

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

**Group: 2**

**Program: 1.3**

**Question: BE14/086**

**Senator Singh asked the following question at the hearing on 26-29 May 2014:**

1. What is the role and scope of the National Legal Assistance Advisory Body?
2. Who is currently on the National Legal Assistance Advisory Body?
3. Does the National Legal Assistance Advisory Body currently exist under the new Government? Or has it been abolished?
4. When did the National Legal Advisory Body last meet?
5. Has a of the National Legal Advisory Body meeting been held in 2014? If so, why is there no communique publicly available on the Attorney-General's website? If so, what items were discussed? What decisions or recommendations were made?
6. Who convened the meeting of the National Legal Advisory Body? Was it the Attorney-General's Department or the Attorney-General?
7. When do appointments to the National Legal advisory body expire? Please outline for each existing member in a table.
8. Has the Attorney-General added any members to the National Legal Advisory Body? If so, please provide their full names and the dates on which they were added. Why has this not been made publicly available on the Attorney-General Department's website?
9. Have the terms of reference of the National Legal Advisory Body changed at all since the change in Government?
10. Has the Attorney-General met with the National Legal advisory body? If so, when? Please provide the agenda, minutes and meeting brief. If not, why has he not met with them yet?
11. Has the Attorney-General met with any members of the National Legal advisory body? If so, which members? When? What was discussed? Please provide the agenda, minutes and meeting brief.
12. Has the Attorney-General or Department provided any information about developments of the Legal Assistance National Partnership or similar funding agreement to the National Legal Advisory Body? If so, when? What information? If not, why not? When will the Attorney-General consult this advisory body?
13. Has the Attorney-General or Department received any correspondence from the National Legal Advisory Body? If so, please provide it and the date it was received. Was there a response? Please provide this and the date it was signed and sent.

14. Will the National Legal Advisory Body continue under a new funding arrangement in 2015? If not, what will replace it? If so, will new members be added or will existing members be replaced?

15. Have any discussions been held with any stakeholders about abolishing the National Legal Advisory Body? If so, which groups and individuals? When were these discussions or correspondence held?

16. Have any discussions – either by the Department or the Attorney-General – been held with any state and/or territory governments about abolishing the National Legal Advisory Body? If so, which Governments? When? What form did those discussions take? Please provide any correspondence from and to any state and territory governments in relation to this Advisory Body.

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

1. Under clause 28(g) of the National Partnership Agreement on Legal Assistance Services, the Commonwealth is responsible for establishing a national legal assistance advisory body to inform legal assistance policy development. The National Legal Assistance Advisory Body (NLAAB) terms of reference are set out below.

**TERMS OF REFERENCE**

1. The National Legal Assistance Advisory Body (NLAAB) is convened to advise the Commonwealth Attorney-General on issues affecting the legal assistance system consistent with the Australian Government's Access to Justice Framework and broader agendas for social inclusion and closing the gap on Indigenous disadvantage.
  2. The NLAAB will advise on strategic policy issues affecting the provision of legal assistance services, including:
    - a. refocussing legal assistance services on prevention and early intervention for people most at risk of social exclusion
    - b. improving the appropriateness, availability and accessibility of legal assistance services, and
    - c. promoting an efficient, effective and integrated national approach to legal assistance service delivery.
  3. The NLAAB will consider and make recommendations on matters relevant to legal assistance service provision referred to it from time to time by the Attorney-General.
  4. In performing its functions the NLAAB will consult broadly with legal assistance service providers and practitioners, alternative dispute resolution organisations, courts and tribunals, government, the legal profession, educational institutions, business, industry and consumer groups, and community organisations as well as the Family Law Council, when appropriate.
2. As at 28 May 2014 the members of NLAAB were as follows:

*Chair: Vacant*

*Members:*

- Ms Carolyn Bond, National Spokesperson, Community Law Australia,
- Mr Dennis Eggington, CEO, Aboriginal Legal Service of Western Australia,
- Mr David Fredericks, Deputy Secretary, Attorney-General's Department,
- Dr Cassandra Goldie, CEO, Australian Council of Social Services,
- Mr Bill Grant OAM, CEO, Legal Aid NSW,
- Ms Elizabeth Morris, Magistrate, Northern Territory Magistrates Court,
- Mr Geoffrey Mulherin, Chief Executive Officer, Law and Justice Foundation of NSW, and
- Mr David Neal SC, Barrister.

The terms of the members expired on 30 June 2014.

3. Yes.

No.

4. 10 April 2013.

5. No.

6. Not necessary to answer.

7. 30 June 2014 for all members listed above. Mr Alan Kirkland stepped down as Chair on 31 December 2013.

8. No.

9. No.

10. Yes.

11. Yes.

12. In March 2014, the Attorney-General's Department provided NLAAB members with the draft Review of the National Partnership Agreement on Legal Assistance Services and invited feedback from NLAAB members.

13. Yes.

14. This is under active consideration.

15. No.

16. No.