



THE COMMONWEALTH PARLIAMENT  
JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT

Parliament House Canberra ACT 2600  
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## Indigenous Law and Justice Inquiry

The Public Accounts and Audit Committee, chaired by Mr Bob Charles MP, of the Commonwealth Parliament in Canberra is conducting an inquiry into the legal aid services available to Indigenous Australians.

The Committee welcomes submissions from all concerned individuals and organisations. It is particularly interested in hearing from current providers of legal aid for Indigenous Australians, including Aboriginal and Torres Strait Islander Legal Services, Family Violence Prevention Legal Services, Legal Aid Commissions, and Community Legal Centres and has sent this brochure to solicit submissions and indicate the issues it is interested in. It has also sent a questionnaire to Indigenous communities and councils for their comments.

The inquiry's terms of reference are listed on the back page of this brochure. The Committee is very interested in your comments on all or some of the issues raised in the terms of reference. The Committee has listed some questions in this brochure that may help you structure your submission. Alternatively you may answer the questions directly.

### Issues You Can Discuss

#### **a) The distribution of Aboriginal and Torres Strait Islander Legal Services resources among criminal, family and civil cases.**

- What needs to be done to ensure a fair distribution of Indigenous legal services?
- Do you feel that certain kinds of cases are not receiving the attention they deserve?
- Do you feel that changes to funding priorities are needed?

- Have you been prevented from reaching and adequately serving clients by the time and cost involved in travelling long distances?

**b) The coordination of Aboriginal and Torres Strait Islander Legal Services with Legal Aid Commissions through measures such as memoranda of understanding.**

- How can mainstream legal aid services better help Indigenous people?
- What kinds of measures have indigenous legal aid services undertaken to improve cooperation with mainstream services?
- How have the mainstream services responded?
- What prevents Indigenous people from seeking the services of mainstream Legal Aid Commissions?
- What prevents the Legal Aid Commissions from helping Indigenous Australians?
- How do community groups and Indigenous legal aid providers work together? How can they better help each other?

**c) The access for Indigenous women to Indigenous-specific legal services.**

- Do you feel that your organisation is able to provide adequate legal services to Indigenous women?
- What are the main obstacles that prevent your organisation from helping Indigenous women?
- What do you feel are the most pressing legal issues confronting Indigenous women?
- What would enable your organisation to help Indigenous women more effectively?

**d) The ability of Law and Justice Program components to recruit and retain expert staff.**

- Are Indigenous legal aid workers overworked, under-resourced or underpaid?
- If so, how does this affect their ability to serve the Indigenous community?
- How does this affect the ability of Indigenous legal aid services to keep the skilled and committed people who work for them?
- If the legal aid services are losing people, what can be done to keep them?
- What changes would enable legal aid staff to better help their clients?

## and) Tendering of Indigenous legal services

- What will be the impact of tendering on the quality and availability of legal aid, particularly in remote areas?
- Are the policy directions accompanying the tender an improvement over the old ATSILS policy framework?
- Do you think there was sufficient consultation in the development of the tender conditions?

## How to Make a Submission

The Committee is interested in hearing about your experiences as providers of legal aid services for Indigenous Australians as well as your ideas for ways in which legal aid services can be improved. You can communicate with the Committee by writing a submission. Submissions can be of any length, from a letter to a major paper.

The Committee makes submissions available to all Australians on its website at <http://www.aph.gov.au/house/committee/jpaa/reports.htm>. However, you can indicate that you wish your submission to remain confidential so only the Committee will be able to read it. The Committee prefers electronic submissions which can be sent by e-mail to [jcpa@aph.gov.au](mailto:jcpa@aph.gov.au). You can also mail your submission to:

The Secretary  
Joint Committee of Public Accounts and Audit  
Parliament House  
Canberra ACT 2600

Or fax it to: (02) 6277 2220.

If you would like to talk to someone about making a submission, please call Glenn Worthington on (02) 6277 4613 or e-mail [jcpa@aph.gov.au](mailto:jcpa@aph.gov.au).

## Steps in the Inquiry

The Committee will begin reading your submissions as soon as they come in. It hopes to have received all submissions by **Friday, 21 May 2004**. It will then travel to different locations around Australia and schedule hearings to listen to what Indigenous people and organisations have to say about legal aid services and how they can be improved. Please let us know if you would like us to mail you the Committee's schedule of hearings. It will also be posted on the Committee's website at:

<http://www.aph.gov.au/house/committee/jpaa/reports.htm>

## What Can this Inquiry Achieve?

After reading all the submissions and listening to Indigenous people and organisations, the Committee will write its report and present it to Parliament. The report will recommend ways in which the Commonwealth Government can improve the legal aid services available to Indigenous Australians.

**Thank you for your contribution**

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## **Joint Committee of Public Accounts and Audit Indigenous Law and Justice Inquiry Terms of Reference**

“As part of its statutory responsibility to examine reports from the Auditor-General, the Joint Committee of Public Accounts and Audit is expanding its review of *Audit Report No. 13, 2003-2004, ATSIIS Law and Justice Program*—including its four components of Legal Aid; Law and Justice Advocacy; Family Violence Prevention; and Prevention, Diversion and Rehabilitation—to inquire and report on issues including:

- a) the distribution of the resources of Indigenous legal aid services between criminal, family and civil cases;
- b) the coordination of Indigenous legal aid services with Legal Aid Commissions through measures such as memoranda of understanding;
- c) the access for Indigenous women to Indigenous-specific legal services; and
- d) the ability of Law and Justice program components to recruit and retain expert staff.

The Committee will take into account the 2004 tender for Indigenous legal aid services.”