



**Community
Legal Centres
Queensland**

Application Resource Guide

Queensland and Commonwealth
Legal Assistance Service Delivery Funding 2017 – 2020

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Foreword

The allocation of State and Commonwealth funding for legal assistance through competitive tendering is a new process in the history of the legal assistance sector in Queensland. While it can be a challenge for organisations to respond to a tender process, it is also an opportunity. The tender is an opportunity to ensure that resources for legal assistance are allocated in a way that reflects the values of:

- Collaborative service planning;
- Maximising the accessibility of services; and
- Ensuring transparent decisions based on the available evidence of legal need.

The legal assistance sector has a commitment to an evidence-based approach so that transparent decisions are made about funding allocations. This application process is an opportunity for the sector to articulate the legal needs of their community to ensure that resources are appropriately directed based on the best available evidence.

Organisations that are providing free legal services or court/tribunal support advocacy services are already well placed to engage in the tender process. A proven history in providing services to vulnerable and disadvantaged Queenslanders means there is already a wealth of experience, expertise and information about how services are best delivered to those that most need them. This tender process is opportunity to collect and collate your expertise to continue a viable service system in Queensland.

Community Legal Centres Queensland has some specific resources to assist applicants with the application process. Along with this Guide, there will be:

- workshop on Tuesday 11 October 2016; and
- a webinar at 10am on Friday 28 October 2016 ([register here](#)).

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This Guide

This document was developed by Community Legal Centres Queensland to assist community legal centres and other eligible organisations to apply for Queensland and Commonwealth Legal Assistance Service Delivery funding 2017-2020, administered by the Department of Justice and Attorney-General.

The purpose of this guide is to provide assistance with responding to the Application Form and in particular, assistance with interpreting the quality evaluation criteria. The interpretative aspect of the guide is based upon concepts in the [National Strategic Framework for Legal Assistance 2015 – 2020](#) and the [Reshaping legal assistance services: building on the base. A Discussion Paper](#) by Law and Justice Foundation of New South Wales.

This guide provides some practical examples of responses to parts of the application. The examples are **not the “perfect response”** in both content and length, but an indication of how the theoretical concepts could be applied to a response. It was intentional to have mix of examples that is representative of the diversity of eligible applicants, such generalist, specialist, rural, regional, metropolitan and court or tribunal support settings.

Application Process

Part of the tender documentation provided by the Department of Justice and Attorney-General are Application Guidelines. It is important to read the Guidelines document carefully as it outlines the application process and how applications will be evaluated.

The tender process is open for 6 weeks after the opening date.

Words limits apply to parts of the application form and it is important for applicants to comply with those. Word limits have been set as a maximum to accommodate a broad range of applicants that may need to outline a number of services or programs. It is not necessary to meet the maximum word limit.

Other supporting documents, such as letters of support, are not being considered. Time and energy in the application process is best placed in developing succinctly worded and well-considered responses.

The Q Tenders Queensland Government platform (<https://www.hpw.qld.gov.au/qtenders/>) is how information about the application process will be disseminated. All applications and documents such as annual reports and financial reports must be submitted through Q Tenders. Registration as a supplier with Q Tenders is an important preliminary step for all potential applicants.

As questions arise about the tender process, Frequently Asked Questions and responses will be disseminated through Q Tenders by the Department of Justice and Attorney-General.

Mandatory Eligibility Requirements

In order for an applicant to be eligible to apply for funds, it must meet the mandatory eligibility requirements of quality standards, service requirements and other requirements.

Quality Standards

The quality standards that must be met are either:

- Certification under the National Accreditation Scheme (NAS). NAS is an industry based accreditation process for Community Legal Centres (CLCs); **OR**
- Certification or compliance with the Queensland Government Human Services Quality Standards; **OR**
- Equivalent quality standards that are relevant.

You must either provide evidence of meeting the quality standards, such as a copy of your certification or declare your compliance in the “Declaration” section of the application form. Any evidentiary documentation must be submitted with the application on Q Tenders.

Community Legal Centres can contact Penny Sullivan, Regional Accreditation Coordinator at Community Legal Centres Queensland (rac@communitylegalqld.org.au) if you need another copy of your NAS certification.

Service Requirements

To be eligible to apply for funding you must be currently delivering either:

- free legal services for vulnerable and disadvantaged Queenslanders; or
- free court/tribunal support and advocacy services for vulnerable and disadvantaged Queenslanders.

You must provide a copy of your 2014 – 2015 Annual Report as evidence of meeting this requirement. The report must be submitted with the application through Q Tenders.

Other requirements

A copy of your 2014 – 2015 audited financial statements must be submitted with your application.

A copy of your 2015-2016 financial statements (Profit and Loss Statement and Balance Sheet) must also be submitted.

Prior to submitting your application check that all sections of the application form have been completed and tick the box.

Services

Description of the Services

1. Geographical Regions

Applicants are required to indicate the regions in which your organisation would target service delivery. Some applicants may need to indicate more than one region.

This question is about identifying particular regions on which service delivery will be focussed, rather than an analysis of where previous or current clients of your organisation live. Your responses to selection criteria later in the application form will provide details of why and how services are being targeted and delivered in particular regions.

If you are identifying that you are providing a Statewide service, it is important that you outline in the quality evaluation criteria which elements of the services are statewide and how the service delivery model ensures a State-wide reach, eg. a telephone advice line.

Appendix A of this guide has a map of Queensland that sets out the boundaries for each geographical region. All maps of legal assistance regions in Queensland can be found at <http://communitylegalqld.org.au/evidencebase/maps>

2. Where the service would be delivered from

Applicants are required to indicate the office and outreach locations of the Services. Note that outreach locations will form part of your service agreement and any changes to those outreach locations will require you to notify the State Program Manager and seek a variation to your service agreement.

If you are identifying specific outreaches it is important that you outline in the quality evaluation criteria the reasons for your choice of outreach locations. Bear in mind that multiple services may be providing outreach services at similar locations, so it is important for your application to be clear about the focus of an outreach (eg. target clients, areas of assistance). Multiple outreaches in a similar locations are not in itself problematic, if there is a sound analysis of the legal need and that important service gaps are being filled.

3. Client groups

Applicants are required to indicate the specific client groups to which your organisation would target service delivery. Some applicants may need to indicate more than one client group. The list of client groups is based on the priority client groups identified under the National Partnership Agreement on Legal Assistance Services (NPA). The NPA requires legal assistance service providers to focus services on people experiencing financial disadvantage

and for providers to “plan and target their services to people who fall within one or more of the priority client groups”¹.

This section is about identifying particular client groups on which service delivery will be focussed, rather than an analysis of the attributes of previous or current clients of your organisation. Your responses to the selection criteria later in the application form will provide details of why and how particular groups will have a service delivery focus.

4. Overview of your organisation

Responses to this question provide an organisational context to the proposed services. Importantly it can demonstrate an organisation’s track record in providing services and underline the stability and sustainability of the organisation to provide services over a 3-year period. The types of information that can be provided include:

- the overall mission of the organisation and the fit of the mission with services
- how the focus of the organisation is meeting needs in the community
- history or track record in providing services
- staffing profile and expertise
- the resource base (financial and non-financial) of the organisation
- other services or programs delivered with other funding sources
- plans to ensure the ongoing viability of the organisation’s resource base.

This section has a word limit of a half page. Note that size 11, Arial font must be used within this space constraint.

Example:

Specialist Employment Law Service (SELS) is a Statewide community legal centre that provides free legal assistance to vulnerable workers in Queensland who experience legal problems in the area of employment and industrial relations.

SELS targets services to non-unionised vulnerable workers with a particular focus on trainees and apprentices; migrant workers; and taxi drivers.

SELS has been providing legal services to vulnerable workers in Queensland for over 10 years, and over this time has developed practice expertise in the areas of unfair dismissal, unpaid wages, general protections under the Fair Work Act, and discrimination.

In 2006 SELS started as a volunteer only service and has since grown to a service with 10 staff consisting of lawyers, industrial advocates, support staff and over 50 volunteers. In seeking to meet the ongoing unmet demand for services, SELS has a number of funding streams including funding from the Department of Industrial Relations, grants from Philanthropic trusts and foundations, in-kind corporate support and an annual fundraising event. Department of Industrial Relations funding enables SELS to operate a state-wide employment hotline which triages inquiries to appropriate legal assistance.

¹ NPA, [18], [B2], [B3]

5. Overview of the nature and types of services

Responses to this question should broadly describe the nature and types of services for which you are seeking funding. The quality evaluation criteria further in the application focusses on why and how the services will be provided.

The kinds of information that can be provided include:

- Target clients
- Areas of law
- Location of services
- Types of services – information and referral, advice, casework, court support, duty lawyer services, support services, community legal education, law and legal reform
- Key relationships and partnerships.

This section has a word limit of a half page. Note that size 11, Arial font must be used within this space constraint.

Example:

Acme Court Support service is seeking funding to provide information, support and referral services to court users at:

- *Brisbane and Cairns Family Violence Court;*
- *Mackay Victims of Crime Tribunal; and*
- *Townville District Court.*

Information and referral is provided by a team of volunteers located at each court or tribunal and is coordinated by Acme Court Support.

Current information about courts and their processes are also provided on the Acme Court website and in brochures in each court or tribunal location.

Responses to quality evaluation criteria

The quality evaluation criteria are based on the Principles of the National Strategic Framework for Legal Assistance 2015-20. There is some cross-over between each of the Principles (and the criteria) so it is important to look at responses to quality evaluation criteria as an overall package of responses as well as responses to individual criteria. Within the constraints of the word limits, there may be a level of repetition in responses, but with a slightly different focus.

All of the responses to the quality evaluation criteria have a maximum word limit of one page. Note that size 11, Arial font must be used within this space constraint.

1. Describe why your organization delivers Services to client groups identified in Questions 1-3

Responses to this criteria establishes the evidence base on which your organisation is seeking funding to provide services to particular geographic locations and client groups. The evidence should clearly demonstrate legal need and provide a basis for directing resources to meet the need.

There are a range of data sources, both qualitative and quantitative, that can be used to demonstrate legal need including:

- **Community Legal Centres Queensland Updated evidence and analysis of legal need**

This document can be found here:

<https://publications.qld.gov.au/dataset/legal-assistance-strategy-and-funding-publications/resource/5d69ce04-5600-45ec-80d1-aaccaf24bf63>

The Updated evidence and analysis of legal need provides:

- A summary of legal need in Queensland, using demographic information as a proxy for legal need; and
- The number and proportion of the Queensland population that fits into the National Partnership Agreement priority client groups across 13 Queensland regions.

- **Local government data**

Local government data can provide demographic information about the region; project future changes to the demographic composition of a region; highlight current trends and outline plans for future community infrastructure. Projected changes to a region may inform legal need over the 3-year period, such a new major employer, or development.

- **Court and Tribunal data**

Publications of the courts can provide information about the volume and trends of matters heard by a particular court.

See Appendix B for links to Court and Tribunal Annual Reports.

- **Your organisation's data**, such as Community Legal Service Information System (CLSIS) reports

There are 3 areas of organisational data that can be reviewed that reflect the legal need met by your organisation. This data is best analysed as trends over a number of years, such as 3 years. The 3 areas include:

1. Service Activities:

- Number of total clients
- Number of new clients
- Number of advices
- Number of cases opened

- Number of cases closed
- Number of CLE activities completed
- Number of Law reform and policy activities completed

2. Client profile:

- Number of total clients
- Number of male clients
- Number of female clients
- Number of indigenous clients
- Number of clients by age group
- Number of clients with a disability
- Income scale and source
- Proficiency in English
- Location or postcode of clients

3. Problem type profile:

- Problem types of different activities (advices, casework, telephone advice)

The types of CLSIS reports that might be helpful include:

- CA1.1 – Activity Summary report
- CA4 – Activities by High Level Problem type
- CA11 – Full Breakdown – number of clients and numbers of activities
- CC1 – Client demographics by number
- CC5 – Clients by geographical area
- CC6 – Clients by law type
- PT1 – Top 20 Problem types

When looking at organisational data, some key questions to ask include:

- Are you surprised about the spread of matters?
 - Can you see the effect of targeting or outreach?
 - Where are the gaps?
 - Are there things you can't explain?
- **NALCLC's legal needs assessment toolkit** to develop an individualised and evidence-based strategic plan that considers both 'met' and 'unmet' legal need in their geographic and/or specialist service catchment. The Toolkit is also designed to assist centres to review how well they have done against previous plans and provide useful information for reports and funding submissions. The Toolkit is identified in the National Partnership Agreement on Legal Assistance Services as a resource to assist CLCs with jurisdictional service planning, and was updated in October 2016 to incorporate updated queries and Australian Bureau of Statistics/Centrelink data. The Toolkit materials and Guide are contained in the members section of the [NALCLC website](#). Be

aware that, in the time available in this application process, it's unlikely that applicants will be able to fully complete the Toolkit.

- **Other organisational data** eg. information about people turned away from your organisation or an absence of particular groups in an organisation's data due to access reasons.
- **Academic or related research** about the incidence and risks for a client group or locality. Appendix B outlines a range of web-based resources that may be helpful.
- **Community trends** identified through an organisation's networks and collaborative processes.

It is important to ensure responses to this criteria are clear on what sources of evidence are being relied upon to identify the legal need.

Example:

Regional City Community Legal Centre (RCCLC) has been providing free legal services to people in the Regional City area for over 20 years. The population of Regional City is currently 1 million. A recent analysis of Regional City Council local data indicated that the region is likely to experience population growth of over 2%, a rate of growth that is higher than any other regional local authority across Queensland.

The Community Legal Centres Qld Updated Evidence and Analysis of Legal Need found that Regional City has a higher than average number of low income and CALD residents in addition to a larger than average population aged over 65 years. As a result, the population of Regional City is more likely to experience legal needs in the area of social security, tenancy and other minor civil law legal problems.

RCCLC's data has indicated that over the last 3 years that the top 3 matters in which Regional City community members are seeking assistance include Tenancy, Social Security and Family Law.

In the last 12 months, RCCLC has collected data on the types of matters that we could not provide assistance due to limited capacity (turn-aways). There were a total of 400 turnaways. 20% of turnaways were seeking assistance for tenancy; and 18% were seeking assistance in the area of social security. This is confirmed by our involvement in the Regional City network of community service providers that have been working together to address the increasing demand on community services for housing and addressing the risks of homelessness.

A Very Important Government Report indicated that Regional City is a hotspot for housing stress for people who are newly arrived in the community.

This application for funding seeks to prioritise legal services in social security and tenancy law with a targeted focus on culturally and linguistically diverse communities and people aged over 65 years.

2. Describe how the services focus on, and are accessible to, people facing vulnerability and disadvantage

Responses to this criteria address how your organisation can ensure that services are targeted to those who most need them and in particular how services will accommodate the access issues of vulnerable and disadvantaged people.

The evidence base responses in the previous criteria should identify particular groups of people experiencing vulnerability and disadvantage. Those groups would have particular barriers that make accessing services difficult.

Examples of barriers to accessing legal services experienced by people who are vulnerable and disadvantage include:

- Financial barriers eg. costs of alternative legal services, access to other free legal services such as Legal Aid
- Social isolation and exclusion eg. attributes, experiences or circumstances impacting on the person understanding they have a legal problem and that they can get assistance
- Health and mobility eg. ability to physically access a legal service
- Cultural eg. languages other than English, distrust of mainstream services, lack of cultural safety
- Geographical distance and access to services in regional and rural communities
- Fragmentation of the legal system that is problem-focussed rather than client-focussed, requiring involvement of multiple services.

Targeting strategies ensure that the greatest amount and intensity of services are provided to those who are most vulnerable and disadvantaged. Examples of targeting strategies to identify and reach those that most need services include:

- Client eligibility criteria
- Visibility in the community – outreach, location with other services
- Intake processes
- Triage or legal diagnosis processes
- Referrals to and from legal and non-legal services
- Collaboration or partnership with other legal and community agencies

The response should demonstrate that the proposed service delivery models will overcome the barriers to accessing legal assistance.

Example:

The target population of Specialist CLC (SCLC) are older people aged over 65 years who are experiencing abuse or are at risk of abuse perpetrated by family members or persons known to them. As a result of their situation, older people can experience social isolation, have very little control over their financial affairs and can experience health and mobility issues that make attending an office-based service difficult. SCLC's services meet the needs of older people by:

- *Ensuring client eligibility criteria is applied so that the most vulnerable receive the most extensive casework services;*
- *Providing holistic service delivery involving SCLC lawyers and social workers working collaboratively to meet the legal and social needs of the older person;*
- *Telephone advice;*
- *Outreach locations to respite centres and RSLs;*
- *Health Justice partnership with Geriatric Community Health Service; and*
- *Collaborative partnerships with the network "Professionals who care about older people" to ensure warm and effective referral pathways, prioritising the most urgent and at risk cases.*

A key feature of SCLC's success in appropriately targeting services to older people are our links with communities of "noticers" ie. relationships with members of the community and services that are best placed to identify when an older person has a legal need that needs to be addressed in order to prevent their susceptibility to abuse by family members. SCLC would seek to build and consolidate these relationships over the next 3 years through providing community legal education in partnership with The Elder Abuse Agency.

3. Describe how the services are appropriate, proportionate, client-focused and tailored to people's legal needs and capabilities

Responses to this criteria should address two key areas:

- The priority client group/s legal needs and capabilities; and
- How the proposed service delivery is appropriate and proportionate to the priority client group/s legal needs and capabilities.

The National Strategic Framework of Legal Assistance 2015-2020 states that:

..where practicable, a client-centred approach should be used to tailor services to people's individual legal needs and capabilities .. To facilitate this, service delivery models should be multi-faceted and integrate a range of strategies to cater for different capability levels ..

The outcomes of service delivery should be focused on:

- Improving people's outcomes (**client-focussed**);
- Being culturally appropriate (**client-focussed / appropriate**);

- Delivering the right mix of legal assistance to meeting legal needs and capabilities **(appropriate)**;
- Using innovative models that better address legal need **(tailored to meet legal needs and capabilities)**;
- Ensuring the cost of providing the services are proportionate to the complexity and significance of the legal and the person's capability **(tailored to meet legal needs and capabilities / proportionate)**.

Priority client group/s needs and capabilities

Responses to the previous quality evaluation criteria will outline the particular priority client groups and geographical regions that you are seeking to address through targeted service delivery. The particular priority client groups identified through that analysis will have specific legal needs and capabilities that service delivery will need to take into account.

There are a number of aspects to client legal needs and capabilities.

1. How do priority client group/s respond to their legal problems?
 - Do they ignore legal problems?
 - Is the client group proactive in seeking expert advice or accessing legal information?
 - Are other professionals relied upon to address legal problems?
2. What constrains the priority client group/s from accessing and using legal help?
 - Environmental factors eg. distance and access to resources in remote areas;
 - Systemic factors eg. location of services, opening hours, waiting times, costs, eligibility requirements;
 - Cultural factors eg. communication and language factors, previous negative experiences of the legal system and authority.
3. What are the personal and legal capabilities of the client?
 - personal capabilities of a client includes factors such as access to resources; knowledge, skills and attitudes; literacy and numeracy; health; and
 - legal capabilities of a client refers to the competencies necessary to effectively identify and resolve a legal problem.

Your response should outline the evidence of the priority client group/s needs and capabilities. This evidence can be based on your organisation's own experience, or sourced from the evidence base used in the first criteria. The Law and Justice Foundation of New South Wales in their resource [Collaborative Planning Resource – Service Planning](#) also provides summaries on each priority client group.

How Service delivery is appropriate and proportionate to priority client group(s) legal needs and capabilities

The second area to be addressed in this criteria is to identify how the proposed service delivery methods are appropriate, proportionate and accessible to priority client group/s, taking into account their particular legal needs and capabilities.

Client focussed services take into account how particular groups seek legal help and in some cases whether a person can identify that they need legal assistance. Some client groups may be best identified by others in the community and then directed to a legal service. Other client groups may be more capable of identifying they have a legal problem and seeking assistance. Service responses will take into account referral pathways, key relationships within the service sector, and visibility of the service.

Culturally appropriate services take into account the needs of culturally and linguistically diverse groups and Aboriginal and Torres Strait Islander people. Service responses could include ensuring cultural safety and sensitivity; appropriately trained and qualified staff; and collaborations with community agencies that are trusted by particular cultural groups.

Service responses also match the personal and legal capability of the client to the most appropriate service. Responses could outline strategies that ensure clients access the appropriate level and types of service such as client intake processes, diagnostic triage and referral, eligibility criteria or screening.

Consideration of the personal and legal capabilities of clients will determine the kinds of legal assistance required by a particular group. For example, clients that are less able to “self-help” will need a more comprehensive legal service, such as casework, rather than one-off advices.

Small Town Community Legal Centre (STCLC) is situated in a rural part of Queensland. The client needs and capabilities of people in Small Town and its surrounding catchment area are informed by:

- *Financial disadvantage as a result of high levels of unemployment;*
- *Limited access to other legal assistance due to cost and high incidence of being conflicted out of the local private practitioner services; and*
- *Limited access to on-line services.*

Small Town Community Legal Centre (STCLC) will provide advice services at our office in Small Town, a weekly outreach at the Nearby Town community centre and a fortnightly outreach at Further Away Town community centre. The location of the outreaches was determined by the community’s access to other legal services and levels of financial disadvantage.

Training will be provided to key community service partners in each location so that effective warm referrals are made to the outreach locations, based on STCLC eligibility criteria so that financially disadvantaged people are prioritised. Key relationships will be built and maintained with support workers based in the three communities that might help support the client to take next steps after receiving legal advice.

STCLC participates in the Small Town Regional community network to ensure that legal services are targeted to those that need them the most.

4. Describe how the Services are collaborative with government services and other services to provide joined-up services to address people's legal and other problems

The motivation behind this criteria is to ensure that the service system fits together. This criteria focusses on people experiencing multiple legal problems and that legal problems often coexist with other problems. To address this criteria applicants should focus on how the services bring together complementary legal and non-legal services. This includes strategies that ensure people's legal needs are noticed or identified, how people can access the right service across the service system and that there is collaboration between services so referrals for legal and non-legal services are effective.

Types of collaboration can include:

- Formal partnerships through a contract or MOU
- Informal partnership through practice and referral pathways
- Networks
- Co-locations
- Case management frameworks
- Multi-discipline practice
- Project or short-term work based on emergent legal needs eg. Natural disaster.

Example:

Metropolitan CLC (MCLC) is co-located in Metropolitan Community Centre. Metropolitan Community Centre provides a range of community programs including financial counselling, parenting programs, emergency relief and child care. MCLC has a formal partnership agreement with Metropolitan Community Centre which sets out the basis for the colocation arrangement and the referral pathways between the programs of the community centre and MCLC.

The referral and practice arrangements between MCLC and the programs of the community centre ensure that there is strong integration between a client's legal problems and other social issues. MCLC lawyers work closely with the community centre's social workers and counsellors so that clients are supported after receiving legal assistance.

5. Describe how the Services identify and resolve legal problems in a timely manner before they escalate

There are number of aspects that can be addressed in response to this criteria:

1. Early Intervention and prevention strategies – these services help resolve legal problems before they arise or escalate. It can include information, legal advice, community legal

education, alternative dispute resolution and restorative justice processes. These strategies can assist with the efficiency of a court or tribunal process and focus on the effectiveness of the services in resolving legal issues early or preventing them from arising in the first place.

2. Timeliness – is focused on timeliness as relative to the experience of the client, rather than the effectiveness of the service delivery (early intervention). Timeliness takes into account that the client is able to access a service when they identify they need assistance, and this could be at the point of crisis.
3. Systemic prevention – these strategies identify the systemic causes of legal problems to reduce the number of individual clients from experiencing the same legal problem. These strategies include law reform activities and strategic litigation.

Note that there are restrictions on how Commonwealth funding can be used. Commonwealth funding should not be used to lobby governments or to engage in public campaigns. Lobbying does not include community legal education or where a legal assistance service provider makes a submission to a government or parliamentary body to provide factual information and/or advice with a focus on systemic issues affecting access to justice.

Example:

The clients of Domestic Violence CLC (DVCLC) are generally in crisis when they come to door of the Magistrates Court seeking an order for protection. DVCLC will provide duty lawyer services at the local Magistrates Court on a weekly basis, so that applicants can obtain legal advice prior to appearing in court and where-ever possible representation at the first mention. Many of the clients DVCLC see at the court are distressed about appearing at court and have not been advised to get legal advice by the Police. The duty lawyer ensures that clients are fully informed about what is likely to happen in the court and supported through the court process. Many clients have indicated to DVCLC that having legal assistance at the court enabled them to better engage with and understand the court process.

DVCLC also conducts community legal education (CLE) with domestic violence services to provide support and education to DV workers on the drafting of applications for protection orders. This CLE ensures that where a client is unable to access a legal service prior to coming to court, an application for an order meets the requirement of the domestic violence legislation and increases the prospect of the order being made by the court.

6. Describe how the Services empower people to understand and assert their legal rights and responsibilities and to address or prevent legal problems

This criteria is about empowering people to understand their legal rights and how they can access legal assistance. The outcomes for this criteria include ensuring that:

- People have access to information about their legal rights, responsibilities and options for action
- Community legal education is tailored to the needs of particular groups and is coordinated to avoid duplication
- People are equipped with skills and knowledge to resolve future problems.

There are a range of services that could address this criteria:

- Information, referral and advice services provided to individual clients about their options, which may be legal or non-legal.
- A range of community legal education activities including:
 - informal sharing of service information
 - community development work
 - formal education activities such as seminars, training programs, conference presentations
 - development of resources such as fact sheets, brochures, websites and other written publications.
- Community education that is education on non-legal issues that could assist people involved in a legal process eg. healthy relationships, managing finances.
- Law and legal reform activities which can involve a range of activities from formal submissions to working with other community groups and networks on policy issues.

Note that there are restrictions on how Commonwealth funding can be used. Commonwealth funding should not be used to lobby governments or to engage in public campaigns. Lobbying does not include community legal education or where a legal assistance service provider makes a submission to a government or parliamentary body to provide factual information and/or advice with a focus on systemic issues affecting access to justice.

Audiences for these types of services may not always be directly with a client group, but with others in the community that work with a mutual client group.

It is important to also link these services and activities back to the access issues and barriers identified earlier in the application, so that it can be demonstrated that the services in this area are appropriate for the priority client group and geographic location.

Example:

Rural CLC (RCLC) operates a community legal education program for community -based workers working with young people in 4 neighbouring rural locations. The training is based on a toolkit for community based workers to identify and support young people who are coming into contact with the criminal justice system and other areas of the law. The toolkit is regularly reviewed and distributed with the assistance of community networks.

This community legal education program ensures that community workers are aware of a young person’s legal options, including where to get legal assistance, when they need it. Community based workers are the most appropriate target audience for this program as they can be early “noticers” of young people’s legal problems when young people may not be aware they have a legal problem.

Deliverables

1. Types and numbers of services

These are the service delivery figures against which successful applicants will report against and will form part of the service agreement. Should your organisation not be successful in obtaining the full amount of funding that your organisation is seeking, the funding body will negotiate with you about reduced and realistic service delivery figures at the time of forming the service agreement.

The National Legal Assistance Data Standards Manual (Data Standards Manual) provides the definition and counting rules for each type of service. The Manual can be found here: <https://www.ag.gov.au/LegalSystem/Legalaidprogrammes/Documents/National-Legal-Assistance-Data-Standards-Manual.pdf>

There are few aspects to bear in mind in setting service delivery figures.

Firstly, under the *National Partnership Agreement on Legal Assistance Services 2015 – 20* at least 90% of total Representation Services must be delivered to people experiencing financial disadvantage. *The National Legal Assistance Data Standards Manual* defines Representation Services as where a Service Provider takes carriage of a matter in an ongoing, representative capacity. There are three types:

- (a) Dispute Resolution Service;
- (b) Court/Tribunal Service; and
- (c) Other Representation Services².

Applicants who are setting targets for Representation Services should review organisational data to analyse whether 90% of current Representation matters are being provided to clients who have a low income to ensure that targets are realistic.

Secondly, applicants should take a realistic view of achievable service delivery figures as they will form the basis of service agreement reporting. Applicants should consider their history of

² p11 *National Legal Assistance Data Standards Manual*

meeting service delivery figures under previous service agreements; staff continuity and leave; and any other contextual issues that would impact upon continuity of service delivery across the 3-year funding period.

Finally, Legal Task is a new category of deliverables. Legal Task is defined in the Data Standards Manual as:

“...where a Service Provider completes a discrete piece of legal work to assist a Service User to resolve a problem of a particular stage of a problem. Examples of a Legal Task include:

- *Preparation or assistance with the drafting of documents (such as a will)*
- *Writing a letter to another party asking them to do something or stop doing something, or*
- *Advocating on behalf of a Service User without taking ongoing carriage of a matter.”³*

The Data Standards Manual provides some further examples of Legal Task that may assist applicants. Legal Task may be currently reflected in advice or casework data, so it may be useful to reflect on this data to estimate a service delivery figure for your application. Future users of the CLASS (Community Legal Assistance Service System) data base system will be able to capture Legal Task data.

Funding

2. Amount of funding being sought

This section requires applicants to identify both the total amount of funding sought per annum and over the 3-year period from 2017- 2020.

If you are applying for:

- funds that are additional to your “core” services; or
- an extension of “one-off” funds;⁴ or
- funding for a new type of service that has not been previously funded from this source,

you need to add an additional row in the funding table that itemizes those particular requests.

For example:

Funding	Amount (excl. GST)			
	2017-18 (\$)	2018-19 (\$)	2019-20 (\$)	2017-20 Total (\$)
Core Services	200,000	205,000	210,125	615,125
New outreach office	50,000	51,250	52,532	153,782
Continuation of 12 month project	50,000	51,250	52,532	153,782
Total	300,000	307,500	310, 189	922,689

³ P7 National Legal Assistance Data Standards Manual

⁴ This primarily refers to services funded by additional, temporary (“one-off”) funding under the National Partnership Agreement: see <http://statements.qld.gov.au/Statement/2016/1/12/additional-services-for-vulnerable-queenslanders>.

3. Breakdown of total funding

This section requires applicants to provide detailed budget information in the income and expenses line items across the 3-year funding period of 2017-2020.

In the income section, funding sources, other than the funding sought in this application, must be identified.

Note that applicants are not able to use funding for capital expenditure, eg. purchase of motor vehicles.

4. In the context of client needs and locality, describe how the model for delivering the Services provides value for money

The motivation behind the “value for money” question is to enable organisations to provide a rationale behind the amount of funding sought relative to the nature and context of service delivery.

The factors to take into account include:

- Types and number of services eg. advice services are less time consuming; casework services provide comprehensive support to more vulnerable people; fostering effective partnerships;
- The cost of geographic coverage eg. the impact of rural and regional coverage; the size of the catchment area;
- Proportion of funding that is directed to service delivery eg. operating cost ratios.

A particular service model or geographic focus may necessitate a greater amount of funding due to the challenges of a particular target group’s barriers to accessing services and the intensity of support that is required. For example, an intensive case work support service model for Aboriginal women will require more resources per service than high volume advice services using volunteers. Both types of service are valuable as part of the total service system, but require different levels and types of resources.

Responses to this question is **not** about proving that you have the cheapest services, but that the amount of funding is proportionate to providing effective services. Value for money involves the non-cost factors of sustainability, quality and appropriateness of service.

Responses can also draw upon the *Updated evidence and analysis of legal need* which identifies different types of service delivery methods that are appropriate for priority client groups.

Other value for money considerations can include how the funding sought can be capitalized on by being able to harness other resources in the community, such as:

- Use of volunteers to provide direct services and/or assist with the operational aspects of the organisation;
- Pro bono assistance to provide direct services and/or assist with operational aspects of the organisation;
- Partnerships, such as university clinics;

- Shared resources, such as resources and support as a result of membership of peak bodies such as Community Legal Centres Queensland and National Association of Community Legal Centres (eg. Legal research tools, affordable professional indemnity insurance);
- Service models that build future capacity in the community eg. Train the trainer; capacity building with other professionals.
- Co-location with other services or other types of shared services arrangements;
- Funding diversification strategies that supplement or add value to funded services;
- Any other types of investment in the organisation that would not be possible, but for the funded services eg. free or discounted operational expenses.

This section has a word limit of a half page. Note that size 11, Arial font must be used within this space constraint.

Example:

Local Town Advocacy Service (LTAS) provides exceptional value for money in providing cost-effective quality services to the community. The proposed service delivery model involves a mix of:

- *face to face legal casework assistance in highly visible well-connected outreaches in towns with high populations of Aboriginal people;*
- *court support in 3 Magistrates Courts in a catchment area in excess of 500 square kilometres; and*
- *legal assistance via video conferences to more remote rural locations.*

Due to LTAS' location in rural Queensland, there are few volunteers that can provide direct legal services without a conflict of interest, but a small pool of volunteers at each outreach, allows LTAS to provide low cost administrative support for booking and confirming outreach client appointments.

Intensive casework support provided to Aboriginal people requires the employment of specialized lawyers and indigenous liaison officers to ensure that the services are provided in a culturally sensitive manner. The casework numbers for this work are limited to ensure that comprehensive support is provided to client with complex needs.

Due to the local public profile of LTAS, we have important local fundraising and in-kind support that ensures that the operational costs of rent and other overheads are less than 20% of the total cost of providing a service to the community.

Declaration

Check that the following documents are ready for submission with the application form on the Q Tenders platform:

- Evidence of quality standards or certification
- 2014-2015 Annual Report
- 2014- 2015 Audited financial statement

- 2015 – 2016 Profit and Loss Statement and Balance Sheet

The declaration must be signed by your duly authorized officer. Your organization's rules/constitution or policies should identify this signatory. This may be a member of your management committee or board, such as the Secretary or Chairperson or President.

References

Community Legal Centres Queensland, 28 July 2016, *Updated evidence and analysis of legal need*.

National Strategic Framework for Legal Assistance 2015- 20

Attorney- General's Department *National Legal Assistance Data Standards Manual*

Law and Justice Foundation of New South Wales, 2014, *Reshaping legal assistance services; building on the evidence base; A discussion paper*

Law and Justice Foundation of New South Wales, 2015, *Collaborative Planning Resources – Service Planning*

Appendix A: Queensland regions



Maps of all legal assistance regions in Queensland can be found at <http://communitylegalqld.org.au/evidencebase/maps>

Appendix B: Evidence Base links

Web Links (Statistical, Graph, Infographic, Anecdotal Evidence)

- Family Law/Criminal Law/Child Protection/Domestic Violence/Divorce/Separation
 - <https://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyLawSystem/Pages/default.aspx>
 - <http://aic.gov.au/statistics.html>⁵
 - <http://www.aic.gov.au/publications/previous%20series/vt/1-9/vt07.html>⁶
- Contract Law/Consumer Credit/Consumer Complaints/Insurance
 - <http://fos.org.au/publications/fact-sheets/>⁷
- Employment Law/Fair Work/Unfair Dismissal
 - <https://www.fwc.gov.au/about-us/news-and-events/unfair-dismissal-statistics-results-and-outcomes-published>
- Property Disputes
 - http://www.justice.qld.gov.au/_data/assets/pdf_file/0020/21629/review-of-neighbourly-relations-resolving-neighbourhood-disputes-discussion-paper.pdf⁸
- Wills/Estates/Trusts/Power of Attorney/Elder Law
 - <https://www.qld.gov.au/law/births-deaths-marriages-and-divorces/life-event-statistics/>
 - https://www.alrc.gov.au/sites/default/files/pdfs/publications/ip47_whole_issues_paper_47_.pdf⁹
 - http://www.eapu.com.au/uploads/research_resources/Elder%20Abuse%20National%20Annual%20Report_2013-14.pdf¹⁰
- Criminal Law
 - <https://www.qld.gov.au/law/crime-and-police/crime-prevention-and-statistics/crime-statistics/> and also <https://www.police.qld.gov.au/online/data/>
 - <http://aic.gov.au/statistics.html>¹¹
- Alternative Dispute Resolution/Mediation
 - <https://www.ag.gov.au/LegalSystem/AlternateDisputeResolution/Documents/NADRAC%20Publications/ADR%20Statistics.doc>
 - <http://www.federalcircuitcourt.gov.au/wps/wcm/connect/fccweb/reports-and-publications/speeches-conference-papers/2014/speech-harman-alternate-to-primary-dispute-resolution>
- Disability/Discrimination/Human Rights/Immigration
 - <https://www.adcq.qld.gov.au/resources/case-studies>
- Neighbourhood Disputes:

⁵ Criminology/Violence Statistics.

⁶ Criminology/Violence Statistics.

⁷ Statistics and Infographics from the Financial Ombudsman Service Australia.

⁸ Generalised Discussion Paper on resolving neighbourhood disputes.

⁹ Issues Paper on Elder Abuse, from pg. 11 for Statistics.

¹⁰ Annual Report on Elder Abuse - Statistics.

¹¹ Criminology/Violence Statistics.

- <http://www.qldneighbourhoods.com/>

Government Reports (Queensland/Federal Jurisdiction)

- Family Law/Child Protection/Domestic Violence/Divorce/Separation
 - http://files.rcfv.com.au/Reports/RCFV_Full_Report_Interactive.pdf¹²
 - <https://www.qld.gov.au/community/documents/getting-support-health-social-issue/dfv-report-vol-one.pdf>¹³
- Contract Law/Consumer Credit/Consumer Complaints/Insurance
 - http://www.ombudsman.qld.gov.au/Portals/0/docs/Publications/Annual_Reports/Queensland_and_Ombudsman_2014-15_annual_report.pdf¹⁴
- Employment Law/Fair Work/Unfair Dismissal
 - https://www.fwc.gov.au/documents/documents/annual_reports/fwc-ar-2015-web.pdf¹⁵
- Property Disputes/Neighbour Issues
 - <https://www.rta.qld.gov.au/About-the-RTA/Corporate-publications/Annual-report/Annual-report-2014-15>¹⁶
- Wills/Estates/Trusts/Power of Attorney/Elder Law
 - http://www.publicguardian.qld.gov.au/_data/assets/pdf_file/0005/458672/annual-report-2014-15-final.pdf¹⁷
 - <http://www.pt.qld.gov.au/media/1052/2015-the-public-trustee-annual-report-2014-2015.pdf>¹⁸
- Criminal Law
 - <https://publications.qld.gov.au/dataset/c581f931-288f-4dd9-86f3-df062feba0a6/resource/e2e7fa9d-065c-4371-843c-b02d65aed6b0/download/odpp-annual-report-2014-15.pdf>¹⁹
 - <http://www.legalaid.qld.gov.au/files/assets/public/publications/about-us/corporate-publications/annual-reports/2014-15/laq-annual-report-2015-web.pdf>²⁰
- Disability/Discrimination/Human Rights/Immigration:
 - https://www.humanrights.gov.au/sites/default/files/document/publication/AHRC_Annual%20Report%202014%E2%80%9315_Web%20version.pdf

Court/Tribunal Annual Reports

- District Court of Queensland
 - http://www.courts.qld.gov.au/_data/assets/pdf_file/0007/458503/dc-ar-2014-2015.pdf
- Magistrates Courts of Queensland
 - http://www.courts.qld.gov.au/_data/assets/pdf_file/0008/458504/mc-ar-2014-2015.pdf

¹² Royal Commission into Family Violence. Comprehensive analysis of statistics and recommendations.

¹³ Not Now, Not Ever: Putting an end to domestic and family violence in Queensland

¹⁴ Office of the Financial Ombudsman Annual Report 2014-2015.

¹⁵ Fair Work Commission. Comprehensive data on Fair Work Claims, Unfair Dismissal Rates etc.

¹⁶ Residential Tenancies Authority Annual Report 2014-2015. Graphs and Statistics of service outcomes.

¹⁷ Office of the Public Guardian Annual Report 2014-2015.

¹⁸ Public Trustee Annual Report 2014-2015.

¹⁹ Office of the Department of Public Prosecutions Annual Report 2014-2015.

²⁰ Legal Aid Queensland Annual Report 2014-2015. Comprehensive data on disadvantaged groups. Begins pg. 41.

- Supreme Court of Queensland
 - http://www.courts.qld.gov.au/data/assets/pdf_file/0006/458502/sc-ar-2014-2015.pdf
- Mental Health Court of Queensland
 - http://www.courts.qld.gov.au/data/assets/pdf_file/0009/472077/mhc-ar-2014-2015.pdf
- Land Court of Queensland
 - http://www.courts.qld.gov.au/data/assets/pdf_file/0011/448265/lcr-annual-report-2014-15.pdf
- Family Court of Australia
 - http://www.familycourt.gov.au/wps/wcm/connect/15bcbde4-460f-4498-8c10-ae4f64ddff1/2181-FCoA_AR_2014%E2%80%9315_WEB.pdf?MOD=AJPERES
- Childrens Court of Queensland
 - http://www.courts.qld.gov.au/data/assets/pdf_file/0009/448389/cc-ar-2014-2015.pdf
- Queensland Civil and Administrative Tribunal
 - http://www.qcat.qld.gov.au/data/assets/pdf_file/0006/439251/QCAT-annual-report-2014-15.pdf



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