

National Regional, Rural, Remote and Very Remote Community Legal  
Network ('4Rs Network')

<https://clcs.org.au/4rs-network/>

Committee Secretary  
Joint Select Committee on Northern Australia  
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8 November 2024

Dear Chair and Committee Members,

***Submission to the inquiry into Northern Australia Workforce Development***

Thank you for the opportunity to make a submission to this important inquiry. A submission by the 4Rs Network is now attached.

This submission relates to serious challenges to be addressed in support of the existing and future Northern Australia legal assistance workforce. This is the multi-sector workforce for access to the kinds of integrated non-profit legal assistance needed by different groups and communities across the whole area.

Yours sincerely,

Judy Harrison  
Co-convenor 4Rs Network

# National Regional, Rural, Remote and Very Remote Community Legal Network (‘4Rs Network’)

<https://clcs.org.au/4rs-network/>

## *Legal assistance workforce development in Northern Australia*

Submission to the Joint Select Committee on Northern Australia Inquiry  
into Northern Australia Workforce Development



This submission is endorsed by FNAAFV, the national Aboriginal Community Controlled Organisation Peak for Family Violence Prevention Legal Services.



The submission aligns with the National 4Rs Legal Assistance Report Card (included in the submission)

8 November 2024

National 4Rs Network

Contacts provided

Further background about the 4Rs Network  
is on the [CLC Australia web site](https://clcs.org.au/)

The 4Rs Network acknowledges Traditional Owners of Country throughout Australia and the continuing connection to lands, waters and communities. We pay our respect to Aboriginal and Torres Strait Islander cultures and to Elders past and present.

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## Glossary

Terms in this submission

ATSILS	Aboriginal and Torres Strait islander Legal Services
ACCO	Aboriginal Community Controlled Organisation
CLC	Community Legal Centre
CLCA	Community Legal Centres Australia
4Rs Network	National Network of Regional, Rural, Remote and Very Remote Community Legal Services
FVPLS	Family Violence Prevention Legal Services
LAC	Legal Aid Commission
NATSILS	National Aboriginal and Torres Strait Islander Legal Services
NFVPLSF /FNAAFV	National Family Violence Prevention Legal Services Forum / First Nations Advocates Against Family Violence (name change to NAAFV effective from 1 July 2024)
NLAP Review	Independent Review of the National Legal Assistance Partnership Agreement
NLAP Review Report	Final Report Independent Review of the National Legal Assistance Partnership <sup>1</sup> released by Attorney-General Dreyfus 28 May 2024. <sup>2</sup>

## About the 4Rs Network

The 4Rs Network is a network of non-profit legal services in and/or for 4Rs areas which provide legal and related assistance via an incorporated non-profit structure or auspicing arrangement.

These services are based in and/or serve localities within any of four of the five classes of remoteness including:

- Inner regional Australia
- Outer regional Australia
- Remote Australia
- Very remote Australia

<sup>1</sup> Dr Warren Mundy, [Independent Review of the National Legal Assistance Partnership 2020-2025 – Final Report](#), March 2024.

<sup>2</sup> Attorney-General The Hon Mark Dreyfus KC, MP, '[Independent Review of the National Legal Assistance Partnership](#)' Media Release, 28 May 2024.

This equates to 6 of the 7 levels in the Modified Monash Model<sup>3</sup> being MM2 Regional centres to MM7 Very remote communities.

These services in 4Rs areas work with and for their communities and regions. Their methods and programs often reflect deep understanding and long-term efforts to address important community needs. Their programs, services and advocacy often reflect involvement in community issues that have not been addressed by other means, including by local, state, or federal governments.

National, state-wide and sector peaks for these services, may participate in the 4Rs Network in support of their 4Rs work and objectives.

The 4Rs Network also includes incorporated non-profit legal services with national, state-wide or regional service areas which include 4Rs areas. Many of these services are based in metropolitan areas, with a longstanding history, and are orientated to 4Rs areas within their available resources. Noting that the ability for people and communities in 4Rs areas to access these services is constrained by current government funding formulas.

The 4Rs Network has been facilitated from within and supported by Community Legal Centres Australia. It builds on a substantial history of community legal centre-based networking from the mid-1990s which has sought to address the specific and nuanced legal needs and rights of 4Rs communities as a way to increase the wellbeing of those living within them.

More information about the 4Rs Network is available on [the 4Rs Network page](#) on the Community Legal Centres Australia web site which includes links to previous submissions.

## Terms of reference and Issues Paper

We note that the terms of reference of the inquiry:

The Joint Select Committee on Northern Australia shall inquire into and report on workforce development in Northern Australia, considering the impediments to building the economic and social infrastructure and workforce needed to support economic development, with particular reference to:

- a. trends in Northern Australia that influence economic development and industry investment including population growth, economic and business growth, workforce development, infrastructure development, and Indigenous economic participation;

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<sup>3</sup> Department of Health, [Modified Monash Model Fact Sheet](#) (online).

b. impediments to building the economic and social infrastructure required to support industry and business to expand and create regional jobs;

c. challenges to attracting and retaining a skilled workforce across Northern Australia; and

d. empowering and upskilling the local Indigenous population.

The committee will consider evidence from other relevant inquiries including any inquiry into the Northern Australia Cyclone Reinsurance Pool.

Additionally, the Committee released an Issues Paper in June 2023, to:

(a) Examine the impediments to workforce development in Northern Australia, and the historical initiatives introduced to address these impediments;

(b) Set out the key themes and issues that the committee may later examine in further detail, along with questions for submitters where the committee wishes to obtain further detail to inform its work; and

(c) Propose a roadmap for stakeholders to understand the committee's work on this inquiry through the 47th Parliament.<sup>4</sup>

The Issues Paper outlines many historical and current issues relating to workforce development in Northern Australia and includes questions related to workforce development and social and economic issues under headings of:<sup>5</sup>

- Indigenous employment participation
- Housing
- Health
- Childcare
- Education
- Infrastructure
- Internet and telecommunications

The Committee's broad approach to 'workforce development' outlined in the First Report is also noted, namely:

"Workforce development in the context of this report describes the process of building, attracting, and retaining an effective and sustainable workforce with the skills required to meet the needs of Northern Australia. It may include policies and programmes that result in training, development opportunities, or education activities. Workforce development may also involve broader economic initiatives that address organisational

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<sup>4</sup> Joint Select Committee on Northern Australia, [Issues Paper - Workforce Development in Northern Australia](#), June 2023, 1.18 p. 5.

<sup>5</sup> Ibid.

and structural factors related to staff recruitment and retention, tax settings, funding, business incentives, and other matters.”<sup>6</sup>

## 1. About this submission

1. This submission relates to major challenges to be overcome in support of the existing and future Northern Australia legal assistance workforce. This is the multi-sector workforce for the kinds of integrated non-profit legal assistance needed by different groups and communities across the region.
2. The Northern Australia legal assistance workforce is currently not linked to Northern Australia policy and legal assistance services in Northern Australia are not identified as a geographically related group. The definition of ‘Northern Australia’ in the Northern Australia Infrastructure Facility Act 2016 (Cth) (the definition mainly used by the Committee) is included at **Attachment 1** and the list of legal assistance services in and relating to Northern Australia is at **Attachment 2**.<sup>7</sup>
3. Considering ‘Northern Australia’ as a specific area, in the context of legal assistance sectors and legal assistance workforce development, is important to promote full and effective access to locationally and culturally suitable legal assistance across the whole area. It is also important for more clarity about the nature and extent of the challenges to be overcome. **This includes why the rest of Australia (‘ROA’) must be centrally involved in achieving the resources and capabilities needed for safe, accessible, effective sustainable legal assistance service provision in Northern Australia.**
4. The submission begins with a copy of the **4Rs Legal Assistance Report Card** and running endorsement list. The context of serious concerns about the implications of lacks in access to legal assistance is also reflected at **Attachment 3: Media Links**.
5. The 4Rs Network continues to call for **a minimum of a doubling of funding levels for community-based legal assistance services**, reflecting **Closing the Gap priorities, achieving full geographic coverage** and **a comprehensive approach to access to holistic, culturally safe, trauma informed, legal and wrap around assistance in Northern Australia and other 4Rs areas.**
6. The Report Card contains five indicators and measures to assess progress. That none are yet achieved, impacts across Northern Australia and highlights that

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<sup>6</sup> Joint Select Committee on Northern Australia, [Northern Australia Workforce Development: First report](#), November 2023.

<sup>7</sup> The legal assistance workforce sectors in and for Northern Australia are outlined further at 4.1 below.

***Northern Australia is not on a trajectory for the legal assistance workforce and related improvements required.*** The Report Card was included as a table in the Network’s letter to all Attorneys-General dated 2 Sept 2024 (at **Attachment 4**).

7. The submission then outlines some key aspects of the context relating to the adequacy and development of the legal assistance workforce in Northern Australia and makes **five Northern Australia legal assistance workforce recommendations**.
8. The submission gives additional background and detail in **Attachment 4**. The latter includes a section relating to ‘Workforce Strategy’ and the interlinked issues as Northern Australia legal assistance workforce development requires:
  - Sufficient resources for service provision by all legal assistance sectors
  - Foregrounding Closing the Gap priorities and targets and full geographic coverage
  - Workforce development initiatives which are comprehensive for all legal assistance sectors in, and in relation to, Northern Australia, and
  - National effort and collaboration involving all jurisdictions, gatekeepers and stakeholders.



## 2. 4Rs Legal Assistance Report Card (referred to above)

# FEDERAL STATE & TERRITORY GOVERNMENTS & ALL STAKEHOLDERS

## 4RS LEGAL ASSISTANCE REPORT CARD

### 1 4RS STRATEGY

National 4Rs Legal Access to Justice Strategy & Action Plan endorsed by all jurisdictions & stakeholders? **No: doesn't exist**



### 2 FUNDING

Government grant funding to ATSILS, FVPLS, ACCO CLCs & CLCs is adequate in and for 4Rs areas? **Achieved? No: chronically insufficient**

### 3 WORKFORCE PLAN

National 4Rs Legal Workforce Plan endorsed by all jurisdictions & stakeholders? **Achieved? No: doesn't exist**

### 4 ADVOCACY & RESEARCH

Advocacy & research capacity for 4Rs legal assistance & justice issues in place? **Achieved? No: some progress / not enough**



### 5 BARRIERS OVERCOME?

Barriers to full access by people and communities in 4Rs areas to timely legal assistance & wraparound, responsive to their needs, have been overcome? **Achieved? NO: barriers not addressed**



**4Rs Legal Assistance Report Card**  
**Federal, state, territory govts & all stakeholders: Aug 24**  
**Regional, rural, remote and very remote (4Rs) Legal Assistance Report Card**  
**Guide and assessment tool for jurisdictions and stakeholders**



**1. National 4Rs Access to Justice Strategy & Action Plan endorsed by all jurisdictions and stakeholders?** Principles in the Strategy include:

- Commitment to full access to legal assistance & wraparound support across 4Rs Aust.
- Closing the Gap priorities, community-based, place-based legal assistance in 4Rs
- Processes for accountability to 4Rs access to legal assistance stakeholders

**1. NO, NO STRATEGY**

**NO**

**2. Govt. grant funding to ATSILS, FVPLS, ACCO CLCs & CLCs is adequate in and for 4Rs areas?**

- 'Same job same pay' as LACs achieved for ATSILS, FVPLS, ACCO CLCs & CLCs in & for 4Rs?
- Funding levels enable these sectors to effectively and sustainably:
  - o Cover their 4Rs service areas, including any newly added, without turn away?
  - o In total, eliminate geographic gaps in access to legal assistance services?

**2. NO**

**NO**

**3. National 4Rs Legal Workforce Plan endorsed by all jurisdictions & stakeholders?**

- Paralleled by identifiable 4Rs plan in each jurisdiction including ACT?
- Plans address all issues including pipeline supports e.g. law schools & legal education?
- Success of workforce efforts reflected in:
  - Full and responsive staffing of all 4Rs legal assistance roles in all legal assistance sectors?
- Workforce supply overcome as a barrier to legal assistance and wraparound in 4Rs areas?

**3. NO PLAN & SUCCESS INDICATORS NOT ACHIEVED**

**NO**

**4. Advocacy & research capacity for 4Rs legal assistance & justice issues in place?**

- Peaks, networks & groups within sectors funded and facilitated for 4Rs inclusion?
- Research, monitoring, reporting & project capacity responds to 4Rs legal needs?

**4. NO TO BOTH POINTS**

**NO**

**5. Barriers to full access by people and communities in 4Rs areas to timely legal assistance & wraparound, responsive to their needs, have been overcome?**

**5. NO**

**NO**

Image 1: Marninwarntikura Women's Resource Centre, Fitzroy Crossing, WA Flooding, Jan 23; Image 2: (map of Australia) Areas of disadvantage - 'white' insufficient data', red highest disadvantage, compiled from Robert Tanton, Lain Dare, Riyana Miranti, Yogi Vidyattama, Andrew Yule & Marita McCabe, Dropping Off the Edge 2021: Persistent and multilayered disadvantage in Australia (2021, Jesuit Social Services); Image 3: KWILS, Katherine Women's Information and Legal Service, 'Share the dignity', celebrating a donation.

4Rs Legal Assistance Report Card endorsements at 4 Nov 24



## 3. Context and key issues

### 3.1 Context

1. **Major under resourcing, turn away rates, understaffing, staff vacancy rates, low pay** - are among findings of the recent Independent Review of the National Legal Assistance Partnership Agreement (**'NLAP Review'**) applicable to community-based legal assistance sectors in Australia.<sup>8</sup> The latter are Aboriginal and Torres Strait Islander Legal Services (**'ATSILS'**), Family Violence Prevention Legal Services (**'FVPLS'**), Aboriginal and Torres Strait Islander Women's Legal Services (**'ATSIWLS'**) and Community Legal Centres (**'CLCs'**).
2. The NLAP Review outlined **major gaps in geographic coverage**, funding models not reflecting **higher costs of service provision in regional, rural, remote and very remote ('4Rs')** areas, and higher prevalence of **staff recruitment and retention issues** in these areas.<sup>9</sup>
3. The NLAP Review also found that Legal Aid Commissions (**'LACs'**) **are dramatically under resourced** resulting in LACs also having substantial turn away rates. LAC means tests are far too tight, and private practitioner legal aid fee scales are too low. Increasingly, the picture of private practitioner participation in the intended 'mixed' LAC model, whereby a person receiving a grant of aid may have the option of a LAC staff lawyer or a private lawyer, is a *metro* option. The 4Rs Network submission to the NLAP Review outlined that the 'mixed' model is inapplicable to most of the Australian landmass (being 4Rs areas) due insufficient private practitioner participation rates and other factors.<sup>10</sup>
4. Submissions to the NLAP Review by Legal Aid WA, NT Legal Aid and Legal Aid Queensland, National Legal Aid and others, included outlining that inordinately low LAC fee scales a major factor in insufficient private lawyer panel

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<sup>8</sup> Attorney-General The Hon Mark Dreyfus KC, MP, '[Independent Review of the National Legal Assistance Partnership](#)' Media Release, 28 May 2024; Dr Warren Mundy, [Independent Review of the National Legal Assistance Partnership 2020-2025 – Final Report](#), March 2024 ('NLAP Review Report').

<sup>9</sup> Ibid [NLAP Review Report](#) see for example that report's Rec. 2 'Addressing unmet geographic need'; Rec. 3 'Complete FVPLS coverage'; Rec. 4-8. Relating to civil law, administrative law, disaster legal assistance, women's peak funding and priority groups; Rec. 9 'A2JP must address Closing the Gap Priority reforms' and related in Rec. 10 to 13; Rec. 14-22 regarding reforming funding models and additional funding; Rec. 23-26 relating to workforce issues including Rec. 24 'Workforce strategy'.

<sup>10</sup> National 4Rs Network, [Submission to the NLAP Review](#), 27 Oct 2023 p. 23; and the Network's letter to Attorneys-General 2 Sept 2024 at [Attachment 4](#), see responses to Rec. 5. Civil law and Rec. 19 Independent Children's Lawyers in Backgrounder Att.1.



participation.<sup>11</sup> The Legal Aid Queensland submission included a map indicating resulting gaps (see Map 3, **Attachment 2, A2.5.3**).

5. The NLAP Review Report also noted that while community-based non-profit legal services often attract substantial volunteer and pro bono contributions, this was not evenly spread.<sup>12</sup> This was also highlighted by the 4Rs Network submission which **called for initiatives to address barriers to volunteers and facilitate bono contributions in 4Rs areas**.<sup>13</sup> Current barriers, which are highly prevalent in Northern Australia, have negative effects on community-based 4Rs legal assistance services, including direct assistance, projects, reform, staff recruitment and retention and the benefits of diverse networks of support over the short, medium and long term.
6. That the **NLAP Review Report did not address Northern Australia as a specific, contiguous area** for additional policy responses and initiatives, corresponds with **insufficient treatment of Northern Australia in national legal assistance policies, strategies and initiatives**. For example, there are no known Northern Australia specific entities, processes or initiatives to achieve:
  - Northern Australia legal assistance policy
  - Northern Australia legal assistance funding models
  - Northern Australia legal assistance workforce planning, implementation, monitoring and reporting
  - Northern Australia legal assistance statistical collection and reporting<sup>14</sup>
  - Northern Australia legal assistance research, or
  - Northern Australia legal assistance projects and initiatives.
7. There are no known multi-jurisdictional **Northern Australia specific** legal practitioner associations or groups such as specialist groups focusing on Northern Australia legal assistance challenges, opportunities and solutions.
8. It is likely causal and/or indicative of the above, that the following do not exist:

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<sup>11</sup> Legal Aid WA, [Submission to the NLAP Review](#), Oct 2023; NT Legal Aid, [Submission to the NLAP Review](#), 25 Oct 2023; Legal Aid Queensland, [Submission to the NLAP Review](#), Oct 2024; National Legal Aid, [Submission to the NLAP Review](#), 27 Oct 2023; Law Council of Australia, [Submission to the NLAP Review](#), 27 Oct 2023.

<sup>12</sup> [NLAP Review Report](#) pp. 22; 25-26 and especially 155.

<sup>13</sup> National 4Rs Network, [Submission to the NLAP Review](#), 27 Oct 2023 and letter at [Attachment 4](#) to Attorneys-General dated 2 Sept 2024 especially Backgrounder Att. 1, response to Rec. 24 Workforce Strategy which includes volunteers, pro bono lawyers, students receiving training and course credit etc.

<sup>14</sup> For example, lack of statistics relating to Northern Australia as region in Australian Bureau of Statistics, *Legal Assistance Services (2022-23)*, ABS (online) <<https://www.abs.gov.au/statistics/people/crime-and-justice/legal-assistance-services/2022-23>>.

- Northern Australia legal assistance advisory group
  - Northern Australia legal assistance strategy and action plan
  - Funding for Northern Australia statistical collection, reporting, analysis, and
  - Funding for Northern Australia research related to legal needs and services.
9. The combination of **insufficient resources for legal assistance services and legal assistance workforce issues in Northern Australia is playing out every day**. Insufficient resources and unmet workforce needs, place legal assistance services in a vulnerable and insufficient position in response to high prevalence of the most serious individual and community needs.
10. Committee members have extensive knowledge of the nature and extent of social justice issues across Northern Australia, many indicators of which are alarming and are outlined in the Committee’s Issues Paper.<sup>15</sup> These include poverty, health, housing, child protection and incarceration rates.<sup>16</sup>
11. Access by Aboriginal and Torres Strait Islander people to Aboriginal Community Controlled legal services was emphasised by the NLAP Review Report and strongly supported by the 4Rs Network.<sup>17</sup> **Closing the Gap priority reforms, to which all Governments have committed, must flow through to Aboriginal and Torres Strait Islander people across Northern Australia having access to properly resourced ACCO legal assistance services and related reforms.**<sup>18</sup> Collaborative and effective legal assistance linkages are also needed.<sup>19</sup>

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<sup>15</sup> Joint Select Committee on Northern Australia, [Issues Paper - Workforce Development in Northern Australia](#), June 2023 especially at 2.14, Chapter 3 – Housing and Chapter 4 – Social Infrastructure.

<sup>16</sup> Robert Tanton, Lain Dare, Riyana Miranti, Yogi Vidyattama, Andrew Yule and Marita McCabe, [Dropping Off the Edge 2021: Persistent and multilayered disadvantage in Australia](#) (2021, Jesuit Social Services) includes maps: QLD, p. 109, WA p. 142, and NT, p. 172; Productivity Commission, [Closing the Gap Annual Data Compilation Report July 2024](#), released 31 July 24.

<sup>17</sup> [NLAP Review Report](#) especially Chapter 5 Recs 9-13, Rec 2 and 3; Rec 3; and National 4Rs Network, [Submission to the NLAP Review](#), 27 Oct 2023 and 4Rs Network letter at *Attachment 4* to Attorneys-General dated 2 Sept 2024.

<sup>18</sup> Ibid; NATSILS, [Submission to the NLAP Review, Oct 2023](#), with [Addendum](#); Aboriginal Legal Service WA, [Submission to the NLAP Review](#), 1 Nov 2023; NAAJA, [Submission to the NLAP Review, 1 Nov 2023](#); National Family Violence Prevention Legal Service Forum, [Submission to the NLAP Review, Oct 2023](#); Aboriginal Family Legal Service WA, [Submission to the NLAP Review, Oct 2023](#). And, to note that the Closing the Gap priority reforms are 1. Formal partnerships and shared decision making; 2. Building the Community-Controlled sector; 3. Transforming Government Organisations; 4. Shared Access to Data and Information and a Regional Level. Closing the Gap, Priority Reforms (Online): <https://www.closingthegap.gov.au/national-agreement/priority-reforms>

<sup>19</sup> Ibid; Community Legal Centres Australia, [Submission to the NLAP Review, 27 Oct 2023](#); Community Legal WA, [Submission to the NLAP Review, Oct 2023](#); Community Legal Centres Queensland, [Submission to the NLAP Review](#), 27 Oct 2023; Pilbara Community Legal Centre, [Submission to the NLAP Review, 23 Oct 2023](#); Darwin Community Legal Service, [NLAP Review Submission, Oct 2023](#); First Nations Women’s Legal Service Queensland, [NLAP Review Submission](#), 27 Oct 2023; Townsville

12. **Achieving full geographic access to appropriate and effective legal and wrap-around assistance, especially ACCO legal and wrap around assistance, should be a central part of the social and institutional infrastructure of Northern Australia development.**
13. **Funding levels for legal assistance services in Northern Australia require implementation of funding models which properly accommodate geography, distance, demographics and needs across all areas.** The 4Rs Network continues to call for needs-based funding models, special strategies and initiatives.
14. **A position that geography and distance are ‘a’ problem, or ‘the’ problem - in the case of Northern Australia, or other 4Rs areas in Australia – is a counter-productive, unacceptable and dysfunctional framing.** Whether reasoned via the social compact, applying human rights, inclusive social and economic development, legal rights, and/or in other ways – geography and distance in Northern Australia must be fully and seamlessly accommodated.

### 3.2 Key issues

1. The following is an outline of key legal assistance workforce development needs in Northern Australia:

- ***Lack of treatment of ‘Northern Australia’ as a contiguous area in legal assistance policy, legal assistance funding models, funding levels, planning and tailored initiatives*** - for example there is no reference to ‘Northern Australia’ as a priority area in the NLAP, funding models are not ‘Northern Australia’ specific, and tailored initiatives are needed for particular issues and contexts (also see 3.1 Context points 6-8 above).
- ***High levels of unmet need for access to legal assistance in Northern Australia*** – as demonstrated by numerous submissions to the NLAP Review between August and November 2023,<sup>20</sup> State and Territory Legal Assistance

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Community Law, [NLAP Review Submission, Oct 2023](#); Economic Justice Australia, [Submission to the NLAP Review, 26 Oct 2023](#); Women’s Legal Services Australia, [NLAP Review Submission, 27 Oct 2023](#); Youth Law Australia, [Submission to the NLAP Review, 27 Oct 24](#); National Legal Aid, [Submission to the NLAP Review, Oct 2023](#); Legal Aid WA, [NLAP Review Submission, Oct 2023](#); NT Legal Aid, [Submission to the NLAP Review, 25 Oct 2023](#); Queensland Legal Aid, [NLAP Review Submission, Oct 2023](#); Northern Territory Department of the Attorney-General and Justice, NLAP Review Submission; Department of Justice and Attorney-General Queensland, [NLAP Review Submission, Oct 2023](#); Law Council of Australia, [Submission to the NLAP Review](#), dated 27 Oct 2023.

<sup>20</sup> Submissions referred to above (n18) and (n19). Also see the Commonwealth Attorney-General’s web site for [published submissions](#).

Strategies and Action Plans,<sup>21</sup> the findings of the NLAP Review Report<sup>22</sup> and subsequent advocacy (examples at **Attachment 3**).

- ***Incomplete geographic coverage by legal assistance services in Northern Australia*** – relates to unmet need and is similarly demonstrated and amplified by the Western Australia, Northern Territory and Queensland Legal Assistance Strategies.<sup>23</sup> Funding models for legal assistance services in Northern Australia are insufficient compared to:
  - the nature and extent of socio-economic disadvantage and unmet legal needs
  - Closing the Gap priorities and targets
  - costs of service delivery, including logistics across distance and the cost of required service models, and
  - what is required to achieve adequate conditions for staff, for recruitment and retention and workforce development overall.
  
- ***The need to overcome legal workforce issues impacting legal services in Northern Australia*** - to sustain and substantially increase access to legal and wrap around assistance and achieve the intended outcomes in relation to rights, inclusion and wellbeing. Closing the Gap targets and indicators must be the key priority and increasing prospects for economic participation, improved social indicators and development.
  
- ***Lack of Northern Australia legal workforce planning, including:***
  - **No National 4Rs Access to Justice Strategy and no Northern Australia Access to Justice Strategy.**
  
  - **Lack of a National Legal Workforce Plan, a 4Rs Legal Workforce Plan and a Northern Australia Legal Workforce Plan<sup>24</sup>** – the NLAP Review recommended development of a national workforce development strategy (Rec. 24 shown below), which is supported. However, the issues in Northern Australia are particular and specific planning is needed. It is unclear whether the subsequent commitment by the Commonwealth, States and Territories to develop a Workforce Strategy ‘in consultation

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<sup>21</sup> Government of Western Australia, [Western Australia Legal Assistance Strategy 2022-25](#) and [Action Plan](#); Department of the Attorney-General and Justice, [Northern Territory Legal Assistance Strategy and Action Plan 2022-2025, Feb 2023](#); Queensland Government, [Queensland Legal Assistance Strategy 2020-2025](#) 28 June 2022, and [Action Plan](#) (‘WA, NT and Qld Legal Assistance Strategies’).

<sup>22</sup> [NLAP Review Report](#) (n8).

<sup>23</sup> WA, NT and Qld Legal Assistance Strategies (n21).

<sup>24</sup> Outlined at [Attachment 4](#), response to Rec. 24. especially 24.3 - many workforce strategies are absent.



with the sector’<sup>25</sup> will encompass and achieve the Northern Australia and 4Rs plans required.

#### **Recommendation 24 – Workforce Strategy**

The Reviewer recommends that the Commonwealth Government, in collaboration with unions, state and territory governments and peak bodies, develop a national workforce development strategy for the legal assistance sector to attract and retain a skilled, well supported, and diverse workforce. This strategy should address:

- development of a robust data set on the legal assistance workforce as part of the improved approach to data discussed in chapter 10
- attraction and retention strategies
- remuneration and entitlements, including portable entitlement schemes
- continuing professional development and supervision
- career pathways and progression.

It is recommended that \$5m be provided by the Commonwealth for these purposes in 2024-25 with a view that ongoing funding of the strategy be shared by the states and territories during the A2JP.

- **Need for full support, facilitation and resources for legal workforce planning and implementation by and with legal assistance sectors (ATSILS, FVPLS, ATSIWLS, CLCs and LACS), and for planning and implementation in relation to knowledge and skills for:**
  - **legal and integrated legal assistance service provision including casework and casework specialities, and**
  - **all relevant areas of law, practice and advocacy** including criminal and civil. Civil areas include: safety from domestic, family and sexual violence; child protection; social security; tenancy law; credit and debt; consumer; family law; employment, discrimination, crime victim’s compensation, mental health, adult guardianship, wills and estates.<sup>26</sup>

For example, the recent submission by FNAAFV towards the National Aboriginal and Torres Strait Islander Safety Plan which focuses on family violence, safety and child protection and highlights FVPLS workforce needs including both of these aspects (service provision

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<sup>25</sup> National Cabinet ‘[The Heads of Agreement for the National Access to Justice Partnership](#)’ 12 Sept 24.

<sup>26</sup> The 4Rs Network letter to Attorneys-General on 2 Sept 2024 included some case studies about legal assistance workforce needs, one of which related to social security. This included a summary of lack of law school courses and lack of resources for sector training alternatives at the needed scale resulting in insufficient specialist social security legal capacity nationally, especially in 4Rs areas. See [Attachment 4](#), at 24.9.5 and 24.9.6 Backgrounder Att.1.

and areas of law, practice and advocacy).<sup>27</sup>

- **Need for Northern Australia access to justice research and grants infrastructure** – that there is no equivalent for Northern Australia to the research and grant making capacities of the NSW Law and Justice Foundation or the Victorian Law Foundation must be addressed. This is a long standing, historical issue, which adversely impacts all legal assistance sectors and services in Northern Australia, and accordingly the whole region.

### 3.3 Picture of lack of legal assistance workforce supports

1. The situation in relation to legal assistance workforce planning in Australia in 4Rs areas and in Northern Australia – **is equivalent to no workforce planning, strategies or supports in relation to the health workforce nationally, in geographic areas or specialist fields including allied health.**
2. For example, for the legal assistance workforce there is nothing equivalent to:
  - the National Preventative Health Strategy<sup>28</sup>
  - the National Stronger Rural Health Strategy<sup>29</sup>
  - the National Medical Workforce Strategy,<sup>30</sup>
  - the National Nursing Workforce Strategy (in development)<sup>31</sup>
  - National Aboriginal and Torres Strait Islander Health Workforce Strategic Framework and Implementation Plan 2021–2031,<sup>32</sup>and
  - The wide range of rural health workforce initiatives and efforts targeting workforce segments and community needs.<sup>33</sup>

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<sup>27</sup> First Nations Advocated Against Family Violence, [Submission to the National Aboriginal and Torres Strait Islander Family Safety Plan](#) 1 Nov 2024.

<sup>28</sup> Australian Government, National Preventative Health Strategy 2021-2030, Department of Health, 2021 [Online](#).

<sup>29</sup> Which is ‘...a 10-year strategy from 2018–19 to improve the health of people in Australia through the supply of a quality health workforce that is distributed across the country according to community need. It will deliver 3,000 extra doctors and 3,000 extra nurses by 2028’:

<https://www.health.gov.au/topics/rural-health-workforce/stronger-rural-health-strategy>

<sup>30</sup> Australian Government, National Medical Workforce Strategy 2021-2031, Department of Health & Aged Care (Online) <https://www.health.gov.au/our-work/national-medical-workforce-strategy-2021-2031> Queensland Health, [Medical Practitioner Workforce Plan for Queensland 2017-2027](#) (Online, 2016).

<sup>31</sup> Department of Health and Aged Care work towards the National Nursing Workforce Strategy ([Online](#)).

<sup>32</sup> National Aboriginal and Torres Strait Islander Health Workforce Strategic Framework and Implementation Plan 2021–2031, [online](#).

<sup>33</sup> These are federal, state and territory initiatives, for federal see Department of Health and Aged Care, ‘Our work related to the rural health workforce: A list of our initiatives, programs, campaigns, reforms or reviews related to the rural health workforce’ at: <https://www.health.gov.au/topics/rural-health->

3. Legal Assistance workforce planning in Northern Australia is **at odds with the normal policy and program support approach** by the Commonwealth, jurisdictions and stakeholder sectors **to key service provision in Northern Australia**.
4. Lack of sufficient legal assistance workforce planning and initiatives in Northern Australia are undermining the effectiveness and potential of all five legal assistance sectors (ATSILS, FVPLS, ATWISLS, CLCs and LACs). These sectors are **publicly funded** through federal and state/territory funding arrangements via and in addition to the National Legal Assistance Partnership Agreement.
5. In Northern Australia and elsewhere in Australia, the legal assistance workforce performs essential functions, enabling those who can be assisted within available resources to have a far better chance of receiving their rights, understanding their responsibilities and being able to work on their issues of concern.
6. This includes **First Nations people, women and children whose safety and wellbeing are at risk, people experiencing severe poverty and marginalisation, people at risk of imprisonment, young people, people with disability, older people and many others**. Access to assistance resonates with better chances and better outcomes across many of the areas of concern highlighted in the Committee's Issues Paper.
7. Models in major cities in the rest of Australia which contribute to levels of legal assistance workforce supply are dramatically insufficient for workforce needs in Northern Australia. **There is a centre-periphery dynamic whereby Northern Australia legal assistance workforce needs are effectively treated as out of scope, tangential, or someone else's responsibility**. However, there are insufficient centres of responsibility and insufficient efforts to address this. Metro-normative culture is highly prevalent in legal assistance workforce gatekeeper processes, involving education providers, legal profession, regulators and governments - which are falling far short of meeting community legal assistance workforce needs in Northern Australia.

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[workforce/related-work](#); also see the Rural Health Alliance web site, using [search on 'workforce'](#) and the National Aboriginal Community Controlled Health Organisation web site, using [search on 'workforce'](#).

## 4. Additional background

### 4.1 Legal assistance workforce in Northern Australia

1. The **legal assistance workforce** in Northern Australia is the workforce for **community access to the kinds of integrated non-profit legal assistance needed by different groups and communities across the area**. There are 5 sectors:

<b>Legal assistance sectors</b>	<b>Number in Australia</b>	<b>Northern Australia ('Nth A')</b>	
		<b>Number with an office in NthA<sup>34</sup></b>	<b>Number with head office in NthA<sup>35</sup></b>
1. Aboriginal and Torres Strait Islander Legal Services ('ATSILS')	7	3	1
2. Family Violence Prevention Legal Services ('FVPLS')	16	6	5
3. Aboriginal and Torres Strait Islander Women's Legal Services ('ATSIWLS')	2	1	1
4. Community Legal Centres ('CLCs')	c.154	16	13
5. Legal Aid Commissions ('LACs')	8	3	1

2. ATSILS, FVPLS, ATSIWLS and CLCs have distinct histories and are incorporated with **community governance**. These are referred to as **community legal services or community-based legal assistance services** - not to be confused with 'Community Legal Centres' being one of those sectors.
3. *Community legal services* compare with LACs which are statutory bodies each with an appointed Board. Nationally while LAC funding is larger overall, estimates indicate that in combination community legal services employ slightly more staff including about 58% of the lawyers working in the legal assistance sector.<sup>36</sup>
4. A diagram of these sectors in Australia and in Northern Australia is at Figure 1 below. The diagram shows some features, including that some ATSILS and FVPLS also identify as CLCs as do the two ACCO First Nations Women's Legal Services in Australia. The latter are the First Nations Women's Legal Service Queensland based in Townsville and Wirringa Baiya Aboriginal Women's Legal Service in NSW.<sup>37</sup>

<sup>34</sup> List at [Attachment 2](#).

<sup>35</sup> Ibid.

<sup>36</sup> See Attachment 4, Backgrounder Att 1: pp. 163-164 Tables 8 and 9.

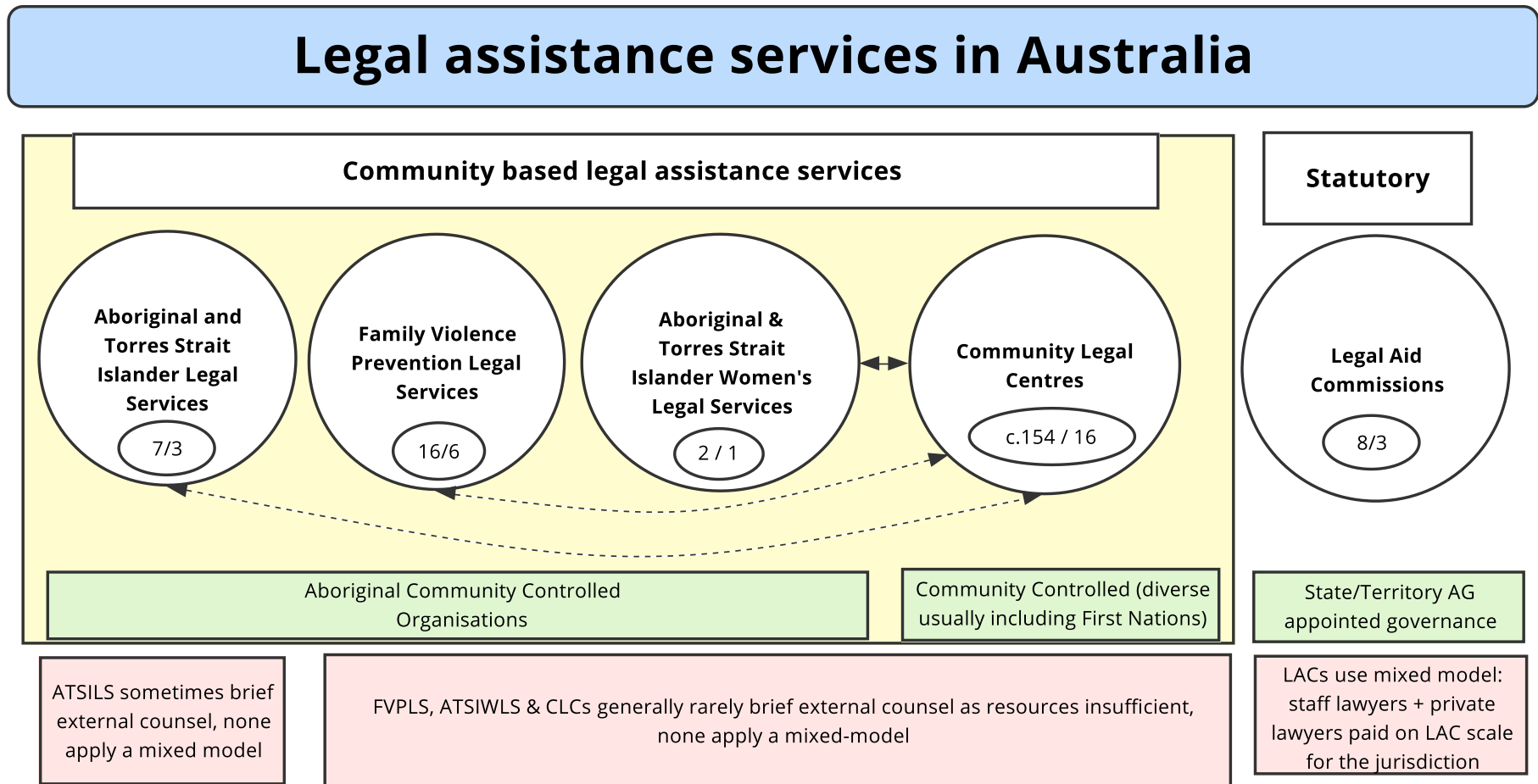
<sup>37</sup> First Nations Women's Legal Services Queensland web site: <https://www.atsiwlisnq.org.au/>; Wirringa Baiya Aboriginal Women's Legal Centre web site: <https://www.wirringabaiya.org.au/>.

5. There are other substantial differences between ATSILS, FVPLS, ATSIWLS, CLCs and LACs relating to purposes, client groups and:
  1. Service models, operations and targeting
  2. Funding levels
  3. Geographic service areas
  4. Workforce profiles (staff, extent of involvement of private lawyers, volunteers and pro bono)
  5. Staff salaries and conditions, and
  6. Workforce recruitment, retention and development.<sup>38</sup>

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<sup>38</sup>For further background about the sectors and 4Rs areas including Northern Australia see [Attachment 1](#).

Figure 1 Legal assistance services in Australia including Northern Australia



Key: The small circle for each sector shows the total number of services in Australia compared to (/) the number in Northern Australia e.g. ATSILS 7/3 means 7 ATSILS in Australia, 3 based or have an office in Northern Australia. ATSILS and FVPLS which are based in or have an office in Northern Australia which are also CLCs have been counted as ATSILS and FVPLS only in that part of the CLC count.

7. The federal funding announcements in the May 2024 federal budget and subsequently, while negotiating the follow on from the current NLAP which finishes on 30 June 2025,<sup>39</sup> are likely to have positive effects especially in the FVPLS sector. However, considering federal, State and Territory funding contributions in total, the resource commitments are dramatically below the funding required especially in 4Rs areas, including Northern Australia.<sup>40</sup>
8. Additionally, the community legal impacts of government policy decisions are often not considered or are relegated. For example:
  - Law and order responses in Northern Australia including introducing harsher laws which increase rather than reduce criminal justice contact, often against a backdrop of criminal justice systems which are already at capacity, plus

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<sup>39</sup> National Cabinet ‘[The Heads of Agreement for the National Access to Justice Partnership](#)’ 12 Sept 2024; Prime Minister Albanese, ‘[Meeting of National Cabinet](#)’ Media Statement, 6 Sept 2024; Attorney-General Dreyfus, ‘[Investing in Access to Justice and Improving Community Safety](#)’ (Media Release) 14 May 2024; the May 2024 federal budget Regional Ministerial Budget Statement 2024–25 included portfolio investments in regional Australia including the following relating to the Attorney-General’s portfolio:

“New initiatives

One-off funding to support the National Legal Assistance Partnership (2024–25 uplift) The Government has committed \$44.1 million in 2024-25 in a one-off funding uplift for the final year of the NLAP. The package will address the immediate resource and workforce issues impacting legal assistance providers who are funded under the NLAP (LACs, CLCs and ATSILS) and Family Violence Prevention Legal Services, designed to stabilise service delivery and ensure access to justice frameworks are preserved for vulnerable Australians, with a focus on restoring services in regional, rural and remote locations. Regional, rural and remote communities are often critically underserved by legal assistance providers. This trend has been exacerbated both by cost increases service providers have faced as a result of inflation, and the recruitment and retention challenges associated with the geographic isolation of some communities. As a result, legal assistance providers have reported substantial curtailing of their service delivery footprints through reductions, freezes and closures”

Quoted from the Regional Ministerial Budget Statement 2024–25: Delivering a Resilient and Prosperous Future for Regional, The Honourable Catherine King MP Minister for Infrastructure, Transport, Regional Development and Local Government of the Commonwealth of Australia and The Honourable Kristy McBain MP Minister for Regional Development, Local Government and Territories of the Commonwealth of Australia, 14 May 2024, pp. 19-20 ([Online](#))

<sup>40</sup> Henry Ea, ‘[Is the \\$3.9 billion investment to bolster Australia’s legal assistance sector all it seems?](#)’, Law Society Journal Online, Sept 2024; Savecommunitylegalcentres national [campaign web site](#); Law Council of Australia, ‘[National Legal Assistance Partnership](#) (Media Statement) 13 Sept 2024, last updated 19 Sept 24) also see examples at Attachment 3: Media links against the background of the numerous submissions to the NLAP Review referred to at (n18) and (n19) above.

inadequate resources for increased legal representation.<sup>41</sup>

- Historically and cumulatively insufficient provision for legal rights, human rights and legal assistance in Northern Australia in the operation of areas requiring civil law assistance such as safety of women and children, child protection, social security, housing and NDIS.<sup>42</sup>

## 4.2 Collaboration

1. There has been strong emphasis prior to and during the current NLAP on services and sectors **collaborating** especially at a national, state and regional level. In the geographical contexts, and all contexts of legal assistance in Australia, ‘collaboration’ is essential. This includes North-North (within Northern Australia), North-South / South-North (between Northern and Southern Australia), South-South (within Southern Australia) and nationally.
2. However, the emphasis on ‘collaboration’ has **often separated the issues of service provision (treated as within scope) from inadequate funding levels and associated workforce issues (treated as beyond scope).**<sup>43</sup>
3. A case study relating to Ngaanyatjarraku LGA in Western Australia at **Attachment 2A** highlights how legal assistance sectors try to collaborate in relation to community needs against a backdrop of insufficient funding and workforce challenges.
4. The emphasis on service and sector collaboration – **must be paralleled by relevant high-level government collaboration to address funding and structural issues including chronically insufficient supply of lawyers.**

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<sup>41</sup> For example, the systems and legal assistance crisis in the Northern Territory: Tee Mitchell, [Lawyer warns NT policies on legal aid are 'catastrophic, unsustainable, untenable, and dishonest'](#) SBS News, 5 Nov 2024; Samantha Dick, [Legal Aid NT says it will cut critical legal services in 2025 due to funding shortfall](#), ABC News 2 Oct 2024; Giovanni Torre, [Aboriginal Legal Service WA calls for federal action on Western Australia's youth justice crisis](#), National Indigenous Times, 17 Oct 2024; Esse Deves, [Police attend average of 19 domestic violence incidents a day in Western Australia's Kimberley](#), ABC News, 11 May 2024; ATSILS (QLD), Submission to the Senate Inquiry into Australia's youth justice and incarceration system ([submission no 152](#)), 9 Oct 2024; Aboriginal Legal Service of Western Australia Limited, Submission to the Senate youth justice and incarceration system inquiry ([submission no 179](#)), 10 Oct 2024; National Aboriginal and Torres Strait Islander Legal Services, Submission to the Senate youth justice and incarceration system inquiry ([submission no 202](#)).

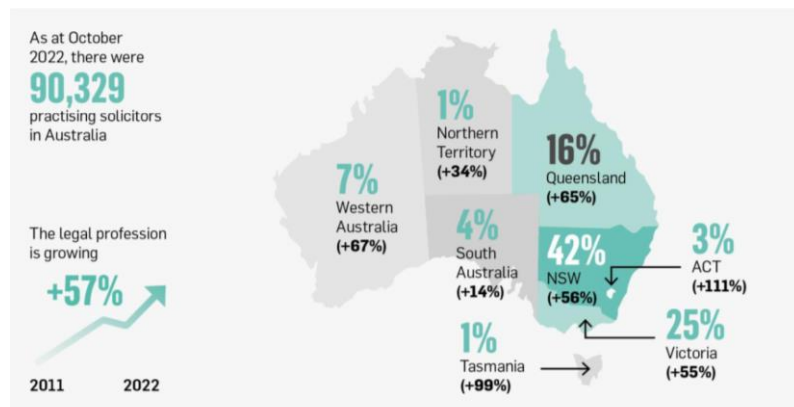
<sup>42</sup> See for example 4Rs Network responses to the NLAP Review at Attachment 4 especially the responses to: Rec. 4: ‘Legal Assistance Impact Assessment for administrative law’; Rec. 5 ‘Civil law’; Chapter 5 ‘Closing the Gap’; Chapter 7 ‘Funding models’.

<sup>43</sup> For example, the framing of ‘Collaborative legal service planning’ in [NLAP Schedule A](#) (e.g. paras A1 & A2).



5. The supply of lawyers, including lawyers with levels of experience, is critically insufficient in Northern Australia for currently funded positions and the increased number of positions needed.
6. The infographic below shows growth in solicitor numbers between 2011-2022 and distribution. Table 2 shows the ratio of solicitors to population, indicating a wide range. Table 3 further compares jurisdiction’s population and solicitor distribution. However, these figures relate to all solicitors i.e. including solicitors working in private, commercial, in-house, government contexts and non-profit legal assistance. Consequently, more targeted figures focusing on legal assistance solicitors to population, population profiles / demographics, geography, other refinements are needed. These figures are specifically needed for Northern Australia and other key regions.

**Infographic: Size of the profession<sup>44</sup>**



As at October 2022, there were 90,329 practising solicitors in Australia. The largest proportion of solicitors was in New South Wales (42%), followed by Victoria (25%) and Queensland (16%).

**Table 2: Ratio of solicitors to population by jurisdiction<sup>45</sup>**

*Re-ordered highest to lowest i.e. ACT has 1 lawyer for every 154 people.*

Jurisdiction	Number of solicitors in 2022	Population <sup>46</sup>	Ratio (solicitors: population)
ACT	2,980	459,000	1:154
NSW	38,265	8,193,500	1:214
VIC	22,847	6,656,300	1:291
QLD	14,016	5,354,800	1:382
NT	633	250,600	1:396
WA	6,737	2,805,000	1:416
SA	3,960	1,828,700	1:462
TAS	891	571,900	1:642

<sup>44</sup> The graphic is from Urbis, [National Profile of Solicitors 2022](#) (Law Society of NSW, 26 April 2023): ‘Size of the Profession’, p. 6.

<sup>45</sup> Ibid Table 2, p. 8.

<sup>46</sup> Australian Bureau of Statistics. (2022). National, state and territory population. ABS.

<https://www.abs.gov.au/statistics/people/population/national-state-and-territory-population/latest-release>

**Table 3: Jurisdiction population and solicitor distribution<sup>47</sup>**

Jurisdiction	Population <sup>48</sup>	% of total population <sup>49</sup>	National % of solicitors <sup>50</sup>
ACT	459,000	1.76	3
NSW	8,193,500	31.37	42
VIC	6,656,300	25.48	25
QLD	5,354,800	20.50	16
NT	250,600	0.96	1
WA	2,805,000	10.74	7
SA	1,828,700	7.00	4
TAS	571,900	2.19	1
Total	<b>26,119,800</b>	<b>100</b>	<b>99</b>

7. Fundamentally, **the policy emphasis on ‘collaboration’ has not addressed how communities, including communities in Northern Australia, achieve accountability from governments to their needs.**<sup>51</sup>

#### 4.3. Legal assistance workforce roles in Northern Australia

1. The table below outlines roles which are commonly present within legal assistance workforce sectors in Northern Australia.
2. However, to repeat the point made above, salaries and conditions vastly differ. For example, the May 2024 NLAP Review Report outlined that LAC salaries and conditions should be treated as the standard, however CLCs, ATSILS, FVPLS were substantially below, in that descending order.<sup>52</sup>
3. These issues are deeply systemic in Northern Australia where **the divide between LAC salaries and conditions and those of the other sectors is compounded by higher living costs, increasing with remoteness. These factors link to, and are compounded by, insufficient supply of staff, recruitment, training and turnover all impacting on service provision.**

<sup>47</sup> Created for comparison.

<sup>48</sup> Ibid for population figures.

<sup>49</sup> Calculated as a percentage of the national total.

<sup>50</sup> Percentages from Infographic ‘Size of profession’, above.

<sup>51</sup> Also see the 4Rs [Submission to the NLAP Review](#) especially pp. 22 and 49.

<sup>52</sup> [NLAP Review Report](#) especially Ch.8 Same job, same pay.

**Table 4: Common roles in Northern Australia legal assistance workforce sectors**

<b>Roles</b>	<b>Description<sup>53</sup></b>
Management, Finance, HR, Administration	<ul style="list-style-type: none"> <li>• Staff roles from junior to senior; in LACs the CEO/Director must be a lawyer in other sectors they may be.</li> <li>• Roles and work locations vary. For larger services staff are in head office and branch office locations.</li> </ul>
Caseworkers, Social Workers etc.	<ul style="list-style-type: none"> <li>• Caseworker roles are common in ATSILS, FVPLS, ATSIWLS and CLCs in specialist support areas e.g. ATSILS custody notification, diversion, Throughcare and other service areas; FVPLS, ATSIWLS, CLCs: highly integrated across service provision.</li> <li>• FVPLS, ATSIWLS, CLCs: family, domestic and sexual violence casework, casework support in child protection, housing, income, disability, care services, financial counselling.</li> <li>• Social Worker roles are becoming more common.</li> </ul>
Systemic advocacy, policy, projects	<ul style="list-style-type: none"> <li>• In larger services these roles are often stand alone and integrated in roles and responsibilities of staff. The roles and work are vital for broader impacts, prevention and improvements.</li> <li>• Some ATSILS, FVPLS, ATSIWLS and CLCs receive some pro bono support.</li> <li>• Knowledge and skills for this work involves the organisation's mission / focus, stakeholders / communities, content, communication and networks.</li> </ul>
Lawyers	<ul style="list-style-type: none"> <li>• External lawyers often contribute as board members generally voluntary / unremunerated.</li> <li>• Staff roles from newly admitted lawyer to principal lawyer, some as CEOs, located in head office and any branches, some work remotely.</li> <li>• Private lawyers contribute to the LAC mixed model when they choose and are approved to be on the LAC panel to accept clients with a grant of aid on LAC scale payment rates.</li> <li>• External barristers contribute when they accept briefs from LACs or ATSILS at the lower LAC or ATSILS scale rates; and when they accept briefs pro bono from ATSILS, FVPLS, ATSIWLS or CLCs.</li> <li>• Some community based legal assistance services receive volunteer and pro bono contributions from lawyers: type and volume vary.</li> </ul>
Paralegals	<ul style="list-style-type: none"> <li>• All legal assistance services have paralegal roles, sometimes includes Intake Worker, Legal Secretary, Legal Admin Support etc.</li> <li>• Some non-legal Caseworker roles include paralegal aspects.</li> <li>• Most paralegal positions in these services are 'learn-on-the job'</li> </ul>
Law students	<ul style="list-style-type: none"> <li>• Law students include staff in many roles in legal assistance services</li> </ul>

<sup>5353</sup> Many of the points on this table are developed in Attachment 4, in response to the NLAP Review Report discussion and recommendations about Workforce strategy ([NLAP Review](#) Rec. 24).

	<ul style="list-style-type: none"> <li>• Law student volunteer and/or contribute with course credit - patterns vary between ATSILS, FVPLS, ATSIWLS, CLCs and LACS.</li> <li>• Some legal assistance services accept remote arrangements with law students volunteering and/or contributing for course-credit by distance.</li> </ul>
<p>Law schools and legal academics</p>	<ul style="list-style-type: none"> <li>• Curriculum focus / course / program offerings relevant to legal assistance workforce needs vary. Overall pattern in Australia is metro-normative, with highly insufficient 4Rs inclusion.</li> <li>• Availability, focus and impacts of clinical law courses, legal internships and experiential /placement learning vary but the overall pattern is metro-normative. Far less opportunities for 4Rs services to partner / benefit.</li> <li>• Research and scholarly focus on justice and access to justice in 4Rs overall is vastly insufficient.</li> </ul>

4. Local staff are often highly preferable for community based legal assistance services, across staff roles providing issues of potential conflict of interest can be managed. For example, benefits of local recruitment include:
  - locally relevant knowledge, skills and orientation,
  - lower recruitment cost,
  - potential for greater continuity / permanency, and
  - support for employment opportunities, local workforce capacity / skills profile; local economy; and, advancement of local communities.
5. Factors which can help address workforce needs across all roles and help promote and sustain local staffing are consequently priorities in Northern Australia, and all 4Rs legal assistance, workforce development.

#### 4.4 Estimate of legal assistance workforce in Northern Australia

1. There is currently no process to compile legal assistance workforce statistics covering all legal assistance sectors in or for Northern Australia. This includes no routine, collection, collation, reporting or analysis. While the same applies to Southern Australia and to Australia as a whole, due to the nature and extent of the legal assistance workforce issues in Northern Australia this is a geographically prejudicial lack.
2. The absence of comprehensive legal assistance workforce statistics relating to Northern Australia, reduces the visibility of patterns and trends including those relating to workforce segments, specialist roles and geographic areas. Despite the interlinked issues of recruitment, retention and workforce development, it also separates legal assistance sectors in Northern Australia from the rest of Australia ('national picture') and separates legal assistance sectors within Northern Australia

from each other ('Northern Australia picture').

3. The national picture is important for the national collaboration required for Northern Australia legal assistance workforce development. Additionally, the Northern Australia picture is needed for support responses especially because local legal assistance services are likely to be impacted when any legal assistance service or sector experiences increased workforce issues.<sup>54</sup>

## 5. Recommendations

The five recommendations below relate to advancing legal assistance workforce development in Northern Australia. These accord with the 4Rs submission to the NLAP Review<sup>55</sup>the letter to Attorneys-General in September 2024,<sup>56</sup> the 4Rs Legal Assistance Report Card<sup>57</sup> and the current submission.

1.	The Federal government ensure that a comprehensive, inclusive and fully resourced Northern Australia Legal Assistance Workforce Development Strategy and Action Plan ('NAWDS') is established which fully supports: <ul style="list-style-type: none"> <li>• ACCO legal assistance sector workforce development plans, and</li> <li>• Workforce development plans for the additional legal assistance sectors.</li> </ul>
2.	The NAWDS should support and facilitate: <ul style="list-style-type: none"> <li>• All Closing the Gap priorities</li> <li>• All social justice priorities in Northern Australia, and</li> <li>• Legal assistance workforce equity, sustainability and development including same job, same pay – with LAC conditions as the standard.</li> </ul>
3.	Development and implementation of the NAWDS facilitate all: <ul style="list-style-type: none"> <li>• Legal assistance sectors</li> <li>• Relevant areas of Government, and</li> <li>• Relevant public and private sector stakeholders including legal professional bodies and tertiary education and training.</li> </ul>

<sup>54</sup> Ellie Dudley, 'Judge's plea: Lawyers, come to Alice Springs', The Australian (web edition) 13 Mar 2024, 'Chief Justice Grant said Alice Springs was struggling to attract "appropriately employed lawyers" because of several factors, including the "recent spate of negative reporting on social disorder in the town". The inability to attract good talent was a "relatively recent phenomenon", he said, encouraging those in metropolitan areas to come to central Australia to lend their services and reap the benefits of experience gained.'. Chief Justice Michael Grant AO, [Opening of the 2024 Legal Year](#), 15 and 16 Feb 2024.

<sup>55</sup> National 4Rs Network, [Submission to the NLAP Review](#), 27 Oct 2023.

<sup>56</sup> At Attachment 4.

<sup>57</sup> Above at point 2 and included in the letter to Attorneys-General dated 2 Sept 2024 at Attachment 4.

	The process should help increase collaborations required for effective implementation.
4.	The NAWDS should address immediate/short term, mid-term and long-term priority actions and include effective mechanisms to: <ul style="list-style-type: none"><li>• Facilitate effective collaboration and</li><li>• Support and drive implementation, and positive, sustainable impacts.</li></ul>
5.	The strategic infrastructure in support of the NAWDS should include achieving the following (currently absent): <ul style="list-style-type: none"><li>• National 4Rs Access to Justice Strategy, and</li><li>• National Northern Australia Access to Justice Strategy.</li></ul>

## Att 1: Northern Australia – NAIF definition

1. Although the Committee has noted that there are different definitions of ‘Northern Australia’ the Committee’s use of the definition of ‘Northern Australia’ in section 5 Northern Australia Infrastructure Facility Act 2016 (Cth) as amended (‘NAIF Act’) provides a delineated focus.
2. Under this definition ‘Northern Australia’ consists of the whole of the Northern Territory, areas in Western Australia and Queensland north of the Tropic of Capricorn and some other contiguous areas. The definition is:

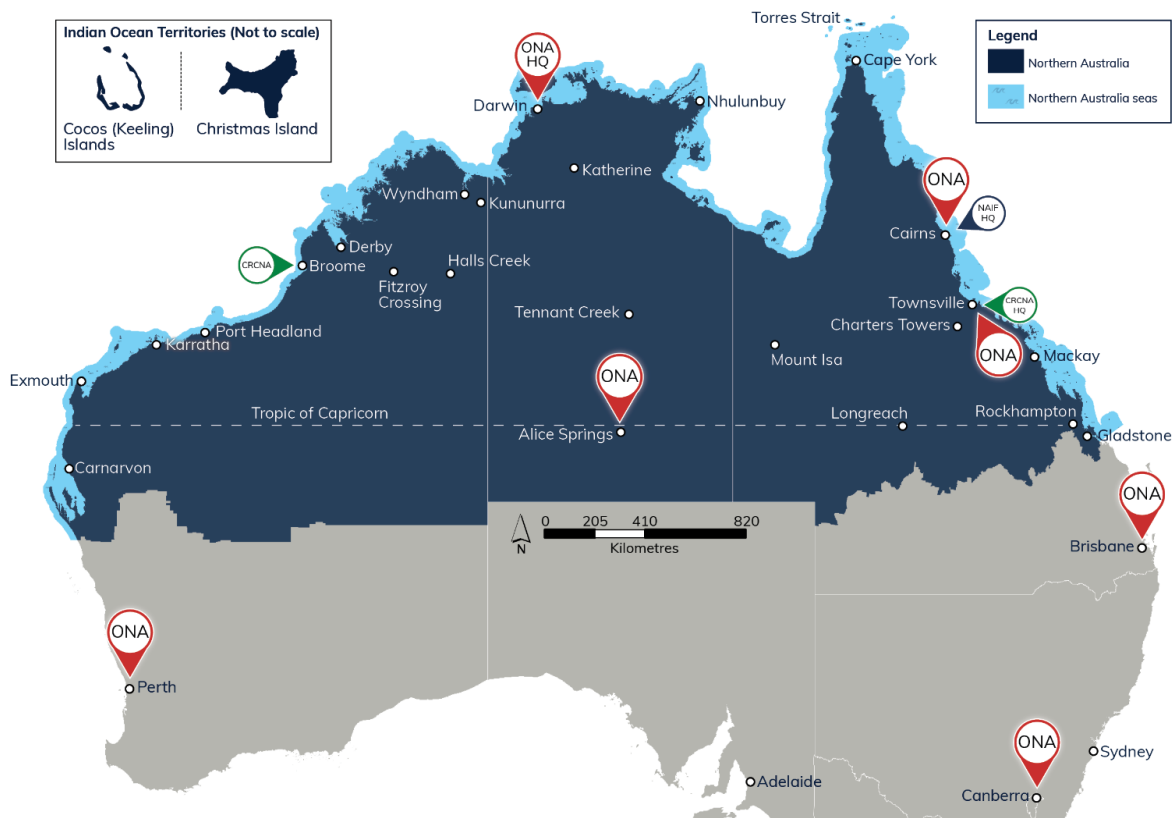
**Northern Australia** means the area that includes the following:

- (a) the Northern Territory;
- (b) the areas of Queensland and Western Australia that are North of the Tropic of Capricorn other than the Meekatharra Statistical Area level 2;
- (c) the areas South of the Tropic of Capricorn of each Statistical Area level 2 that has an area covered by paragraph (b);
- (d) the following Statistical Areas level 2:
  - (i) Gladstone;
  - (ii) Gladstone Hinterland;
  - (iii) Carnarvon;
- (da) the Territory of Christmas Island;
- (db) the Territory of Cocos (Keeling) Islands;
- (e) the Local Government Areas of Meekatharra and Wiluna (despite paragraph (b));
- (ea) the Local Government Area of Ngaanyatjarraku;
- (f) the territorial sea adjacent to areas covered by paragraphs (a) to (db).<sup>58</sup>

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<sup>58</sup> The definition has been amended twice firstly by the Northern Australia Infrastructure Facility Amendment (Extension and Other Measures) Act 2021 (No. 41, 2021) which amended the definition to add (ea) the Local Government Area of Ngaanyatjarraku (commenced on 28 May 2021) and secondly by the Northern Australia Infrastructure Facility Amendment (Miscellaneous Measures) Act 2023 (No. 50, 2023) which amended the definition to include (da) the Territory of Christmas Island and (db) the Territory of Cocos (Keeling) Islands and commenced on 4 July 2023.

**Map 1.1: Map showing ‘Northern Australia’ per s 5 of the NAIF Act and Office of Northern Australia (‘ONA’) offices <sup>59</sup>**



"Northern Australia" as defined by the Northern Australia Infrastructure Facility Act 2016.

3. The Northern Australian Infrastructure Facility describes the area as:

".. all of the Northern Territory, and those parts of Queensland and Western Australia above and directly below or intersecting with the Tropic of Capricorn.

It also includes the regional centres of Gladstone, the Gladstone Hinterland, Carnarvon and Exmouth, as well as the Local Government Areas of Meekatharra and Wiluna and the Shire of Ngaanyatjarraku in Western Australia, and the Indian Ocean Territories communities of Christmas Island and the Cocos (Keeling) Islands. Territorial seas up to twelve nautical miles offshore adjacent to these areas are also included in the definition.

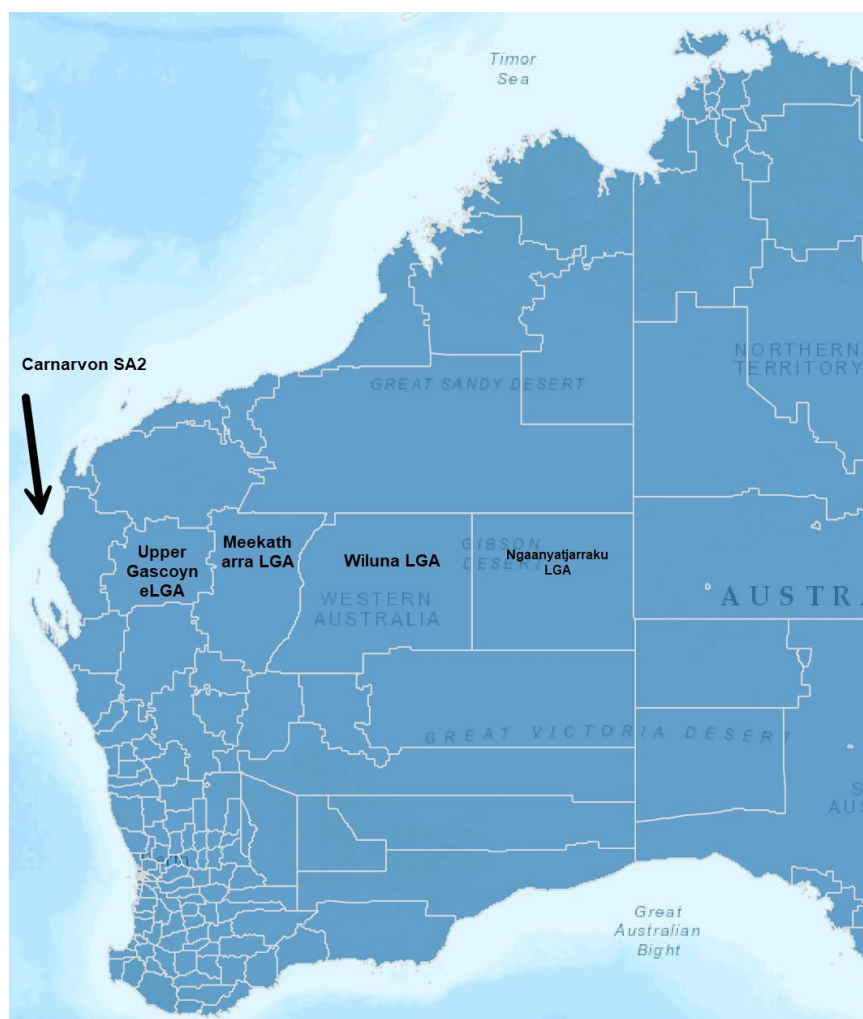
<sup>59</sup> This map from the web site of the [Office of Northern Australia](#) (ONA), in the Department of Infrastructure, Transport, Regional Development, Communications and the Arts; for a similar map see Australian Government, [Northern Australia Action Plan 2024–2029](#), Office of Northern Australia p. 6.



Projects do not need to be entirely within the boundaries of Northern Australia if they produce significant benefits to NAIF’s jurisdiction. For example, a project that enhances north-south connectivity may be eligible.”<sup>60</sup>

4. The location of the LGAs of Meekatharra and Wiluna and the Shire of Ngaanyatarraku in Western Australia, plus Upper Gascoyne LGA and Carnarvon SA 2 are shown below.<sup>61</sup>

**Map 1.2: Western Australia LGAs and SA2 on the boundary of the definition of ‘Northern Australia’ NAIF Act**



5. The Queensland Treasury outlines the effect of the NAIF definition in Queensland:

‘The following Queensland local government areas (LGAs), and all LGAs located to the north, are located in the region defined by the NAIF: Diamantina Shire Council, Barcoo

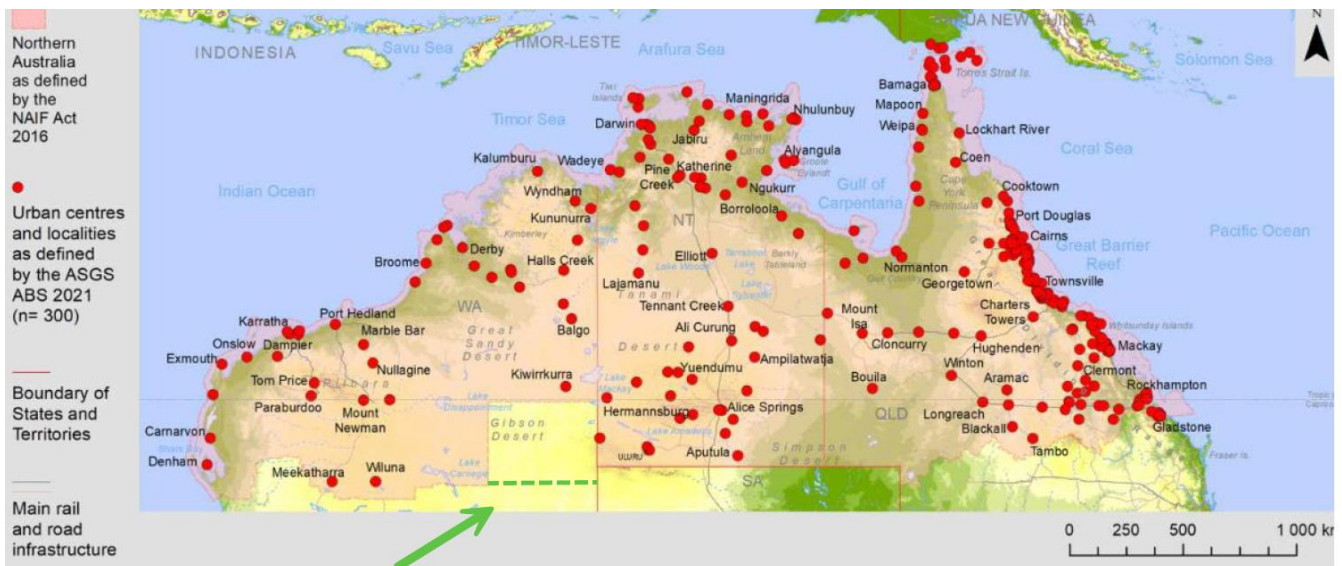
<sup>60</sup> Ibid.

<sup>61</sup> Digital Atlas of Australia, 2021 Local Government Areas (LGA) from the Australian Statistical Geography Standard (ASGS) Edition 3 ([Online](#)).

Shire Council, Longreach Regional Council, Blackall-Tambo Regional Council, Central Highlands Regional Council, Rockhampton Regional Council and Gladstone Regional Council.<sup>62</sup>

- For ease of reference, the following map shows more named communities. The dashed green line and green arrow have been added to show the approximate location of the additional section of Western Australia added by the amendment of the NAIF Act in 2021.<sup>63</sup>

**Map 1.3: Urban centres and localities in Northern Australia in 2021<sup>64</sup>**



## Att 2: Legal Assistance Services in Northern Australia

This attachment lists legal assistance services in, and in relation to, Northern Australia by sector including ARLM in South Australia due to the tri-border (NT/WA/SA) areas

### A2.1. Aboriginal and Torres Strait Islander Legal Services

**National Aboriginal and Torres Strait Islander Legal Services** is the peak for Aboriginal and Torres Strait Islander Legal Services. The ATSILS in and in relation to Northern Australia are:

- Aboriginal Legal Service WA ('ALSWA') Northern Australia offices in Carnarvon, South Hedland, Broome, Derby, Halls Creek and Kununurra, head office in Perth.<sup>65</sup>

<sup>62</sup> Queensland Treasury, [Northern Australia Infrastructure Facility](#), (Queensland Treasury web site).

<sup>63</sup> See (n58) above.

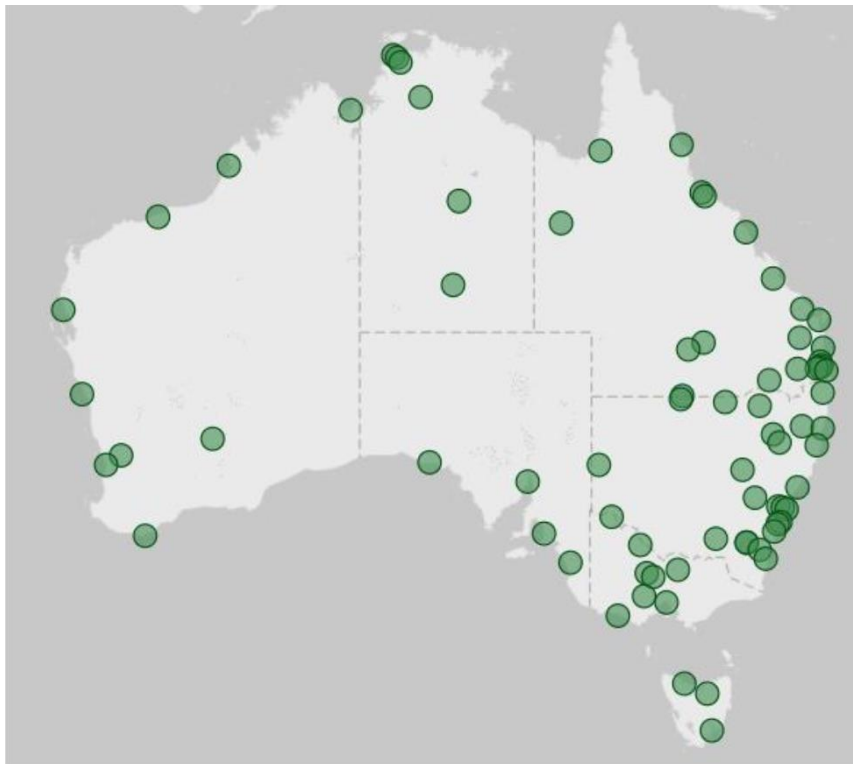
<sup>64</sup> Dávid Karácsonyi & Andrew Taylor, Long-Term Hierarchic Changes in Settlement Systems at Geographic 'Edges', (2024) *Australian Geographer*, ([Open Access](#)) 1 at 8; 'localities' have c. 200-999 people (ABS).

<sup>65</sup> Aboriginal Legal Service Western Australia: <http://www.als.org.au>

- North Australian Aboriginal Justice Agency ('NAAJA') offices in Darwin, Katherine, Tennant Creek and Alice Springs, head office in Darwin.<sup>66</sup>
- Aboriginal and Torres Strait Islander Legal Service Qld ('ATSILSQ') Northern Australia offices in Cairns, Townsville, Mackay, Rockhampton and Mt Isa and satellite offices in Normanton and Palm Island, head office in Brisbane<sup>67</sup>

Additionally, the Aboriginal Legal Rights Movement in South Australia includes the area adjoining the Northern Territory and Western Australian borders.

**Map A2.1.1: Map of ATSILS locations included in the NLAP Review Report<sup>68</sup>**



Source: ATSILS websites and reporting 2023

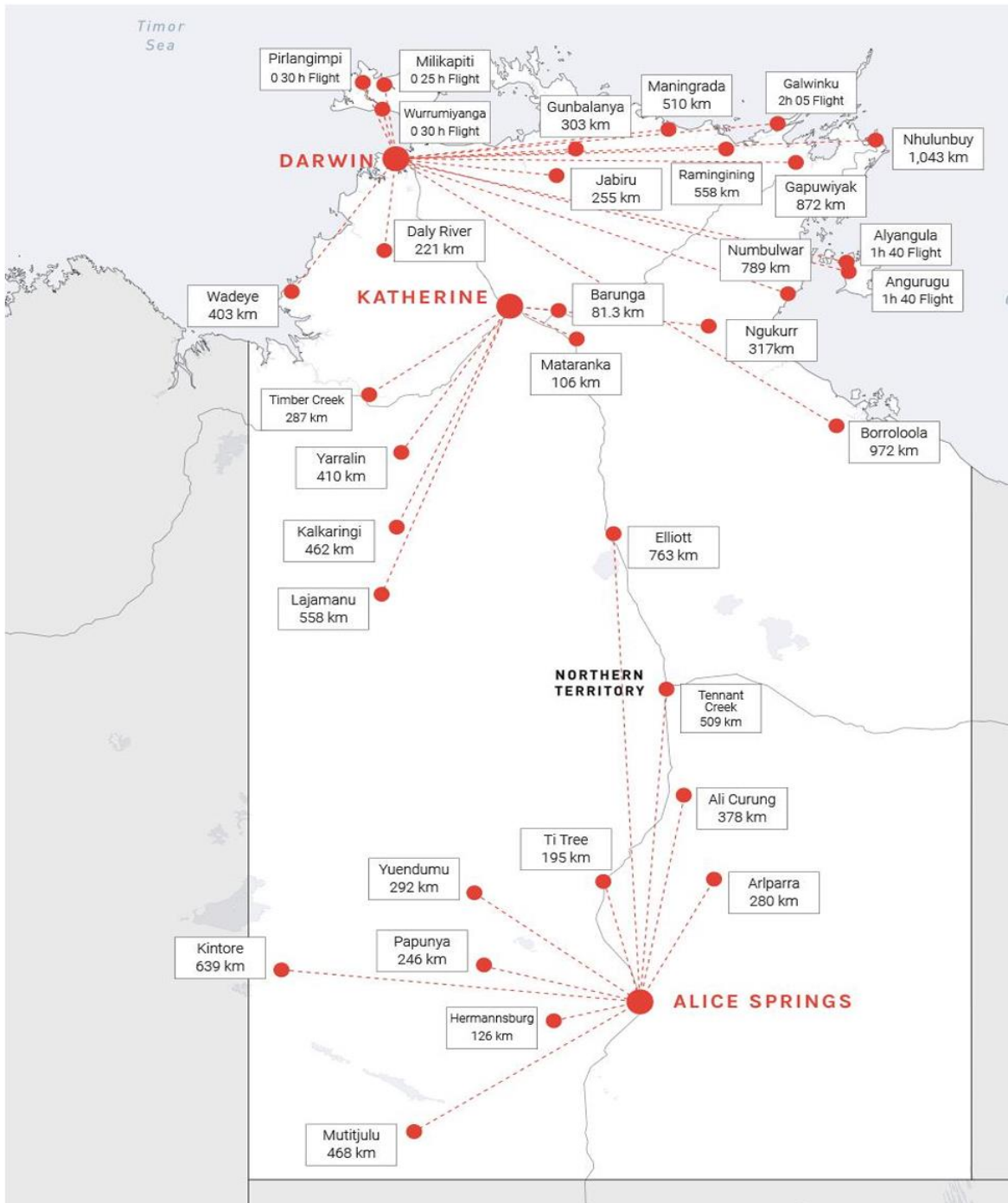
<sup>66</sup> North Australian Aboriginal Legal Service: <http://www.naaja.org.au>

<sup>67</sup> Aboriginal and Torres Strait Islander Legal Service Qld Ltd.: <https://atsils.org.au/>

<sup>68</sup> [NLAP Review Report](#), ATSILS map p. 23

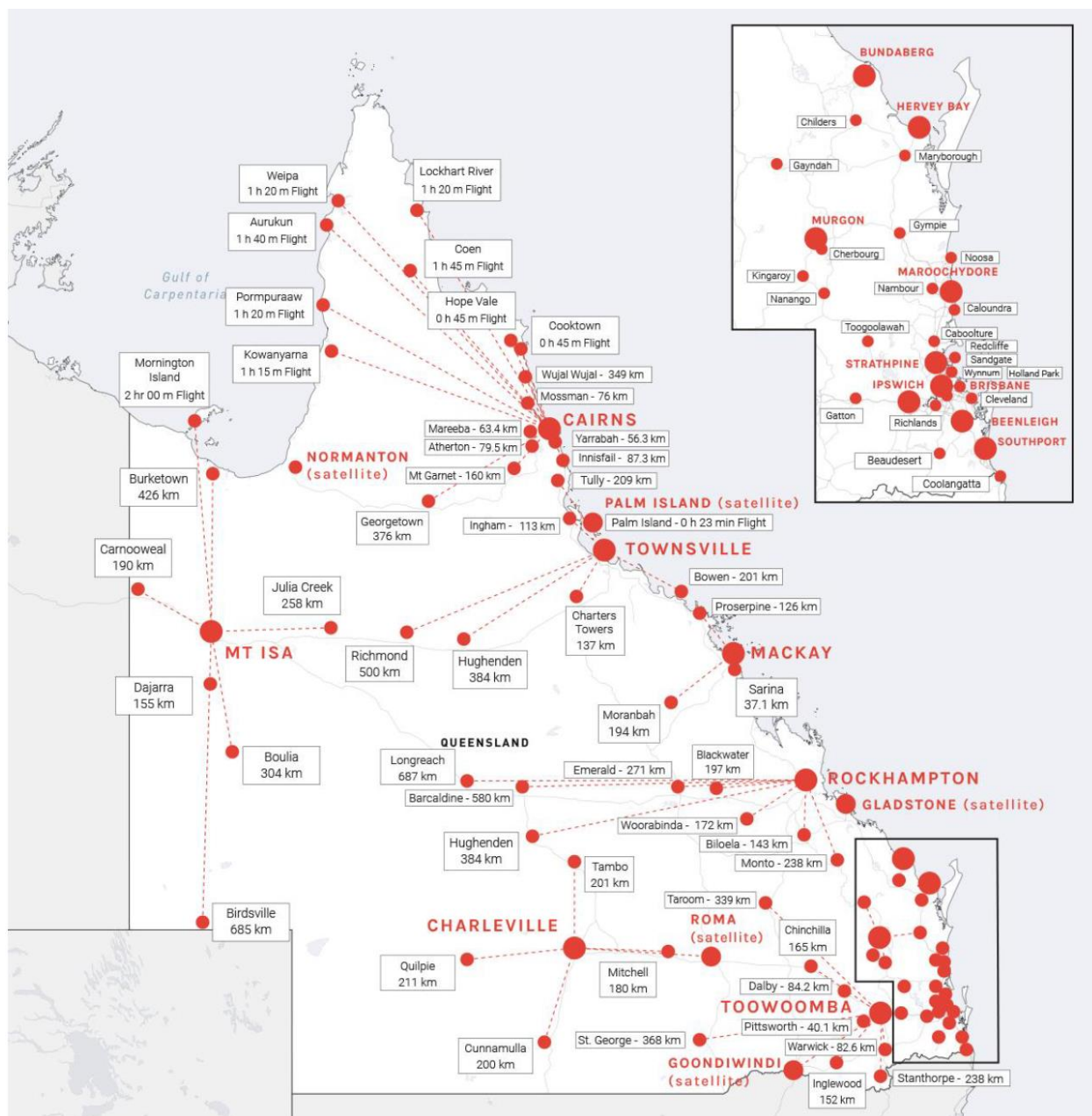


Map A2.1.3 NAAJA Distances





Map: A2.1.4 ATSILS Queensland Distances



Map A2.1.5: Aboriginal Legal Rights Movement South Australia Distances



## A2.2. Family Violence Prevention Legal Services

**First Nations Advocates Against Family Violence ('NAAFV')** is the peak for Family Violence Prevention Legal Services. The following FVPLS are located in, and/or deliver assistance in, Northern Australia. Where services are also members of Community Legal Centres Australia, this is indicated by: (\*). That is:

- WA
  - Aboriginal Family Legal Service ('AFLS') (\*) Northern Australia offices in Carnarvon, Port Hedland, Broome and Kununurra, head office in Perth.<sup>70</sup>
  - Marninwarntikura Family Violence Prevention Unit WA (\*) in Fitzroy Crossing for the Fitzroy Valley.<sup>71</sup>
- NT
  - North Australian Aboriginal Family Legal Service ('NAAFLS') (\*) offices in Darwin, Katherine and Nhulunbuy for the Big Rivers Region and Top End, head office in Darwin.<sup>72</sup>
  - Central Australian Aboriginal Family Legal Unit ('CAAFLU') (\*) offices in Alice Springs and Tennant Creek for Central Australia, head office in Alice Springs<sup>73</sup>
  - Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council Domestic and Family Violence Service head office in Alice Springs.<sup>74</sup>
- Qld
  - Queensland Indigenous Family Violence Legal Service ('QIFVLS') (\*) head office in Cairns, and offices in Thursday Island, Bamaga, Townsville, Mackay, Rockhampton Mt Isa, and Brisbane (for Brisbane LGA). The QIFVLS service area includes North Queensland from just north of Caboolture and west to Bedourie.<sup>75</sup>
  - Aboriginal Family Legal Services Queensland (Maruma-li-mari) (AFLSQ) (\*) head office in Toowoomba, service region includes Gympie, Murgon, and Roma.

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<sup>70</sup> Aboriginal Family Legal Service WA: <http://www.afls.org.au>

<sup>71</sup> Marninwarntikura Family Violence Prevention Unit WA: <https://mwrc.com.au/>

<sup>72</sup> North Australian Aboriginal Family Legal Service: <http://www.naafls.com.au>

<sup>73</sup> Central Australian Aboriginal Family Legal Unit: <https://www.caaflu.com.au/>

<sup>74</sup> Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council Domestic and Family Violence Service: <https://www.npywc.org.au/>

<sup>75</sup> Queensland Indigenous Family Violence Legal Service: <https://qifvls.com.au/>



Map A2.2.1: First Nations Advocates Against Family Violence map of FVPLS locations<sup>76</sup>



### A2.3. Aboriginal and Torres Strait Islander Women’s Legal Services

- **First Nations Women’s Legal Service Queensland (FNWLSQ)** – office in Townsville and Palm Island<sup>77</sup> (\*), outreach fortnightly to Palm Island and monthly Charters Towers and service area by phone.

<sup>76</sup> FNAAFV, FVPLS Services, (Online): <https://fnaafv.org.au/fvpls-services/>.

<sup>77</sup> First Nations Women’s Legal Service Queensland: <https://www.atsiwlslsq.org.au/>, FNWLSQ has a community development worker / cultural adviser and DV duty lawyer service on Palm Island.

Map A2.3.1: First Nations Women’s Legal Service Queensland – service area from Townsville head office and Palm Island branch office including by phone<sup>78</sup>

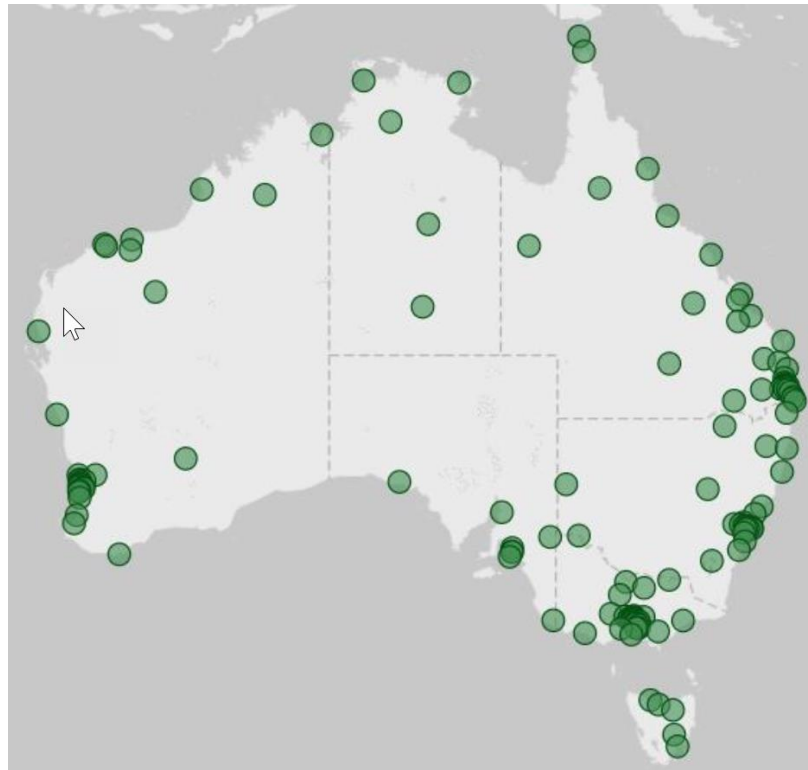


<sup>78</sup> Ibid, <https://atsiwlqnq.org.au/service-region>

## A2.4. Community Legal Centres

The following map of Community Legal Centres, which was included in the NLAP Review Report gives a sense of CLC office locations, however the map should be viewed with caution because it is not up to date and outreach locations are not shown.

**Map A2.4.1: Map of CLC office locations included in the NLAP Review Report<sup>79</sup>**



**Community Legal Centres Australia** is the peak for Community Legal Centres in Australia, in support of State and Territory CLC Associations. The State and Territory CLC Associations for CLCs located in Northern Australia and the member CLCs located in Northern Australia are listed below. This includes FVPLS which are also CLCs.

- **Community Legal Centres Western Australia**
  - **Centres in Northern Australia**
    - Regional Alliance West, offices in Carnarvon service area includes Exmouth (in the Tropic of Capricorn), head office in Geraldton<sup>80</sup>
    - Pilbara Community Legal Service offices in Karratha, South Hedland, Roebourne and Newman.<sup>81</sup>

<sup>79</sup> [NLAP Review Report](#), CLC map p. 22.

<sup>80</sup> Regional Alliance West: <https://raw.org.au/>

<sup>81</sup> Pilbara Community Legal Service: <https://www.pcls.net.au/>

- Kimberley Community Legal Service offices in Broome and Kununurra.<sup>82</sup>
- Aboriginal Family Legal Services offices in Broome and Kununurra (above in FVPLS)
- Marninwarntikura included in FVPLS (above in FVPLS)
- **Statewide CLCs in WA include:**
  - Circle Green (tenancy, employment law and humanitarian).<sup>83</sup>
  - Consumer Credit Legal Service<sup>84</sup>
  - Environmental Defenders Office located in Perth (branch office of national organisation)<sup>85</sup>
  - Knowmore located in Perth (branch office, of national organisation)<sup>86</sup>
  - Welfare Rights and Advocacy Service<sup>87</sup>
  - Women’s Legal Service WA (including Pilbara by outreach and virtually)<sup>88</sup>
- **Additionally - national CLCs without an office in the WA** (see examples below)
- **Community Legal Centres NT**
  - **CLC’s in Northern Territory:**
    - Darwin Community Legal Service (‘DCLS’) office in Darwin.<sup>89</sup>
    - Top End Women’s Legal Service (‘TEWLS’) office in Darwin<sup>90</sup>
    - Katherine Women’s Information and Legal Service office in Katherine<sup>91</sup>
    - Central Australian Women’s Legal Service offices in Alice Springs and Tennant Creek<sup>92</sup>
    - North Australian Aboriginal Family Legal Service (above in FVPLS)
    - Central Australian Aboriginal Family Legal Unit (above in FVPLS)
  - **Territory wide CLCs in the NT**

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<sup>82</sup> Kimberley Community Legal Service: <https://www.kcls.org.au/>

<sup>83</sup> Circle Green: <https://circlegreen.org.au/>

<sup>84</sup> Consumer Credit Legal Service: <https://cclswa.org.au/>

<sup>85</sup> Environmental Defenders Office: <https://www.edo.org.au/>

<sup>86</sup> Knowmore: <https://knowmore.org.au/>

<sup>87</sup> Welfare Rights and Advocacy Service: <https://wraswa.org.au/>

<sup>88</sup> Women’s Legal Service WA: <https://www.wlswa.org.au/>

<sup>89</sup> Darwin Community Legal Service: <http://www.dcls.org.au>

<sup>90</sup> Top End Women’s Legal Service: <https://tewls.org.au/>

<sup>91</sup> Katherine Women’s Information and Legal Service: <https://kwils.com.au/>

<sup>92</sup> Central Australian Women’s Legal Service: <https://cawls.org.au/>

- Environmental Defenders Office located in Darwin (branch office of national organisation)<sup>93</sup>
  - Knowmore located in Darwin (branch office, of national organisation)<sup>94</sup>
  - Tenants Advice Service and some other specialist assistance provided by Darwin Community Legal Service located in Darwin
- **Additionally – national CLCs without an office in the NT** (see examples below)
- **Community Legal Centres Queensland**
    - **CLCs in Queensland in Northern Australia:**
      - Cairns Community Legal Service office in Cairns<sup>95</sup>
      - Central Queensland Community Legal Service office in Rockhampton<sup>96</sup>
      - Environmental Defenders Office offices in Cairns and Brisbane (part of the national EDO)<sup>97</sup>
      - First Nations Women’s Legal Service North Queensland, office in Townsville and staff on Palm Island (also listed above as a separate service type)<sup>98</sup>
      - Mackay Regional Community Legal Centre office in Mackay<sup>99</sup>
      - North Queensland Women’s Legal Service offices in Townsville and Cairns<sup>100</sup>
      - Townsville Community Law office in Townsville<sup>101</sup>
      - Queensland Indigenous Family Violence Legal Service (above in FVPLS)<sup>102</sup>
    - **Additionally, statewide CLCs in Qld include:**
      - Basic Rights Queensland office is in Brisbane.<sup>103</sup>
      - Aged and Disability Advocacy Law office is in Brisbane.<sup>104</sup>
      - Knowmore head office is in Brisbane, also have an office in Darwin, Perth, Adelaide, Melbourne and Sydney<sup>105</sup>

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<sup>93</sup> Environmental Defenders Office: <https://www.edo.org.au/>

<sup>94</sup> Knowmore: <https://knowmore.org.au/>

<sup>95</sup> Cairns Community Legal Centre <https://www.cclc.org.au/>

<sup>96</sup> Central Queensland Community Legal Service: <https://www.cqclc.org.au/>

<sup>97</sup> Environmental Defenders Office: <https://www.edo.org.au/>

<sup>98</sup> First Nations Women’s Legal Service North Queensland: <https://www.atsiwlslsq.org.au/>

<sup>99</sup> Mackay Regional Community Legal Centre: <https://mrclc.com.au/>

<sup>100</sup> North Queensland Women’s Legal Service: <https://www.nqwls.com.au/>

<sup>101</sup> Townsville Community Law: <https://townsvillecommunity.law/>

<sup>102</sup> Queensland Indigenous Family Violence Legal Service: <https://qifvls.com.au/>

<sup>103</sup> Basic Rights Queensland: <https://brq.org.au/>

<sup>104</sup> Aged and Disability Advocacy Law (ADA Law): <https://adalaw.com.au/>

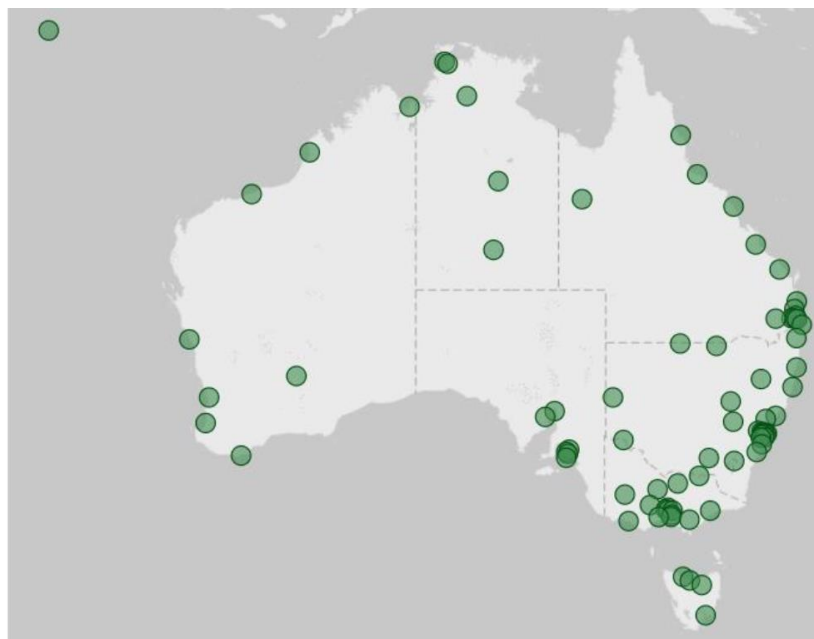
<sup>105</sup> Knowmore: <https://knowmore.org.au/>

- Queensland Advocacy for Inclusion office is in Brisbane<sup>106</sup>
- **National CLCs without an office in the QLD** (see examples below)
- **National CLCs without an office in Northern Australia** (examples)
  - ArtsLaw Centre<sup>107</sup>
  - Australian Centre for Disability Law<sup>108</sup>
  - Financial Rights Legal Centre<sup>109</sup>
  - Youth Law Australia<sup>110</sup>
  - Public Interest Advocacy Centre<sup>111</sup>
  - Human Rights Law Centre<sup>112</sup>
  - JusticeConnect<sup>113</sup>

## A2.5 Legal Aid Commissions

Northern Australia is in the service area of three of the seven Legal Aid Commissions that is, NT, WA and Qld. Below is the LAC location map included in the NLAP Review Report and additional maps relating to each of the three LACs.

**Map A2.5.1: Legal Aid Commission locations map included in the NLAP Report<sup>114</sup>**



<sup>106</sup> Queensland Advocacy for Inclusion: <https://qai.org.au/>

<sup>107</sup> ArtsLaw Centre: <https://www.artslaw.com.au/>

<sup>108</sup> Australian Centre for Disability Law: <https://disabilitylaw.org.au/>

<sup>109</sup> Financial Rights Legal Centre: <https://financialrights.org.au/>

<sup>110</sup> Youth Law Australia: <https://yla.org.au/>

<sup>111</sup> Public Interest Advocacy Centre: <https://piac.asn.au/>

<sup>112</sup> Human Rights Law Centre: <https://www.hrlc.org.au/>

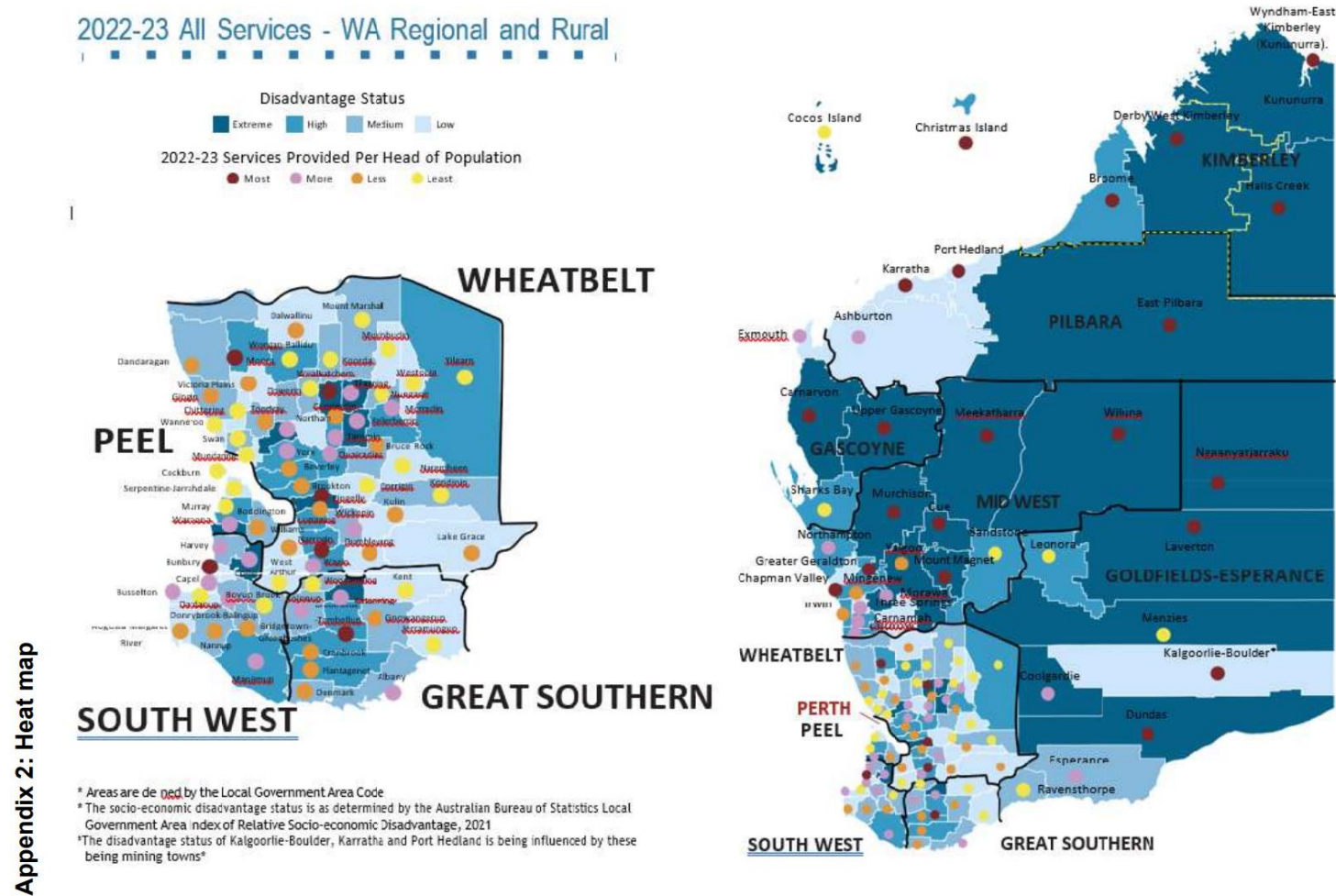
<sup>113</sup> Justice Connect: <https://justiceconnect.org.au/>

<sup>114</sup> [NLAP Review Report](#), LAC map p. 21; CLC map p. 22; ATSILS map p. 23; FVPLS p. 25.



### A2.5.1 Legal Aid Western Australia

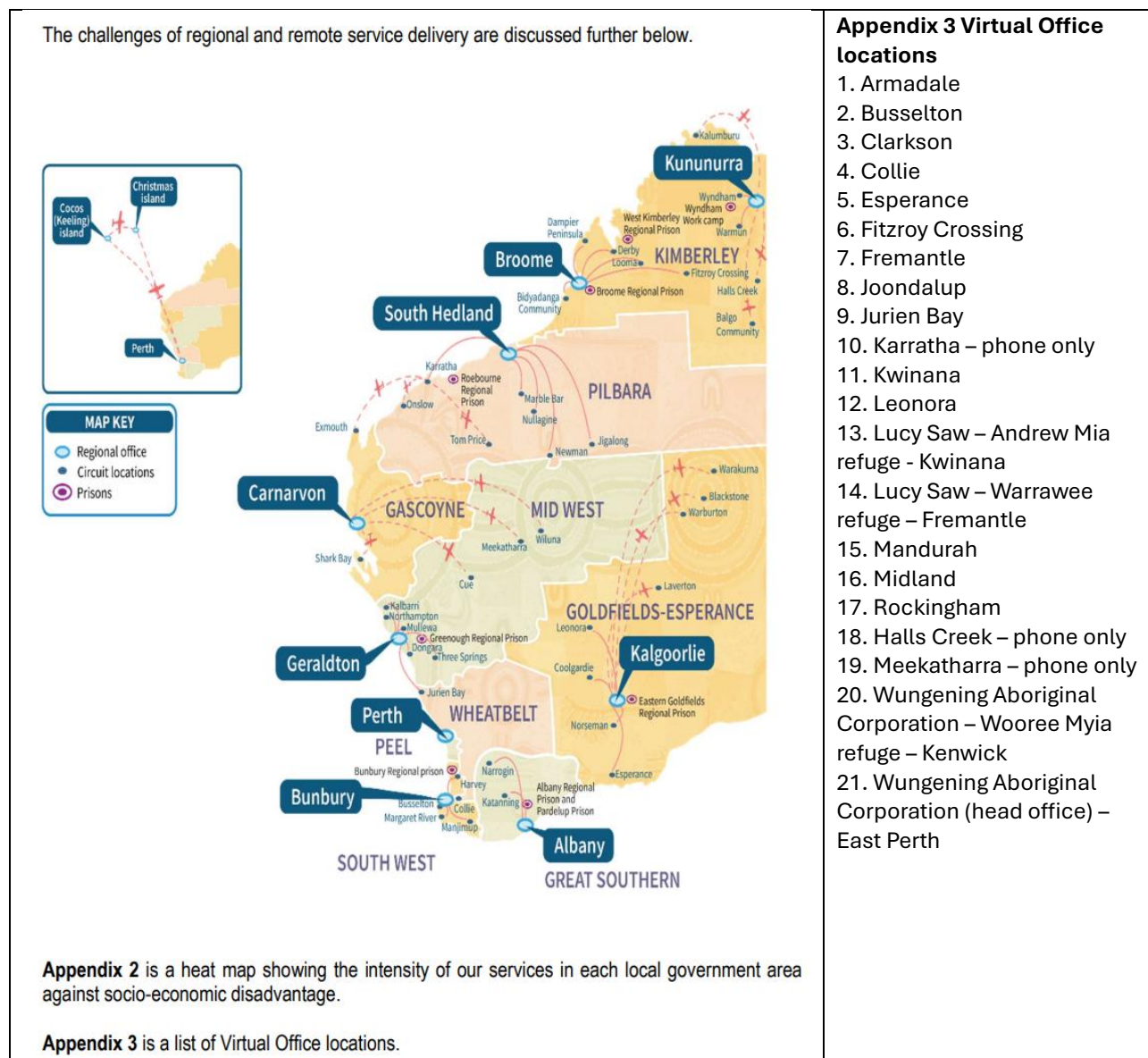
Map A2.5.1.1 Legal Aid WA All Services – 2022-23 WA Regional and Rural<sup>115</sup>



<sup>115</sup> Legal Aid WA, [Submission to the NLAP Review](#), Oct 2023, p. 43



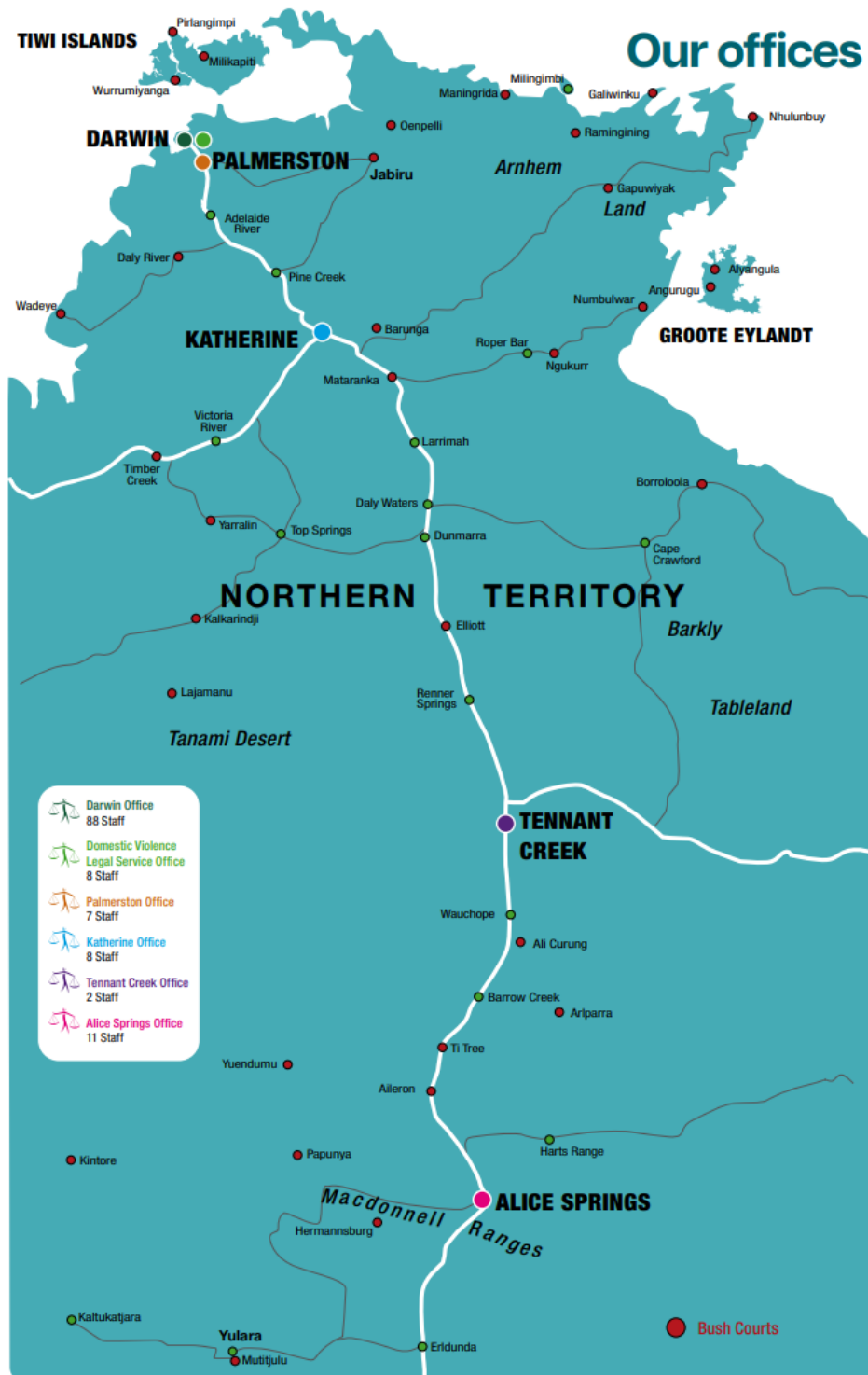
**Map A2.5.1.2: Map showing Legal Aid WA regional and rural service delivery<sup>116</sup>**



<sup>116</sup> Legal Aid WA, [Submission to the NLAP Review](#), Oct 2023, pp. 6 & 44.

## A2.5.2 NT Legal Aid Commission

Map A2.4.2.1 Map of NT Legal Aid locations and Bush Courts<sup>117</sup>



<sup>117</sup> NT Legal Aid Annual Report 2022-23, p. 14.

### A2.5.3. Legal Aid Queensland

**Map A2.5.3.1: Legal Aid Queensland office locations<sup>118</sup>**

# Office locations



<sup>118</sup> Legal Aid Qld, [Submission to the NLAP Review](#), Oct 2024 p. 25.





## Att 2A: Case study Ngaanyatjarraku LGA

This case study relates to the Ngaanyatjarraku LGA in WA which is defined to be part of Northern Australia under the NAIF Act.<sup>121</sup> The LGA (Shire) is on the Ngaanyatjarra Lands which are tri-state (map below), including the Lands in the NT (included in the NAIF definition) and in SA (not included in the NAIF definition).<sup>122</sup>

**Map 2A.1: Ngaanyatjarra, Pitjantjatjara, Yankunytjatjara Lands<sup>123</sup>**



The Ngaanyatjarraku LGA (shown by the faint lines on the map below), is part of the WA Goldfields Esperance Region which is part of WA Local Government Area Zone 1 being the Kimberley, Pilbara, Gascoyne, Murchison and Goldfields Esperance Regions.<sup>124</sup>

<sup>121</sup> NAIF Act s.5 (ea).

<sup>122</sup> NAIF Act s.4; Map 1.2 at [Attachment 1](#).

<sup>123</sup> Empowered Communities, [Regional Development Road Map: A journey to empowerment in the Ngaanyatjarra, Pitjantjatjara, Yankunytjatjara Lands](#), July 2020 ('NPY Road Map') p. 5

<sup>124</sup> Western Australia Local Government Association, Zone Maps, Zone 1, [Online](#).

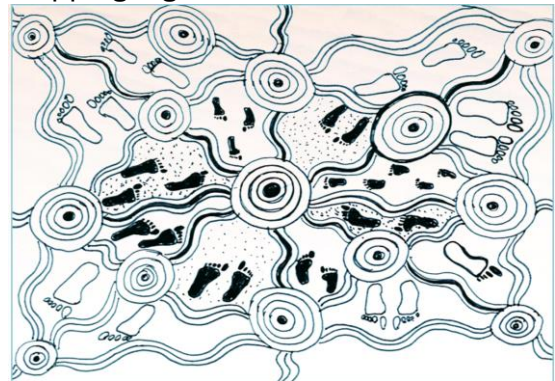


**Map 2A.2: Western Australia Local Government Area Zone 1**<sup>125</sup>



**NPY Regional Development Roadmap**<sup>126</sup>

“The outer circles represent each of the different communities and the centre circle is the place where we all meet. The feet going into the meeting in the centre, from all the sides show that the whole community is working together – young and old: the large feet are the men and women and the small feet are our children. We are taking action and information is flowing back to all of our communities and organisations. We are stepping together for a better future”<sup>127</sup>



**Shire of Ngaanyatjarraku**<sup>128</sup>

**About Ngaanyatjarraku**

The Shire encompasses an area of 159,948 square kilometres and is located approximately 1542km from Perth. The region itself is diverse in natural beauty from the magnificent Rawlinson ranges to the red sandy plains of the Gibson Desert.

The Shire is a unique local government in that its community of interest is contained within the traditional lands of the Ngaanyatjarra people of the Central Desert of Western Australia. The 99 year leases held by the Ngaanyatjarra Land Council on behalf of the traditional owners also form the boundaries of the Shire of Ngaanyatjarraku. The Shire's main township is Warburton, which is also the largest of the 11 Indigenous communities within the Shire.

**Ngaanyatjarra Council Group**<sup>129</sup>



<sup>125</sup> Ibid.

<sup>126</sup> NPY Road Map (n125), ‘This Roadmap is for anyone interested in learning more about EC in the NPY region, including Anangu, service providers and Governments. For Anangu to achieve real and lasting positive change, all stakeholders will play a part. This document provides a roadmap for how we will get there’, p.2.

<sup>127</sup> Ibid, quote and image p. 8.

<sup>128</sup> Shire of Ngaanyatjarraku Welcome to our Shire (Online): <https://www.ngaanyatjarraku.wa.gov.au/>

<sup>129</sup> Ngaanyatjarra Council Aboriginal Corporation, map showing the Shire of Ngaanyatjarraku (purple line) on Ngaanyatjarra lands, which extend beyond the Shire. Yellow lines indicate NT and SA borders, map enhanced from <https://www.ngaanyatjarra.org.au/map>.



The NPY Women’s Council’s Domestic and Family Violence Service based in Alice Springs<sup>130</sup> travels to the Ngaanyatjarra Lands in Western Australia and refers to services including the Aboriginal Family Legal Service WA (which has a branch office in Kalgoorlie and head office in Perth),<sup>131</sup> the WA Women’s Legal Service in Perth,<sup>132</sup> and the Goldfields Community Legal Centre (‘GCLC’) located in Kalgoorlie.<sup>133</sup> The GCLC’s catchment includes the Ngaanyatjarraku and Wiluna LGAs, which are mainly serviced by phone, although GCLC aims to do outreach trips to Warburton each year.

The Aboriginal Legal Service WA<sup>134</sup> has a branch office in Kalgoorlie and attends the Magistrates Court circuit to Warburton, Warakurna and Blackstone in the Ngaanyatjarraku LGAs (about 1,000km away).<sup>135</sup> and provides civil law outreach services from Perth to those communities.<sup>136</sup> Legal Aid WA also has a branch office in Kalgoorlie which undertakes court circuits to the communities.<sup>137</sup>

There is a lot of movement between the Lands and Kalgoorlie and legal assistance services in Kalgoorlie also respond to people from the Lands directly in Kalgoorlie and surrounds.

Community Legal Centres based in Perth, which have statewide service areas, including the Welfare Rights and Advocacy Service WA<sup>138</sup> are also potentially available by distance.

Some comments

- The actual cost of delivering services, **according to needs in communities, the demographics, cultural and language considerations and the nature and size of service areas** is not adequately factored into funding models for any of the legal assistance services.
- The same applies to the effect of gaps in other services including access to interpreters, support services and information and communication technology (‘ICT’).<sup>139</sup>
- Workforce shortages in any legal assistance services can impact on others. For example, when a key connecting service between communities and external

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<sup>130</sup> NPY Women’s Council, ‘About’ and NPY Women’s Council, Annual Report 2022-3 [web site](#)

<sup>131</sup> Aboriginal Family Legal Service WA: <https://afls.org.au/>

<sup>132</sup> Women’s Legal Service WA: <https://www.wlswa.org.au/>

<sup>133</sup> Goldfields Community Legal Centre: <https://www.gclc.com.au/>

<sup>134</sup> Aboriginal Legal Service WA: <https://www.als.org.au/> also see the map at [Attachment 2](#), A2.1.2.

<sup>135</sup> Aboriginal Family Legal Service WA: <https://afls.org.au/> See the map at Attachment 1 map A2.1.2.

<sup>136</sup> Aboriginal Legal Service WA: <https://www.als.org.au/> also see the map at [Attachment 2](#), A2.1.2.

<sup>137</sup> Legal Aid Western Australia: <https://www.legalaid.wa.gov.au/>

<sup>138</sup> Welfare Rights and Advocacy Service WA: <https://wraswa.org.au/>

<sup>139</sup> Warburton which is on the Ngaanyatjarra Lands in the Ngaanyatjarraku LGA, was the subject of former WA Treasurer and Minister for Aboriginal Affairs Minister Ben Wyatt’s article, ‘They haven’t the remotest idea’, about federal bureaucracies and government failing Warburton and remote communities. Ben Wyatt, ‘They haven’t the remotest idea’ The Australian 12 Nov 2019.

services experiences issues, or when legal assistance service which is the preferred referral point is experiencing staff shortages.

- Logistics can result in delays which can adversely impact.
- Funding models and workforce planning which implement Closing the Gap priorities are required to empower remote, very remote, rural and regional First Nations people and communities.
- Principles of empowerment, rights, wellbeing and community development are also highly resonant for non-Indigenous legal assistance sector contexts.

## Att 3: Media links

The following are links to some media and similar relating to legal workforce issues facing legal assistance sectors in Northern Australia and generally. This includes underfunding, lack of pay parity, workforce shortages and many other issues.

- Sarah Richards, 'Unprecedented' demand means Australia's community legal centres are having to turn people away', [ABC News, 8 Feb 2024](#)
- Josh Butler, Community Legal Centres turn away 1,000 Australians each day despite growing need for help, [The Guardian, Mar 2024](#)
- Community Legal Centres Australia, State of the Sector 2022-23 survey report: A sector in crisis, launched 25 May 2024 ([CLCA web site](#))
- Julius Dennis, Lawyers are leaving the community legal sector due to low pay, creating an experience gap, [ABC News, 9 Apr 2024](#)
- Calls for more funding for women's legal services, [ABC Radio National Breakfast, 7 May 24](#) – Guest Mark Dreyfus, Attorney-General
- Daryna Zadvirna, WA Community legal services forced to turn away women experiencing domestic violence, [ABC News 16 May 2024](#)
- Save Community Legal Centres, End the Funding Crisis, Community Legal Centres Australia, [continuing](#).
- NFPVLSF, 'Peak body calls for Government response and immediate collaboration following NLAP Report Release, [Media Release, 28 May 24](#)
- Georgia Roberts, 'Legal services funding can't meet Australia's needs, independent review finds', [ABC News, May 2024](#)
- [Access to Justice for All, Open Letter to the Attorney-General and Ministers by the Law Council of Australia and legal profession bodies, and Media Release 25 July 2024](#)
- Brianna Melville, 'Free legal service Regional Alliance West flooded by new clients hit by cost of living', [ABC News 19 Aug 24](#)
- Siobhan Mackay & Caitlin Weatherby-Fell, 'Women's legal services are at breaking point in the Top End and Big Rivers Regions. We need urgent funding', [Women's Agenda, 27 Aug 2024](#)
- NATSILS, Insufficient funding for Aboriginal and Torres Strait Islander Legal Services will fail to close gap between need and help available, [Media Release, 6 Sept 2024](#).
- Henry Ea, 'Is the \$3.9 billion investment to bolster Australia's legal assistance sector all it seems?', [Law Society Journal Online, 25 Sept 24](#)
- NATSILS, Submission to the Senate Legal and Constitutional Affairs References Committee Inquiry, submission [no 202](#), rec. 1: 'Provide needs-based and sustained funding increases for ATSILS to deliver culturally safe, holistic legal services and wraparound supports for Aboriginal and Torres Strait Islander children and young people, and to partner with governments to transform youth justice in line with the Closing the Gap priority reforms and to meet Socio-Economic Target 11.'

- James Elton, 'Katherine frontline services sound alarm over town's deepening domestic violence crisis', [ABC News, 11 Oct 24](#)
- Current: #SaveCommunityLegalCentres #CommunityLaw #AccessToJustice Check out the #SaveCommunityLegalCentres campaign website here: <https://www.savecommunitylegalcentres.com/>
- Samantha Dick, Funding crisis at Legal Aid NT threatens to undermine territory's justice system, [ABC News, 30 Oct 24](#)
- Olivana Lathouris, Lawyers' bid to bail clients on remand as Darwin prison overcrowding descends into 'state of chaos', [ABC News 31 Oct 24](#)
- First Nations Advocates Against Family Violence, Recommendations in [Submission](#) for the National Aboriginal and Torres Strait Islander Family Safety Plan, 1 Nov 24.

## Att 4: 4Rs letter 2 Sep 24 to Attorneys-General

This Attachment provides the letter by the 4Rs Network to Attorneys-General dated 2 Sept 2024 with inclusions. The whole contents is directly or indirectly relevant to legal assistance workforce development in Northern Australia. The following in particular:

<i>Workforce shortfalls</i> (insufficient staff / resources)	Page/s
• Addressing unmet geographic need	1-44
• Complete FVPLS coverage	44-46
• Legal Assistance Impact Assessment for administrative law	47-50
• Civil law; Disaster legal assistance	51-55, 56-59
• Women’s funding stream	60-66
• A2JP must address Closing the Gap Priority Reforms	67-71
• Self-determination in existing and new services	73-77
• Aboriginal interpreters	78-79
• Rebasing community legal service providers	91-105
• Rates of grants of aid	106-108
• Step and indexation	115-129
• Advocacy and law reform	179=180
<i>Workforce specific</i>	
• Portability of entitlements	132
• <b>Workforce Strategy</b>	<b>133--165</b>
1. Remuneration of Community Assistance Workers	166-173
2. HECS-HELP Forgiveness Scheme	174-177
3. Volunteers with CLCs metro and 4Rs (Attachment 1A)	206-213
4. Social security legal assistance workforce: education and training (Attachment 1B)	214-217

**Attachment 4 included as a separate file**