

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

Group 1

Program 1.5

Question No. 158

Senator Wright asked the following question at the hearing on 18 November 2013:

Senator WRIGHT: ... My understanding is that the government announced a cut of \$42 million from the Indigenous Legal Aid and Policy Reform Program just prior to the federal election... What I would like to ask first of all is: can you advise what proportion of that program is currently spent on front-line services, as opposed to the proportion currently spent on law reform?

Mr Duggan: ... It would be impossible for us to estimate just exactly how much effort goes into precisely that issue because the program now, of course, is fused and there is no separate allocation for it.

Senator WRIGHT: Thank you, because my understanding is that that is the term that has been used to suggest that these cuts would not affect front-line services. But, in fact, if it is not possible to determine what proportion of a program goes to each, that would be difficult to determine I would have thought.

...

As well as that I will ask a question and that is: have there been any predictions sought or any work done about how those cuts, if they were to go ahead,—and that was the figure that was actually provided—would likely to impact on Indigenous incarceration rates, which we all know are highly disproportionate at the moment in Australia. What would be the effects of those cuts if they were to go ahead?

Mr Wilkins: We have not done any work on that. That would be quite a complicated exercise, actually.

...

Senator WRIGHT: ... I would ask you to take on notice some kind of modelling about what the effect might be, because you would be in a position to determine what are front-line services and what are law reform and policy services.

Senator Brandis: Senator Wright, your question assumes that modelling has been done.

Senator WRIGHT: No, I am asking that it be done.

Senator Brandis: I do not think, if I may say so, that that is really a proper use of the take-on-notice procedure...

Senator WRIGHT: I accept and understand what you are saying. What I would suggest then is that, if there are any predictions that have been made or any information that has been sought in these discussions that are apparently occurring about how budget savings are to be made, in the context of this figure having been announced before the federal election, I would ask that you take on notice and provide information to the committee about them.

1. How will the planned cut of \$42 million, from the Indigenous Legal Aid and Policy Reform Program, impact the provision of Indigenous legal services?
2. How will this cut impact Indigenous incarceration rates?
3. How will this cut impact the ability of general legal assistance services to deliver services?

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

1. The Government has not yet finalised the details around the redirection of funds.
2. Not applicable until a decision around the redirection of funds is finalised.
3. Not applicable until a decision around the redirection of funds is finalised.