

Senate Select Committee on COVID-19

Attorney-General's Department

Hearing date: 22 September 2020

Hansard page: 47-48

Question type: Spoken

Kristina Keneally **asked the following question:**

Senator KENEALLY: ... Ms Brayshaw talked about \$20 million for domestic violence legal services. Has that money gone out? Have legal services received that funding?

Ms Brayshaw: My understanding is that some of that money has been provided and allocated to the legal services, but I would need to take on notice as to the exact proportion of the \$63.3 million. My understanding was that we did—this question was raised with us in the inquiry before the House of Reps committee, and we've taken that on notice and we've been talking to Attorney-General's Department to make sure we've got the right numbers. So I can take that on notice.

Senator KENEALLY: Just so we're clear, I thought I understood you to say \$63 million for legal services, \$20 million of that for family and domestic violence legal services.

Ms Brayshaw: In terms of the \$63.3 million that was announced by the government, that was with around \$20 million to be used for matters involving domestic violence, if I wasn't clear in my earlier evidence.

Senator KENEALLY: That's what I'm asking, how much of that \$20 million has gone out. You'll take that on notice?

Ms Brayshaw: I'll take that on notice.

Senator KENEALLY: Great.

The response to the Senator's question is as follows:

On 6 May 2020 the Australian Government announced additional funding of \$63.3 million across 2019-20 and 2020-21 for legal aid commissions, community legal centres, Aboriginal and Torres Strait Islander Legal Services and Family Violence Prevention Legal Services (FVPLS) to help address the impact of COVID-19. Of this funding:

- \$49.8 million is for additional frontline legal assistance services, such as legal advice or representation, with 40 per cent (approximately \$20 million) to be used for matters involving domestic violence, and
- \$13.5 million is for IT costs to support the sector's transition to delivering assistance virtually and online.

Funding is being delivered through a mixture of direct grants with legal assistance providers and a project agreement between the Government and states and territories. Under the project agreement the states and territories are responsible for the distribution of the funding to the legal assistance sector.

All 2019-20 and 2020-21 payments relating to direct grants between the Commonwealth and legal assistance providers have been made.

In relation to the project agreement, the Attorney General's Department understands that states and territories have allocated the funding to legal assistance providers within their jurisdictions, and already delivered the majority of the funding provided to date to the legal assistance sector. Formal progress reporting was provided to the department on 30 September 2020 and the department is in the process of assessing this information. This reporting required the states and territories to provide information on funding allocations to the legal assistance sector for 2020-21.

The frontline legal assistance services funding provided through the project agreement requires the states and territories to allocate a minimum of 40 per cent (equivalent to approximately \$20 million) of frontline legal assistance funding to providers for domestic violence matters. Under the project agreement, states and territories are also able to direct more than 40 per cent of the frontline legal assistance funding toward domestic violence matters.

As at 30 September 2020, approximately \$31.8 million has been expended by the Commonwealth for 2019-20. The 2019-20 payments commenced being made on 27 May 2020. Approximately \$6.4 million has been expended by the Commonwealth for 2020-21. The remaining \$25.1 million for 2020-21 is expected to be expended before the end of 2020.