

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

Program: 1.6

Question No. SBE15/027

Senator Bilyk asked the following question at the hearing on 20 October 2015:

Senator BILYK: How much funding has been allocated to TACLS?

Ms Quinn: So the total value of their five-year funding agreement is \$11.78 million.

Senator BILYK: Is that million or billion?

Ms Quinn: Million.

Senator BILYK: Sorry, I do have a hearing problem and I just thought I had better clarify that. So that is over five years, is it?

Ms Quinn: Yes. So their funding for this financial year is \$2 million—do you want me to give you the full amount? It is \$2,371,774.

Mr Manning: I just make the point that there is no difference in the funding provided to them because they are a new provider.

Ms Quinn: That is correct. So the funding amount was set in advance of appointing which provider it was.

Mr Manning: That is the money that was available in Tasmania. There were funds available for that service provider in Tasmania. It did not change according to who the service provider was.

Senator BILYK: So there wasn't any difference to funding in previous years, if we do a comparison?

Mr Manning: There was some difference—some changes.

Ms Quinn: When we rolled out the new funding arrangements across all three legal assistance providers— legal aid, community legal centres and Indigenous legal assistance—we did new funding allocation models. The bottom line amount is set in the forward estimates, in the budget papers, for each appropriation. We did an assessment of the comparative need as to which states should get which percentage. Tasmania did get an increase as a result of our looking at that; but Mr Manning's point is that, irrespective of which provider had been appointed, that was the amount of money that had been assessed as being required by Tasmania.

Senator BILYK: We talked about the three offices that have been set up. How many staff are in each of those offices?

Ms Quinn: Wayne Muir, whom we mentioned earlier, remains the CEO of VALS; and, because the new organisation operates under the auspices of VALS, there is not a CEO as such but there is a principal lawyer. Could I take on notice the per-office element?

Senator BILYK: Sure. You might also want to take some of these on notice if you cannot answer them. When were the offices officially up and running?

Ms Quinn: I will take that one on notice as well, just to be sure I get the exact dates correct.

Senator BILYK: Yes. With regard to the staff, how many lawyers and how many administration staff are there? Are they employed on a fly in, fly out basis or are they permanent part-time or casual staff?

Ms Quinn: The employees are Tasmanian employees.

Senator BILYK: Full time?

Ms Quinn: I will take that on notice.

Senator BILYK: Thanks. Do we know if all the cases that were handled by the previous service were handed over to the new service?

Ms Quinn: No, I know that they all were not. There were some issues in communication with the previous provider and in getting files handed over. There were some definite challenges

there.

Senator BILYK: What is the outcome of those challenges? Have you been able to resolve them?

Ms Quinn: They should have been, and they were required to have been. It was one of many challenges we had with the former provider.

Senator BILYK: Has it been sorted out now?

Ms Quinn: Many people have had their cases transferred, yes.

Senator BILYK: Are you able to tell me how many?

Ms Quinn: No, I would have to take that on notice, the exact number. It changes every week.

Senator BILYK: How many were and how many were not, if people were not?

Mr Manning: We will take the details on notice, Senator, but certainly the new provider was very mindful to generate knowledge of its services amongst the community to try to overcome any transfer problems and to ensure that people got the full level of service leading up to court dates and whatnot. Again we can take on notice those arrangements.

Senator BILYK: Thank you. Ms Quinn, you mentioned the phone advisory service. Do you know what hours that is available?

Ms Quinn: There is a 24-hour telephone assistance line.

Senator BILYK: Have there been any complaints about the phone service?

Ms Quinn: Only from the previous provider.

Senator BILYK: Can you tell me what the nature of the complaint was?

Ms Quinn: We had some accusations that the phone was not being answered that we were unable to substantiate. We did have one instance where one police station had not received notice of the new phone number and was trying the old phone number, which was not manned. Other than that the only complaints were from the old provider.

Senator BILYK: I am not sure if I asked about what date all the offices were established—

Mr Manning: We took that on notice.

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

The Tasmanian Aboriginal Community Legal Service (TACLS) Head Office is in Hobart with a regional office in Launceston. The Launceston office provides outreach services to Burnie and Devonport courts. Regional courts that sit infrequently are serviced as needed.

The Hobart office has six staff: the State Manager, three lawyers, one client service officer and one administrative officer. The Launceston office has six staff: three lawyers, two client service officers and one administrative officer. The Hobart office opened on 1 July 2015. The Launceston office opened on 8 September 2015. All staff are based in Tasmania, no one is employed on a 'fly in/fly out' basis. All staff are contracted for the life of the funding agreement, which ends 30 June 2020. As at 13 November 2015, all staff were employed on a full-time basis.

The TAC's acting Chief Executive Officer, Ms Pat Turner, indicated in an interview on the ABC in Hobart on Wednesday 1 July 2015 that "the Tasmanian Aboriginal Centre had 600 clients on the books".

TACLS approved funding for 67 matters where private lawyers had been funded by the TAC for legal matters that had started before the TAC's funding expired on 30 June 2015. These were legal matters that continued into the 2015-16 financial year. In addition, the TAC's law firm, Beeton and Mansell, transferred seven client files to the TACLS.