

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

Output 1.7

Question No. 38

Senator Crossin asked the following question at the hearing on 13 February 2007:

- a) What was the Indigenous Legal Aid budget for 2004-05?
- b) Please provide a table showing Indigenous Legal Aid budget since 2001?

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

a) and b) The expenditure on Indigenous legal aid services in 2004-05 was \$53,591,902. Legal services to Indigenous Australians are delivered through two programs in the Indigenous Law and Justice Branch of the Attorney-General's Department (the Department). They are:

- Legal Aid for Indigenous Australians Program (LEGA), and
- Family Violence Prevention Legal Services Program (FVPLS).

The Legal Aid for Indigenous Australians Program funds a network of service providers around Australia to provide high quality, culturally appropriate legal aid services to Indigenous Australians. The program also has a sub-program for Indigenous Test Case Funding that funds legal services to protect the rights of Indigenous Australians.

The Family Violence Prevention Legal Services Program provides specialist assistance to Indigenous adults and children who are victims of family violence and/or sexual assault, or who are at immediate risk of such violence. The primary function of the services is to provide legal assistance, case work and court support to victims of family violence, particularly women and children. Other functions include counselling services, community education and preventative activities.

The expenditure since 2001 for all Indigenous legal aid services is detailed in the table at **Attachment A**.

**Indigenous Law and Justice Branch - Indigenous legal aid services
Program expenditure - 2000-01 to 2006-07**

<i>Program</i>	<i>Expenditure</i>						<i>Budget Allocation</i>	<i>Increase since</i>
	<i>2000-01¹</i>	<i>2001-02¹</i>	<i>2002-03¹</i>	<i>2003-04²</i>	<i>2004-05³</i>	<i>2005-06</i>	<i>2006-07</i>	<i>2000-01</i>
LEGA	39,810,729	42,768,312	42,695,847	45,951,799	45,690,138	48,304,301	49,175,000	\$9,364,271 23.52%
LJAD⁴	519,273	138,251	270,300	169,245	See note 5	See note 5	See note 5	
FVPLS	4,854,119	4,896,100	4,690,826	6,767,504	7,901,764	11,130,774	12,642,000	\$7,787,881 160.44%
Total	45,184,121	47,802,663	47,656,973	52,888,548	53,591,902	59,435,075	61,817,000	\$16,632,879 36.81%

Notes

LEGA - Legal Aid to Indigenous Australians Program (including test case funding from 2004-05)

LJAD - Law and Justice Advocacy Program (test case funding expenditure only)

FVPLS - Family Violence Prevention Legal Service Program

- 1 Until 30 June 2003 the Aboriginal and Torres Strait Islander Commission (ATSIC) was responsible for these programs. Funding for this period has been sourced from the financial system managed by ATSIC.

- 2 In 2003-04 Aboriginal and Torres Strait Islander Services (ATSIS) assumed responsibility for these programs from ATSIC. Funding for this period has been sourced from the financial system managed by ATSIS.
- 3 In 2004-05 the Attorney-General's Department assumed responsibility for the programs.
- 4 The amounts presented for the LJAD Program are for test case funding only. There is an annual notional allocation of \$1million set aside for test case funding. Actual expenditure is determined by the funding applications received and approved. Unallocated test case funding is reallocated to meet the objectives of the core program (LJAD in 2000-01 to 2003-04 and LEGA in 2004-05 to current).
- 5 In 2004-05 test case funding was separated from the LJAD program and incorporated into the LEGA program. Test case funding expenditure was \$399,669 in 2004-05, \$719,820 in 2005-06 and \$50,200 to date in 2006-07. The 2006-07 expenditure will increase as there is currently an ongoing test case.