

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

Program: 1.4 Justice Services

Question No. AE17/141

Senator Pratt asked the following question at the hearing on 24 March 2017:

To the Attorney-General –

1. What are the names of each Community Legal Centre that the Attorney-General has visited, and how many Community Legal Centres has he visited in total?
2. How many times has the Attorney-General met with representatives from each of the peak bodies of the Community Legal Centre sector (NACLC), and the Aboriginal and Torres Strait Islander Legal Centre sector (NATSILS)?
3. The Attorney-General's office likes to claim that "Even in a resource constrained environment, the Australian Government is providing over \$1.6 billion for legal aid, community legal centres and Indigenous legal assistance between 2015 and 2020." But it's true, is it not, that funding to Community Legal Centres is being cut by:
 - a) \$12.1 million in 2017-2018
 - b) \$11.6 million in 2018-2019 and
 - c) \$11.13 million in 2019-2020?
4. Is it correct that Community Legal Centres only account for 12 per cent of that total \$1.6 billion?
5. Why did the Government decide to cut Community Legal Centres so drastically? That's 30 per cent of their funding, correct?
6. Prime Minister Malcolm Turnbull, in October last year said: "We are delivering the leadership, policies and resourcing that is required to keep women and children in Australia safe." A large proportion of work Community Legal Centres do is frontline domestic violence services. They say they already have to turn away 160,000 people a year now, before the funding cuts. How does Mr Turnbull's statement square with the Attorney-General's decision to cut funding to frontline domestic violence services?
7. Is it correct that Community Legal Centres have received only a fraction of the Government's domestic violence funding announcements in 2015 and 2016?
8. The Productivity Commission report published in December 2014, recommended a funding injection of \$200 million a year be injected into the legal assistance sector. It has been over two years since that report was handed down – why hasn't the Government responded?

To the department –

9. Can the Department outline please how the 30 per cent cut to funds will be distributed across CLCs? Who is making that decision and on what rationale?
10. The Department was asked at the last estimates hearing whether the Department has conducted any modelling of the impact on Community Legal Centres of the 30 per cent cut. The answer then was that the Department could not, because the extent of cuts for each centre was not yet known. Now we are four months away from the cuts, has modelling commenced?
11. How many lawyers may have to be let go, how many Legal Centres would close, and how many extra people would have to be turned away?
12. Did the Department make any submissions to the Attorney-General in favour of reversing the cuts?
13. Has the Department thought about the spill-over impact on the court system, for instance

with more cases going to court, as they can no longer be resolved before that stage with the help of a CLC lawyer?

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

1. The Attorney-General cannot comment on visits made by the former Attorney-General.
2. The Attorney-General cannot comment on visits made by the former Attorney-General.
3. On 24 April 2017, the Australian Government announced additional funding of \$55.7 million over three years for CLCs and Aboriginal and Torres Strait Islander Legal Services (ATSILS).¹ This funding fully restores proposed funding reductions that were due to take effect from 1 July 2017. Prior to this announcement, the reduction in CLC funding compared to 2016-17² would have been:

- \$12.1 million reduction in 2017-18 (compared to 2016-17)
- \$11.64 million reduction in 2018-19 (compared to 2016-17), and
- \$11.151 million reduction in 2019-2020 (compared to 2016-17).

4. The Australian Government will provide over \$1.69 billion³ to legal assistance services between 2015-2020 to deliver front-line services to disadvantaged Australians through the *National Partnership Agreement on Legal Assistance Services 2015-2020* (the Agreement) and the Indigenous Legal Assistance Program. Of this funding, 13.9 per cent is for CLCs.

These figures do not include other sources of funding for legal assistance funding, such as the Community Legal Services Programme or the Expensive Commonwealth Criminal Cases Fund. It is not possible to provide a percentage breakdown of this funding as not all funding has been committed over the forward estimates.

5. The funding announced on 24 April 2017 will fully reverse the funding reductions that had been due to take effect on 1 July 2017.

6. The funding announced on 24 April 2017 will fully reverse the funding reductions that had been due to take effect on 1 July 2017. The additional \$39 million for community legal centres over three years will be directed to family law and family violence related services. This is in addition to funding for family violence measures as set out in Question 7 below.

7. Under the Australian Government's \$100 million Women's Safety Package, announced in September 2015, and \$100 million Third Action Plan of *the National Plan to Reduce Violence against Women and their Children 2010-2022*, announced in October 2016, a total of \$45 million is being provided to legal assistance and family law services. Of this, CLCs will directly receive \$16.48 million over four years to deliver specialist domestic violence units and health justice partnerships.

¹ Excluding Social and Community Sector (SACS) supplementation to ATSILS.

² Excluding SACS supplementation to CLCs.

³ Including SACS supplementation to CLCs and ATSILS.

CLCs may also partner with family relationship centres to deliver legally assisted family dispute resolution pilots, and with legal aid commissions to deliver the family advocacy and support service in family law court registries.

8. The Government's response to the Productivity Commission's report into Access to Justice Arrangements was published on the department's website on 29 April 2016.

Questions 9-13:

On 24 April 2017, the Attorney-General, Senator the Hon George Brandis QC, the Minister for Women, Senator the Hon Michaelia Cash, and the Minister for Indigenous Affairs, Senator the Hon Nigel Scullion announced the Turnbull Government will provide a further \$55.7 million over the next three years to community legal centres (\$39 million) and Aboriginal and Torres Strait Islander Legal Services (\$16.7 million) as part of the 2017-18 Budget. The community legal centre funding will prioritise front-line family law and family violence services. Under the Agreement, states and territories are responsible for allocating Australian Government funding for community legal centres, alongside state funding contributions, using evidence-based collaborative service planning processes. The additional funding for community legal centres has now been distributed to states and territories through a variation to the Agreement.