



Department of Social Services  
Australian Government

*By email:* [CSAGSecretariat@dss.gov.au](mailto:CSAGSecretariat@dss.gov.au)

Dear Department,

**RE: Consultation – A stronger, more diverse and independent community sector**

We welcome the opportunity to provide feedback to the Department of Social Services' (DSS) consultation on a stronger, more diverse and independent community sector.

The community legal sector across Australia plays a critical role supporting the community, including people experiencing family violence, homelessness, and disadvantage. We would like to work with DSS to ensure that community legal assistance is factored into DSS funded programs.

The community legal sector has diverse funding sources with many Community Legal Centres receiving funding from the Attorney-General's Department at the Commonwealth level and their counterparts at the state or territory level. For this reason, we have made some broad observations in relation to co-design and funding arrangements as it applies to the community legal sector, rather than detailed feedback on the funding mechanisms of DSS grants to community service organisations (CSOs). The National Legal Assistance Partnership (NLAP), an agreement between the Australian Government and state and territory governments for funded legal assistance, is currently under review. For detailed recommendations around funding mechanisms for the community legal sector, please refer to our submission to the NLAP Review.<sup>1</sup>

We welcome the opportunity to work with the Government on this reform area.

## About the Federation

The Federation of Community Legal Centres (Vic) is the peak body for Victoria's 47 Community Legal Centres. Our members are at the forefront of helping those facing economic, cultural or social disadvantage and whose life circumstances are severely affected by their legal problem.

For over 50 years, Community Legal Centres have been part of a powerful movement for social change, reshaping how people access justice, creating stronger more equitable laws, and more accountable government and democracy. We want a community that is fair, inclusive and thriving: where every person belongs and can learn, grow, heal, participate and be heard.

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<sup>1</sup> Federation of Community Legal Centres, National Legal Assistance Partnership Review – Response to Issues Paper; The Victorian Community Legal Sector Perspective, October 2023, available at <https://nlapreview.com.au/uploads/media/FederationofCLCsVictoria-1700190243.pdf>

## Ensuring grant funding flows to a greater diversity of CSOs - recognising the integral role of the community legal sector

We would like to see the integral role of the community legal sector elevated in DSS funding arrangements. Community Legal Centres are an important part of the community sector. Community Legal Centres work with the same client base as CSOs and within key areas addressed by CSOs. This includes to:

- keep women and children safe from family violence (family violence)
- resolve disputes over parenting arrangements for separating couples (family law)
- support people seeking asylum and victim survivors of family violence on temporary visas (refugee/migration law)
- assist people experiencing disadvantage with resolving social security issues (social security)
- support preparedness, response and recovery for disaster and climate change impacted communities (disaster and climate justice)
- prevent homelessness and housing insecurity for people experiencing disadvantage (housing).

Community Legal Centres often work in integrated legal practice models which involve partnering with other CSOs or employing community service professionals within legal centres, such as social workers, financial counsellors, case managers and advocates. Integrated practice aims to provide more holistic support to people with complex and intersecting legal, social, financial and health needs. This integrated way of working ensures that people can access legal help wherever they seek support, including at schools, hospitals, maternal health clinics, youth centres, alcohol and drug programs, settlement services, family violence services and community hubs. This also assists in identifying legal issues as early as possible to avoid them escalating, thereby reducing downstream costs on other parts of the service system. As Community Legal Centres are embedded in their communities (i.e., place-based services), they build strong relationships with their local organisations and networks, understand the needs of their community and respond to dynamic changes in the communities they serve.

Community legal assistance is often siloed even though in practice it is a critical pillar of the social support system for the community. We would like to see the community legal sector recognised as an integral part of the community sector, greater focus on the role of community legal assistance as part of DSS funded programs and increased resourcing from DSS for the community legal sector (including consistency with indexation). We also suggest strengthening community legal sector representation as part of key strategic advisory groups or forums (where capacity allows).

## Giving the sector the voice and respect it deserves through a meaningful working partnership

We support strengthening co-design opportunities with the community sector who are experts in their fields and can provide invaluable input based on their frontline experience working in the community. For the reasons set out above, we encourage the inclusion of the community legal sector as part of the co-design process for relevant grants. CSOs often have limited resources and contributions to consultations and program design is often unfunded which diverts finite resources from frontline service delivery and other key areas. We encourage CSOs to be funded for any co-design work they are involved in. We support the inclusion of people with lived experience to inform design, implementation and evaluation of programs. We also encourage lived experience consultants to be funded.

## Long-term and sustainable funding that reflects the real cost of delivering quality services

As highlighted in the Issues Paper, CSOs have been subject to significant challenges due to the COVID-19 pandemic, rising cost pressures and inflation and ongoing disasters (which are only likely to become more frequent and severe as the impacts of climate change accelerates). This has seen a sharp increase in the demand for services from the community which equally applies to the community legal sector.

As part of funding the real cost of delivering services, there needs to be a focus on providing grants which reflect the real costs of running an organisation. For example, for Community Legal Centres, in addition to adequate wages for staff this includes (but is not limited to):

- Learning and development pathways for staff, cultural safety, staff safety and wellbeing, trauma informed practice.
- Corporate services, IT and administration.
- Robust governance structures.
- Data collection and reporting (including, fit for purpose systems for data collection and analysis).
- Managing volunteer programs.

We support the higher costs of service delivery in regional, rural and remote areas being reflected in an uplift in funding for CSOs operating in these areas.

We support funding contract terms of at least five years but preferably seven years in length with appropriate indexation.<sup>2</sup> A gradual increase in funding over the life of the agreement should be included to respond to expected population growth and associated demand for community services. Funding agreements should put in place additional and flexible funding to respond to extreme weather and disaster related measures. There should also be mechanisms to allow for additional funding to respond to unforeseen changes in demand or input prices, as well as a result of changes to law and policies. For lapsing funding, the government should be required to give substantial notice to CSOs as to whether this funding will be renewed. For Community Legal Centres, we consider that this should be at least 6 months before the funding agreement expires.

The data and reporting requirements for DSS funding for the community legal sector should be streamlined and consistent across different funding streams. DSS should consult with other Departments which fund the community legal sector to ensure consistency.

We would welcome the opportunity to discuss this further or provide any additional information.

Yours sincerely,

  
Chief Executive Officer

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<sup>2</sup> Recommendation 8.5 of Productivity Commission, Introducing Competition and Informed User Choice into Human Services: Reforms to Human Services, Inquiry Report, 2017.

<https://www.pc.gov.au/inquiries/completed/humanservices/reforms/report/human-services-reforms-overview.pdf>.

Also see: Victorian Council of Social Service, VCOSS 2023 Victorian Budget Submission, 2022, p.8.

<https://vcoss.org.au/wpcontent/uploads/2022/12/VCOSS-2023-Victorian-Budget-Submission.pdf>