

2023-25 Addressing Protection Visa Backlogs – Legal Assistance

FEDERATION FUNDING AGREEMENT – AFFORDABLE HOUSING,
COMMUNITY SERVICES AND OTHER

Table 1: Formalities and operation of schedule	
Parties	Commonwealth New South Wales Victoria Queensland Western Australia South Australia Tasmania Australian Capital Territory Northern Territory
Duration	The funding delivered under this Schedule is expected to expire on 30 June 2025. This Schedule is expected to expire on 30 September 2025 to allow time for final reporting to be completed.
Purpose	<p>This Schedule will support the delivery of efficient and effective legal assistance services to individuals seeking to appeal Permanent Protection Visa (PPV) decisions made by the Department of Home Affairs and/or the Administrative Appeals Tribunal (AAT) (or its successor body).</p> <p>By providing funding to legal aid commissions and community legal centres to deliver increased legal services to people seeking asylum, this Schedule will support the Government's priority to address protection visa backlogs and improve the overall integrity of the migration system.</p>

<p>Estimated financial contributions</p>	<p>The Commonwealth will provide an estimated total financial contribution to the States of \$36.5 million in respect of this Schedule.</p> <table border="1" data-bbox="512 315 1278 797"> <thead> <tr> <th>Table 1(\$ millions)</th> <th>2023-24</th> <th>2024-25</th> </tr> </thead> <tbody> <tr> <td>Estimated Total Budget</td> <td>7.732</td> <td>28.791</td> </tr> <tr> <td>New South Wales</td> <td>3.143</td> <td>12.170</td> </tr> <tr> <td>Victoria</td> <td>2.446</td> <td>9.425</td> </tr> <tr> <td>Queensland</td> <td>0.821</td> <td>3.028</td> </tr> <tr> <td>Western Australia</td> <td>0.504</td> <td>1.777</td> </tr> <tr> <td>South Australia</td> <td>0.346</td> <td>1.157</td> </tr> <tr> <td>Tasmania</td> <td>0.137</td> <td>0.331</td> </tr> <tr> <td>Australian Capital Territory</td> <td>0.194</td> <td>0.556</td> </tr> <tr> <td>Northern Territory</td> <td>0.141</td> <td>0.347</td> </tr> </tbody> </table>	Table 1(\$ millions)	2023-24	2024-25	Estimated Total Budget	7.732	28.791	New South Wales	3.143	12.170	Victoria	2.446	9.425	Queensland	0.821	3.028	Western Australia	0.504	1.777	South Australia	0.346	1.157	Tasmania	0.137	0.331	Australian Capital Territory	0.194	0.556	Northern Territory	0.141	0.347
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<p>Additional terms</p>	<ol style="list-style-type: none"> 1. The Parties will meet biannually on a bilateral basis to discuss the operation of this Schedule. This can take place in conjunction with existing bilateral meetings under the National Legal Assistance Partnership 2020-25. 2. The States will provide performance reporting in accordance with performance milestones in Table 2. 3. The Parties note that some legal assistance services delivered through funding provided under this Schedule may extend beyond the expiration of this Schedule. 4. Both Parties agree that funding will be provided to legal assistance providers identified in Table 3. 5. The States will provide funding certainty to selected providers by ensuring that agreements are for the duration of the Schedule. 6. The States will ensure that funding allocated to service providers under this Schedule, will not result in reductions to, or redirection of, other funding allocations under the National Legal Assistance Partnership. 7. The States will ensure legal assistance service data is collected and reported consistent with the <i>National Legal Assistance Data Standards Manual</i>. 8. The Commonwealth will review the arrangements of the Schedule in its final year of operation to determine whether the protection visa backlogs are being addressed. 																														

Table 2: Performance requirements, reporting and payment summary

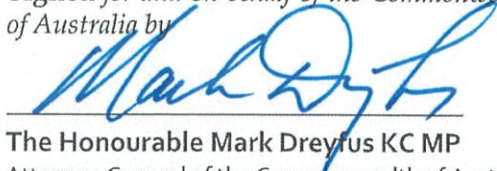
Output	Performance milestones	Report due	Payment
Delivery of efficient and effective legal assistance services to individuals who are seeking to appeal PPV decisions made by the Department of Home Affairs (merits review at the AAT) and/or appeal PPV decisions made by the AAT (judicial review to the Federal Courts).	Execution of this Schedule	Upon execution of this Schedule	\$7.732m (100% of a State's 23/24 state allocation in Table 1)
	Continued delivery of legal assistance services in accordance with the Schedule and States to confirm that individual service provider agreements for service providers listed in Table 3 have been executed. This will require the provision of the following information: <ul style="list-style-type: none"> • name of the service provider • date the agreement was executed • length of the agreement • total amount to be delivered under the agreement 	01/07/2024	\$5.7582m (20% of a State's FY24/25 allocation in Table 1)
	Collation of the following information relating to services delivered with funding under this Schedule from the date of execution to 30 June 2024: <ul style="list-style-type: none"> • the number of legal assistance services delivered to individuals, disaggregated by service type, and • information on any collaborative service arrangements with other migration and refugee legal assistance service providers <ul style="list-style-type: none"> - examples of collaborative service arrangements may include, but are not limited to, referral pathways to manage conflicts or demand, development and sharing of resources. 	30/09/2024	\$14.395m (50% of a State's FY24/25 allocation in Table 1)
	Collation of the following information relating to services delivered with funding under this Schedule from 1 July 2024 to 31 December 2024: <ul style="list-style-type: none"> • the number of legal assistance services delivered to individuals, disaggregated by service type, and • a de-identified case study from each service provider that aligns with the output noted in Table 2 in supporting an individual with an AAT or Federal Court appeal. 	11/03/2025	\$8.6373m (30% of a State's FY24/25 allocation in Table 1)
	Collation of the following information relating to services delivered with funding under this Schedule from 1 January 2025 to 30 June 2025: <ul style="list-style-type: none"> • the number of legal assistance services delivered to individuals, disaggregated by service type, and • final assessment of the program including, but not limited to: <ul style="list-style-type: none"> - observations on the effectiveness of the faster processing approaches - Service delivery model(s) - Service gaps/unmet need issues - Collaborative arrangements - Staffing/recruitment/retention - Number of open, finalised and outstanding cases at the conclusion of the agreement - Total number of services delivered, disaggregated by service type 	30/09/2025	Nil

Table 3: List of legal service providers to receive funding

State	Legal Service Providers
New South Wales	<ul style="list-style-type: none">• Refugee Advice & Casework Service (RACS)• Immigration Advice and Rights Centre (IARC)• Legal Aid NSW
Victoria	<ul style="list-style-type: none">• Refugee Legal• Victoria Legal Aid
Queensland	<ul style="list-style-type: none">• Refugee and Immigration Legal Service (RAILS)• LawRight
Western Australia	<ul style="list-style-type: none">• Circle Green Community Legal (Circle Green)
South Australia	<ul style="list-style-type: none">• Legal Services Commission of South Australia
Tasmania	<ul style="list-style-type: none">• Tasmanian Refugee Legal Service
Australian Capital Territory	<ul style="list-style-type: none">• Legal Aid ACT
Northern Territory	<ul style="list-style-type: none">• NT Legal Aid Commission

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

Signed for and on behalf of the Commonwealth of Australia by

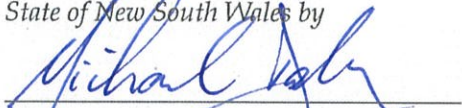


The Honourable Mark Dreyfus KC MP
Attorney-General of the Commonwealth of Australia

[Day] [Month] [Year]

15th February 2024

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



The Honourable Michael Daley MP
Attorney General of the State of New South Wales

[Day] [Month] [Year]

19 March 2024

Signed for and on behalf of the State of Queensland by

The Honourable Yvette D'Ath 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
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Shane Rattenbury MLA
Attorney-General of the Australian Capital Territory

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Attorney-General of the Northern Territory

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22/04/2024

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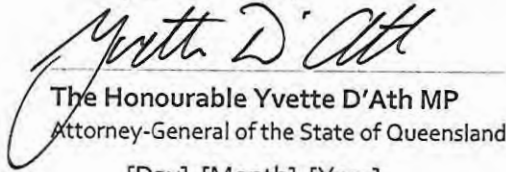
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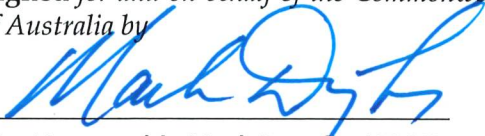
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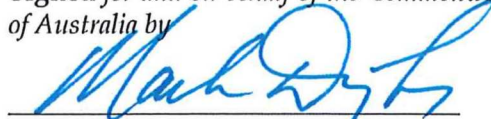
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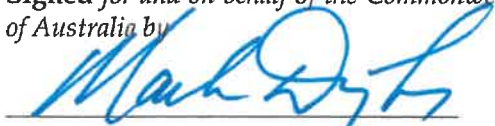
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11th June 2024

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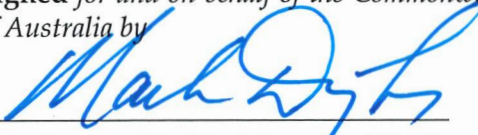
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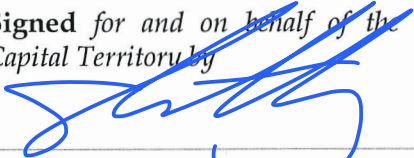
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12/3/24

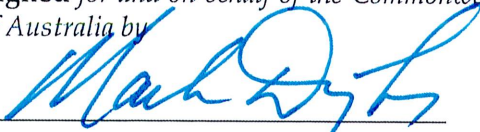
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18 MAR 2024