

# Review of the allocation of funds from the Legal Practitioner Interest on Trust Accounts Fund

Discussion Paper

October 2012

## CONTENTS

1. Introduction	3
2. Making a submission	3
3. The Review	4
3.1 Commencement	4
3.2 Terms of Reference	4
3.3 Consultation	5
4. Pre-LPITAF	5
5. LPITAF	6
5.1 Legislative framework	6
5.2 Financial management	7
5.3 Administration of funding allocations from the LPITAF	8
5.3.1 Annual allocation of recurrent funding	8
5.3.1.1 Specified entities	8
5.3.1.2 Community organisations	10
5.3.1.3 DJAG	12
5.3.2 LPITAF Grants Fund	13
5.3.3 Sustainability and Service Enhancements	13
5.3.4 Emergency Grants	14
5.3.5 Summary of funding received and services provided by community organisations that receive LPITAF funding	14
5.3.6 2012-13 allocation of funds from the LPITAF	15
Table 1	15
Table 2	16
6. Comparable models for the allocation of interest earned on solicitors' trust accounts	17
6.1 Victoria	17
6.2 New South Wales	18
7. A comparable model for the allocation of other funds to community organisations by DJAG	19
8. Respective roles of Commonwealth and Queensland Governments in funding LPITAF recipients	20
8.1 National Partnership Agreement on Legal Assistance Services	20
8.2 Indigenous Legal Assistance and Policy Reform Program	21
8.3 Family Violence Prevention Legal Services	22
9. Suitability of the current range of services and service delivery models in responding to legal needs of Queenslanders	22
9.1 Determining the legal needs of Queenslanders	22
9.2 The relative benefits of generalist and specialist legal services provided by LPITAF recipients and equitable access to them	23
10. Considerations for the development of a model for the future allocation of LPITAF funds	24
10.1 The purposes for which LPITAF funds should be allocated	24
10.1.1 The efficient and effective allocation of LPITAF funds	25
10.1.2 Queensland Government and DJAG strategic objectives	26
10.2 The nature of future LPITAF funding allocations	27
10.3 The funding process	27
10.4 Accountability, agreements, and reporting requirements	29
11. Conclusion	29
Attachment 1: LPITAF Statement of Financial Performance	
Attachment 2: Further information on the Community Legal Services Program (CLSP)	
Attachment 3: Funding received and services provided by community organisations that receive LPITAF funding	

While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information or statement, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing. Any references to legislation are not an interpretation of the law.

## 1. INTRODUCTION

The Department of Justice and Attorney-General (DJAG) has administered the Legal Practitioner Interest on Trust Accounts Fund (LPITAF) since 2004. In recent years, approximately \$38 million per annum of LPITAF funds have been allocated to:

- administer the regulatory framework for Queensland's legal profession;
- support access to legal services and advice for vulnerable Queenslanders; and
- promote law reform and the legal system more broadly.

The Attorney-General and Minister for Justice has asked DJAG to conduct the *Review of the allocation of funds from the Legal Practitioner Interest on Trust Accounts Fund* (the Review). The Review is timely, given the significant impact of the recent global economic situation on LPITAF revenue and the Queensland Government's strategic focus on improving accountability and revitalising frontline services.

The intended outcome of the Review is a model for transparent decision-making in relation to future LPITAF funding allocations. The scope of the Review is quite broad, encompassing all of the payments made from the LPITAF. There is a need to ensure that these limited and variable public funds are put to the best use. This means being clear about the purposes for which allocations are made and what is expected of organisations delivering LPITAF funded functions and services.

This discussion paper is designed to aid in the development of submissions to the Review by interested parties. In response to requests from relevant legal organisations, it sets out detailed information about the current LPITAF funding allocations and processes. This paper poses questions, and seeks data to build a more detailed and accurate picture of the current arrangements and gather ideas for improvements.

## 2. MAKING A SUBMISSION

Interested parties are invited to make submissions on the Terms of Reference (TOR) by **Friday 2 November 2012**.

Unless otherwise specifically stated, the individual or organisation making a submission consents to the publication of the information and views therein, either in whole or in part, including in any public reports arising from the Review and on the DJAG website. For a submission to be considered, a contact name and details must be supplied. However, they may be withheld upon request.

Submissions must be in writing and submitted via email to:

[liza.windle@justice.qld.gov.au](mailto:liza.windle@justice.qld.gov.au)

The preferred formats for submissions are Microsoft Word or Rich Text Format with headings corresponding to the relevant TOR and questions in this paper. Community organisations that receive LPITAF funding are also asked to provide relevant information to fill in any gaps (where the columns are marked 'unknown') or update information in the table in **Attachment 3**.

If you require accessibility assistance or have a query about making a submission, please contact Ms Liza Windle, Director, LPITAF Review on 07 310 99553.

### **3. THE REVIEW**

#### **3.1. Commencement**

On 22 August 2012, the Attorney-General and Minister for Justice (the Attorney-General) announced that DJAG would undertake the Review.

#### **3.2. Terms of Reference**

The TOR, which were tabled in the Queensland Parliament and made available on the DJAG website at <<http://www.justice.qld.gov.au/corporate/sponsorships-and-grants/grants>>, are as follows:

##### Objective

To establish a new model of transparent decision-making so that all LPITAF funding allocations are directed and applied in a manner that maximises service delivery to Queenslanders across the state, while ensuring the ongoing viability of the LPITAF.

##### Scope

1. DJAG is to review the current allocation of LPITAF funding provided to LPITAF recipients and the efficiency and effectiveness of current services delivered through these funding arrangements.

The review will consider the following elements, as applicable:

- the respective roles of the State and Commonwealth in funding LPITAF recipients, noting the differing areas of law that fall within the respective jurisdictions;
  - other sources of funding available to LPITAF recipients;
  - the current range of services provided by LPITAF recipients;
  - the suitability of the current service delivery models in responding to legal needs of Queenslanders;
  - the relative benefits of generalist and specialist services provided by LPITAF recipients and equitable access to these; and
  - the existence of current service gaps and/or duplication of legal services provided by LPITAF recipients, particularly with respect to:
    - areas of law covered;
    - geographical locations being serviced; and
    - the current mix of information, advice, casework and legal education.
2. DJAG is to make a recommendation as to a model for transparent decision-making in relation to the future recurrent and non-recurrent LPITAF funding allocations with particular regard to:
    - the purposes for which LPITAF funds should be allocated;
    - the funding process, including the criteria that organisations must meet to be eligible to be considered for funding;
    - accountability, including funding agreements and reporting requirements; and
    - the nature of the funding (for example: recurrent or non-recurrent).

## Consultation

3. DJAG is to take submissions from interested parties and key industry groups will be invited to participate in the LPITAF Review Industry Reference Group, including: Queensland Association of Independent Legal Services Inc; Legal Aid Queensland; Queensland Law Society; Bar Association of Queensland; Legal Services Commission; Supreme Court Library; and Queensland Public Interest Law Clearing House Incorporated.
4. DJAG will take into consideration the current review of the *National Partnership Agreement on Legal Assistance Services*.

## Governance

5. A DJAG Steering Committee will be established to provide oversight and direction to the Review, with membership constituted by persons with suitable skills and experience.

## Timeframe

6. DJAG is to report to the Attorney-General and Minister for Justice by **31 December 2012**.

### **3.3. Consultation**

See '2. Making a Submission' above for information about how interested parties can make submissions to the Review.

Upon formal invitation from the Attorney-General, the organisations listed above have nominated representatives to participate in the Industry Reference Group (IRG). The first meeting of the IRG was held on 14 September 2012. Attendees heard directly from the Attorney-General about the impetus for the review. The objective and scope of the Review, submission process, further IRG meetings, a proposed consultation forum, and the main issues raised in the TOR were discussed. The IRG will meet on two further occasions before the Review is completed.

It is proposed that DJAG will host a consultation forum to ensure that all 2012-13 LPITAF recipients have the opportunity to provide input to the Review, particularly in relation to the issues specific to community organisations. Forum details will be sent to all 2012-13 LPITAF recipients in due course.

## **4. PRE- LPITAF**

The *Legal Profession Act 2004* (Qld) commenced on 1 July 2004. Prior to this, interest on solicitors' trust accounts in Queensland was administered by the Queensland Law Society (QLS). There were two separate funds, with annual allocations being made from each as follows:

- General Trust Accounts Contribution Fund:
  - QLS for administration expenses; then the remaining balance:
  - 75% Legal Aid Queensland (LAQ);
  - 10% Supreme Court of Queensland Library (SCL);
  - 5% Grants Fund; and
  - up to 10% QLS for additional expenditure as approved by the Minister.

- Interest on Trust Accounts Account and Grants Fund:
  - QLS for administration expenses; then remaining balance:
  - LAQ; and
  - Legal Practitioners' Fidelity Guarantee Fund (to restore balance to \$5 million).

Interest distributed was dependent on the revenue received annually. The interest amounts were fully expended each year and there was no provision for a reserve pool for unexpected circumstances.

## 5. LPITAF

The LPITAF receives interest revenue from all solicitors' trust accounts kept in Queensland where the clients do not specifically request that their money be invested in their own name. In recent years, approximately \$38 million per annum of LPITAF funds have been allocated to:

- administer the regulatory framework for Queensland's legal profession;
- support access to legal services and advice for vulnerable Queenslanders; and
- promote law reform and the legal system more broadly.

### 5.1. Legislative framework

The *Legal Profession Act 2007* (Qld) (LPA) provides the current legislative framework for the administration of the LPITAF.<sup>1</sup> The LPA provides that the Attorney-General has the authority to decide whether a payment should be made from the LPITAF to or for any of the entities or types of grants listed in the LPA. If the Attorney-General decides that a payment should be made from the LPITAF, the decision must include the amount of the payment and any conditions. The Director-General of DJAG: must make recommendations to the Attorney-General to aid in this process; can require a potential beneficiary to submit a budget (including information about the administration of the potential beneficiary); and makes payments from the LPITAF on written instructions from the Attorney-General.<sup>2</sup>

The entities specified in the LPA to or for which a payment can be made from the LPITAF are:

- Legal Aid Queensland (LAQ);
- the Legal Practitioners' Fidelity Guarantee Fund (managed and administered by the QLS);
- the Supreme Court of Queensland Library;
- the Legal Services Commissioner (LSC);
- the Legal Practice Committee and the Queensland Civil and Administrative Tribunal (in their disciplinary capacities);
- the Legal Practitioners Admissions Board; and

<sup>1</sup> See Chapter 3, Part 3.3, Division 6 LPA, <<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/L/LegalProA07.pdf>>.

<sup>2</sup> Sections 289-291 LPA.

- the QLS or Bar Association of Queensland (for part of the cost of their regulatory functions).<sup>3</sup>

Further information about the functions for which LPITAF funding is provided to these entities is set out at '5.3.1.1 Specified Entities'.

Additionally, the LPA lists the purposes for which the Attorney-General can decide a grant payment should be made from the LPITAF:

- *the advancement of law reform;*
- *the collection, assessment and dissemination of information concerning legal education, the law, the legal system, law reform, the legal profession and legal services;*
- *facilitating access to the legal system, legal information and education and legal services for members of the community, particularly economically or socially disadvantaged members of the community.*<sup>4</sup>

The LPA also provides for payments to be made to DJAG for the cost of administering the LPITAF.<sup>5</sup>

## 5.2. Financial management

Exploration of the financial management framework for the LPITAF is outside of the scope of this Review. However, some context is required so that the new model for the allocation of funds does not adversely impact on the viability of the LPITAF.

Interest revenue on solicitors' trust accounts is the primary source of revenue for the LPITAF. Unallocated interest revenue remains in reserve, giving the LPITAF the flexibility to meet unforeseen contingencies, while earning additional interest revenue.

DJAG uses a 'good practice' revenue forecasting model for LPITAF which was developed by the Queensland Treasury Corporation. The model forecasts revenue based on the key inputs of 'Transfer Duty estimates' and '90 Day Bank Bill interest rates' (which correlate with the Reserve Bank of Australia's [RBA] cash rate) for the current and next three financial years.

The volatility of the revenue source was evident in the 2008-09 financial year when, due to the global recession, the revenue and future viability of the LPITAF were significantly impacted. LPITAF's predecessor was impacted similarly during the recessions of the early 1990s.

To illustrate the volatility, transfer duties increased from \$1.73 billion in 2004-05 to a peak of \$2.92 billion in 2007-08 and averaged at \$1.95 billion each year from 2008-09 to 2011-12. The 2012-13 forecast of \$1.96 billion is comparable with the prior four year period. Also, from 2002 to 2008, the RBA cash rate increased from 4.25% to 7.25%. It decreased relatively sharply to a low of 3% in 2009, and remained steady at 4.75% for most of 2011. However the RBA cash rate is currently at 3.5%.<sup>6</sup>

The LPITAF Statement of Financial Performance is provided at **Attachment 1**. It sets out actual revenue and expenditure amounts for the 2004-05 to 2011-12 financial years and forecast amounts for the 2012-13 to 2015-16 financial years, current as at September 2012. The forecast amounts are updated in March and September each

<sup>3</sup> Section 289(1)(a)-(g) LPA.

<sup>4</sup> Section 289(1)(h) LPA.

<sup>5</sup> Section 289(1)(i) LPA.

<sup>6</sup> RBA 2012, *Cash Rate Target: Interest Rate Changes*, viewed 17 September 2012, <<http://www.rba.gov.au/statistics/cash-rate/>>.

year. Current projections indicate that a surplus will not be reached until after the 2015-16 financial year.

The volatility of the LPITAF revenue source needs to be taken into account in the development of the future model for the allocation of LPITAF funds.

### **5.3. Administration of funding allocations from the LPITAF**

DJAG has been responsible for the administration of the LPITAF since 1 July 2004. The administrative processes for each of the different types of allocations made from the LPITAF in recent years are set out below.

#### **5.3.1. Annual allocation of recurrent funding**

Recurrent funding, indexed annually to the Consumer Price Index, is provided to the specified entities and community organisations as set out below. In recent years, the approval for the annual LPITAF budget has not been received until close to the end of the preceding financial year. DJAG has received feedback that this has placed uncertainty and pressure on the LPITAF beneficiaries, particularly the Community Legal Centres (CLCs). No new initiatives have been provided with recurrent LPITAF funding since 2009-10, primarily due to the volatility of LPITAF revenue. A high level breakdown of the allocations for 2012-13 is set out in 'Table 1' below.

##### **5.3.1.1. Specified entities**

The majority of the LPITAF funds that are allocated each financial year (approximately \$37 million per annum in recent years) are provided to the beneficiaries specified in the LPA, predominantly to fulfil their legislative duties under the LPA and associated activities. These funds are allocated through the following annual budget process:

- DJAG seeks a budget submission from each of the specified entities, including actual and forecast income and expenses;
- DJAG undertakes a rigorous assessment of those submissions and makes recommendations to the Attorney-General;
- the amounts to be allocated are approved by the Attorney-General; and
- the amounts are noted by the Queensland Government through its annual budget processes.

The two entities that receive the largest allocations from the LPITAF, LAQ and the LSC, also receive allocations from Queensland Government Consolidated Revenue through separate rigorous budget processes.

#### **Legal Aid Queensland**

LAQ is a statutory authority that provides legal information, advice and representation to financially disadvantaged Queenslanders across all areas. It specialises in criminal, family, and civil law. The information and advice services are free to all Queenslanders. To be eligible for representation, a person must meet LAQ's means and merit test guidelines. LAQ has 14 offices throughout Queensland at: Brisbane (central office); Cairns; Townsville; Mount Isa; Mackay; Rockhampton; Bundaberg; Maroochydore; Caboolture; Woodridge; Inala; Ipswich; Toowoomba; and Southport.<sup>7</sup>

The types of matters for which legal aid commissions receive funding from the Commonwealth Government are discussed below at '8. Respective roles of Commonwealth and Queensland Governments in funding LPITAF recipients'. LAQ has

<sup>7</sup> LAQ 2012, *Who we are & what we do*, viewed 19 September 2012, <<http://www.legalaid.qld.gov.au/about/Pages/About-us.aspx>>.



received recurrent funding from Queensland Government Consolidated Revenue of \$61 million over the four year period 2009-10 to 2012-13 to provide a more secure funding source to support the provision of legal aid services to vulnerable Queenslanders and reduce the variability associated with funding these services from the LPITAF. This appropriation has reduced the reliance by LAQ on LPITAF from \$37.9 million in 2009-10 to \$18.9 million in the 2012-13 financial year.

### Legal Services Commission

The LSC is primarily funded by allocations from the LPITAF, although it also receives an allocation from Queensland Government Consolidated Revenue. It is provided with LPITAF funding to perform disciplinary investigations of legal practitioners as a result of complaints from clients, including coordinating assistance from the Bar Association of Queensland and QLS. The LSC also works towards the prevention of future complaints. It is responsible for the oversight and regulation of incorporated legal practices. Any surplus in funding not otherwise committed is returned to the LPITAF annually at year end.

### Bar Association of Queensland

The Bar Association of Queensland receives LPITAF funding for two positions to issue practising certificates to barristers and assist the LSC in the investigation of complaints against barristers.

### Queensland Law Society

The QLS receives a large portion of the funding required to perform its regulatory functions through the collection of practising certificate fees. The QLS has also been provided with funding from the LPITAF to perform the following regulatory functions:

- the issue of, refusal to grant or renew, suspension and cancellation of, and imposition of conditions on solicitors' practising certificates;
- investigation of complaints referred to it by the Legal Services Commissioner;
- administration of the Legal Practitioners' Fidelity Guarantee Fund;
- audit of and supervisory functions in relation to solicitors' trust accounts; and
- registration of foreign lawyers.

In recent years, the QLS has also received LPITAF funding for:

- the provision of free legal advice (\$68,680);
- counselling services for solicitors (\$138,583); and
- Law Council of Australia membership fees (\$824,750).

The Legal Practitioners' Fidelity Guarantee Fund has not required financial assistance from the LPITAF to make payments required from that fund.

### Legal Practice Committee

Under the LPA, the Legal Practice Committee has responsibility for hearing lower level disciplinary matters brought by the LSC against lawyers. It is supported by the LSC and receives additional LPITAF funding for a part-time administration officer, sitting fees, and transcript costs. Any surplus funding is returned to the LPITAF annually at year end.

## Supreme Court of Queensland Library

The Supreme Court of Queensland Library receives LPITAF funding as its primary source of funding to provide legal information and research resources to the judiciary, legal practitioners, students, and the general public.

### 5.3.1.2. Community organisations

Community organisations have been approved to receive approximately \$7.8 million, representing 21 percent of the LPITAF allocations for the 2012-13 financial year. See 'Table 2' below for a detailed breakdown. The bulk of those funds are recurrent, obtained for CLCs by LAQ under s289(1)(a) of the LPA through the annual budget process described above, and administered by LAQ under the Community Legal Services Program (CLSP). However, the LPITAF Grants Fund Transitional funding is administered directly by DJAG (see '5.3.2 LPITAF Grants Fund').

The CLSP is comprised of the Commonwealth Community Legal Services Program (CCLSP) and the State Community Legal Services Program (SCLSP), funded by the Commonwealth and Queensland Governments respectively. The Queensland Government funding provided under the CLSP is comprised of the LPITAF funding referred to above and State funding of about \$1.9 million per annum from Consolidated Revenue, provided through DJAG.

LAQ administers the CLSP on behalf of the Commonwealth and Queensland Governments. LAQ publishes the total amount of funding that is provided to each organisation under the CLSP in its Annual Report.<sup>8</sup>

The objective of the CCLSP is to:

*... contribute to the provision of access to legal assistance services for disadvantaged members of the community and those with special needs and/or those whose interests should be protected as a matter of public interest through the provision of funding to community-based organisations.*<sup>9</sup>

For the purposes of the CCLSP, CLCs:

- *provide a range of assistance on legal and related matters to people on low incomes and those with special needs; and*
- *provide services which complement and extend the services provided by legal aid commissions and the private profession.*<sup>10</sup>

The CCLSP defines the core activities of CLCs as:

- provision of information;
- provision of advice;
- casework;
- community legal education; and
- law reform and legal policy.<sup>11</sup>

<sup>8</sup> LAQ 2012, *Annual Report 2011-12*, p.31, viewed 5 September 2012, <<http://www.parliament.qld.gov.au/Documents/TableOffice/TabledPapers/2012/5412T1086.pdf>>

<sup>9</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.4, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx>>.

<sup>10</sup> Australian Government Attorney-General's Department, *Community Legal Services Program*, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/default.aspx>>.

<sup>11</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.23, viewed 28 August 2012,

The CCLSP provides funding for the delivery of generalist and specialist services. Most of the funded CLCs are generalist services that deliver the core activities across a broad range of legal matters, reflecting the needs of their local communities (eg. family law, discrimination and consumer rights law). Some generalist CLCs also deliver specialist services. Specialist services provide services in a particular area of law or to a particular client group. The sub-programs through which the Commonwealth Government provides CCLSP funding are:

- Generalist centres;
- Child Support Scheme Legal Services Program;
- Disability Discrimination Legal Services;
- Environmental Defender's Office Program;
- Welfare Rights Services;
- Women's legal services;
- Youth legal services;
- Civil litigation projects (available where a dispute contains some element of social injustice but the person is either ineligible for legal aid, unable to afford a private solicitor or unable to access a pro bono service);
- Clinical Legal Education Program (to promote public interest lawyering with university students and improve the quality of, and access to, legal assistance for socially and economically disadvantaged members of the community);
- Indigenous Women's Outreach Project; and
- Rural women's outreach lawyer services.<sup>12</sup>

Specific funding is also provided for Family Relationship Centre partnerships, Family Law Duty Lawyer services, Consumer Credit, Older Persons, Regional Rural and Remote, Homeless Persons, and Family Violence/Victims Rights.

CCLSP funding is generally provided to CLCs on a recurrent basis, provided that their performance continues to meet the terms and conditions of the funding agreement.<sup>13</sup> In allocating any new or additional CCLSP funds, the Commonwealth Government assesses the demand for services, capacity of existing service providers, and amount of funds available. If a new service provider is required, a competitive selection process is advertised and undertaken.<sup>14</sup>

The CLSP funding agreements for CCLSP and SCLSP funded organisations are three year agreements between the Commonwealth, LAQ and the funded organisation. The CLSP funding agreements for organisations that receive only SCLSP funding are between LAQ and the funded organisation and are substantially the same as the tripartite agreements (the Commonwealth specific provisions are removed). Some of those organisations are community organisations that provide justice information and services but are not CLCs.

---

<<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx> >.

<sup>12</sup> Australian Government Attorney-General's Department, *Community Legal Services Program*, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/default.aspx>>.

<sup>13</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.13, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx> >.

<sup>14</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.13, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx> >.

There are common accountability and administrative requirements for all funding provided under the CLSP. CLSP funded services are to be provided in accordance with: the relevant CLSP funding agreement; the Guidelines; and the CLSP Service Standards. A funded organisation must submit a CLSP Plan prior to commencement of the agreement, including objectives, strategies and performance indicators specific to the organisation.

The funded organisation must also submit an Annual Budget, Annual Activity Targets, and Annual Report to LAQ. The Annual Report must contain: information about the funding and services provided under the agreement; outcomes information (at least two case studies); the extent of volunteer and pro bono work; collaboration with other local service providers; funding received from other sources; and audited financial statements. Data (on core service activities) is required to be submitted monthly, Funds Reports six monthly, and Progress Reports biannually or annually (depending on the level of the organisation's funding). Further information about the administration, accountability and reporting requirements under the CLSP is set out in **Attachment 2**.

Additional one-off funding may be provided under the agreement. An agreed surplus amount may be carried over to the next financial year. There is provision for unused funds to be recovered by the Commonwealth or LAQ.<sup>15</sup>

LAQ promotes communication, collaboration, and reduced duplication between the CLCs through the Queensland Legal Assistance Forum and twelve Regional Legal Assistance Forums across the State.<sup>16</sup>

The national peak body for CLCs, the National Association of Community Legal Centres (NACLC), provides support to and a national forum for CLCs. The state and territory peak bodies constitute its membership. The NACLC performs an integral role in the CLSP by providing the primary mechanism for sector input.<sup>17</sup>

The CLC peak body in Queensland is the Queensland Association of Independent Legal Services Inc (QAILS). QAILS is an incorporated association operated predominantly by volunteers. QAILS promotes the development of, collaboration between, and funding for CLCs.<sup>18</sup>

### 5.3.1.3. DJAG

As stated above, the LPA provides for payments to be made to DJAG for the cost of administering the LPITAF.<sup>19</sup> From 2004-05 to 2009-10, an average of \$300,000 per annum was provided to the DJAG Financial Services branch to cover the costs of administration of the LPITAF. It provided the following resources: two full-time accounting staff; a portion of management time; and supplies. Allocations from the LPITAF for the administration costs ceased in the 2009-10 financial year, when DJAG began to administer the LPITAF from within existing DJAG resources. This was done to minimise demands upon the LPITAF in the wake of the global recession.

The impacts of the prevailing economic conditions on LPITAF revenue have necessitated a considerable increase in the portion of management time being spent

---

<sup>15</sup> Australian Government Attorney-General's Department, *Triennial Service Agreement: Relating to the provision of community legal services* 1 July 2010 – 30 June 2013, viewed 29 August 2012,

<<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx>>.

<sup>16</sup> Queensland Legal Assistance Forum, *What is QLAF?*, viewed 18 September 2012, <<http://qlaf.org.au/>>.

<sup>17</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.11, viewed 28 August 2012,

<<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx>>.

<sup>18</sup> Queensland Association of Independent Legal Services Inc, *QAILS*, viewed 18 September 2012, <[www.qails.org.au](http://www.qails.org.au)>.

<sup>19</sup> Section 289(1)(i) LPA.

on the LPITAF by middle, senior, and executive management. These costs are borne by DJAG.

### **5.3.2. LPITAF Grants Fund**

An annual LPITAF Grants Fund process, allocating approximately \$1.5 million of LPITAF funds each financial year, was administered entirely by DJAG. These grants were last available in the 2009-10 financial year and were ceased in 2010-11 because of the lower interest returns caused by the global recession.

The process commenced with a public advertisement in February seeking applications by the end of March for new initiatives of approximately one year in duration that aligned with annual priorities determined by DJAG. The process was open to CLCs, other community organisations, community justice groups, universities, and individuals. The Grants Fund Committee was comprised of:

- Attorney-General's representative (Supreme Court Justice);
- Director-General's representative (the Deputy Director-General, DJAG);
- Director, Strategic Policy, DJAG;
- Director, Courts Innovation Program (Community Justice Groups), DJAG;
- Director, Financial Services, DJAG;
- Chief Executive Officer, LAQ (or nominated representative); and
- State Program Manager, CLSP, LAQ.

The Committee assessed the applications and made recommendations to the Attorney-General, via the Director-General, for consideration and approval. The intention was that successful applicants were advised before the beginning of the relevant financial year. They signed a LPITAF General Grants Acceptance Certificate that required the grant money to be used and initiative to be undertaken in accordance with the approval.

Grants Fund recipients were required to submit outcome reports to DJAG; a final report on completion; and, if the initiative covered more than one financial year, progress reports as at 30 June annually. Outcome reports were required to be provided in the proforma supplied and to a standard that would allow DJAG to ascertain how the grant funding was spent and the services or outcomes achieved.

Initiatives could receive LPITAF Grants Fund funding for a maximum of two years. After that time, meritorious initiatives were invited to apply for recurrent funding. If it was granted, the additional recurrent funding was managed through the CLSP.

In 2009-10, at the time of cessation of the LPITAF Grants Fund process, there were twelve initiatives being delivered by nine CLCs that were to be considered for recurrent funding from 2010-11. Recurrent funding has not been approved for these initiatives. However, they have been funded non-recurrently each year since 2010-11. This funding has continued to be administered through DJAG and is referred to as LPITAF Grants Fund Transitional funding.<sup>20</sup>

### **5.3.3. Sustainability and Service Enhancements**

Since 2010-11, \$500,000 per annum has been set aside for community organisations already receiving recurrent LPITAF funds to apply for additional non-recurrent

---

<sup>20</sup> Further information about the LPITAF Grants Fund, including documentation, is available at: <<http://www.justice.qld.gov.au/corporate/sponsorships-and-grants/grants>>.

Sustainability and Service Enhancements funds. This process was initiated in the context of the global recession and cessation of the LPITAF Grants Fund.

The purpose of this funding is to enable CLCs to create or increase efficiencies in their existing operations, including: systems; processes; and services. These funds assist CLCs to achieve and maintain a balanced budget and assist with sustainability pressures. The initiative must be:

- a new, one-off, short-term project that will be completed within one year; and
- designed to save on future recurrent costs or increase services able to be provided within existing recurrent funding.

Applications are required to be sent by July each year to LAQ which makes recommendations to the LPITAF Committee. The Committee is comprised of:

- Deputy Director-General, Justice Services, DJAG;
- Assistant Director-General, Strategic Policy, Legal and Executive Services, DJAG;
- Assistant Director-General, Corporate Services, DJAG;
- Queensland Treasury representative;
- Department of Premier and Cabinet representative; and
- Legal Services representative (Public Trustee).

The Committee was established by DJAG on the basis of a recommendation from the Queensland Treasury Corporation that this was in line with good governance practices. The Committee assesses the applications and provides its recommendations to the Attorney-General through the Director-General. Successful organisations are notified in the first half of the financial year. This funding is administered under the CLSP and included in the successful organisations' CLSP funding agreements.

#### **5.3.4. Emergency Grants**

\$500,000 per annum of LPITAF funds are set aside for matters of an emergent nature. For example, in 2010-11, \$150,000 was provided to the Caxton Legal Centre to provide services required by community members as a result of the floods. Currently, there are no commitments against this funding.

Any organisation currently receiving recurrent LPITAF funding can apply for an Emergency Grant at any time. Applications are received and assessed by DJAG and approved by the Attorney-General. Funds allocated to CLSP organisations are administered through the CLSP.

#### **5.3.5. Summary of funding received and services provided by community organisations that receive LPITAF funding**

A summary of funding received and services provided by community organisations that receive LPITAF funding is set out in a table at **Attachment 3**. The TOR call for consideration of the other sources of funding provided to and the current range of services provided by LPITAF recipients. The TOR also require the exploration of whether there are any service gaps or duplication of legal services with respect to: areas of law covered; geographical locations; and the mix of services. The table at **Attachment 3** has been prepared to assist the Review with these considerations. It has been populated based on information already provided to DJAG and LAQ by LPITAF funded organisations. To the best of our knowledge, the content was correct at the time of publishing.

It is acknowledged that there are some gaps in the information in **Attachment 3** (where the columns are marked 'unknown') and other information might need to be updated. It would be appreciated if community organisations could provide additional and updated information through the submission process.

It would also be appreciated if interested parties could bring to the attention of the Review opportunities for efficiencies including greater collaboration between organisations delivering similar services and extending the reach or accessibility of specialist services using technology.

### 5.3.6. 2012-13 allocation of funds from the LPITAF

The 2012-13 allocation of funds from the LPITAF is set out below. Table 1 contains a high level breakdown. Table 2 contains a further breakdown of the types and amounts of LPITAF funds allocated to each community organisation. The LPITAF Wage Increase was provided to organisations that did not receive the State Wage Increase.

Table 1

Overall LPITAF Allocations 2012-13		
	TOTAL FUNDING	FUNDING %
Bar Association of Queensland	147,323	0.40%
Queensland Law Society	1,007,186	2.73%
Legal Services Commission	5,381,463	14.61%
Legal Practice Committee	49,231	0.13%
Legal Aid Queensland	18,934,600	51.41%
Supreme Court Library	3,041,025	8.26%
Community Legal Centres - Recurrent	5,780,893	15.69%
Community Legal Centres - Non-Recurrent	1,491,724	4.05%
CLC Sustainability & Service Enhancement-yet to be allocated	500,000	1.36%
Emergency Grants	500,000	1.36%
<b>TOTAL ALLOCATIONS</b>	<b>\$ 36,833,445</b>	<b>100.00%</b>

Table 2

**LPITAF Funding - 2012 / 2013**  
**Community Organisations**

	LPITAF Recurrent	LPITAF Wage Increase WOG Extra	LPITAF Sustainability & Service Enhancements 2012-13	LPITAF Grants Fund Transitional 2012-13	Additional Non-Recurrent Funding	Total LPITAF Funding
ATSI Women's Legal & Advocacy Service Inc	79,379					79,379
ATSI Women's Legal Services NQ Inc	38,465					38,465
Banana Shire Community Legal Service (Auspiced by Anglicare Central Queensland Limited, Biloela Office)	103,967					103,967
Bayside Community Legal Service Inc	85,736					85,736
Cairns Community Legal Centre Inc	83,747			136,929		220,676
Care Goondiwindi Association Inc	91,548					91,548
Carers Queensland Inc	201,365					201,365
Caxton Legal Centre Inc	133,428			110,797	19,126	263,351
Centacare: Catholic Diocese of Rockhampton (Centacare is the official welfare service arm of the Catholic Church incorporated within the Roman Catholic Trust Corporation of the Diocese of Rockhampton)	128,318	15,769				144,087
Central Queensland Community Legal Centre Inc	67,455					67,455
Court Network Incorporated	201,365			154,424		355,789
DVConnect Ltd	103,967					103,967
Gladstone Community Legal Advice Program (Auspiced by Gladstone City Council)	103,967					103,967
Gold Coast Legal Service (Citizens Advice Bureau & Gold Coast Legal Service Inc, formerly Highway Legal Service)	160,277					160,277
Indigenous Legal Services Qld Limited	77,976	9,776				87,752
Logan Legal Advice Centre (Auspiced by (YFS) Youth & Family Service (Logan City) Inc)	91,548					91,548
Logan Youth Legal Service (Auspiced by (YFS) Youth & Family Service (Logan City) Inc)	73,925					73,925
Mackay Regional Community Legal Centre Inc	201,365					201,365
Moreton Bay Regional Community Legal Service Inc (formerly Peninsula Community Legal Centre Inc)	85,737					85,737
North Queensland Women's Legal Service Inc-Cairns&Townsville	186,646			74,944		261,590
Nundah Community Legal Service (Auspiced by Nundah Community Support Group Inc)	91,548					91,548
Pine Rivers Community Legal Service (Auspiced by Pine Rivers Neighbourhood Association Inc, formerly Petrie Community Legal Service)	178,043					178,043
Prisoners' Legal Service Inc	169,325	6,939				176,264
Queensland Advocacy Incorporated	103,967			297,076		401,043
Queensland Aged & Disability Advocacy Inc	103,967					103,967
Queensland Association of Independent Legal Services Inc-Secretariat	201,365					201,365
Qld Public Interest Law Clearing House Inc	366,126	3,469		273,380		642,975
Refugee & Immigration Legal Service Inc (RAILS)	282,086	12,820				294,906
Roma Community Legal Service Inc	150,688					150,688
South West Brisbane Community Legal Centre Inc	301,732			53,346		355,078
Suncoast Community Legal Service Inc	163,068			42,547		205,615
Taylor Street Community Legal Service (Auspiced by Hervey Bay Neighbourhood Centre Inc)	106,468					106,468
Tenants' Union of Queensland Inc	112,268					112,268
The Advocacy & Support Centre Inc-Toowoomba Community Legal Service	342,757	10,409				353,166
The Advocacy & Support Centre Inc-Ipswich Community Legal Service	152,666					152,666
Townsville Community Legal Service Inc	62,214					62,214
Welfare Rights Centre Inc	174,442			79,155		253,597
Women's Legal Service Inc	146,284				250,000	396,284
Youth Advocacy Centre Inc	87,801					87,801
<b>SUB-TOTAL</b>	<b>5,596,996</b>	<b>59,182</b>	<b>-</b>	<b>1,222,598</b>	<b>269,126</b>	<b>7,147,902</b>
Emergency Funding Pool - LAQ	124,715					124,715
<b>TOTAL</b>	<b>5,721,711</b>	<b>59,182</b>	<b>-</b>	<b>1,222,598</b>	<b>269,126</b>	<b>\$ 7,272,617</b>



## 6. COMPARABLE MODELS FOR THE ALLOCATION OF INTEREST EARNED ON SOLICITORS' TRUST ACCOUNTS

### 6.1. Victoria

The LPITAF equivalent in Victoria is the Public Purpose Fund (Vic PPF). It is established under the *Legal Profession Act 2004* (Vic) (LPA Vic). The Legal Services Board (the Board), a public authority which is primarily responsible for the regulation of the legal profession in Victoria, is responsible for maintaining the Vic PPF.<sup>21</sup> Payments, the amounts of which are determined by the Board, must be made each financial year to:

- the Board (with the approval of the Attorney-General), the Legal Services Commissioner, and the Victorian Civil and Administrative Tribunal (for expenses incurred in performing their functions under the LPA Vic);<sup>22</sup> and
- Legal Aid Funding (must not be more than 35% of the amount standing to the credit of the General Account at the end of the previous financial year).<sup>23</sup>

Additionally, the Board may make a payment of an amount it determines, with the approval of the Attorney-General, to any person or body for any of the following:

- law reform;
- legal education;
- legal research;
- any purpose relating to the legal profession or the law that the Board considers appropriate.<sup>24</sup>

Since 2007, the Board has been distributing funds through the *Legal Services Board Grants Program* to projects that aim to improve the administration of laws, increase access to justice, improve legal services and inform and educate the wider community about legal services.<sup>25</sup> Project Grants can be issued for projects with a budget of \$60,000 or less and a maximum duration of approximately one year. The Board gives priority to:

- non-profit organisations;
- projects that improve access to justice and equity; and
- specific and finite projects.

The Board may also give preference to:

- applicants who do not have any other access to the Public Purpose Fund; and
- rural and regional Victoria.<sup>26</sup>

Major Grants can be issued for projects with a budget that exceeds \$60,000 for a period of not more than three years. Preference may be given to:

- non-profit organisations;
- projects that improve access to justice and equity;
- applicants who do not have any other access to the Public Purpose Fund; and

<sup>21</sup> Sections 6.2.1, 6.2.3, and 6.7.1(1) LPA Vic, <<http://www.legislation.vic.gov.au>>.

<sup>22</sup> Sections 6.7.6 - 6.7.8 LPA Vic.

<sup>23</sup> Section 6.7.9 LPA Vic.

<sup>24</sup> Section 6.7.10 LPA Vic.

<sup>25</sup> Legal Services Board, *Grants*, viewed 22 August 2012, <<http://www.lsb.vic.gov.au/grants>>.

<sup>26</sup> Legal Services Board, *Project Grants*, viewed 22 August 2012, <<http://www.lsb.vic.gov.au/grants/project-grants>>.

- rural and regional Victoria.<sup>27</sup>

Total payments must not exceed 15 percent of the amount standing to the credit of the General Account at the end of the previous financial year.<sup>28</sup> The Board may take into account the extent to which any amount previously paid to the person or body has not been spent or committed to expenditure.<sup>29</sup>

The (LPA Vic) provides for the Board to make payments to the Fidelity Fund if the Board is of the opinion there are insufficient funds in it.<sup>30</sup> There is also provision for the Board to make payments to professional associations to contribute towards the cost of continuing legal education for practitioners and programs aimed at improving the quality of or access by the public to legal services provided by law practices.<sup>31</sup>

## 6.2. New South Wales

The New South Wales Public Purpose Fund (NSW PPF) is established under the *Legal Profession Act 2004* (NSW) (LPA NSW).<sup>32</sup> The NSW PPF is managed and controlled by four Trustees: three are appointed by the Attorney General (two from the Law Society of New South Wales Council; one with appropriate qualifications and experience to act as a trustee); and the fourth is the Director-General of the NSW Department of Attorney General and Justice.<sup>33</sup> The Law Society of New South Wales administers the NSW PPF on behalf of, and in accordance with the directions of, the Trustees.<sup>34</sup> The Trustees make payments, for a period of not more than three years, from the NSW PPF as follows:

- in accordance with the approval of the Director-General, to the Bar Council or the Law Society Council for the performance of certain regulatory and disciplinary functions under the LPA NSW (the Director-General may, in determining the amount to be paid, require the Council to submit a budget including information about the costs, expenses and administration of the Council);<sup>35</sup>
- with the concurrence of the Attorney-General, discretionary payments for a period of not more than three years for:
  - the supplementation of the Legal Aid Fund, Fidelity Fund, and Law and Justice Foundation Fund;
  - the promotion and furtherance of legal education in New South Wales;
  - the advancement, improvement and extension of the legal education of members of the community;
  - the conduct of research into the law, the legal system, law reform and the legal profession and into their impact on the community;
  - the furtherance of law reform;
  - the establishment and improvement of law libraries and the expansion of the community's access to legal information;
  - the collection, assessment and dissemination of information relating to legal education, the law, the legal system, law reform, the legal profession and legal services;

<sup>27</sup> Legal Services Board, *Major Grants*, viewed 22 August 2012, <<http://www.lsb.vic.gov.au/grants/major-grants>>.

<sup>28</sup> Section 6.7.10 LPA Vic.

<sup>29</sup> Section 6.7.11 LPA Vic.

<sup>30</sup> Section 6.7.13 LPA Vic.

<sup>31</sup> Section 6.7.14 LPA Vic.

<sup>32</sup> Section 285(1) LPA NSW, <<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+112+2004+cd+0+N>>.

<sup>33</sup> Sections 286 and 287 LPA NSW.

<sup>34</sup> Section 287 LPA NSW.

<sup>35</sup> Sections 290 and 291 LPA NSW.

- the encouragement, sponsorship or support of projects aimed at facilitating access to legal information and legal services;
- the improvement of the access of economically or socially disadvantaged people to the legal system, legal information or legal services.<sup>36</sup>

Legal Aid NSW administers funding from the NSW PPF, State and Commonwealth to 36 CLCs under the NSW CLSP. The breakdown of funding (by Commonwealth, State, and PPF funding) provided to each CLC is set out in the Legal Aid NSW Annual Report.<sup>37</sup> Funding is provided to Community Legal Centres NSW Inc. (the peak and advocacy body for CLCs in NSW) under this program for the operation of its State Office.<sup>38</sup>

## **7. A COMPARABLE MODEL FOR THE ALLOCATION OF OTHER FUNDS TO COMMUNITY ORGANISATIONS BY DJAG**

Victim Assist, DJAG administers annual funding of up to \$2.8 million to non-government organisations which deliver services to victims of violent crime to assist in their recovery. The funding is administered under three complementary programs.

- **Victims of Crime Services Funding Program:**  
Six organisations share recurrent funding of up to \$2.2 million per annum under the VOCS funding program.
- **Victims of Crime Services Funding Extended Funding Program:**  
From 2012-13, the Queensland Government has committed an additional \$2 million over four years to increase the level of front-line support services currently available to victims of violent crime.<sup>39</sup>
- **Building Capacity for Victims of Crime Services Funding Program:**  
One-off funding of up to \$100,000 each year is available for the purpose of reducing service delivery gaps to victims of crime within Queensland.

All organisations that receive funding to support victims of crime are required to complete a Service Agreement, comply with the conditions of funding, and participate in performance monitoring processes. Since July 2011, organisations are required to report against annual targets for the delivery of outputs.

Funding Guidelines and submission forms outline the requirements for applicants for funding under the latter two programs. The selection criteria for both require applicants to evidence an unmet demand or need, clearly define a project or service to meet the identified need, outline a budget and timeline which is achievable and represents value for money and demonstrate their capacity to deliver the project or service. A DJAG panel assesses applications and makes recommendations for the allocation of funds to the Attorney-General.

<sup>36</sup> Sections 289 and 292 LPA NSW.

<sup>37</sup> Legal Aid New South Wales, *Annual Report 2010-11*, viewed 22 August 2012, <<http://www.legalaid.nsw.gov.au/publications/annual-reports/annual-report-2010-2011>>.

<sup>38</sup> Community Legal Centres New South Wales, *About Community Legal Centres New South Wales*, viewed 22 August 2012, <<http://www.clcnsw.org.au/about.php>>.

<sup>39</sup> Applications for this funding are due to close on 19 October 2012. See the Victim Assist website for more information about the Extended Program: <<http://www.justice.qld.gov.au/justice-services/victims-of-crime/victim-assist-queensland/support-for-victims-of-crime/victims-of-crime-services-extended-program-funding>>.

## 8. RESPECTIVE ROLES OF COMMONWEALTH AND QUEENSLAND GOVERNMENTS IN FUNDING LPITAF RECIPIENTS

The national environment for the broader funding of legal assistance services provides important context for the consideration of the functions and services that LPITAF funding should or should not be directed to in future (for example, to avoid duplication of services).

### 8.1. National Partnership Agreement on Legal Assistance Services (NPA)

The Australian Government funds four legal assistance programs: legal aid commissions (LAC), community legal centres (CLC), Aboriginal and Torres Strait Islander legal services (ATSILS) and family violence prevention legal services (FVPLS). These programs deliver a range of legal services to people who are disadvantaged or at risk of becoming disadvantaged.

The NPA sets out the broad strategic framework for the funding and delivery of these services. It commenced on 1 July 2010 and will remain in effect until 30 June 2014. The objective of the NPA is:

*A national system of legal assistance that is integrated, efficient and cost-effective, and focused on providing services for disadvantaged Australians in accordance with access to justice principles of accessibility, appropriateness, equity, efficiency and effectiveness.*

The intended outcomes are:

- *earlier resolution of legal problems for disadvantaged Australians that, when appropriate, avoids the need for litigation;*
- *more appropriate targeting of legal assistance services to people who experience, or are at risk of experiencing, social exclusion;*
- *increased collaboration and cooperation between legal assistance providers themselves and with other service providers to ensure clients receive 'joined up' service provision to address legal and other problems; and*
- *strategic national response to critical challenges and pressures affecting the legal assistance sector.*<sup>40</sup>

The NPA provides the funding and performance reporting framework for the delivery of Commonwealth funded services by state and territory legal aid commissions. The NPA sets out the priorities for that funding, which are summarised below:

- family law matters involving children or family violence;
- Commonwealth criminal law matters where the defendant is a child or at risk of imprisonment;
- Commonwealth civil law matters involving:
  - grants of aid under the War Veterans Legal Aid Scheme;
  - social security or other Commonwealth benefits;
  - migration matters where other assistance is not available;
  - Commonwealth employment, equal opportunity and discrimination cases; and

---

<sup>40</sup> Council of Australian Governments, *National Partnership Agreement on Legal Assistance Services*, p. 4, viewed 30 August 2012, <[http://www.federalfinancialrelations.gov.au/content/national\\_partnership\\_agreements/Other/Legal\\_Assistance\\_Services\\_NP.pdf](http://www.federalfinancialrelations.gov.au/content/national_partnership_agreements/Other/Legal_Assistance_Services_NP.pdf)>.

- Commonwealth consumer law matters.<sup>41</sup>

Priority for Commonwealth legal aid funding is also given to applicants who are in the following special circumstances:

- a language or literacy problem, intellectual, psychiatric or physical disability; a person's remote locality making it difficult to obtain legal assistance or where the person would otherwise be at risk of social exclusion; and
- where the applicant is a child.

Commonwealth legal aid funding is also used for:

- the provision of early intervention legal education, information, advice, assistance and advocacy services (regardless of whether the matter type comes within Commonwealth or State law); and
- legal representation of individuals whose legal problems involve a mixture of Commonwealth family law issues and State law family violence and/or child protection issues.<sup>42</sup>

The TOR require DJAG to take into consideration the current review of the NPA. The independent review of the NPA by the Allen Consulting Group is due to be finalised by 30 June 2013. It will evaluate the quality, efficiency and cost effectiveness of the four Commonwealth funded legal assistance programs (LAC, CLC, ATSILS, and FVPLS). It will also evaluate legal aid commissions only against the performance indicators and benchmarks in the NPA. A draft evaluation framework has been released for consultation.<sup>43</sup>

The NPA will remain in effect until 30 June 2014. It is anticipated that a replacement agreement, including targets and performance indicators, will need to be developed for the next Commonwealth Government funding round.

The Commonwealth maintains separate agreements for CLCs (see '5.3.1.2 Community organisations'), ATSILS, and FVPLS (see below) that are consistent with the objectives of the NPA.

## **8.2. Indigenous Legal Assistance and Policy Reform Program**

Under this program, the Commonwealth Government funds projects that:

- *deliver high quality, culturally sensitive, equitable and accessible legal assistance services for Indigenous Australians, so that they can fully exercise their legal rights as Australian citizens;*
- *seek to support law reform and policy development, and the delivery of community legal education; and*
- *support the ongoing development and continuous improvement of the program and its outcomes.*<sup>44</sup>

<sup>41</sup> Council of Australian Governments, *National Partnership Agreement on Legal Assistance Services*, Schedule A, p. 14, viewed 30 August 2012, <[http://www.federalfinancialrelations.gov.au/content/national\\_partnership\\_agreements/Other/Legal\\_Assistance\\_Services\\_NP.pdf](http://www.federalfinancialrelations.gov.au/content/national_partnership_agreements/Other/Legal_Assistance_Services_NP.pdf)>.

<sup>42</sup> Council of Australian Governments, *National Partnership Agreement on Legal Assistance Services*, Schedule A, p. 13, viewed 30 August 2012, <[http://www.federalfinancialrelations.gov.au/content/national\\_partnership\\_agreements/Other/Legal\\_Assistance\\_Services\\_NP.pdf](http://www.federalfinancialrelations.gov.au/content/national_partnership_agreements/Other/Legal_Assistance_Services_NP.pdf)>.

<sup>43</sup> Further information and consultation materials are available at <<http://www.ag.gov.au/Legalaid/Pages/ReviewoftheNationalPartnershipAgreementonLegalAssistanceServices.aspx>>

<sup>44</sup> Australian Government Attorney-General's Department, *Indigenous Legal Assistance and Policy Reform Program*, viewed 30 August 2012,

The Commonwealth Government has an agreement with Aboriginal and Torres Strait Islander Legal Services (Qld) Limited to deliver the following legal assistance services to Aboriginal and Torres Strait Islander people across Queensland:

- *information, initial legal advice, minor assistance and referral;*
- *duty lawyer assistance; and*
- *legal casework services for criminal, civil and family law matters.*<sup>45</sup>

### **8.3. Family Violence Prevention Legal Services**

This program, designed to complement state and territory initiatives, provides:

*... culturally sensitive assistance to Indigenous victim-survivors of family violence and sexual assault through the provision of legal assistance, court support, casework and counselling.*<sup>46</sup>

## **9. SUITABILITY OF THE CURRENT RANGE OF SERVICES AND SERVICE DELIVERY MODELS IN RESPONDING TO LEGAL NEEDS OF QUEENSLANDERS**

### **9.1. Determining the legal needs of Queenslanders**

The Australian Council of Social Service's *Australian Community Sector Survey 2012: National Report* was released on 13 August 2012. The results show that 73 percent of CLCs could not meet demand for services and 14 percent of people asking for legal help had to be turned away. These amounts represent increases on previous years. Almost 7 out of 10 services reported increased waiting times for clients.<sup>47</sup>

In 2010, the NACLCLC engaged consultants to "...provide a comprehensive evidence-based understanding of the distribution of legal need across Australia and for each state and territory in the context of disadvantage".<sup>48</sup> The Queensland report *National Legal Needs & Strategic Planning Project: Queensland* was published in February 2012. It includes findings by Local Government Area (LGA) in relation to key indicators of legal need, calculated legal need, and probability of legal need as well as a gap analysis.

The gap analysis found that Gympie and South Burnett were the only LGAs to have all of the following: moderate to high levels of socioeconomic disadvantage; a high number of people likely to experience legal need; and a low to very low level of servicing by CLCs. There are no CLCs within the boundaries of those two LGAs. The gap analysis also found that four LGAs with high legal need had low levels of servicing despite there being a CLC located within their boundaries: Gold Coast; Sunshine Coast; Mackay; and Southern Downs.<sup>49</sup> The Gold Coast, Cairns, Logan and Fraser

---

<<http://www.ag.gov.au/Indigenoulawandnativetitle/Indigenoulawprograms/Pages/IndigenousLegalAidandPolicyReformProgram.aspx>>.

<sup>45</sup>Australian Government Attorney-General's Department, *Indigenous Legal Assistance and Policy Reform Program*, viewed 30 August 2012,

<<http://www.ag.gov.au/Indigenoulawandnativetitle/Indigenoulawprograms/Pages/IndigenousLegalAidandPolicyReformProgram.aspx>>.

<sup>46</sup>Australian Government Attorney-General's Department, *Family Violence Prevention Legal Services*, viewed 30 August 2012,

<<http://www.ag.gov.au/Indigenoulawandnativetitle/Indigenoulawprograms/Pages/FamilyViolencePreventionLegalServices.aspx>>.

<sup>47</sup> Australian Council of Social Service 2012, *Australian Community Sector Survey 2012: National Report*, Strawberry Hills NSW, viewed 10 September 2012, <[http://www.acoss.org.au/images/uploads/ACOSS\\_ACSS2012\\_FINAL.pdf](http://www.acoss.org.au/images/uploads/ACOSS_ACSS2012_FINAL.pdf)>.

<sup>48</sup> Stubbs J, Lux C & Wilson L 2012, *National Legal Needs & Strategic Planning Project: Queensland*, p. 1, viewed 17 September 2012, <[http://www.naclc.org.au/cb\\_pages/legal\\_needs\\_assessment\\_framework.php](http://www.naclc.org.au/cb_pages/legal_needs_assessment_framework.php)>.

<sup>49</sup> Stubbs J, Lux C & Wilson L 2012, *National Legal Needs & Strategic Planning Project: Queensland*, pp. 61-70, viewed 17 September 2012, <[http://www.naclc.org.au/cb\\_pages/legal\\_needs\\_assessment\\_framework.php](http://www.naclc.org.au/cb_pages/legal_needs_assessment_framework.php)>.

Coast have both a high number and proportion of adults likely to experience legal need.<sup>50</sup>

The following LGAs demonstrate high levels of the indicators of legal need, a high proportion of adults likely to experience legal need (although a lower number compared to other LGAs), and high levels of socioeconomic disadvantage: Cherbourg, Palm Island, Naprunum, Aurukun, Woorabinda, Yarrabah, Wujal Wujal, Kowanyama, Northern Peninsula Area, Doomadgee, Torres Strait Island, Mornington, Pormpuraaw, Lockhart River, Hope Vale, Mapoon, and Torres. Many of these LGAs had the lowest levels of CLC servicing relative to likely legal need. As noted in the report, they are small, remote communities and are the most disadvantaged parts of Queensland and Australia.<sup>51</sup>

It is proffered that the findings of the *Review of the NSW Community Legal Centres Funding Program: Final Report* (published in June 2006) in relation to legal need would generally be applicable to Queensland. That report also found that there was a need to improve the accessibility of CLCs to Indigenous Australians and other disadvantaged groups.<sup>52</sup> Additionally, that report found that a significant proportion of CLC services are provided to people from culturally and linguistically diverse backgrounds and people with a disability. It suggested that accessibility needed to be improved and particular attention paid to providing adequate access to interpreters, including sign language interpreters.<sup>53</sup>

The *NACLC Priorities for Commonwealth Community Legal Services Program Funding 2012-2015* identify that:

*There is a pressing need to fund the employment of Aboriginal and Torres Strait Islander liaison workers in community liaison and development roles in CLCs, so that CLCs can provide accessible and culturally appropriate services in culturally appropriate ways to Aboriginal and Torres Strait Islander people.*<sup>54</sup>

Industry input into the Review to date indicates that the Law and Justice Foundation of New South Wales' forthcoming *Legal Australia-wide Survey*, particularly the *Legal need in Queensland* subset, will provide authoritative guidance on the legal needs of Queenslanders. Further information and updates on the survey can be found at <[www.lawfoundation.net.au](http://www.lawfoundation.net.au)>.

## **9.2. The relative benefits of generalist and specialist legal services provided by LPITAF recipients and equitable access to them**

The *Review of the NSW Community Legal Centres Funding Program: Final Report*, published in June 2006, found that a key strength of that program is the flexibility and responsiveness of CLCs in designing and implementing service delivery models that use a mix of services tailored to the meet the needs of the target community.<sup>55</sup> That report dealt with the relationship between generalist and specialist legal services

<sup>50</sup> Stubbs J, Lux C & Wilson L 2012, *National Legal Needs & Strategic Planning Project: Queensland*, p. 54, viewed 17 September 2012, <[http://www.naclc.org.au/cb\\_pages/legal\\_needs\\_assessment\\_framework.php](http://www.naclc.org.au/cb_pages/legal_needs_assessment_framework.php)>.

<sup>51</sup> Stubbs J, Lux C & Wilson L 2012, *National Legal Needs & Strategic Planning Project: Queensland*, pp. 9-48, viewed 17 September 2012, <[http://www.naclc.org.au/cb\\_pages/legal\\_needs\\_assessment\\_framework.php](http://www.naclc.org.au/cb_pages/legal_needs_assessment_framework.php)>.

<sup>52</sup> Legal Aid Commission of NSW 2006, *Review of the NSW Community Legal Centres Funding Program: Final Report*, pp.12, 108-121, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

<sup>53</sup> Legal Aid Commission of NSW 2006, *Review of the NSW Community Legal Centres Funding Program: Final Report*, pp. 12-13, 121-124, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

<sup>54</sup> NACLC 2012, *Priorities for Commonwealth Community Legal Services Program Funding 2012-2015*, p.1, viewed 25 September 2012, <[http://www.naclc.org.au/cb\\_pages/files/NACLC%20Funding%20Priorities%20final%20110912%20.doc](http://www.naclc.org.au/cb_pages/files/NACLC%20Funding%20Priorities%20final%20110912%20.doc)>.

<sup>55</sup> Legal Aid Commission of NSW 2006, *Review of the NSW Community Legal Centres Funding Program: Final Report*, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

(although not the *relative* benefits of each). Generalist CLCs service a particular geographical area. As stated above, some are also funded to provide specialist services.<sup>56</sup> Specialist CLCs were defined as having "... expertise in identifying and responding to the legal needs of particular groups or specialising in particular areas of law".<sup>57</sup> It was noted that many had originated because certain legal needs were unable to be met elsewhere (for example, through legal aid) and that this seemed to be an appropriate response to improving access to justice.<sup>58</sup> Specialist CLCs tend to provide a significant amount of training and support to other services and there is an interdependent, collaborative relationship that has developed between specialist and generalist services.<sup>59</sup>

That report noted that locating specialist services in existing CLCs can have a number of benefits, including more sustainable operating capacity (staff and resources) and more efficient and effective service delivery. However, these arrangements can also present accountability, management, and reporting challenges (eg. multiple funding sources and/or record keeping systems).<sup>60</sup>

To date, the Review has not located empirical evidence of the relative benefits of generalist and specialist legal services. It is, therefore, proposed that this issue be dealt with on a more practical, Queensland-specific basis using information provided by the industry and interested parties.

- Q1. What are the reasons for specialist community legal services in Queensland?
- Q2. What evidence is/has been used to support their establishment and funding?
- Q3. How can equitable access (for all Queenslanders or large regions) be provided to specialist services? For example, are there opportunities for collaboration with or provision of training to other services or for the provision of information and services using technology?
- Q4. Do generalist services have the capacity to meet the needs of the current clients of specialist services?

## 10. CONSIDERATIONS FOR THE DEVELOPMENT OF A MODEL FOR THE FUTURE ALLOCATION OF LPITAF FUNDS

The TOR specify that DJAG is to make a recommendation as to a model for transparent decision-making in relation to the future recurrent and non-recurrent LPITAF funding allocations.

### 10.1. The purposes for which LPITAF funds should be allocated

It is proposed that a number of factors will be taken into account by the Review in determining the purposes for which LPITAF funds should be allocated in future.

<sup>56</sup> Legal Aid Commission of NSW 2006, Review of the NSW Community Legal Centres Funding Program: Final Report, pp.25-26, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

<sup>57</sup> Legal Aid Commission of NSW 2006, Review of the NSW Community Legal Centres Funding Program: Final Report, p. 2, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

<sup>58</sup> Legal Aid Commission of NSW 2006, Review of the NSW Community Legal Centres Funding Program: Final Report, pp. 27-28, 78, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

<sup>59</sup> Legal Aid Commission of NSW 2006, Review of the NSW Community Legal Centres Funding Program: Final Report, p. 3, 108-121, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>.

<sup>60</sup> Legal Aid Commission of NSW 2006, Review of the NSW Community Legal Centres Funding Program: Final Report, pp.80, 99, viewed 10 September 2012, <[www.clcsw.org.au/public\\_resource\\_details.php?resource\\_id=40](http://www.clcsw.org.au/public_resource_details.php?resource_id=40)>. Review of the allocation of funds from the Legal Practitioner Interest on Trust Accounts Fund: Discussion Paper



These factors include:

- the volatile and finite nature of the LPITAF revenue (discussed at '5.2 Financial Management');
- the functions and services that the LPITAF currently funds the specified entities and other organisations to provide (discussed at '5.3 Administration of funding allocations from the LPITAF');
- whether the funded organisations still require LPITAF funds to deliver those functions and services (eg. do they receive other funding for the same purpose?);
- the legal needs of Queenslanders (discussed at '9.1 Determining the legal needs of Queenslanders');
- LPITAF funds are public funds and as such they should be used as efficiently and effectively as possible;
- good practice in funding community organisations; and
- the Queensland Government and DJAG strategic objectives.

#### **10.1.1. The efficient and effective allocation of LPITAF funds**

The *Economic Cost Benefit Analysis of Community Legal Centres*, commissioned by the NACLC and published in June 2012, found that for every dollar of funding provided to CLCs \$18 worth of benefits are provided to the community. The benefits are wide ranging and include: minimising costs to parties and governments by resolving legal matters more simply or at an earlier stage (particularly where that avoids the need to go to court or a tribunal); and avoidance of domestic violence and child abuse. Some of the greatest economic benefits are achieved through holistic case management which provides cost savings both inside and outside of the legal system. The report states that, considering the usual cost benefit ratio required to justify investment in physical infrastructure is around 1:2 or 1:3, the 1:18 ratio provides clear economic justification for funding CLCs.<sup>61</sup>

The NACLC has released the *NACLC Principles for Commonwealth Community Legal Services Program Funding 2012-2015*. The principles represent the NACLC's views on how funding should be allocated under the CLSP. The NACLC advocates for funding to be allocated for:

- minimum base funding (see below);
- centres with special circumstances (eg. rural or remote location, target clients with special needs);
- new initiatives to address unmet legal need;
- one-off funding for exceptional circumstances; and
- sector development and support initiatives.

The NACLC proffers that both specialist and generalist CLCs require a minimum base level of funding of \$593,000 (to fund five full-time workers) to operate efficiently, effectively, and safely. The NACLC is of the view that CCLSP funding should be indexed annually using a composite of the annual Labour Price Index (LPI) and the Consumer Price Index (CPI).<sup>62</sup>

---

<sup>61</sup> Storer J, Stubbs J & Lux C 2012, *Economic Cost Benefit Analysis of Community Legal Centres*, Bulli NSW, pp17 – 24, viewed 30 August 2012,

<[http://www.communitylawaustralia.org.au/wp-content/uploads/2012/08/Cost\\_Benefit\\_Analysis\\_Report.pdf](http://www.communitylawaustralia.org.au/wp-content/uploads/2012/08/Cost_Benefit_Analysis_Report.pdf)>.

<sup>62</sup> NACLC 2012, *Principles for Commonwealth Community Legal Services Program Funding 2012-2015*, viewed 25 September 2012, <[http://www.naccl.org.au/cb\\_pages/files/NACLC%20Funding%20Princ%20final%20110912.doc](http://www.naccl.org.au/cb_pages/files/NACLC%20Funding%20Princ%20final%20110912.doc)>. Review of the allocation of funds from the Legal Practitioner Interest on Trust Accounts Fund: Discussion Paper

### 10.1.2. Queensland Government and DJAG strategic objectives

The current strategic direction of the Queensland Government is articulated in the form of five pledges made to the people of Queensland:

- *Grow a four pillar economy;*
- *Lower the cost of living for families by cutting waste;*
- *Deliver better infrastructure and better planning;*
- *Revitalise frontline services for families; and*
- *Restore accountability in government.*<sup>63</sup>

The latter two pledges are the most relevant in relation to the Government's role in the legal assistance sector.

The DJAG *Strategic Plan 2012-2016* sets out DJAG's vision: *a fair, safe and just Queensland*. It includes six objectives and various strategies that DJAG will pursue to achieve those objectives; the most relevant are extracted below.<sup>64</sup>

<u>Objective</u>	<u>Strategies</u>
<i>Improve the administration of Queensland's justice system</i>	Continue to develop innovative models for frontline justice service delivery
<i>Improve frontline justice services for Queenslanders</i>	Provide information and support to help vulnerable people and the community protect their rights, meet their obligations and access our services
<i>Improve our organisational effectiveness</i>	Responsible financial management that contributes to the Government's fiscal strategies and targets through reassessment of service delivery priorities and delivery models  Identify opportunities to redirect resources to frontline service delivery  Robust governance practices

The revitalisation of frontline services is about providing access to essential government services as well as ensuring that the right level of services are provided as efficiently and cost effectively as possible.<sup>65</sup> In keeping with this goal, the TOR include ensuring that the new model for the allocation of LPITAF funds maximises service delivery across Queensland.

LPITAF money is public money and the allocations are made for the benefit of the community. In line with the strategic objectives to improve accountability, there is a need for rigorous reporting requirements and transparency around the allocation of LPITAF funds, particularly in proactively making relevant information available to the community. See '10.3 Accountability, agreements and reporting requirements'.

<sup>63</sup> Queensland Government 2012, *Getting Queensland back on track: Statement of objectives for the community*, viewed 16 August 2012, <<http://www.premiers.qld.gov.au/government/assets/gov-statement-of-objectives.pdf>>.

<sup>64</sup> DJAG 2012, *Strategic Plan*, viewed 16 August 2012, <[http://www.justice.qld.gov.au/\\_data/assets/pdf\\_file/0017/161522/djag-strategic-plan-2012-16.pdf](http://www.justice.qld.gov.au/_data/assets/pdf_file/0017/161522/djag-strategic-plan-2012-16.pdf)>.

<sup>65</sup> Queensland Government 2012, *Getting Queensland back on track: Statement of objectives for the community*, viewed 16 August 2012, <<http://www.premiers.qld.gov.au/government/assets/gov-statement-of-objectives.pdf>>; Queensland Government 2012, *Six month action plan: We will restore accountability in government*, viewed 16 August 2012, <<http://www.thepremier.qld.gov.au/plans-and-progress/6-months/accountability.aspx>>.

In answering the following questions, please provide details of evidence, data or experience, where possible.

Q5. (a) Do you agree with the current purposes for which LPITAF funds are allocated?

(b) Should there be any changes to the purposes for which LPITAF funds are allocated in future?

If your suggestions include community legal services, please specify the types of legal matters, services (eg. information, advice, casework), and geographical areas.

Q6. What are the most reliable sources of information about the legal needs of Queenslanders?

Q7. How does your organisation determine the need for its services?

Q8. Should any functions, services, or areas be excluded from the purposes for which LPITAF funding allocations should be made (eg. functions for which other funding is available)?

Q9. What are the most efficient and effective ways to allocate LPITAF funds?

Examples to consider:

- fund new services where there is a complete gap identified;
- fill smaller gaps by building on already existing services;
- fund projects that create efficiencies across the whole of the community legal assistance sector (eg. that encourage collaboration).

## 10.2. The nature of future LPITAF funding allocations

The different types of funding allocations currently made from the LPITAF are set out at '5.3 Administration of funding allocations from the LPITAF'. The volatile and finite nature of the LPITAF revenue source needs to be considered when determining the nature of future funding allocations.

Q10. What types of allocations or grants should be made from the LPITAF?

Q11. Should the funding allocations be recurrent or non-recurrent?

Q12. How long should the funding period/s be and why?

Q13. Should indexation be applied to the allocations?

## 10.3. The funding process

The current processes for the allocation of LPITAF funds and comparable funding models are discussed at '5.3 Administration of funding allocations from the LPITAF', '6. Comparable models for the allocation of interest earned on solicitors' trust accounts', and '7. A comparable model for the allocation of other funds to community organisations by DJAG'.

Q14. What aspects of the current administrative model for the allocation of LPITAF funds are working well and what aspects could be improved?

Please consider the following components: setting of priorities for funding; advertising; application; assessment; decision; notification; agreement; provision of funds; and ongoing reporting and administration.

Q15. Do any of the following administrative arrangements have advantages or disadvantages over another?

- DJAG administering the LPITAF funds;

- a board administering the LPITAF funds (as in Victoria); or
- another body administering the LPITAF funds.

Q16. In terms of LPITAF funding allocated to CLCs:

(a) is the administration of the funding by LAQ through the CLSP the most efficient and effective arrangement or would administration by DJAG, a board, or another body be more desirable?

(b) is the tripartite CLSP agreement arrangement appropriate for the administration of LPITAF funding or should DJAG have separate agreements with each community organisation for LPITAF funding?

Please list advantages and disadvantages of any other arrangements suggested.

The Review is looking at all of the types of organisations being funded by the LPITAF and is interested in whether the different types of organisations should meet certain criteria to be considered for LPITAF funding in future.

With respect to the legal services funded by LPITAF, the Review is considering contemporary good practice standards. In their *Review of the National Partnership Agreement on Legal Assistance Services: Second Draft Evaluation Framework Discussion Paper*, the ACG presents a preliminary literature review on good practice in delivering legal assistance services. In summary, ACG identified the following:

- a holistic approach that takes into account underlying problems, cultural, economic, health and deprivation issues;
- coordinated and integrated service delivery, including collaboration, networking, and referrals;
- supporting vulnerable target client groups to access legal and other services;
- delivering services that are appropriate for people with complex needs;
- in relation to Aboriginal and Torres Strait Islander clients, cultural competency; and
- providing community legal education to target groups to assist them to deal with their legal problems earlier and in an effort to improve outcomes.<sup>66</sup>

Q17. Are there criteria that organisations should meet to be eligible to be considered for LPITAF funding?

Examples for consideration:

- main source of funding must be other than LPITAF (considering the volatility of the LPITAF revenue and/or to ensure LPITAF funds are being spent on frontline service delivery rather than administrative costs);
- declare all other sources of funding and their purpose;
- cultural awareness or competence;
- collaboration with other organisations that provide related functions or services (eg. through participation in forums or for service delivery);
- partnerships with private sector;

<sup>66</sup> Allen Consulting Group 2012, *Review of the National Partnership Agreement on Legal Assistance Services: Second Draft Evaluation Framework Discussion Paper*, Melbourne, pp. 6 – 8, viewed 12 September 2012, <<http://www.ag.gov.au/Legalaid/Documents/Second%20draft%20evaluation%20framework%20discussion%20paper.doc>>.

- volunteering;
- referral systems in place; and
- professional or industry accreditation.

Please specify whether the criteria you suggest should apply to all LPITAF funding allocations or only to certain types of organisations or funding.

#### **10.4. Accountability, agreements, and reporting requirements**

The current accountability, agreements, and reporting requirements for LPITAF recipients are set out at '5.3 Administration of funding allocations from the LPITAF'. It is evident that there are a number of accountability and reporting mechanisms already in place, in particular for the community organisations funded under the CLSP.

With regard to the CLCs, preliminary feedback from industry is that whatever mechanisms are agreed at the national level after the NPA Review (including performance indicators) should be applied to LPITAF funding so as not to impose additional burden on CLCs. The NPA Review is due to be completed by 30 June 2013. The NPA will remain in operation until 30 June 2014. New arrangements will need to be developed for the next Commonwealth Government funding round.

Q18. Are the current accountability and reporting requirements placed on LPITAF beneficiaries sufficient or should they be more rigorous?

Q19. How do we ensure a high level of accountability without placing undue burden on LPITAF recipients?

Q20. Should all recipients be required to acquit unspent funds back to DJAG on an annual basis for deposit back into the LPITAF or reallocation?

Q21. The Review is considering whether an annual report on the LPITAF allocations should be published to achieve greater transparency regarding the amounts of funding allocated and the functions and services provided with those funds. What other measures could be put in place in a new model to improve accountability and transparency?

## **11. CONCLUSION**

There is a need to ensure that the limited and variable LPITAF funds are being put to the best use. This means being clear about the purposes for which allocations are made and what is expected of organisations delivering LPITAF funded functions and services.

This discussion paper sets out relevant information, poses questions, and seeks data to build a detailed, accurate picture of the current LPITAF funding allocations and processes and gather ideas for improvements. Interested parties are invited to make submissions. All comments about the current allocation of funds and suggestions about an improved model for future allocations will be gratefully received.



Department of Justice & Attorney General (JAG)  
LPITAF Forecasting Model  
Statement of Financial Performance as at September 2012

Index

	2004-05 Actual \$	2005-06 Actual \$	2006-07 Actual \$	2007-08 Actual \$	2008-09 Actual \$	2009-10 Actual \$	2010-11 Actual \$	2011-12 Actual \$	2012-13 Forecast \$	2013-14 Forecast \$	2014-15 Forecast \$	2015-16 Forecast \$
<b>Statement of Financial Performance</b>												
<b>Revenue</b>												
Interest from Solicitors' Trust Accounts - Former Regime	2,951,487	-	-	-	-	-	-	-	-	-	-	-
Interest from Solicitors' Trust Accounts	33,189,226	36,085,028	45,151,723	55,154,601	35,192,600	27,931,327	34,879,454	34,261,378	29,390,905	33,565,587	36,008,963	36,568,290
Interest Revenue	769,537	1,476,844	2,715,117	4,352,759	3,704,251	1,920,971	1,549,436	1,206,210	688,088	557,376	427,730	297,918
Transfer of Former Trust Fund Balances	8,171,153	-	-	-	-	-	-	-	-	-	-	-
Fees and Fines - Penalty Orders	-	26,900	70,100	23,000	70,250	12,000	16,500	25,000	25,000	25,000	25,000	25,000
	\$45,081,403	\$37,588,772	\$47,936,940	\$59,530,360	\$38,967,101	\$29,864,298	\$36,445,390	\$35,492,589	\$30,103,993	\$34,147,963	\$36,461,693	\$36,891,208
<b>Expenditure</b>												
Grants Identified - Monthly Distributions (adj for Receivables)	23,037,732	22,737,089	27,082,919	40,496,274	48,707,038	52,043,492	44,025,623	35,339,080	34,141,721	35,457,440	36,825,337	38,247,380
Grants General - Distributions	255,249	1,297,778	1,530,200	1,781,759	1,843,428	1,493,869	1,121,473	1,355,277	2,491,724	2,488,492	2,538,031	2,339,553
Administration Expenses	255,633	150,400	245,553	394,664	361,306	376,120	-	-	-	-	-	-
Bank Charges	139	161	40,244	57,543	67,683	46,311	27,907	22,157	22,157	22,157	22,157	22,157
Other	-	-	-	-	-	-	7,500	-	-	-	-	-
Contingency - Banking Guarantee	-	-	-	-	-	-	-	-	-	-	-	-
Contingency - CLCs	-	-	-	-	-	-	-	-	-	-	-	-
Contingency - General	-	-	-	-	-	-	-	-	-	-	-	-
Contingency - LPPFG	-	-	-	-	-	-	-	-	-	-	-	-
Contingency - Other	-	-	-	-	-	-	-	-	-	-	-	-
	\$23,548,753	\$24,185,428	\$28,898,916	\$42,730,240	\$50,979,455	\$53,959,792	\$45,182,503	\$36,716,515	\$36,655,603	\$37,968,090	\$39,365,526	\$40,609,090
<b>Net Surplus (Deficit)</b>	\$21,532,650	\$13,403,344	\$19,038,024	\$16,800,120	(\$12,012,354)	(\$24,095,494)	(\$8,737,112)	(\$1,223,926)	(\$6,551,609)	(\$3,820,127)	(\$2,923,833)	(\$3,717,882)

### Further information on the Community Legal Services Program (CLSP)

LAQ administers the CLSP on behalf of the Commonwealth and Queensland Governments. Its role is to:

- *manage the day-to-day operations of the Program;*
- *monitor compliance with the terms and conditions of the Service Agreement by each CLC funded under the Program;*
- *undertake Service Standards audits on the basis agreed with the Commonwealth; and*
- *take a lead role in coordinating Program related activities within [Queensland].*<sup>67</sup>

To be eligible for annual CLSP funding, an organisation must be a duly incorporated body under relevant Commonwealth, state or territory law operating pursuant to its constitution. As part of incorporation, each organisation is required to have a management committee (or equivalent entity) as its governing body.

There are common accountability and administrative requirements for all funding provided under the CLSP. CLSP funded services are to be provided in accordance with: the relevant CLSP funding agreement; the Guidelines; and the CLSP Service Standards. CLSP funded organisations are expected to maintain compliance with Service Standards in the following areas throughout the life of the funding agreement:

- *information;*
- *advice;*
- *casework;*
- *community legal education;*
- *law reform and legal policy;*
- *accessibility;*
- *organisational management;*
- *management of information and data; and*
- *assessing client satisfaction and managing complaints.*<sup>68</sup>

A funded organisation must submit a CLSP Plan prior to commencement of the agreement, including objectives, strategies and performance indicators specific to the CLC. They must also submit an Annual Budget, Annual Activity Targets, and Annual Report to LAQ. The Annual Report must contain: information about the funding and services provided under the agreement; outcomes information (at least two case studies); the extent of volunteer and pro bono work; collaboration with other local service providers; funding received from other sources; and audited financial statements.

<sup>67</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.10, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx>>.

<sup>68</sup> Australian Government Attorney-General's Department, *Commonwealth Community Legal Services Program: Guidelines*, p.17, viewed 28 August 2012, <<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx>>.

The Service Standards Manual is available at:

<<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Commonwealth-Community-Legal-Services-Program-.aspx>>.

Funds Reports must be submitted biannually. The Commonwealth or LAQ may appoint an auditor to conduct financial audits of the organisation in relation to the agreement.

Progress Reports must also be submitted biannually or annually (depending on the level of funding provided to the organisation). Each funded CLC is required to conduct a client satisfaction survey at least once during the agreement period and provide the key results in its following Progress Report.

Data (on core service activities) is required to be submitted monthly through the Community Legal Service Information System (CLSIS) database.<sup>69</sup>

The Commonwealth or LAQ may suspend quarterly payments until the organisation has performed its obligations under the agreement. A Performance Improvement Plan may be issued where problems are identified that do not warrant suspension of payments.

At least once during the period of the CLSP funding agreement, LAQ seeks stakeholder organisation feedback on the funded organisation, including in relation to: accessibility and responsiveness of service delivery; appropriateness and effectiveness of referrals; and the extent of collaboration with other service providers.

---

<sup>69</sup> Further information about the CLSIS database is available at:  
<<http://www.ag.gov.au/Legalaid/CommunityLegalServicesProgram/Pages/Community-Legal-Service-Information-System--CLSIS.aspx>>.



**Funding received and services provided by community organisations that receive LPITAF funding**

Notes

See 5.3.5 'Summary of funding received and services provided by community organisations that receive LPITAF funding'.

'FTE' refers to the number of full-time equivalent employees. It would be appreciated if community organisations could provide a breakdown of the number of legal and non-legal FTEs and the number of FTE volunteers.

To demonstrate the mix of services offered by community organisations, 'Types of services' are categorised primarily as follows: information; CLE (community legal education); advice; casework; law reform and legal policy; training to other legal practitioners; court support; and mediation. If the types of services an organisation provides differ between the different areas of law covered, it would be appreciated if organisations could provide that information.

'FRC' - Family Relationship Centre

'MV' - Motor Vehicle

'DV' - Domestic Violence

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
ATSI Women's Legal Advocacy Service Inc	3	Generalist	Aboriginal Women	Metropolitan and outer regional Brisbane	Family Law DV Child Protection Debts, Wills, Estates, discrimination, victims assist, tenancy, employment matters.	Information Advice Casework CLE Law Reform & Legal Policy  Court Support Family Support Family Violence	Unknown	\$78,360	Unknown	Nil	N/a	Commonwealth \$214,954 State \$36,653
ATSI Women's Legal Services NQ Inc	2.5	Generalist	Aboriginal women	The centre is operated in offices in Cairns and Townsville and services the areas from Sarina in the South, North to Torres Strait Islands, West to Mt Isa and the Northern Territory border and Palm Island.	Family Law Child Protection Applications/Orders Family Or Domestic Violence Injuries Compensation	Information Advice Casework CLE Law Reform & Legal Policy Family Violence	Unknown	\$37,971	Unknown	Nil	N/a	Commonwealth \$240,200 State \$4,343
Banana Shire Community Legal Centre	1	Generalist	All	Banana Shire and other regions, including Woorabinda, Gladstone, Central Highlands and the Far West Regions of Central Queensland	General legal advice	Information Advice Casework CLE Law Reform & Legal Policy  Emergency & accommodation support, counselling and referral services & DV Court support	Unknown	\$102,633 Provision of legal advice and assistance, legal education, research and law reform to assist addressing the unmet legal needs	Unknown	Nil	N/a	State \$9,925

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
Bayside Community Legal Centre Inc	1	Generalist	All	Capalaba, Alexandra Hills, Cleveland, Victoria Point, Wynnum, Manly, Redland Bay, Moreton Bay Islands and other suburbs located within the Bayside area.	General legal advice	Information Advice Casework CLE	Unknown	\$84,636	Unknown	Nil	N/a	State \$26,807
Cairns Community Legal Centre Inc	3.5	Generalist & Specialist	All & Disability Discriminatio n	Far North Queensland (Core Centre). North Queensland (DDL). (DDL).	Criminal, Family & Civil Law Traffic Matters Consumer Rights Employment Discrimination Neighbourhood disputes	Information Advice Casework CLE Law Reform & Legal Policy  Seniors Legal & Support Service Disability discrimination FRC	Unknown	\$82,672	Unknown	\$135,172 - Consumer Law Service	220 clients; 368 advices; 64 new cases; 10 CLE; and 2 law reform activities.	Commonwealth \$247,503 State \$10,831
Care Goondiwindi Association Inc	1	Generalist	All	Goondiwindi Regional Shire and Northern NSW (50kms south of border approx.) Total area combined approximately 40,000 sq. kilometres.	General legal advice	Information Advice Casework	Unknown	\$90,373	Unknown	Nil	N/a	State \$21,425
Carers Queensland Inc	2	Specialist	Incapacitate d persons and families	State-wide Queensland – The Advocacy program is able to provide assistance to family carers throughout Queensland.	Support and advise to family carers dealing with QCAT	Information Advice Casework  Direct client assistance Representation services		\$198,781 Support families through the Guardianship and Administration Tribunal (GAAT) process. Ensure that the intent of the legislation is fully realised to protect the individual with incapacity.	Unknown	Nil	N/a	State \$22,490
Caxton Legal Centre Inc	6.75	Generalist & Specialist	All Child Support Clinical Legal Education Family Law Duty Lawyer FRC	Caxton does not hold any formal geographic boundaries to its services, however in practice its catchment area is limited by the fact that it does only provide telephone advice in limited circumstances. Accordingly, Caxton's service delivery is generally limited to those clients that are able to	Consumer Law Employment Law Family Law General Service	Information Advice Casework CLE Law Reform & Legal Policy  Seniors Legal & Support Service Social Work Service Clinical Legal Education Program FRC	Unknown	\$131,716	Unknown	\$109,374 - Consumer Law Service – Specialist service Legal Advice Casework	276 clients 301 advices 73 cases closed	Commonwealth \$685,478 State \$83,096

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
				attend face to face interviews		Child Support Service Family Law Duty Lawyer  Representation (Limited)						
Centacare	1.25	Specialist	Men who are perpetrators of domestic violence.	Sunshine Coast – Cooloolo region (Gympie, Caloundra, Maroochydore, Nambour & Noosa Courts). Service delivery is via outreach face to face at courts.	Domestic Violence	Information Advice CLE	Early Intervention 4 Men who use Domestic & Family Violence	\$141,464 Provide assistance to perpetrators of Domestic Violence and Family Violence in the Magistrates Courts in the Sunshine Coast Region	Unknown	Nil	N/a	Nil
Central Queensland Community Legal Centre Inc	3	Generalist	All	Central Queensland region.	General Legal Advice	Information Advice Casework CLE Law Reform & Legal Policy  FRC	Unknown	\$66,589	Unknown	Nil	N/a	Commonwealth \$256,486 State \$6,149
Court Network Incorporated	2	Specialist	Distraught victims, defendants, witnesses and their families	Brisbane (Transitional – Brisbane, Cairns & Townsville)	Provide information, support and referrals to persons attending Court – victims of crime, people accused of crime, families etc.	Advice	Information and Referral Service	\$198,781 – victims, defendants, witnesses and families.	Unknown	\$152,442 – Access to Justice – Qld High Demand Courts & Tribunal	Train volunteers (Brisbane nil, Cairns 13, Townsville 6)	State \$22,490
DV Connect Ltd	1	Specialist	Men appearing in Domestic Violence court.	Brisbane, Holland Park, Richlands and Wynnum	Domestic Violence	Advice	Mensline	\$102,633 - general assistance, information as well as professional support counselling to men appearing in court.	Unknown	Nil	N/a	State \$12,227
Gladstone Community Legal Advice Program	1	Generalist	All	Face to face and/ or telephone delivery to the Gladstone Region, including Mt Larcom to the North, Agnes Water/ 1770 to the South and Boyne Valley to the West.	General legal advice	Information Advice Casework CLE	CLC creation – unmet need	\$102,633	Unknown	Nil	N/a	State \$9,925
Gold Coast Legal Service	4.75	Generalist/S pecialist	All FRC & Financial Counselling	The service area is to covers the geographic area and surrounds of the Gold Coast, being north to Beenleigh, south to the Coolangatta border and west to Mount Tamborine.	Family Law Child Support DV Parenting Plans Separation/divorce Consumer issues MV accidents	Information Advice Casework CLE  FRC	Unknown Gold Coast Family Law Clinic	\$158,220 also Provision of weekly family law clinics	Unknown	Nil	N/a	Commonwealth \$260,201 State \$44,529

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
					Small Claims Minor Debts Neighbourhood disputes Minor crime	Financial Counselling						
Indigenous Legal Services Qld Limited	0.75	Specialist	Homeless persons	Cairns and expanding into Mareeba. The centre provides services at a number of emergency accommodation centres and welfare agencies across Cairns and surrounding districts.	Mostly civil legal services including debts, fines, guardianship, victim of crime compensation, discrimination, mental health, bankruptcy	Information Advice Casework CLE Law Reform & Legal Policy  Mediation	Unknown	\$86,145	Unknown	Nil	N/a	Unknown
Logan Legal Advice Centre	1	Generalist	All	Logan and surrounding areas	General legal advice	Information Advice CLE Law Reform & Legal Policy  FRC	Unknown	\$90,373	Unknown	Nil	N/a	Commonwealth \$17,661 State \$21,425
Logan Youth Legal Service	3	Specialist	Youth (under 18)	Logan and surrounding areas on face to face basis but whole of Queensland via email and phone services.	Child Protection Criminal Law Young people's issues  The centre focuses on representing young people under 18 in criminal law and child protection matters.	Information Advice Casework CLE Law Reform & Legal Policy  Provides advice, support and representation for people under 25 years of age	Unknown	\$72,976	Unknown	Nil	N/a	Commonwealth \$84,297 State \$123,378
Mackay Regional Community Legal Centre	2	Generalist	All	Local authority areas of Mackay regional Council, Isaac Regional Council and the Whitsunday Regional Council.	General legal advice	Information Advice Casework CLE  FRC	Unknown	\$198,781	Unknown	Nil	N/a	Commonwealth \$56,327 State \$18,255
Moreton Bay Regional Community Legal Service Inc	1	Generalist	All	Redcliffe Peninsula Region including Deception Bay and Caboolture (from 9 July 2012	General legal advice	Information Advice Casework CLE	Unknown	\$84,637	Unknown	Nil	N/a	State \$26,806
North Queensland Women's Legal Service Inc	5.75	Generalist	Women	From Sarina south, west to the Northern Territory border and north to the tip of Cape York Peninsula,	Family law and domestic violence Sexual harassment Discrimination	Information Advice Casework CLE	Unknown	\$184,251 Elder & Multicultural Outreach & Legal Education	Unknown	\$73,982 - Unmet legal need among disadvantaged north Queensland	Minor assistance clinics – 146 women assisted; 12 workshops	Commonwealth \$396,994 State \$31,642

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
				including the Torres Strait Islands.	DV Child Care & Protection	Law Reform & Legal Policy  FRC Family Violence				women	conducted	
Nundah Community Legal Service	1	Generalist	All	Nundah, Toombul, Clayfield, Ascot, Wavell Heights, Aspley, Bracken Ridge, Deagon, Sandgate.	General legal advice	Information Advice CLE	Unknown	\$90,373	Unknown	Nil	N/a	State \$21,425
Pine Rivers Community Legal Service	2	Generalist	All	The Pine Rivers area and surrounding districts.	General legal advice	Information Advice Casework CLE  FRC	Unknown	\$175,758	Unknown	Nil	N/a	Commonwealth \$119,868 State \$30,700
Prisoners' Legal Service Inc	4	Specialist	Prisoners	All prisoners throughout the State of Queensland. Services	All administrative law matters relating to prison matters.  Safe Way Home Program	Information Advice Casework CLE Law Reform & Legal Policy	Gradual Release Assistance Program	\$173,670	Unknown	Nil	N/a	Commonwealth \$70,516 State \$122,719
Queensland Advocacy Inc	1	Specialist	Persons with disabilities	Queensland	Human Rights Legal Service provides referral to other agencies, legal advice and representation	Information Advice Casework CLE	Specialist Advice & Referral Service for At-Risk Persons with Disability	\$102,633	Unknown	\$159,051 - Specialist Legal for People with Disability MHRT  \$134,212 - Justice Support Program	Mental Health advices – 155; 171 cases opened and representation in 144 MHRT and 2 QCAT. Information advice and minor assistance – 39; 38 cases opened and 27 closed.	State \$12,227
Queensland Aged & Disability Advocacy Inc	1	Specialist	Aged persons and persons with disabilities	QADA provides advocacy services throughout Queensland and is linked to the national aged care advocacy network and the Queensland community. The legal advocacy services are likewise provided throughout Queensland.	Supporting older people, people with a disability and their carers in QCAT matters and broader legal matters.	Information Casework CLE Law Reform & Legal Policy	Unknown	\$102,633	Unknown	Nil	N/a	State \$12,227
Queensland Association of Independent Legal Services	2	N/a	CLCs	Queensland	N/a	N/a	LPITAF	\$198,781	Unknown	Nil	N/a	Nil
Queensland Public Interest Law Clearing	4	Generalist/Specialist	Pro Bono	Queensland	Contracts Human Rights Disability	Cases CLE Law Reform & Legal		\$364,686 Statewide Legal Referral and	Unknown	\$85,449 – Pro Bono Referral Services;	Unknown	Commonwealth \$71,190 State \$34,171

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
House Inc					Incorporated associations Insurance Mental Health Pensions and allowances/social security Property	Policy  Homeless Persons Funding		Education Service; Self Representation Civil Law Service; Self-Representation Civil Law Service - Brisbane Supreme & District (1/10/2007))		\$53,088 – Rural Regional Remote Project; \$131,335 – Self- Representation Civil Law Service – QCAT		
Refugee & Immigration Legal Service	6	Specialist	Refugees	Brisbane area through its physical location, but provides state-wide services as well	Immigration matters DV & visa issues CLE about Australian Legal System	Information Advice Casework CLE Law Reform & Legal Policy	Unknown	\$289,611 Refugee Legal Support; General Legal Education for Refugees	Unknown	Nil	N/a	Commonwealth \$163,564 State \$126,977
Roma Community Legal Service	3	Generalist	All	Roma and District	Family Civil Criminal	Information Advice Casework CLE	Unknown	\$148,754	Unknown	Nil	N/a	Commonwealth \$38,061 State \$100,947
South West Brisbane Community Legal Centre Inc	5	Generalist	All	South West Brisbane, Inala and surrounding districts including Booval, Goodna, Ipswich and beyond.	Family Law Wills & estates POA's, Consumer matters, MV accidents, Civil (excluding PI matters) Neighbourhood disputes Child Protection Credit & Debt	Information Advice Casework CLE Law Reform & Legal Policy  FRC Child Protection & Legal Advocacy  Advice & representation for young people under 18 years	Unknown	\$297,860 Child Protection advice and casework; Youth Criminal Law Advocacy Service	Unknown	\$52,661 Logan Outreach, Child Protection Legal & Advocacy Service	Attend Beenleigh Children's Court weekly; 85 court appearances.	Commonwealth \$50,485 State \$174,788
Suncoast Community Legal Service	2	Generalist	All	The greater Sunshine Coast Area; generally understood to be the area covered by the Sunshine Coast Regional Council.	General legal services	Information Advice Casework CLE Law Reform & Legal Policy	Unknown	\$160,975	Unknown	\$42,001 Development of Regional Outreach Program	42% advices given from outreach; 11 education sessions	Commonwealth \$16,782 State \$34,378
Taylor Street Community Legal Service	2	Generalist	All	Fraser Coast, Bundaberg, North Burnett and Cooloola Coast regions	General legal services	Information Advice Casework CLE Law Reform & Legal Policy  Seniors Legal & Support Service FRC	Unknown	\$105,102	Unknown	Nil	N/a	Commonwealth \$145,611 State \$9,586
Tenants' Union of Queensland	2	Specialist	Tenants	Queensland	Tenancy advice	Information Advice	Unknown	\$110,827	Unknown	Nil	N/a	Commonwealth \$18,614

Organisation	FTE	Generalist/Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non-recurrent/transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
						Casework CLE Law Reform & Legal Policy						State \$83,260
The Advocacy & Support Centre	7.5	Generalist/Specialist	General Disability Law Project QCJC RWOLS FRC	Generalist service provides advice and casework services throughout the Toowoomba area whilst the Disability Law Project provides services to both the Toowoomba and Ipswich areas.  The Rural Women's Legal Outreach Service has been divided into three main sectors and provides assistance at Cunnamulla/St George, Charleville and Roma, Miles/Tara/Chinchilla and Warwick/Stanthorpe/Dalby /Millmeran and Goondiwindi  Outreach clinics are conducted in St George, Goondiwindi, Stanthorpe, Roma, Charleville and Warwick.	Family law including divorce, parenting, property, child support, DV, debt, traffic, MV accidents, Peace and good Behaviour, Neighbourhood disputes and dividing fences.  Crime – initial advice and referral.	Information Advice Casework CLE Law Reform & Legal Policy  Seniors Legal & Support Service  Family Law Clinical Education  Rural Women's Outreach Legal Service  Queensland Criminal Justice Centre  Disability Law Project  FRC	Unknown	\$348,135 Disability Legal Service; QCJC	Unknown	Nil	N/a	Commonwealth \$344,365 State \$147,052
The Advocacy & Support Centre-Ipswich	1.5	Generalist	All	Ipswich and surrounding area	Family Law Divorce, Child Support, Separation, Children's matters Child Protection MV accidents (property damage only) Police matters – traffic, crime advice only, DV, Consumer complaints Centrelink	Information Advice Casework CLE	Unknown	\$150,707	Unknown	Nil	N/a	State \$14,090
Townsville Community Legal Service	3	Generalist	All Welfare Rights FRC	North Queensland,	General legal services	Information Advice Casework CLE Law Reform & Legal Policy	Unknown	\$61,416	Unknown	Nil	N/a	Commonwealth \$215,411 State \$25,920

Organisation	FTE	Generalist/ Specialist	Target client group/s	Geographical areas covered	Areas of law covered	Types of services	Main sources of funding (source, amount and purpose)	Recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 recurrent LPITAF funding (types, number)	Transitional/ non-recurrent LPITAF funding (amount and purpose)	Services provided with 2011-12 non- recurrent/ transitional LPITAF funding (types, number)	Other sources of funding (source, amount and purpose)
						Seniors Legal & Support Service. Homeless Service FRC Welfare Rights						
Welfare Rights Centre	6	Specialist	People having problems with Social Security or Centrelink	Social Security - The whole of Queensland and northern NSW.  Disability Discrimination - From NSW/ Queensland border up to and including Mackay.	Disability discrimination & welfare rights	Information Advice Casework CLE Law Reform & Legal Policy  Disability Discrimination	Unknown	\$172,203	Unknown	\$78,139 Counsellor Advocate Position	Social security advocacy service – 616 advices, 37 cases opened; Submissions to Senate inquiry; presentations to UQ social work and law students; Factsheets on Youth allowance and Income Management.	Commonwealth \$257,339 State \$128,357
Women's Legal Service Inc	7.75	Specialist	Women	Queensland	Family; Child Maintenance Support; Domestic Violence; General Law	Information Advice Casework CLE Law Reform & Legal Policy  FRC Family Violence	Unknown	\$144,407 Rural, Regional & Remote Access Solicitor	Unknown	Nil	N/a	Commonwealth \$463,168 State \$174,694
Youth Advocacy Centre Inc	3	Specialist	Youths under 17	Queensland	General legal service	Information Advice Casework CLE Law Reform & Legal Policy	Unknown	\$86,674	Unknown	Nil	N/a	Commonwealth \$97,252 State \$96,344