

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: 1.4

Question No. SBE15/025

Senator McKim asked the following question at the hearing on 20 October 2015:

Ms Quinn: We are working with the National Association of Community Legal Centres for them to develop an alternative. We have given them a pretty significant funding agreement for this financial year for them to work on a solution with the sector. They are also working with states and territories, because they now administer the hands-on funding for almost every CLC. The status of that, from the national association's perspective, is they have started work on that project. They have given us a copy of their initial scoping study. Under their grant agreement, it is important for me to point out that the report remains their intellectual property; it is not actually ours. The scoping study was conducted in July and August to identify the business needs and the work that was going to be required to deliver an effective replacement of that database. The scoping study has now been completed, and the organisation—the national association—have recently issued a request for a proposal. They are in the process for selecting a suitable solution and a suitable provider.

Senator McKIM: The obvious point needs to be made that this was previously something that CLCs or their national association did not have to pay for. I accept that you have given them a grant to have a look at alternatives. What was the value of the grant, by the way?

Ms Quinn: It was \$1.3 million.

Senator McKIM: But that is only to examine alternatives and potentially come up with a new model for managing that database—

Ms Quinn: That is correct.

Senator McKIM: or the functions that were done and are still done by that database?

Ms Quinn: Yes.

Senator McKIM: But, ultimately, someone is going to have to pay for it, aren't they, either by buying a service in from an external service provider or by doing the work themselves—or a combination of both. So it is another cost shift, is it not, onto CLCs, many of which are already struggling with funding decreases?

Ms Quinn: Yes, we did do that. But we have actually taken, from the end of this current financial year, the money that we used to spend on maintaining CLSIS—and it is a very, very old and cumbersome system; nobody wants to keep it, I can assure you—into the national partnership agreement. That is why the national association is trying to get the engagement of states and territories. We are not going to leave them high and dry, and we are certainly looking at options for what we might need to do if the transition period needed to extend any longer, but we are also working very hard to make that not happen.

Mr Manning: One of the other changes worth noting on this point is that the information that the Commonwealth is requiring from the sector has been substantially reduced as a result of the new national partnership. So the information that they are obliged to provide to the Commonwealth has been reduced, all of which is part of the same aim which all of these measures are for—is to maximise the amount of the available funds that are spent on front-line services as compared to administration of the system. So what is actually required under the CLSIS replacement will be less than what has been the case in the past in relation to information.

Senator McKIM: Yes, I understand that. Have you ruled out the department continuing to manage a central data system that would allow for whatever reporting the department thinks it needs from the sector as well as the practice management issues that have been identified?

Ms Quinn: Yes.

Senator McKIM: You have ruled that out?

Ms Quinn: Yes, we have. Our transactional arrangement is now between the Commonwealth Treasury and state and territory treasuries. As Mr Manning said, the level of reporting that we, as the Commonwealth, require is now consolidated, quite minimal and at an entire state level. I should also add that a number of CLCs do not actually use CLSIS for the purpose you are talking about, because there are a range of off-the-shelf products available. That is one of the options that the national association is having a look at.

Senator McKIM: Minister Cash, you told the Senate last week, and I am paraphrasing here, that you acknowledge that funding to CLCs through the budget out-years had not been restored and that that was under consideration in the lead up to the midyear—

Senator Cash: It would be considered as part of the normal budget process.

Senator McKIM: I think you said MYEFO?

Senator Cash: MYEFO and/or the normal budget processes.

Senator McKIM: Is it being considered as part of the midyear financial process, or is it being considered as part of the budget?

Senator Cash: That is a decision for the cabinet.

Senator McKIM: You are not going to talk about that now?

Senator Cash: No.

Senator McKIM: Can I ask—it may be the same answer, but you cannot blame a man for trying—does that include Environmental Defenders Offices?

Senator Cash: I need to take that on notice, and you would need to direct that to the Attorney-General because that sits squarely within his portfolio.

The answer to the honourable senator's question is as follows:

The Government's position regarding funding for Environmental Defenders Offices is well documented. The Government has determined that legal assistance funding should be directed to front-line services where the need is greatest—such as services providing help to those affected by domestic and family violence, and for people who experience multiple forms of disadvantage.