

13 May 2019

Mr Michael Smith
Chief Executive Officer
Eastern Community Legal Centre
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Dear Mr Smith,

Thank you for the opportunity to provide the views of the Coalition on important issues facing your organisation. A response to your questions is attached.

This election will have real consequences for Australia's economy and our future.

Despite global headwinds, our economy is strong. This year, for the first time in more than a decade, the Government will deliver a Budget surplus.

A stronger economy means we can deliver on our plans to:

1. Create 1.25 million more jobs over the next five years.
2. Maintain budget surpluses and pay down debt.
3. Deliver tax relief to encourage and reward hard working Australians.
4. Guarantee increased investments for schools, hospitals and roads.
5. Keep Australians safe and our borders secure.

The alternative at this election is Mr Shorten. Labor's risky agenda includes billions of dollars of higher taxes – on retirees, housing, incomes, investments, family businesses, electricity and more.

Thank you for communicating our response to your members.

Yours sincerely,



Andrew Hirst
Federal Director

MORRISON GOVERNMENT RESPONSE TO THE EASTERN COMMUNITY LEGAL CENTRE

1. What commitments will you make to increase resources for legal help in the Eastern region?

See answer to question 2.

2. What commitments, plans and proposals do you have to improve access to justice?

The Morrison Government is committed to ongoing support of and investment in the legal assistance sector. A Legal Assistance Package, announced as part of the Budget, will provide \$918.4 million over four years for legal assistance to be delivered by legal aid commissions (LACs), community legal centres (CLCs) and Aboriginal and Torres Strait Islander Legal Services (ATSILS).

From 1 July 2020, combined with existing funding, the Coalition will provide \$1.2 billion over three years for legal assistance services. Baseline funding will increase to \$369.9 million per year, which translates to approximately:

- \$226.4 million per year (ongoing) in baseline funding to legal aid commissions;
- \$45.4 million per year (ongoing) in baseline funding to community legal centres;
- \$75.5 million per year (ongoing) in baseline funding to Aboriginal and Torres Strait Islander Legal Services;
- \$9.9 million per year (ongoing) in funding for Domestic Violence Units and Health Justice Partnerships;
- \$10.0 million per year (ongoing) increase in funding for support for legal assistance services;
- \$8.1 million per year (ongoing) in funding for expensive Commonwealth criminal cases; and
- \$12.3 million in funding for the final year of Social and Community Sector (SACS) supplementation in 2020-21 for eligible CLCs and ATSILS.

This means the Coalition has made permanent new funding of \$10.0 million per year, indexed, to support legal assistance services.

The Commonwealth distributes funds to states and territories who then decide on each service provider's level of funding in accordance with the processes and priorities of the National Partnership Agreement. The Commonwealth is not the exclusive source of funding for LACs and CLCs. As part of their own legal assistance priorities, states and territories contribute their own share of funding toward their own legal assistance sectors.

3. What commitments including funding commitments will you make to addressing family violence across Australia?

See answer to question 3.

4. What commitments will you make to ensure that legal help is fully integrated into these reforms?

As part of the Women's Economic Security Package, the Morrison Government will provide:

- Ongoing funding to Commonwealth funded specialist domestic violence units and health justice partnerships. Funding includes \$31.8 million in the first three years, from 1 July 2019, to allow service providers to maintain their services and expand delivery to include financial counselling and literacy services.
- \$7 million over three years (ongoing) to fund legal aid commissions to provide legal representation to parties subject to the ban on direct cross-examination under the *Family Law Amendment (Family Violence and Cross-examination of Parties) Act 2018*.

On 5 March 2019, the Morrison Government announced a \$328 million funding package to support the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022. As part of the Fourth Action Plan, an investment of \$11.0 million will be made to improve information sharing between the family law, family violence and child protection systems.

5. What commitments, plans and proposals do you have to prevent and respond to elder abuse?

The Morrison Government is committed to ensuring that our older Australians are supported and protected from all forms of abuse. As a result of this commitment, in March 2019, the Attorney-General, the Hon Christian Porter MP, launched the *National Plan to Respond to the Abuse of Older Australians* (National Plan). As part of this plan, there is a range of commitments and plans to tackle the issue of elder abuse.

Elder Abuse Hotline

In March 2019, the Attorney-General launched the national free call elder abuse hotline. This number, 1800 ELDERHelp (1800 353 374), is a central dedicated line across Australia that will connect the individual with their relevant state or territory where they can discuss potential or actual elder abuse and get the information and referrals they need to protect themselves.

Elder Abuse Support Trial Sites

The Coalition Government has provided \$18.3 million over four years to specialised front line services designed to support those experiencing any form of elder abuse. Every state and territory will have at least one trial site starting before the end of June this year. This funding, under the Coalition Government's More Choices for a Longer Life package, will support the establishment of three types of specialist services: specialist elder abuse units, health-justice partnerships and case management and mediation services.

Enduring Powers of Attorney

The Coalition Government is committed to working with the states and territories to identify possible options for harmonisation of enduring powers of attorney, in particular financial powers. The lack of consistency across states and territories for the registration of enduring powers means there is no simple way for organisations, such as banks, to check the validity of a power of attorney, leaving older people vulnerable to financial abuse.

The Coalition Government is investigating the feasibility of developing a national online register of enduring powers of attorney, and to assist the states and territories in achieving greater national consistency, particularly in relation to financial abuse, through the harmonisation of enduring powers of attorney.

National Prevalence Study

It is estimated that as many as 185,000 older people are victims of elder abuse in Australia. However, there is very limited data and information on elder abuse, the impacts it has and the extent to which it affects our older Australians. That is why the Coalition Government is undertaking Australia's first national study of the prevalence of abuse faced by our older Australians. This information will allow us to improve our understanding and appropriately direct resources and assistance to the areas that need it the most.

6. Will you commit to increasing the number of financial counsellors and community legal centre financial services lawyers? How?

The Morrison Government is providing up to \$328 million from 1 January 2019 to 30 June 2023 to support individuals and families to navigate financial crises and build financial wellbeing. The Morrison Government is also providing an extra \$64.2 million over the next four and a half years for Commonwealth Financial Counselling and Capability services.

7. Will you commit retaining the independence of the Indigenous Legal Assistance Program (ILAP) to ensure both funding transparency and a commitment to Aboriginal Controlled Community Organisations delivering these services?

Funding for Aboriginal and Torres Strait Islander Legal Services will continue through the National Mechanism for Commonwealth Legal Assistance Funding from 1 July 2020. Most importantly, the National Mechanism will quarantine funding for ATSILS, as Aboriginal community-controlled organisations that deliver culturally safe legal assistance services. States and territories will be required to provide this funding for services delivered by ATSILS.

This means ATSILS, in their ongoing and important capacity as community-controlled organisations, will continue to determine service priorities and locations based on local knowledge and needs. They will do so in partnership with governments and the broader legal assistance sector. ATSILS funding will not be diverted away from the delivery of these services to Aboriginal and Torres Strait Islander people.

The National Mechanism will align sector reporting requirements and data obligations through a single framework, provide better visibility of Commonwealth legal assistance expenditure, and ensure a more coordinated policy approach for the states and territories. As part of the Morrison Government's Budget, baseline Commonwealth funding to legal aid commissions, community legal centres and ATSILS will increase from \$350.3 million in 2019-20 to \$369.6 million (indexed) from 1 July 2020. Baseline funding to ATSILS will be \$75.5 million per year, ongoing.