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NLAP Strategy and Action Plan Project  
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## **Community Legal Centres Queensland response to call for written submissions**

Thank you for the opportunity to provide a written submission on the development of the National Legal Assistance Partnership (NLAP) Queensland Strategy and Action Plan.

Community Legal Centres Queensland (CLCQ) is the peak body representing 34 independent Community Legal Centres (CLC) operating across Queensland. Our vision is for a fair and just Queensland. Our mission is to be a voice for the sector, to lead and support CLCs to deliver quality and accessible services to vulnerable and disadvantaged people and bring about change.

This submission outlines 5 focus areas that should be covered in any NLAP Strategy and Action Plan in order to deliver value to the CLC sector. The 5 key focus areas and relate to existing sector frameworks, ensuring that the development of the NLAP Strategy and Action Plan is clear and aligned with the direction set by the Queensland and Federal Governments in the NLAP 2020-25.

These 5 focus areas sit underneath the overarching Strategy and include:

1. Legal Need and Service Development
2. Collaboration
3. Educating Communities and Law Reform
4. Workforce Development
5. Funding.

Four of the 5 focus areas directly link to the principles under the National Strategic Framework for Legal Assistance ([NSFLA](#)). The fifth proposed focus area (Funding) is to ensure the identification of new and alternative resources to meet the challenges of implementing the Queensland NLAP Strategy and Action Plan.

This submission outlines each of the proposed focus areas, provides a CLC perspective that supports the work of, and investment in, Queensland CLCs and some of the possible action items that would be developed under each area. There is also an assumption that the proposed focus areas would take an intersectional lens to each area, given the NLAP's focus on a number of different priority client groups.

## 1. Legal Need and Service Development

This focus area is linked to Principles 1 and 2 of the existing [NSFLA](#): *Focus service delivery on people facing disadvantage*; and *client centred and appropriate services*.

It would involve developing mechanisms to understand the current evidence base of legal need in Queensland and mechanisms for identifying new and emerging legal needs to inform future investment in service development. It would also support the identification of priority client groups in Queensland and develop the evidence base for appropriate service delivery for those groups.

Queensland CLCs help 45,000 Queenslanders every year but turn away a further 80,500 due to lack of resources. The unmet legal need in the sector is predicted to increase. The population of Queensland has grown over the last 3 years and is projected to grow by a further 1.4-2% over the next five years. Our Impact Report (attached) outlines the services delivered by Queensland CLCs in 2020-2021.

In a member survey undertaken by CLCQ in October 2021, to which nearly half the CLCQ membership responded, CLCs were asked what areas of law they would be focus additional investment (if it became available). The top responses (where respondents could choose more than one response) were:

1. Human rights
2. Domestic and family violence
3. Family law
4. Mental health
5. Elder abuse/elder law
6. Disability law
7. Housing and homelessness.

Queensland CLCs are continuously monitoring demand for their services and the legal needs in their community, responding to a range of emerging and ongoing legal need, most evident in the recent responses to COVID-19. The evidence shows that the same event can have different legal need implications across the community, and CLCs were able to respond in a dynamic, client-centred way to their local community. The impact of the health restrictions on individuals and communities through COVID-19 are an example of the challenges CLCs face, and the difficulty of predicting the legal needs of a pandemic. The data also showed that the legal need in the community shifted over the course of the pandemic.

CLCQ surveyed its members in May 2020 and again in October 2021 about the impacts of COVID-19 on clients, communities and services. In 2020:

- Over 60% of CLCs indicated an increase in demand for help from their clients and communities;
- 57% of CLCs indicated the urgency of client need and complexity of matter had increased; and

- 90% of CLCs indicated there was increased focus on particular area of law including employment and domestic violence and family law.

In 2021:

- 93.3% of CLCs indicated an increase in demand for help from their clients and communities;
- 100% of CLCs indicated that the urgency of client need and complexity of matter had increased; and
- There was a notable decrease in the volunteer numbers and hours in CLCs.

Despite the same external event, over time, legal need and the context in which services were being delivered, continued to shift and change and required a high degree of flexibility and responsiveness. This can be difficult to capture with a one-time snapshot methodology, which is why a 'Legal Need and Service Development Strategy' would be critical to include under the NLAP Strategy and Action Plan.

Future action plan items under this proposed focus area could include:

- Develop a plan to maintain and expand the evidence base of legal need, including review of research that extends beyond demographic data proxies which is currently the main way of giving shape to the question of a person's ability to access legal assistance services;
- Develop a mechanism and metric for identifying and capturing emerging legal needs;
- Develop an evidence base of legal assistance strategies that are effective in meeting legal need to inform future service development and innovation; and
- Develop an ongoing program of research and evaluation that supports continuous improvement and good practice service development and delivery.

## **2. Collaboration**

This proposed focus area is linked to Principle 3 of the existing [NSFLA](#): *collaboration and integrated approaches*.

Work in this area would involve developing and maintaining mechanisms for meaningful collaboration within the legal assistance sector and other services and professionals more broadly. Incorporating a collaboration area of focus is critical to ensuring that integrated services are provided to the community in a client-centred and trauma informed way, and that partnerships are supported and resourced as core activities of legal assistance services.

Collaborations and partnership are critical to the work of CLCs and their ongoing connection with their communities. In 2020-2021, community partners of CLCs were surveyed about the impact of CLCs:

- 78% agreed CLCs had contributed to the community having improved knowledge and self-confidence around legal issues;
- 91% said they had confidence in making a referral to a CLC for appropriate support or advice;
- 78% indicated CLCs had increased the competence and knowledge of partners in making appropriate referrals; and
- 53% felt CLCs made appropriate referrals to them.

With the level of unmet legal need and demand in the community, CLCs also report that investing time and resources in collaboration and partnerships can be a challenge due to limited resources to support this relationship-building work. We propose that this statewide approach could develop mechanisms to support this work that clearly has beneficial outcomes, improving the quality of services, the client journey and their experience during the navigation of complex systems.

Future action plan items under this proposed area could include:

- Enhance mechanisms for clear referral pathways across the legal assistance sector to help overcome service barriers and improve accessibility.
- Develop and trial new integrated models of service delivery to contribute to the ongoing research and evaluation program of good legal assistance practice.
- Develop opportunities for professional networking across the sector to develop ongoing trusted professional relationships.
- Develop an approach to support and educate other services and professionals to identify people with legal needs (problem-identifiers).
- Develop partnerships with universities and other research bodies to inform and support an ongoing program of research and evaluation to guide good practice in the legal assistance sector.

### **3. Educating Communities and Law Reform**

This proposed focus area is linked to Principles 4 and 5 of the [NSFLA](#): *appropriately timed responses and preventative action*; and *empowerment and resilience*.

It will aim to ensure there is statewide approach to:

- Community legal education (CLE) helping Queenslanders to better identify they have a legal problem and know how to go about solving their problem early and effectively; and
- Queensland law makers understanding the nature and impact of laws on vulnerable and disadvantage people, helping to ensure the development of fairer laws for all Queenslanders.

In 2020-2021, Queensland CLCs delivered more than 970 CLE activities across the state and developed 248 CLE resources. The top 3 areas of civil law CLE were housing; wills and estates; and credit and debt. The top 3 areas of family law CLE were domestic and family violence; parenting; and family law property. The audiences

for these activities were clients, community organisations, community groups and government agencies.

During 2020-2021, CLCs took part in more than 292 law reform projects and 1,835 stakeholder engagements. The range of law reform activities including influencing changes to the *Residential Tenancies Act*, advising government agencies on fair treatment of people with disabilities, strategic litigation to uphold human rights and a range of other positive systemic and widespread impacts.

CLCs continue to be a primary channel for the provision of practical and well targeted legal information to vulnerable communities and priority groups as a key diversionary /early intervention approach. The ability of CLCs to provide insight to the grass roots impact of existing legislative and regulatory settings, as well as the potential downstream effect of law reform proposals upon clients and communities served by legal assistance services, is also a critical aspect of the value that CLCs bring to the justice system as whole.

Future action plan items under this proposed area could include:

- Develop approaches to work with the community so that referrals to legal assistance services are early and timely.
- Develop a research and evaluation program on strategies that best divert clients from the formal justice system.
- Develop collaborative plans for CLE.
- Equip the legal assistance sector to develop and provide effective CLE.
- Enhanced collaboration on law reform that impacts the communities served by legal assistance services.
- Focus resources on fostering law and policy reform as a mechanism for preventing legal problems from occurring/arising in the first instance.

#### **4. Workforce Development**

This proposed focus area is linked to Principle 6 of the [NSFLA](#): *continuous learning and improvement*.

It is predicated on the ongoing need in the legal assistance sector to have an appropriately qualified and trained workforce where there are clear mechanisms for attracting and retaining values-aligned people to the legal assistance sector. An ongoing focus and investment in people is critical to ensuring the sector has the leadership and workforce with the appropriate skills, resilience and support to work with challenging and complex social problems.

As illustrated above, the urgency and complexity of demand for services in CLCs requires workers across the CLC sector to be fully supported, resilient and highly trained in working with distressed clients in a trauma informed way. At the recent

CLCQ Leadership Forum, CLC leaders indicated that their first contact staff would benefit from refresher training and support in the areas of trauma informed practice, dealing with difficult or emotionally charged clients, vicarious trauma, and communications skills.

Queensland CLCs also face challenges in attracting and retaining suitably qualified staff in regional areas. Sometimes the lack of scale of a regional CLC makes it difficult to support graduate entry to the sector, compounding the issues of attracting more experienced staff to work in a regional CLC.

Training and development is a core component of CLCQ's support for CLCs to make training and development accessible, affordable and relevant to CLC staff and volunteers. Across the range of training and development activities, CLCQ relies heavily on pro bono presenters who are experts in their field (including CLC lawyers and other professionals), however we actively seek one-off grant funding to engage presenters that are unable to offer their services for free.

A standalone 'CLC Workforce Strategy' would provide the scaffolding to support this work more deliberately, and a strong mechanism to support our people is critical to include under the NLAP Strategy and Action Plan.

Future action plan items under this proposed area could include:

- Ensure fair and competitive market salary and conditions across the legal assistance sector.
- Provide ongoing training and support to continually develop the skills and capacity of the legal assistance sector workforce, which includes a diverse range of professions, positions and skillsets.
- Explore mechanisms for secondments or sharing of workforce resources across the legal assistance sector.
- Develop a sector approach to address the workforce challenges associated with a geographically diverse state.
- Develop a mechanism to support graduate entry into all areas of the legal assistance sector.
- Ensure there are viable peak services to support building capability and capacity and inform government on policy and strategy.

## **5. Funding**

In Queensland, the resources under NLAP are already invested across the legal assistance sector, so any resource commitments will need to be consistent with the existing investment plan under NLAP or be contingent upon developing new and additional funding for new or different services and initiatives to be provided. This would involve developing a whole of government funding response to the unmet legal demand in Queensland, including the de-siloing of government funding to legal assistance services. Many aspects of the other suggested strategies above require new and additional investment.



Queensland CLCs are increasingly identifying that integrated services are critical to meeting the increasingly complex needs of priority client groups. Integrated services are implemented in a range of ways including multi-disciplinary practices, such as social workers/financial counsellors working together under the same roof with legal staff, and partnerships such as Health Justice Partnerships where lawyers are embedded in health services. While services and communities are recognising the value of integrated services, the funding of integrated services is still very siloed in government. The Department of Justice and Attorney-General is the main source of funding for legal services, with other relevant State Government departments indicating that funding for lawyers in other social and community settings are outside their remit. A Legal Assistance Strategy and Action Plan is an important opportunity to get cross-government agencies involved in the planning, funding and implementing of integrated services where legal assistance is intertwined.

Future action plan items of this proposed area could include:

- Develop a statewide plan for Queensland investment under the next National Partnership Agreement to increase the capacity of legal assistance service to meet unmet demand.
- Develop a statewide plan for encouraging investment in legal assistance services across state government agencies, recognising that other parts of government (such as health, housing, education) bear the costs of unresolved legal problems.
- Develop funding principles that guide future equitable investment across the legal assistance sector, including how investment can respond to new and emerging needs in the community.
- Develop a model of social return on investment that quantifies the value of legal assistance and its impact on the community, health and social sectors.

Should you have any further questions about this submission, please don't hesitate to contact me at [rosslyn@communitylegalqld.org.au](mailto:rosslyn@communitylegalqld.org.au) or 0407 633 084.

Your faithfully

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