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By: AS

Date: 3:29 26/05

ATTACHMENT A

**JOINT REVIEW OF WESTERN AUSTRALIAN
COMMUNITY LEGAL CENTRES**

TERMS OF REFERENCE

A Community Legal Centre Steering Committee be established to undertake the Review of Western Australian community Legal Centres (CLCs). The Community Legal Centre Steering Committee is to report to the Commonwealth and State on strategies to achieve the following outcomes:-

1. Consistent and equitable distribution of Community Legal Services (CLCs) throughout WA, including consideration of :
 - regional models for generalist CLCs;
 - optional geographical boundaries for metropolitan CLCs to enhance equity of access to CLCs; and
 - range and models for specialist CLCs.
2. Accessible CLC services for persons most in need.
3. Identification of core CLC services and eligibility criteria, including consideration of:
 - consistency in provision of core services; and
 - regional factors in the provision of core services.
4. Enhancement of the corporate governance of CLCs.
5. Enhancement of the role of volunteers at CLCs.
6. Identification of gaps in services and extent of unmet need.
7. Identification of funding levels of CLC services including consideration of:
 - sources of funding;
 - adequacy of funding; and
 - other resources.

In addressing these outcomes, Community Legal Centre Steering Committee is required:-

- (a) to take into consideration the following:
 - submissions from CLCs and other interested parties to the report;

- information contained in relevant reviews and reports;
 - demographic data and other social indices, including projections;
 - data relating to resources available to CLCs;
 - availability of other Legal Aid services; and
 - other relevant information.
- (b) to consult with CLCs and other stakeholders by various means, including discussion in papers, in order to provide opportunity for input into the deliberations of the Committee.
- (c) to conduct its deliberations in an open and transparent manner.
- (d) to provide:
- progress reports throughout the Review;
 - draft report for comment; and
 - final report for distribution to CLCs.
- (e) to ensure that recommendations and strategies have regard to current Commonwealth and State Government policy settings.

The term of the CLC Steering Committee is six (6) months, unless extended by agreement.

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By: *AS*

ATTACHMENT A

Date: *3/29 26/5*

REVIEW OF NSW COMMUNITY LEGAL SERVICE FUNDING PROGRAM

Terms of Reference

1. **Identification of funding distribution models which ensure Community Legal Services (CLS) are equitably located in areas of highest need throughout NSW, including consideration of:**
 - regional models for generalist CLS;
 - options for setting geographical catchment areas for metropolitan CLS;
 - the relationship between CLS and other legal service providers;
 - coordination and planning requirements to avoid service duplication; and
 - the relationship between specialist and generalist CLS.
2. **Identification of core services and eligibility criteria, including consideration of:**
 - service outcomes;
 - the role of CLS in the context of other service providers;
 - consistency and coordination in provision of core services; and
 - regional factors in the provision of core services.
3. **Enhancement of corporate governance of CLS.**
4. **Enhancement of the role of volunteers.**

STATISTICS RELATING TO THE BUILDING AND CONSTRUCTION INDUSTRY AND HIH ROYAL COMMISSIONS

As at 23 May 2003

The Financial Assistance Section's grants management database indicates that there have been 75 applications for financial assistance approved for the Building and Construction Industry Royal Commission and 40 applications for financial assistance approved for the HIH Royal Commission. These applications relate to 177 applicants and 40 applicants respectively.

Building and Construction Industry Royal Commission applications

Fifty-five were pending in November 2002 and this figure was 34 as at 31 January 2003. Of these, 22 applications are still pending. One new application has also been received since January 2003 and thus the current total of pending applications is 23.

In the information handed up on 10 February 2003, it was advised that there were nine outstanding applications for extensions for existing grants for costs relating to both Royal Commissions. Three of these related to the Building and Construction Industry Royal Commission. Since the last report, two new requests for extensions to existing grants in relation to Building and Construction Industry Royal Commission have been received and approved. However the three previously reported requests for extension remain outstanding.

HIH Royal Commission applications

Two applications were pending at the time the response to QoN 78 was prepared and this figure was updated to three as at 31 January 2003 for the Senate Estimates hearing. Of these, the new application has since been approved and the other two applications are now no longer considered to be pending as the applicants have not submitted the information required to make a determination on their application. Therefore, as at 23 May 2003, there are no pending applications.

In the information handed up on 10 February 2003, it was advised that there were nine outstanding applications for extensions for existing grants for costs relating to both Royal Commissions. Six of these related to the HIH Royal Commission. Since the last report, five of the previously outstanding requests for extensions have been approved and one remains outstanding. However, also in this period, four new requests for extensions to existing grants were received and two of these have been approved. Therefore, there are currently three outstanding for this Commission.

The attached table provides a breakdown by solicitor and number of applicants. It does not identify solicitors by name. The table shows total amounts committed for applicants represented by solicitors. The commitment represents the maximum amount that has been approved for financial assistance for the purposes identified in the application. The fourth column shows total payments to solicitors. The allowable costs are set out in the Scheme guidelines. The commitment and payment amounts include amounts representing fees for counsel, where applicable.

Senate Legal & Constitutional Affairs
Legislation Committee
Consideration of Budget Estimates 2003-04

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By: *Philippa Lynch* 1.3

Date: *26/05/03*

Scheme for Financial Assistance for Legal Costs before the Royal Commissions into HIH and Building and Construction Industry

Total payments and commitments made from 29 August 2001 to 23 May 2003.

	Solicitor/firm	Commitments ¹	Total amounts paid to solicitor. ²	Total number ³ of applicants to whom commitments relate.
BCI	A	\$6,373	\$6,373	1
	B	\$21,276	\$21,276	3
	C	\$72,000	\$37,642	1
	D	\$23,920	\$13,024	1
	E	\$39,454		4
	F	\$120,200	\$26,751	3
	G	\$196,326	\$40,151	6
	H	\$9,528		1
	I	\$2,653,652	\$482,453	52
	J	\$76,300	\$38,224	11
	K	\$396,636	\$112,487	47
	L	\$309,568	\$209,957	42
	M	\$252,895	\$219,392	3
	FF	\$32,750	\$31,631	2
	Totals	\$4,210,878	\$1,221,142	177
HIH	N	\$335,000	\$221,645	1
	O	\$151,335	\$136,406	1
	P	\$99,500	\$46,231	1
	Q	\$280,000	\$81,436	1
	R	\$284,880	\$76,129	1
	S	\$42,156	\$19,505	1
	T	\$28,000		1
	U	\$260,000	\$10,131	1
	V	\$11,600	\$8,805	1
	W	\$345,484	\$242,025	19
	X	\$694,200	\$644,286	2
	Y	\$213,000	\$159,464	1
	Z	\$122,900	\$84,069	1
	AA	\$120,460	\$118,544	1
	BB	\$61,500	\$33,247	1
	CC	\$11,700	\$7,235	1
	DD	\$211,104	\$11,627	3
	EE	\$57,210		1
	Totals	\$3,330,029	\$1,900,787	39

¹ It is possible that the final total amounts for which payment is sought by some of these individuals will be less than the commitment allocated to them.

² This is the total payment that has been made to each solicitor as at 23 May 2003. It may relate to only some of the applicants on whose behalf the solicitor has made an application because not all applicants have sought payment as at this date.

³ In addition, as at 23 May 2003, there is an application by an individual, in relation to HIH, who has not yet advised us whether they have retained legal representation. The commitment relating to this grant is \$5,700.

Senate Legal & Constitutional Affairs
Legislation Committee
Consideration of Budget Estimates 2003-04

THE HIH ROYAL COMMISSION

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By: *MR R. Cornall*

Fees paid up to 30 April 2003
(excluding GST)

Date: *26/05 17:30.*

Name	Fees	Disbursements
Fisher Jeffries	4,253,544	505,995
Wayne Martin QC	1,402,716	150,425
Richard White SC	1,198,550	-
Norman O'Bryan SC	929,091	48,147
Robert Beech-Jones	618,295	70
Simon White	586,909	-
Lucy McCallum	512,909	
Julie Dodds-Streton SC	284,727	29,854
	9,786,741	734,491

Fees paid up to 20 May 2003
(excluding GST)

Name	Fees	Disbursements
Australian Government Solicitor	4,339,554	21,077

* includes dedicated services, collateral service and related services

BUILDING AND CONSTRUCTION INDUSTRY ROYAL COMMISSION

Fees and Allowances Paid to Counsel Assisting – Final Costs

(This table was included in the response to Senate Question No. 1247 of 4 March 2003)

Name	Start Date	End Date	Fees	Allowances		\$
				Living	Travel	Total Payments
John Agius SC	16/08/2001	7/02/2003	1,466,972	56,787	52,451	1,576,210
Lionel Robberds QC	13/08/2001	7/02/2003	1,268,409	53,596	7,762	1,329,767
Nicholas Green QC	4/09/2001	7/02/2003	926,588	0	44,606	971,194
Richard Tracey QC	10/09/2001	24/02/2003	1,037,050	0	1,985	1,039,035
Andrew O'Sullivan	16/09/2001	7/02/2003	753,864	47,830	38,828	840,522
Antoni Lucev	16/09/2001	19/12/2002	609,091	5,655	1,779	616,525
Dr James Renwick	13/09/2001	14/02/2003	601,921	70,135	2,025	674,081
Dr John Bishop	16/09/2001	17/01/2003	726,250	90,426	1,008	817,684
Dr Matthew Collins	17/09/2001	21/02/2003	617,727	0	31,248	648,975
Ian Neil	18/09/2001	18/02/2003	675,250	62,997	12,024	743,855
Dr Stephen Donaghue	4/09/2001	17/02/2003	462,944	0	11,349	474,293
Timothy Ginnane	19/11/2001	21/02/2003	593,273	0	8,405	601,678
Ronald Gipp	10/10/2001	25/01/2003	688,595	0	42,423	731,018
Total			10,427,934	387,426	255,893	11,071,253

Australian Government Solicitor

Total fees paid to 16 May 2003 (excl GST)*

\$10,501,325

Disbursements paid to 16 May 2003

\$271,029

* includes dedicated services, collateral services and related services.