



# National Legal Assistance Partnership

The National Legal Assistance Partnership (NLAP) will provide over \$2 billion over five years for important frontline legal assistance services delivered by Legal Aid Commissions (LACs), Aboriginal and Torres Strait Islander Legal Services (ATSILS), and Community Legal Centres (CLCs).

The NLAP is guided by the National Strategic Framework for Legal Assistance (National Strategic Framework), which provides the overarching objective and principles for all government funded legal assistance services.

The NLAP builds on the current and successful National Partnership Agreement on Legal Assistance Services 2015-20 (NPA), and takes into account the 2018 reviews of the NPA and the Indigenous Legal Assistance Program 2015-20.

## Structure of the NLAP

The NLAP consists of a multilateral agreement and supporting bilateral agreements between the Australian Government and each state and territory to provide flexibility. Within this structure, there are arrangements for mainstream and specialist legal assistance and Aboriginal and Torres Strait Islander specific legal assistance.



## Key elements of the NLAP

The key elements of the Australian Government's NLAP proposal include:

- integrating all new and existing Commonwealth legal assistance funding within the NLAP, including funding for ATSILS, the Expensive Commonwealth Criminal Cases Fund (ECCCF), the Family Advocacy Support Services (FASS) and domestic violence units (DVUs) and health justice partnerships (HJPs)
- delivering quarantined funding for LACs, ATSILS and CLCs through longer funding arrangements via the states and territories
- continuation of a proportion of baseline CLC funding being specifically defined for the delivery of family law and/or family violence related services by CLCs
- distributing baseline funding through evidence-based models and the application of a 'no loss principle' to current state and territory funding
- including principles to support the self-determination of Aboriginal and Torres Strait Islander people within the NLAP



- ensuring that the administration of Commonwealth funding to LACs, CLCs and ATSILS is done by the states and not delegated to the legal assistance sector
- improving collaborative service planning, including through tiered and publicly transparent processes
- updating reporting and performance monitoring requirements, and
- clarifying the policy relating to the use of Commonwealth funding and the restriction on lobbying activities.

## What happens next

Consultation on the NLAP will commence in **October 2019** through **three approaches**.

### 1. National Legal Assistance Partnership - Overview Paper

The Commonwealth Attorney-General's Department (AGD) will provide the states, territories and the national legal assistance peak bodies with the **NLAP – Overview Paper**. This paper provides further detail on the proposed structure and operation of the NLAP and related issues.

The NLAP – Overview Paper includes the updated National Strategic Framework which takes into account feedback received in December 2018 and January 2019.

Written feedback on the Overview Paper is due to AGD by **15 November 2019**, and should be provided through the relevant national peak body.

### 2. Legal Assistance Services Inter-Governmental Committee - Advisory Group

To support the Legal Assistance Services Inter-Governmental Committee (IGC), a forum consisting of representatives from the Commonwealth and the states and territories, an Advisory Group has been established. The Advisory Group will provide input and guidance to the IGC on key issues relevant to the legal assistance sector and will be a forum for stakeholder consultation. The Advisory Group will include representation from the four national legal assistance peak bodies and other relevant national stakeholders and meet on an 'as needs' basis. This is likely to be monthly over the coming six to twelve months.

### 3. Jurisdictional Meetings

AGD will undertake a jurisdictional visit in each state and territory in late October 2019 to early November 2019. Each jurisdictional visit will consist of at least two meetings – a meeting between departmental officials from the Commonwealth and the states and territories, followed by a joint meeting with the Commonwealth, state or territory and the local legal assistance sector.

The AGD will also be meeting with Community Legal Centres Australia (CLCs Australia), National Aboriginal and Torres Strait Islander Legal Services (NATSILS) and National Legal Aid (NLA).

## Finalisation process

The Australian Government is committed to working with the states, territories and the legal assistance sector to finalise the NLAP and the National Strategic Framework sufficiently prior to the expiry of current arrangements on 30 June 2020.

In parallel to consultations with the legal assistance sector, negotiations on the NLAP will be conducted between AGD and state and territory officials. The NLAP and National Strategic Framework will also be discussed at the Council of Attorneys-General on **29 November 2019**.

## Further information?

If you have any questions please contact the Legal Assistance Reform Section at [legalassistance@ag.gov.au](mailto:legalassistance@ag.gov.au).