

# Commonwealth Priorities

## NATIONAL LEGAL ASSISTANCE PARTNERSHIP

### PRELIMINARIES

- A1 This Schedule provides guidance on the prioritisation of mainstream, specialist and Aboriginal and Torres Strait Islander specific legal assistance services.

### NATIONAL PRIORITY CLIENT GROUPS

- A2 The States will ensure that legal assistance services are focussed on people experiencing financial disadvantage.
- A3 The States will ensure that legal assistance services are planned and focussed to people who fall within one or more of the following national priority client groups (in alphabetical order):
- (a) Aboriginal and Torres Strait Islander people;
  - (b) children and young people (up to 24 years);
  - (c) older people (aged over 65 years or Aboriginal and Torres Strait Islander people aged over 50 years);
  - (d) people experiencing, or at risk of, family violence;
  - (e) people experiencing, or at risk of, homelessness;
  - (f) people in custody and/or prisoners;
  - (g) people residing in rural or remote areas;
  - (h) people who are culturally and linguistically diverse;
  - (i) people with a disability or mental illness;
  - (j) people with low education levels; and
  - (k) single parents.
- A4 The list of national priority client groups recognise that certain cohorts of vulnerable people facing disadvantage are more likely to experience legal problems, less likely to seek assistance and/or less able to access services for a range of reasons.
- A5 The legal assistance sector is not excluded from assisting clients that fall outside these groups.

## STATE-SPECIFIC PRIORITY CLIENT GROUPS

- A6 In addition to the national priority client groups, States may identify other priority client groups that may be specific to their respective jurisdiction. The State will ensure the legal assistance sector plan and target their services to these additional client groups.
- A7 If a State identifies additional priority client groups, these should be listed in its Legal Assistance Strategy (Schedule C).

## COMMONWEALTH SERVICE PRIORITIES

### General principles

- A8 Commonwealth funding must be prioritised:
- (a) for the delivery of frontline services and focused on meeting the legal needs of individuals, with a specific focus on priority clients; and
  - (b) to directly enable legal assistance providers to undertake activities required by the NLAP.
- A9 Mainstream, specialist and Aboriginal and Torres Strait Islander specific legal assistance services must be delivered in a manner consistent with the National Strategic Framework.
- A10 Family or civil law disputes should be resolved through alternative dispute resolution processes rather than through litigation, where appropriate.
- A11 The legal assistance sector should consider whether other services (legal as well as non-legal) may be relevant to a client's needs and make referrals to these services where appropriate. Suitable collaborative arrangements should be established for this purpose.

### National and jurisdictional emergencies

- A12 The legal assistance sector should endeavour to ensure the continued delivery of legal assistance services during national or jurisdictional emergencies, taking into consideration:
- (a) the safety of individuals who will be responsible for the delivery of legal assistance services;
  - (b) the safety of those in receipt of legal assistance services; and
  - (c) the appropriateness of continuing to deliver legal assistance services during a national or jurisdictional emergency.

### Family law priorities

- A13 Legal assistance services related to family law should focus on:
- (a) matters where the safety or welfare of children are at risk;
  - (b) matters involving allegations of family violence;
  - (c) matters involving complex issues about the living arrangements, relationships and financial support of children; and
  - (d) assisting people with property settlement matters if they are experiencing financial disadvantage or are at risk of homelessness.

A14 For Legal Aid Commissions, the representation of children in family law proceedings and family dispute resolution processes should also be a focus.

### **Commonwealth civil law priorities**

A15 Legal assistance services related to Commonwealth civil law should focus on:

- (a) bankruptcy matters;
- (b) consumer law matters;
- (c) employment matters;
- (d) extradition matters;
- (e) human rights and anti-discrimination matters;
- (f) insurance law matters;
- (g) migration matters; and
- (h) social security law matters (including matters relating to military entitlements and military compensation claims).

A16 The list of Commonwealth civil law areas is for guidance only. The legal assistance sector should consider how to best meet civil law need collectively (arising from Commonwealth or State laws).

### **Commonwealth criminal law priorities**

A17 Legal assistance services related to Commonwealth criminal law should focus on:

- (a) matters where the defendant is a child;
- (b) matters where the defendant is being charged with a criminal offence for which a sentence of imprisonment is likely to apply should the defendant be found guilty; and
- (c) assisting persons being detained in custody.

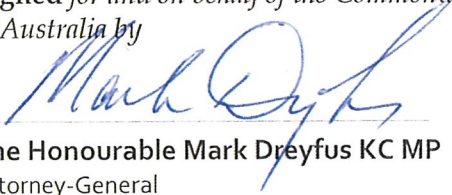
### **Lobbying activities**

A18 The NLAP does not prohibit legal assistance providers from engaging in lobbying activities.

A19 Legal assistance providers funded under the NLAP must prioritise the use of Commonwealth funding for the delivery of frontline legal assistance services and/or undertaking activities required under the NLAP.

The Parties have confirmed their commitment to this Schedule as follows:

Signed for and on behalf of the Commonwealth of Australia by



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

Signed for and on behalf of the State of New South Wales by



**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

7/12/2022

Signed for and on behalf of the State of Queensland by

**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

Signed for and on behalf of the State of South Australia by

**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

[Day] [Month] [Year]

Signed for and on behalf of the Australian Capital Territory by

**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

Signed for and on behalf of the State of Victoria by

**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the Northern Territory by

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

The Parties have confirmed their commitment to this Schedule as follows:

*Signed for and on behalf of the Commonwealth of Australia by*



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

*Signed for and on behalf of the State of New South Wales by*

**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

*Signed for and on behalf of the State of Queensland by*

**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

*Signed for and on behalf of the State of South Australia by*

**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

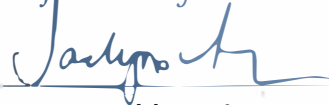
[Day] [Month] [Year]

*Signed for and on behalf of the Australian Capital Territory by*

**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

*Signed for and on behalf of the State of Victoria by*



**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

27/03/2023

*Signed for and on behalf of the State of Western Australia by*

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

*Signed for and on behalf of the State of Tasmania by*

**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

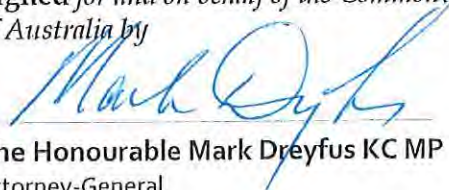
*Signed for and on behalf of the Northern Territory by*

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

The Parties have confirmed their commitment to this Schedule as follows:

*Signed for and on behalf of the Commonwealth of Australia by*



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

*Signed for and on behalf of the State of New South Wales by*

**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

*Signed for and on behalf of the State of Queensland by*



**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

21/12/22

*Signed for and on behalf of the State of South Australia by*

**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

[Day] [Month] [Year]

*Signed for and on behalf of the Australian Capital Territory by*

**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

*Signed for and on behalf of the State of Victoria by*

**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

[Day] [Month] [Year]

*Signed for and on behalf of the State of Western Australia by*

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

*Signed for and on behalf of the State of Tasmania by*

**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

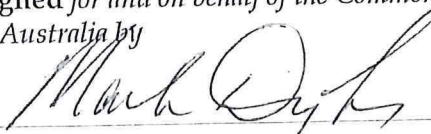
*Signed for and on behalf of the Northern Territory by*

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

The Parties have confirmed their commitment to this Schedule as follows:

*Signed for and on behalf of the Commonwealth of Australia by*



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

*Signed for and on behalf of the State of New South Wales by*

*Signed for and on behalf of the State of Victoria by*

**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

[Day] [Month] [Year]

*Signed for and on behalf of the State of Queensland by*

*Signed for and on behalf of the State of Western Australia by*



**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

23 FEB 2023

*Signed for and on behalf of the State of South Australia by*

*Signed for and on behalf of the State of Tasmania by*

**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

[Day] [Month] [Year]

**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

*Signed for and on behalf of the Australian Capital Territory by*

*Signed for and on behalf of the Northern Territory by*

**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

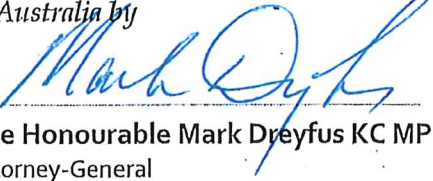
[Day] [Month] [Year]

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

The Parties have confirmed their commitment to this Schedule as follows:

Signed for and on behalf of the Commonwealth of Australia by



The Honourable Mark Dreyfus KC MP  
Attorney-General

[Day] [Month] [Year]  
23/11/22

Signed for and on behalf of the State of New South Wales by

Signed for and on behalf of the State of Victoria by

The Honourable Mark Speakman SC MP  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

The Honourable Jaclyn Symes MLC  
Attorney-General of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Queensland by

Signed for and on behalf of the State of Western Australia by

The Honourable Shannon Fentiman MP  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

The Honourable John Quigley MLA  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of South Australia by



The Honourable Kyam Maher MLC  
Attorney-General of the State of South Australia

in 12 2022  
[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

The Honourable Elise Archer MP  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the Australian Capital Territory by

Signed for and on behalf of the Northern Territory by

Shane Rattenbury MLA  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

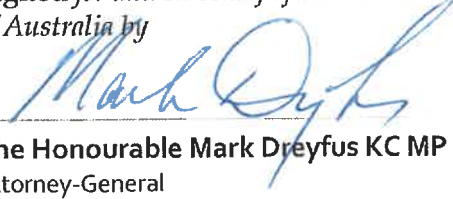
The Honourable Chanston Paech MLA  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]



The Parties have confirmed their commitment to this Schedule as follows:

*Signed for and on behalf of the Commonwealth of Australia by*



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

*Signed for and on behalf of the State of New South Wales by*

**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

*Signed for and on behalf of the State of Queensland by*

**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

*Signed for and on behalf of the State of South Australia by*

**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

[Day] [Month] [Year]

*Signed for and on behalf of the Australian Capital Territory by*

**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

*Signed for and on behalf of the State of Victoria by*

**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

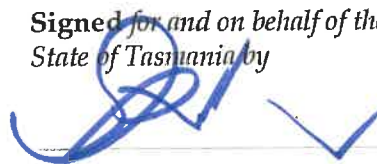
[Day] [Month] [Year]

*Signed for and on behalf of the State of Western Australia by*

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

*Signed for and on behalf of the State of Tasmania by*



**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

*Signed for and on behalf of the Northern Territory by*

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

The Parties have confirmed their commitment to this Schedule as follows:

**Signed for and on behalf of the Commonwealth of Australia by**



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

**Signed for and on behalf of the State of New South Wales by**

**Signed for and on behalf of the State of Victoria by**

**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

[Day] [Month] [Year]

**Signed for and on behalf of the State of Queensland by**

**Signed for and on behalf of the State of Western Australia by**

**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

**Signed for and on behalf of the State of South Australia by**

**Signed for and on behalf of the State of Tasmania by**

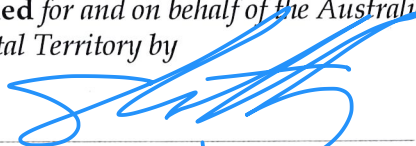
**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

[Day] [Month] [Year]

**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

**Signed for and on behalf of the Australian Capital Territory by**



**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

27/3/23

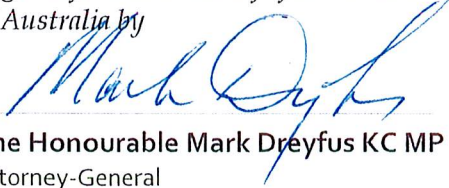
**Signed for and on behalf of the Northern Territory by**

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

The Parties have confirmed their commitment to this Schedule as follows:

**Signed for and on behalf of the Commonwealth of Australia by**



**The Honourable Mark Dreyfus KC MP**  
Attorney-General

[Day] [Month] [Year]

23/11/22

**Signed for and on behalf of the State of New South Wales by**

**Signed for and on behalf of the State of Victoria by**

**The Honourable Mark Speakman SC MP**  
Attorney General of the State of New South Wales

[Day] [Month] [Year]

**The Honourable Jaclyn Symes MLC**  
Attorney-General of the State of Victoria

[Day] [Month] [Year]

**Signed for and on behalf of the State of Queensland by**

**Signed for and on behalf of the State of Western Australia by**

**The Honourable Shannon Fentiman MP**  
Attorney-General of the State of Queensland

[Day] [Month] [Year]

**The Honourable John Quigley MLA**  
Attorney General of the State of Western Australia

[Day] [Month] [Year]

**Signed for and on behalf of the State of South Australia by**

**Signed for and on behalf of the State of Tasmania by**

**The Honourable Kyam Maher MLC**  
Attorney-General of the State of South Australia

[Day] [Month] [Year]

**The Honourable Elise Archer MP**  
Attorney-General of the State of Tasmania

[Day] [Month] [Year]

**Signed for and on behalf of the Australian Capital Territory by**

**Signed for and on behalf of the Northern Territory by**



**Shane Rattenbury MLA**  
Attorney-General of the Australian Capital Territory

[Day] [Month] [Year]

**The Honourable Chanston Paech MLA**  
Attorney-General of the Northern Territory of Australia

[Day] [Month] [Year]

17/01/2023