

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

Group 2

Program 1.3

Question No. 123

Senator Singh asked the following question at the hearing on 24 February 2014:

1) The Government's reason for (a) not extending existing Service Agreements to Environmental Defenders Offices (EDOs), and (b) cancelling the Grant Agreements that had been committed by the previous Commonwealth government, effectively terminating Commonwealth funding to EDOs, was stated in letters to those EDOs to be because "the Australian Government sees the provision of enhanced frontline legal services to disadvantaged members of the community as the first priority in facilitating access to justice." This was described as a "change in government policy". What new policies have been put in place in accordance with this change in policy to enhance frontline legal services to disadvantaged members of the community?

2) Did the Attorney-General consult with any of the Environment Defenders Offices or their representatives before determining that existing Service Agreements to EDOs would not be extended and that the Grant Agreements to EDOs that had been committed by the previous Commonwealth government would be cancelled?

i. If so: (a) when did this consultation (or consultations) occur? (b) With whom did this consultation (or consultations) occur?

3) If no consultations by the Attorney-General with EDOs occurred before determining that existing Service Agreements to EDOs would not be extended and that the Grant Agreements to EDOs that had been committed by the previous Commonwealth government would be cancelled, why did this not occur?

4) Did the Attorney-General's Department provide advice to the Government regarding the decisions not to extend existing Service Agreements to EDOs and to cancel the Grant Agreements that had been committed by the previous Commonwealth government to EDOs?

i. If so, on what date was the advice provided?

5) Given that the Productivity Commission is now inquiring into access to justice arrangements, and in particular into ways to constrain costs and promote access to justice and equality before the law, why didn't the Government wait until it received the Productivity Commission's report before determining that EDO Service Agreements would not be extended and existing Grant Agreements would be cancelled?

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

- 1) The Government's policy is to prioritise frontline legal services over policy and advocacy work. Steps to implement this policy are underway.
- 2) The decision was made in accordance with Government policy
- 3) Decisions were made in the context of the Mid Year Economic and Fiscal Outlook (MYEFO).
- 4) The Attorney-General's Department provided a range of advice to the Government throughout the MYEFO budget process.
- 5) This decision of the Government implements an election commitment.