the following question:

Has the Commonwealth Government commissioned a comprehensive national study to determine accurately the legal needs of Indigenous women, particularly in matters of family violence?

The answer to the honourable senator's question is as follows:

There is no specific recent research into the legal needs of Indigenous women.

However, in 2007-08 the Department provided funding of $71,885 (GST exclusive) to the Indigenous Law Centre of the University of New South Wales to conduct research into understanding Indigenous women and children's experiences of the justice system. The research seeks to clarify the ways Indigenous women, children and communities are portrayed in the justice system to identify stereotypes, develop community legal education handbooks for the judiciary and the general public to dismiss the stereotypes thus advancing and protecting the rights of Indigenous people under Australian law. The research is continuing.

In 2004 the Government engaged the Crime Research Centre of the University of Western Australia to conduct research into identifying high need service areas for services to assist victim-survivors of family violence. The Department also wrote to over 200 stakeholders in Australia seeking their input to identify high need service areas. From that research the Government funded 13 new FVPLSs and in 2006 a remaining five FVPLS were funded, making a total of 31 units across Australia.

The Commonwealth and State and Territory Governments are also working together to finalise a National Plan to Reduce Violence against Women and Their Children to be released in 2010. The National Plan will specifically address family violence in Aboriginal and Torres Strait Islander Communities.

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Question No. 17

Senator LUDLAM asked the following question:

Has the inaugural meeting of the Indigenous law and justice advisory body been held? What were the outcomes of that meeting?

The answer to the honourable senator's question is as follows:

The Government has not yet made a final decision about the membership of the advisory body, or its role in providing advice to Government.

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Question No. 18

Senator LUDLAM asked the following question:

Why are funding negotiations with FVPLS for the financial year ending 30 June 2010 still taking place? Is there any merit in extending their agreements from 12 months to 3 years as per the ATSILS?

The answer to the honourable senator's question is as follows:

All negotiations for the 2009-10 financial year are complete and funding agreements for the 2009-10 financial year have been agreed to. The Department is currently considering options for providing a longer term agreement.