

Northern Territory Legal Assistance Strategy and Action Plan

Department of the Attorney-General and Justice

Document title	Northern Territory Legal Assistance Strategy and Action Plan
Contact details	Department of the Attorney-General and Justice
Approved by	The Hon Chansey Paech, Attorney-General and Minister for Justice
Date approved	
Document review	Annually

Version	Date	Author	Changes made
1.0	February 2023	KPMG	First Version

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1 Minister's Foreword

The Northern Territory's legal assistance sector is vital in ensuring that vulnerable people facing disadvantage in our communities across the Northern Territory have access to the justice system and to improve the outcomes of their legal needs and any other associated problems.

The Northern Territory's Legal Assistance Strategy and Action Plan 2022-2025 has been developed in conjunction with the legal assistance sector currently funded under the National Legal Assistance Partnership Agreement 2020-2025 with the Australian Government in recognition of the important work currently performed by the sector. The sector and government are committed to working together to continue to improve the support required to meet the demand and pressures currently faced by the Northern Territory.

The key focus areas for the Northern Territory are:

- *Priority client groups and areas of need (refer to section 2.4.3)*
- *Cross-government engagement, coordination, accountability and strategic leadership*
- *Transparent and sustainable funding to meet existing legal need*
- *Data and research and reporting (across Territory, within sector)*
- *Build a sustainable, experienced and supported workforce*
- *Holistic client-centred delivery across a large geographic area*
- *Maintain strong partnerships across the sector and other sectors*
- *Contribute to the Closing the Gap agenda*
- *Identify opportunities to collaborate in response to reform opportunities.*

The Strategy and Action Plan will complement the work of the legal assistance sector with an aim to grow and develop the sector in its ability to continue to deliver their services at the highest level. The Strategy and Action Plan covers the life of the NLAP Agreement with the Australian Government, however it is anticipated that this document will continue to evolve and grow beyond the NLAP.

Collectively, the NT Government and the legal assistance sector make a significant contribution in the Northern Territory through services that are designed to meet the diverse needs of our vulnerable people and their communities. Together with the vision of ***All Territorians facing disadvantage have access to effective and appropriate legal assistance services that are client-focused and enable clients to effectively access and participate in the legal system***, the Territory will be able to break down barriers for those Territorians facing disadvantage to be able to live fulfilled lives within their communities.



Hon Chansey Paech, MLA
Attorney-General and Minister for Justice
March 2023

2 Introduction

2.1 National framework and funding agreement for legal assistance services

2.1.1 National Strategic Framework for Legal Support Services 2020-2025

The National Strategic Framework for Legal Support Services 2020-2025 (National Strategic Framework) provides the policy framework for all government legal assistance funding.

The Commonwealth, state and territory governments share the following objective for government funded legal assistance:

To further a national, integrated system of legal assistance that is focused on keeping the justice system within reach, maintaining the rule of law, and maximising service delivery within available resources. Within this system, legal assistance services should be delivered in a high quality and culturally appropriate manner.

The National Strategic Framework identifies six principles to guide legal assistance policy development, service delivery and sector planning, including:

- Focus service delivery on people facing disadvantage
- Client centred and appropriate services
- Collaboration and integrated approaches
- Appropriately timed response and preventative action
- Empowerment and resilience
- Continuous learning and improvement.

2.1.2 National Legal Assistance Partnership 2020-2025

The National Legal Assistance Partnership 2020-2025 (NLAP) is a national partnership agreement between the Australian Government and all states and territories for Commonwealth funded legal assistance.

The NLAP supports the National Strategic Framework by contributing to integrated, efficient, effective and appropriate legal assistance services that are focused on improving outcomes and keeping the justice system within reach for vulnerable people facing disadvantage, within available resources.

Purpose of the Legal Assistance Strategy and Action Plan

Under the NLAP, all states and territories are required to publish a Legal Assistance Strategy and Legal Assistance Action Plan. The Legal Assistance Strategy must indicate the level and nature of need for legal assistance services in the jurisdiction, the priorities and areas of focus for the delivery of legal assistance services and include aggregated plans or forecasts of government funding for legal assistance services.

2.2 About the Northern Territory Legal Assistance Strategy and Action Plan

2.2.1 Overview

The Northern Territory Legal Assistance Strategy (Strategy) and Action Plan have been produced by the Department of the Attorney-General and Justice (the Department) in consultation with the Northern Territory legal assistance sector, in particular:

- Northern Territory Legal Aid Commission (NTLAC)
- North Australian Aboriginal Justice Agency (NAAJA)
- Top End Women's Legal Service (TEWLS)
- Katherine Women's Information & Legal Service (KWILS)
- Central Australian Women's Legal Service (CAWLS)
- Darwin Community Legal Service (DCLS).

The Strategy and Action Plan have been developed with a Territory-wide focus. The Strategy identifies priorities for the Northern Territory, and the Action Plan outlines specific activities and initiatives that will support the achievement of the strategic outcomes of the National Legal Assistance Partnership (NLAP).

The Strategy and Action Plan are proposed to operate for the remaining term of the NLAP (2023-25), noting that they should be considered as evolving documents and will be the subject of continued development in consultation with the legal assistance sector and other key stakeholders.

2.2.2 Other Northern Territory Government strategies

The Strategy and Action Plan contribute to the following Northern Territory Government strategies and priorities:

- **Northern Territory Aboriginal Justice Agreement 2021-2027** – outlines how the Northern Territory Government, Aboriginal Territorians, aligned Aboriginal organisations and non-government organisations will work in partnership to transform the way justice services are delivered and improve justice outcomes for Aboriginal Territorians.
- **Everyone Together 2019-2029 NT Aboriginal Affairs Strategy** – sets out how the Northern Territory Government will reshape how it works with Aboriginal Territorians to support community aspirations and achieve better outcomes, including local decision making.
- **Domestic, Family and Sexual Violence Reduction Framework 2018-2028** – sets out the Northern Territory Government's ten year strategy to reduce violence and work together to achieve safer homes, communities, workplaces and schools.
- **Northern Territory Sexual Violence Prevention and Response Framework 2020-2028** – sets out a whole of government, whole of community approach to prevent and respond to sexual violence.
- **Safe, Thriving and Connected: Generational Change for Children and Families 2018-2023** – sets out the plan to implement reforms to better support children, young people and families experiencing vulnerability and to deliver the recommendations of the Royal Commission into the Protection and Detention of Children in the Northern Territory.
- **Department of the Attorney-General and Justice Strategic Plan 2021-2025** – frames the work of the Department to work collaboratively to enhance access to justice and administer and enable justice

outcomes. Key strategic priority areas include improving outcomes for Aboriginal Territorians, working smarter and delivering client-centred services.

- **Territory Families, Housing and Communities Strategic Plan 2021-2025** – frames the work of the department to deliver cohesive and community-focused human services and activities to improve the lives of all Territorians.

2.2.3 Key national strategies

The Strategy and Action Plan also contribute to key national strategies.

National Agreement on Closing the Gap

The National Agreement on Closing the Gap (Closing the Gap) seeks to enable Aboriginal and Torres Strait Islander people and governments to work together to overcome the inequality experienced by Aboriginal and Torres Strait Islander people. There are 19 targets across education, employment, health and wellbeing, justice, safety, housing, land and waters, and languages that help to monitor the progress that is being made. The 2022 annual report identifies five targets that are not on track, including out-of-home care rates and adult imprisonment, which are particularly relevant for legal assistance services.¹ Significant work is also required to progress target 13 to reduce family violence and abuse against Aboriginal women and children by at least 50 per cent by 2031 as progress towards zero.

National Plan to End Violence against Women and Children

The National Plan to End Violence against Women and Children (the National Plan) provides the overarching national policy framework that will guide actions towards ending violence against women and children. The National Plan identifies actions across four domains: prevention, early intervention, response (including a trauma-informed justice system), and recovery and healing.

2.3 Legal assistance services in the Northern Territory

2.3.1 About the legal assistance sector

Legal assistance services are an important part of the justice system. They help vulnerable people who are facing disadvantage and who are unable to afford private legal services, to access and engage effectively with legal solutions and the justice system in order to address their legal problems and achieve justice on their terms.²

The legal assistance sector refers to a range of organisations that provide legal support to the community, with a focus on people experiencing disadvantage. Legal assistance providers can be from the private, public, or not-for-profit sectors. Organisations include independent statutory commissions (Legal Aid Commissions) as well as community-managed, not-for-profit services and Aboriginal and Torres Strait Islander Legal Services.

In the Northern Territory, key organisations in the legal assistance services sector include NTLAC, NAAJA, DCLS and three women's legal services, being TEWLS, KWILS, and CAWLS, who provide generalist civil law service as well as specialist domestic and family violence, family law and child protection services. These organisations receive Commonwealth funding through NLAP.

Family Violence Prevention Legal Services provide culturally sensitive assistance to Aboriginal and Torres Strait Islander survivors and victims of family violence and sexual assault. The North Australia Aboriginal Family Legal Service (NAAFLS) and Central Australian Aboriginal Family Legal Unit (CAAFLU) provide legal services and justice system support to survivors and victims. Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Women's Council provides wrap around social services support. These organisations receive funding from the Commonwealth Government through a different funding mechanism.

Key organisations in the Northern Territory are summarised in Appendix A.

2.3.2 Intersections with systems and other services

The legal assistance sector does not operate in isolation. Figure 1 on the following page identifies (at a high level) the key systems and services that interact with the legal assistance sector and impact the ability of legal assistance providers to help their clients. Examples of these impacts could include:

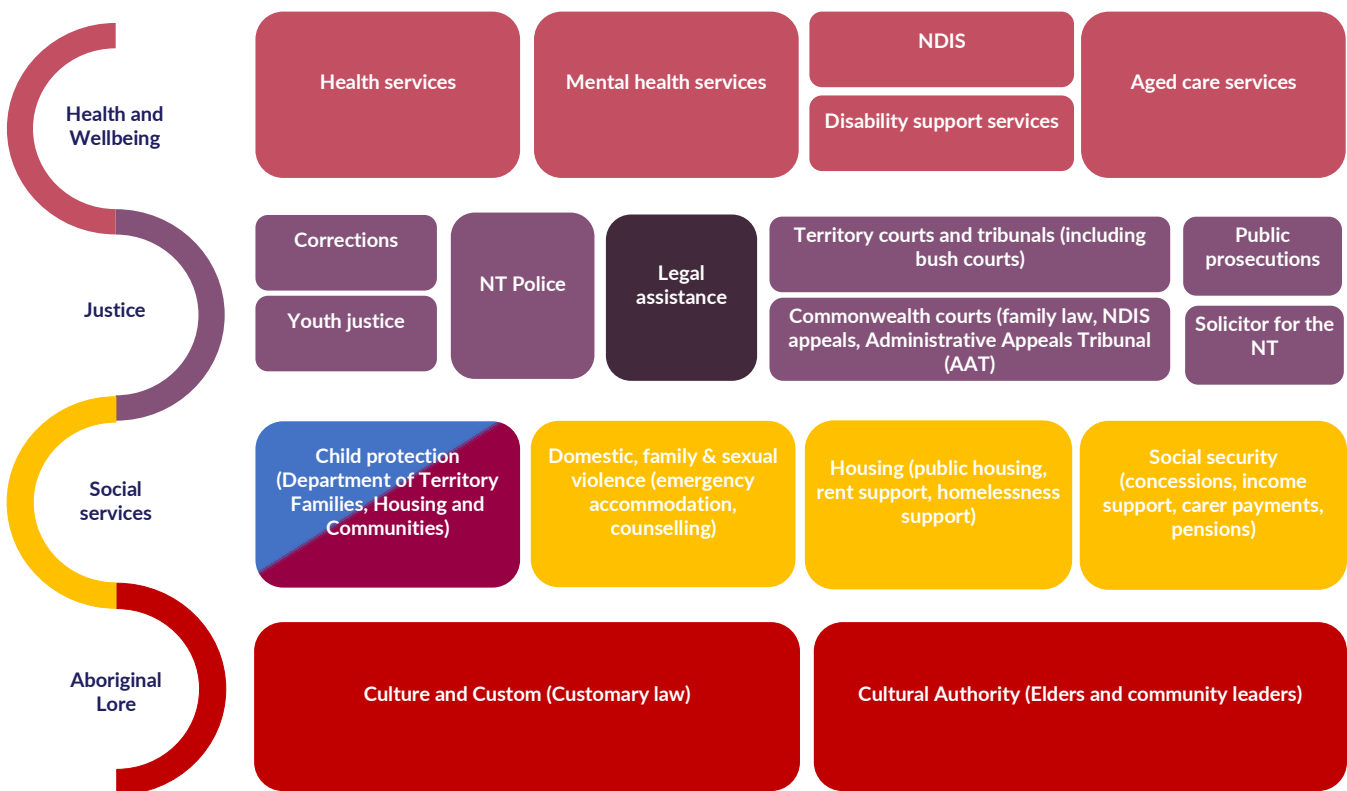
- Backlogs at courts create delays for clients seeking a legal outcome, further impacting their health, wellbeing and safety. Lack of appropriate infrastructure at courts, such as dedicated offices or meeting spaces, means that victims receiving support from a legal assistance service provider can be in the same space as their perpetrator, compromising safety, privacy and confidentiality, including privileged legal advice.
- Lack of financial and logistical assistance to clients to access courts, such as travel from remote communities or Audio-Visual Link (AVL) facilities to appear remotely.
- Operational capacity challenges at correctional centres can lead to limited access to clients who are held in remand, sentenced or in administrative detention.
- Lack of mental health practitioners impacts a client's ability to receive a diagnosis that may be of relevance to their legal proceedings, and subsequent appropriate therapeutic supports. In addition, the lack of mental health supports for those who have been diagnosed impact the ability to give instructions and receive advice.
- Limited domestic, family and sexual violence support services and programs may make it challenging for legal assistance services to meet the non-legal needs of their clients.

- Limited access to legal assistance in remote areas can see the Northern Territory Police Force (NT Police) seeking orders on behalf of applicants for Domestic Violence Orders.
- Policy decisions made for or by other services or sectors that impact the need for legal assistance, leading to increased demand for legal assistance services without a correlating increase in capacity of or support for services, for example a short-term increase in the presence of police.
- Lack of secure housing impacts safety and ability to access support and social services.

People with legal needs often face complex and multi-faceted challenges. Legal assistance providers may not be the first place they seek help. For example, someone may go to their local health clinic for a health issue, and it is only through conversation with the person that a legal need is identified, such as experiences of domestic, family or sexual violence.

Conversely, sometimes legal assistance is the entry point to other intersecting systems. For example, legal assistance providers often experience people seeking help in relation to a legal need, but also require wrap around support for areas including housing, social work, and counselling (including specialist counselling for DFSV and financial counselling). The level and nature of legal need in the Northern Territory is further discussed in section 2.4.

Figure 1: High level services and systems view



Note: Bush courts refer to Local Court sittings outside larger towns

This visual is intended to help demonstrate, at a high level, how the legal assistance sector does not operate in isolation. Aboriginal language interpreting services are provided across all services identified in the visual representation. The visual does not show how service providers work together to meet the needs of clients, for example Health Justice Partnerships where legal assistance is embedded into healthcare services to better meet the needs of people who are vulnerable to intersecting legal and health problems, but may be hesitant to seek legal assistance.

2.3.3 Why access to legal assistance services matters

When people experience legal problems, they often coexist with, or are caused by, other problems. If legal problems are not resolved, they can escalate and cause other difficulties, such as health challenges or access to safe housing. A relatively simple problem can spiral into a complex legal issue due to unmet legal assistance needs.³

The need for legal assistance often coincides with experiences of disadvantage. For people who are experiencing disadvantage, there are significant barriers that can prevent them from accessing legal support services. These could include a lack of awareness, lack of resources, or communication barriers.⁴

Legal assistance services can support improved outcomes in a person's life and to their wellbeing. They can prevent the exacerbation of disadvantage, contribute to family and community safety, and provide broader socio-economic and health benefits.

Legal Australia-Wide Survey (LAW Survey) insights for the Northern Territory

The Legal Australia-Wide (LAW) Survey provided the first comprehensive quantitative assessment of legal needs across Australia in 2012.

- **55 per cent** of the survey respondents in the Northern Territory experienced at least one legal problem in the previous 12 months (in 2012)
- A **disproportionate number of the legal problems** experienced were reported by a **minority of respondents**, with 25.8 per cent of respondents accounting for 88.2 per cent of legal problems
- People with a disability, aged 15-54 years old, or who are single parents were more likely to encounter legal problems in the Northern Territory.

Source: Legal Australia-Wide (LAW) Survey (2012)

2.4 The level and nature of legal need in the Northern Territory

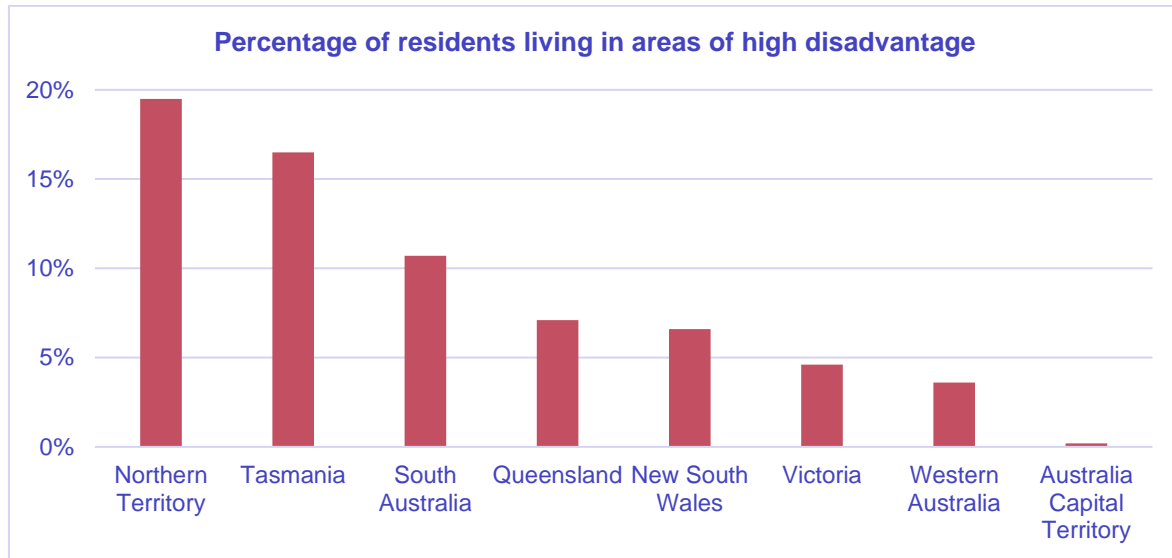
2.4.1 There are higher rates of disadvantage in the Northern Territory, which contributes to higher levels of legal need compared to other jurisdictions

The Northern Territory experiences higher rates of complex and entrenched disadvantage in comparison to other jurisdictions in Australia.

The Socio-Economic Index for Areas (SEIFA) ranks areas in Australia according to relative socio-economic advantage and disadvantage. The SEIFA is based on multiple demographic indicators including **income, educational attainment, and employment status**. According to the SEIFA, 19.5 per cent of residents in the Northern Territory live in areas of high disadvantage, the highest of any state or territory in Australia⁵ (see Figure 2).

It is also noted that there has potentially been further change in demographics and need in the Northern Territory following the impact of the COVID-19 pandemic.

Figure 2: Percentage of residents living in areas of high disadvantage by jurisdiction



Note: Data was summarised from the Australian Bureau of Statistics (ABS) (2016) publication of the SEIFA, using the Index of Relative Socio-Economic Advantage and Disadvantage. For the purposes of this chart, an area of high disadvantage is defined as an area with a SEIFA score of less than 850. This table replicates methodology used in the LAW Survey (2012) to calculate overall disadvantage.

The following section provides further context on key elements of disadvantage in the Northern Territory, including:

- Employment, income and poverty level
- Access to housing
- Domestic, family and sexual violence
- Social security
- Education and literacy
- Health
- Remote communities

Employment, income and poverty level

Poverty can be measured as the proportion of people living below 50 per cent of median income. Using this indicator, the Northern Territory has the lowest prevalence of poverty nationwide with a rate of 7.5 per cent, but this masks income disparities amongst different groups. Aboriginal and Torres Strait Islander people represent a significant proportion of the Territorian population and yet these households earn on average \$281 per week whilst other Territorians earn \$1,072 per week.⁶ Additionally, household savings figures indicate a lack of financial security. The Northern Territory lags behind other states and territories with a household net savings of \$4.7 billion, Tasmania being the only state with lower household net savings.⁷

A significant contributor to this is the cost-of-living pressures in the Northern Territory, especially in remote areas. Prices have increased in key expenditure areas, compounding the already substantially higher rates people living in regional and remote areas pay for produce and other food items.⁸

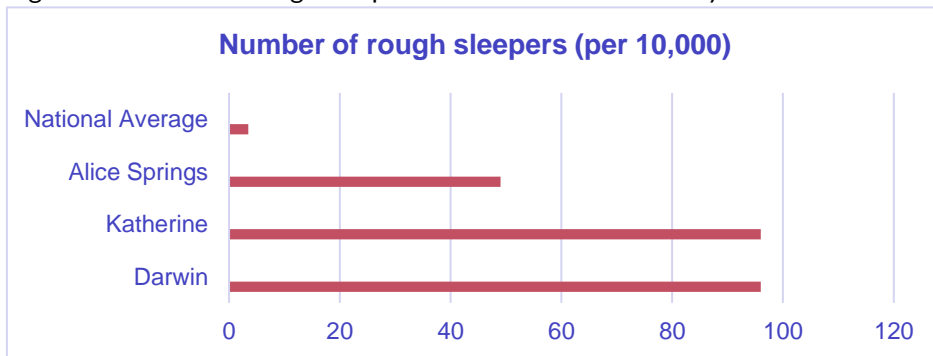
Disadvantage through this lens is affirmed by employment indicators, with the unemployment rate in the Northern Territory 0.6 points above the national rate.⁹

Access to housing

The Northern Territory had the highest number of people accessing specialist homelessness services per 10,000 people in the nation in 2021 (411.5).¹⁰ This remains consistent with data collected in the 2016 census where the Northern Territory had 12 times the national rate of homelessness.¹¹

Furthermore, rough sleeping which refers to living in improvised dwellings or sleeping on the street, is prominent in the major townships of Darwin, Katherine and Alice Springs when compared to the national rate (refer to Figure 3).¹²

Figure 3: Number of rough sleepers in the Northern Territory



Source: ABS Census 2021

The majority of the Northern Territory's homelessness manifests as overcrowding. The Northern Territory's rate of overcrowding eclipses the national rate with 483.5 people living in severely crowded dwellings per 10,000, whilst the Australian rate is 21.8 people per 10,000.¹³



NLAS Indicator

The Need for Legal Assistance Services (NLAS) indicator measures legal assistance requirements by acknowledging the higher demand for legal services amongst disadvantaged groups. The NLAS indicator includes education level and age to measure the likelihood of requiring legal assistance to assess the potential demand for services.

- 12.2 per cent of residents in the Northern Territory meet the criteria – the second highest amongst all states and territories.

Source: *Locating demand: updating the Need for Legal Assistance Services indicators*, Law and Justice Foundation (2018)

Despite the significant need for housing there is a discrepancy between need and supply of housing. Currently, the Northern Territory's public housing wait list has less than 200 vacant homes but approximately 6,000 applicants.¹⁴ This shortage of public housing is exacerbated in less populated areas. Outside of Darwin and Palmerston, there is an average wait time of 6 to 8 years for applicants.¹⁵

Domestic, family and sexual violence

Domestic, family and sexual violence is a growing issue in the Northern Territory with ABS data showing that there were 5,733 victims of domestic and family violence in 2021, growing by more than 2,000 cases in the previous three years.¹⁶ Domestic and family violence is more common among women who are more likely to experience disadvantage, including Aboriginal and Torres Strait Islander women, women living in remote areas, women with a long-term illness or disability, victims of child abuse and women from non-English speaking backgrounds.¹⁷ Women who have experienced domestic and family violence have relatively poorer physical and mental health, and experience of domestic and family violence is a common factor contributing to experiences of homelessness.¹⁸

Those who have experienced domestic, family or sexual violence are significantly more likely to experience other legal problems, including family (care arrangements for children or care and protection matters), civil and criminal law issues.¹⁹ These legal problems are also likely to be more severe, impacting everyday life, and are strongly linked to stress-related illness, physical ill health, relationship breakdown, loss of income or financial strain, and moving home.²⁰

Social security

The Northern Territory has the largest proportion of unemployment benefit recipients of all states and territories at 9.5 per cent, which is almost four percentile points higher than the national rate.²¹ This illustrates the depth of disadvantage experienced by Territorians. There is currently no funded social security legal assistance in the NT.

Territorians also have high rates of participation on the Disability Support Pension at approximately 3 per cent of the population, with the majority of participants identifying as Aboriginal and Torres Strait Islander.²²

Aboriginal Territorians face difficulties in participating in welfare schemes. In a submission, NAAJA cited that approximately 90 per cent of Centrelink debt incurred in the Northern Territory can be attributed to Aboriginal and Torres Strait Islander people. Remoteness and lack of literacy skills, elements of disadvantage referred to earlier, contribute to this issue.²³

Education and literacy

Education levels are comparatively low in the Northern Territory, with a 56 per cent Year 12 certification rate which falls to 32.5 per cent in remote areas.²⁴ As for Aboriginal Territorians, the certification rate is 40 per cent – the lowest rate nationwide.²⁵

This disparity widens when Aboriginal and Torres Strait Islander students are considered. In the Northern Territory, only 19 per cent of Aboriginal students in Year 9 achieved the National Minimum Standard for writing whilst nationally, 52.5 per cent of Aboriginal students met the benchmark.²⁶

Education levels are closely linked to attendance with Aboriginal students averaging a 54.6 per cent attendance rate, compared to non-Aboriginal students in the Northern Territory attending school 83.2 per cent of the time.²⁷

It is noted that, for approximately 50 per cent of students in Northern Territory schools, English is a secondary or additional language.²⁸ Students come from diverse, multilingual backgrounds and may include overseas and Australian-born students and Aboriginal and Torres Strait Islander students.

Health

Health indicators suggest that Territorians suffer from poorer health than their neighbours. From a broad perspective, those born in 2017-2019 in the Northern Territory have a lower life expectancy by almost 5 years in comparison to the national rate (78.0 compared to 82.9).²⁹ A gap is also present when Aboriginal Territorians are compared to the national average life expectancy for Aboriginal and Torres Strait Islander people across Australia, with 3-to-4-year lower life expectancy.³⁰

Specifically, an indicator that relates to education and access to health services is the rate of avoidable deaths. Avoidable deaths refer to deaths that likely could have been avoided if timely and effective health care were administered. Between 2014-2018, Aboriginal Territorians had a rate of avoidable deaths of 548 per 100,000, which was 4.2 times the rate of their non-Indigenous counterparts.³¹

As for the prevalence of disability, there are approximately 20,500 people with a disability in the Northern Territory.³² There are only 5,181 active National Disability Insurance Scheme (NDIS) participants in the Northern Territory, the lowest of any state or territory.³³ It is likely that there are more people who may be eligible for the NDIS, but face barriers to access, including remoteness (lack of legal assistance, social support and lack of providers), language barriers and lack of awareness. A person may relocate to a major centre to access support, but this can lead to other legal issues such as housing, care and protection and domestic, family and sexual violence as they move away from a support system.

One of the key barriers to accessing the NDIS is the significant geographical hurdle to obtain reviews of decisions or plans as matters must be heard at the Administrative Appeals Tribunal, with the nearest location being in Adelaide. This acts as a significant financial barrier, subsequently depriving people with a disability from accessing the support they need.

Although the prevalence of Foetal Alcohol Spectrum Disorder (FASD) in the Northern Territory (and Australia) is unknown, there are many children experiencing learning difficulties, having difficulty controlling their emotions and impulses, and coming into contact with the juvenile justice system in the Northern Territory, which are considered to be key indicators of FASD.³⁴

Aboriginal and Torres Strait Islander people make up over 30 per cent of the Northern Territory population.

Many Aboriginal Territorians live in remote and very remote areas.

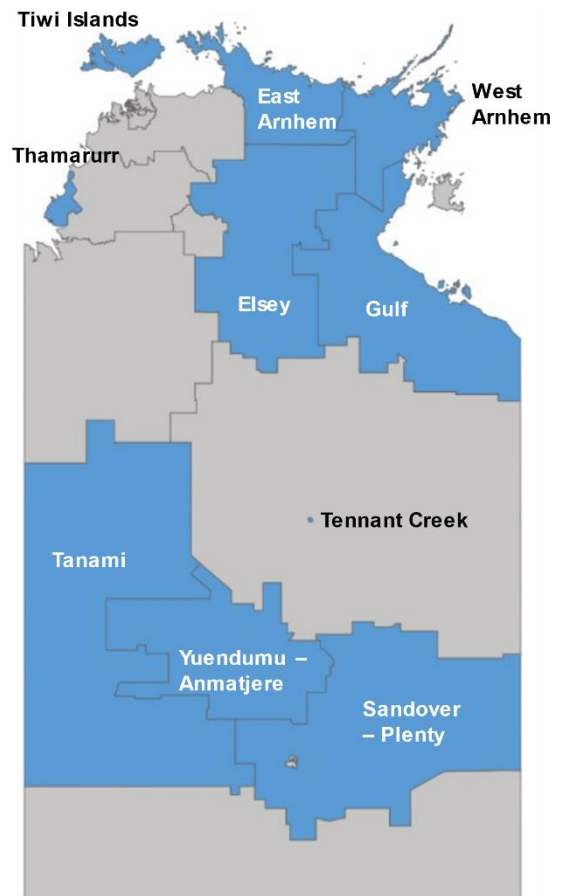
Source: ABS Census 2021

Remote communities

Disadvantage in the Northern Territory is concentrated in a small number of communities. The Dropping off the Edge Report ³⁵ examines 68 locations in the Northern Territory across 37 indicators of disadvantage across seven domains of social wellbeing, health, community safety, economic, education, environmental and intergenerational outcomes.³⁶ The ten most disadvantaged locations in the Northern Territory are identified in Figure 4, all of which are in regional and remote areas. Apart from Eley, Gulf and Sandover-Plenty, all locations have five or more indicators in the top 5 per cent, indicating multi-layered disadvantage.

Remote and very remote communities face significant barriers to accessing services, including access to housing, and are particularly impacted by the increasing cost of living.

Figure 4: The 10 most disadvantaged locations (SA2) in the Northern Territory



Source: Dropping off the Edge Report (2021)

Note: Inadequate data was available for the Victoria River and Barkly Regions

2.4.2 Legal assistance service provision in the Northern Territory

Although legal assistance providers report on service provision through the NLAP, this reporting does not provide the full picture of demand for legal assistance services in the Northern Territory. Legal assistance providers have different approaches to collecting and reporting data due in part to organisational requirements and different levels of resources or funding dedicated to data collection. There are also challenges with the reporting requirements from the Commonwealth which do not reflect the complexity of service delivery. For example, clients may be counted twice, some data is unknown or not captured for some clients (for example, experiences of financial disadvantage), and clients can fall into multiple national priority groups.

Overall, the count of clients serviced through NLAP reporting are a conservative estimate and may be an undercount of the services provided. Regardless, reporting for 2021-22 for NLAP shows that the national priority groups with the highest client number include Aboriginal and Torres Strait Islander people, people in rural or remote areas, and people experiencing, or at risk of domestic, family and sexual violence. Although women are not a national priority group, they are highly represented in each of the priority groups with the highest client number.

The table over the page identifies selected key insights from the most recent annual reports of legal assistance providers, noting that providers take different approaches to capturing and measuring data. Reporting does not reflect the wrap around support that are provided to clients by providers, and also does not reflect that it may take two or three visits until a client is ready for legal assistance support.

The table focuses on providers that receive funding through NLAP, noting this does not include services provided by Family Violence Prevention Legal Services or NT Police.



Report: Access to Justice in the Barkly region

The Access to Justice in the Barkly report (Access to Justice report) identifies areas of legal need, issues impacting access to justice, and strategies and approaches that are most likely to meet legal needs. Key findings in the report are likely to echo challenges faced across the Territory. Key insights include:

- Housing (tenancy), discrimination, education, social security, and credit and debt were the most prevalent areas where legal issues arise in areas of civil and family law
- Majority of participants in the study were receiving social security benefits, with common issues including being cut off from benefits or overpayments
- Wills and estates were also identified as a high area of need
- Access to court for child protection matters is problematic for people in remote communities, as matters are only heard in Tennant Creek
- 1 in 5 study participants identified criminal law needs as being of concern, with the most common issues relating to driving offences and the Banned Drinkers Register
- Study participants were more likely to receive legal assistance for criminal rather than non-criminal matters.

Source: Access to Justice in the Barkly (2020)

Table 1: High level summary and selected insights of key reporting from 2021-22

Provider	Key reporting insights
NTLAC	35,162 services to clients where over half identify as Aboriginal and/or Torres Strait Islander and 24 per cent were serving a sentence of imprisonment. Services include legal representation, duty lawyer service, legal advice and legal information and referral.
NAAJA	Services to clients 14,241 (2022) and 17,442 (2021)
DCLS	General Legal Service: 811 clients, 840 information and referrals and 845 legal advices provided. Tenant's Advice Service: 662 clients, 381 information and referrals, and 826 legal advices provided. Senior and Disability Rights Service: 1,107 clients and 23 remote community visits. Over 90 per cent of clients live in outer regional or remote areas of the Northern Territory.
KWILS	965 services and 313 clients (an average of 3 services per client). 177 support services were delivered by the Support Worker & Indigenous Client Support officer. Most clients are victim survivors of domestic and family violence, and over 80 per cent live in remote or very remote areas, and experience financial disadvantage. 1 in 10 clients were homeless.
TEWLS	2,177 services (including 817 legal advices and 505 ongoing legal matters) and 605 clients (all women). Parenting arrangements, domestic and family violence and family law – property were the top three legal matter types, noting that on average four legal matter types were covered per legal advice. 64 per cent of clients were experiencing financial disadvantage and 31 per cent identified as Aboriginal and Torres Strait Islander.
CAWLS	1,264 legal advice sessions, over 880 external referrals and 1,412 clients (all women). Over 300 non-legal support activities and financial counselling provided to 164 women. 75 per cent of clients are Indigenous women and 30 per cent do not speak English as a main language.

Source: Annual reports 2021-22

2.4.3 Priority client groups and areas of legal need for the Northern Territory

Priority client groups

The Northern Territory is committed to delivering legal assistance to national priority client groups outlined in the NLAP, with key demographic insights for the Northern Territory summarised in Appendix B.

In consultation with the legal assistance sector, priority client groups were identified for the Northern Territory, reflecting the complexity of client needs and recognising key intersections that are observed by legal assistance providers.

Aboriginal Territorians

Aboriginal Territorians make up over a third of the population in the Northern Territory and are inclusive of all the groups listed below. The Aboriginal Justice Agreement has started a process of recognition of the impact of colonisation, dispossession and dislocation from country and community.

Women

Women are a priority client group in the Northern Territory, with a particular focus and recognition of the intersectional experiences of:

- Aboriginal women
- Women with experiences of, or at risk of experiencing, domestic, family and sexual violence
- Women as defendants, particularly those who have been misidentified as perpetrators of domestic, family or sexual violence
- Women in custody
- Women from a cultural and linguistic diverse background
- Migrant women, including those on a temporary visa.
- Women in remote communities.

Children and young people

46 per cent of Aboriginal Territorians are aged under 25 years. Aboriginal children are also over-represented in care and in detention, and legal assistance providers have noted the intersection of children and young people in care and in need of disability support services. There is a particular need for resourced and appropriate legal assistance services relating to:

- Children in care
- Child protection proceedings (noting that children and the CEO as the legal guardian receive department-appointed representation and parents should receive independent legal assistance prior to proceedings being initiated)
- Children and young people in detention, at risk of detention or held in remand
- Children and young people with disability, including NDIS recipients.

Families and care givers

Families and care givers are another priority client group, particularly in relation to child protection matters where they become respondents in child protection proceedings for statutory intervention and removal of children and general family support.

People with disability

People with disability includes those who are eligible for NDIS support (noting the low levels of engagement with NDIS in the Northern Territory and barriers to access), and people with mental health challenges. It was noted that clients may present seeking legal assistance with undiagnosed disability or health conditions. Clients may also be accessing legal assistance having relocated from remote areas to seek disability support. The intersection of disability and mental health is particularly noted for clients seeking services from correctional centres, and for women experiencing, or at risk of, domestic, family or sexual violence.

People living in regional, remote and very remote areas

The majority of people living in remote and very remote areas identify as Aboriginal and Torres Strait Islander. Access to services in remote areas has been highlighted as a significant barrier to justice. 44,819 people, or over 17 per cent of the population, in the Northern Territory live in areas classified as 'very remote'.³⁷

People in custody

The Northern Territory has the highest rate of incarceration in Australia, with a disproportionate impact on Aboriginal Territorians. People in custody as a priority client group include those who are being held in remand. Broad legal assistance support across criminal, family and civil law plays an important role for people in custody who are only able to make free calls to a set of numbers. There is a financial barrier for people to access private lawyer support.

Due to the limited access for civil law support, legal issues can remain unresolved while a person is in custody. The accumulated impact of unresolved civil law issues (such as housing, social support and debt) can further compound disadvantage and contribute to ongoing criminal offending.

Women are the fastest growing prison population in the Northern Territory, the majority of whom are victims of domestic, family and sexual violence. These women may request legal assistance to secure Domestic Violence Orders (DVOs) prior to release.

Older people

Older people have been acknowledged as a priority client group, including Aboriginal and Torres Strait Islander people aged 50 years and over and non-Indigenous people aged 65 years and over.

People receiving social security

There is a high number of people receiving social security benefits in the Northern Territory, with Aboriginal and Torres Strait people overrepresented in these figures.

Risk and experience of homelessness

People experiencing, or at risk of, homelessness are a national priority client group and are also considered to be a priority client group in the Northern Territory, including people experiencing overcrowding and precarious housing, and acknowledging the lack of emergency accommodation that can impact clients. The Northern Territory has 12 times the national average rate of homelessness and 13 times the national rate of people sleeping rough, and these rates may increase with the remote rental reforms enacted at the start of 2023.³⁸

Victims of crime

Crimes against the person and property have increased over the past year (2021 to 2022) by over 8 per cent and 20 per cent over the past year.³⁹ Domestic violence related assault increased by over 11 per cent.⁴⁰ Correspondingly, there is an increase in victims of crime which requires specialist services. Specifically, this could mean assisting victims in seeking compensation, risk assessment, safety planning, and supporting them through the court process. This is particularly relevant for victims of domestic, family and sexual violence.⁴¹

Legal need

Legal need is dynamic and can change with external pressures. The table below summaries key areas of legal need that were identified by the legal assistance sector at the time of preparing the Strategy and Action Plan.

It is also important to note that service delivery is multi-faceted with advice rarely being confined to a singular matter and multiple modes of service being delivered over the duration of a client's casefile being open. By way of example, TEWLS reported, on average, that four legal matter types were covered per legal advice, whilst KWLS measured that for the 313 women that attended their service, each received on average three distinct services.⁴² When someone presents at a legal assistance service, they may have other challenges that need to be addressed before they are ready to receive legal assistance. It can also take two or three visits until a client is ready for legal assistance (for example, building trust in the person they are speaking with).

Adult guardianship order

A rise in demand for adult guardianship orders, sought on behalf of people with reduced or diminished capacity, has been noted in stakeholder consultations. These orders are sought from the Northern Territory Civil and Administrative Tribunal (NTCAT), which only sits in Darwin and Alice Springs, creating a geographical hurdle for some Territorians.

Vulnerable workers

Stakeholders have observed an increase in requests for assistance from temporary visa holders in the Northern Territory, corresponding with migration policy changes at a federal level. These individuals become vulnerable to exploitation by their employers. Such individuals require specialist support, in turn requiring that assistance providers possess knowledge in migration law matters.

Clients referred from other providers

Clients referred from other providers were noted as a distinct priority group, reflecting the importance of warm referrals.

Table 2: Priority areas of legal need

Legal need	What the legal need looks like
Domestic, family and sexual violence, including misidentification	<p>Legal assistance providers are experiencing high demand for services relating to domestic, family and sexual violence.</p> <p>Victims and survivors of domestic, family and sexual violence in the Northern Territory have increased by more than 40 per cent since 2019.⁴³ 88 per cent of domestic, family and sexual violence victims identify as Aboriginal or Torres Strait Islander in 2021 and 78 per cent identify as female.⁴⁴</p> <p>Victims and survivors face significant challenges in navigating the legal system and obtaining trauma informed and safe outcomes.</p>
Conflict outside of intimate partners	<p>Legal assistance providers have observed an increase in requests for support in relation to violence outside of intimate partners, including community conflict, violence between extended family members, former partners and families associated with either.</p>
Family separation matters	<p>Legal assistance providers have noted a general increase in requests for support in relation to family separation matters.</p>
Statutory intervention for the removal of children and placement into out of home care	<p>The removal of children from their family is more likely to impact families experiencing vulnerability. There is a need for legal proceedings to take a therapeutic approach for children and families and focus on maintaining connection.</p>
End of life matters (family debt, wills, funerals, superannuation, Advance Personal Plans, administering estates)	<p>End of life matters are closely related to intergenerational transfer of wealth for Aboriginal Territorians. Women are more likely to have not completed a will.</p>
Credit and debt Consumer (scams, rip offs)	<p>As noted earlier, Centrelink debt has a disproportionate impact on Aboriginal and Torres Strait Islander people. Women are also more likely to be impacted.</p>
Employment law assistance	<p>Sexual harassment and gender based discrimination was noted in relation to employment law assistance, with women being more likely than men to have been sexually harassed in the workplace (41 per cent, compared with 26 per cent of men).⁴⁵</p>
Representation of youth	<p>Changes in youth justice legislation has created new need.</p> <p>A large proportion of services delivered to children and young people under 25 and those whose main language spoken at home is not English were related to criminal law matters.</p> <p>Key types of requests also include conditions for youth in detention, representation of young parents in care and protection proceedings, and representation of children.</p>
NDIS appeals	<p>NDIS appeals were noted by providers as being a growing area of legal demand, noting the low participation rates and barriers to access in the Northern Territory.</p>
Interpreting services (Aboriginal languages)	<p>Aboriginal or Torres Strait Islander people are often multilingual and may speak English as a second, third or fourth language. Some Aboriginal and Torres Strait Islanders may have difficulty understanding legal proceedings without access to an interpreter. In 2016, the Productivity Commission reported amongst those that spoke an Indigenous language as their main language, 38 per cent experienced difficulties when communicating with service providers.⁴⁶</p>

Legal need	What the legal need looks like
Access to bush courts	<p>Aboriginal and Torres Strait Islander people comprise 89.6 per cent of people living in very remote areas in the Northern Territory ⁴⁷</p> <p>There is limited funding available for providers to access bush courts and provide support to clients, particularly for generalist civil law matters as the majority of listings are criminal and associated civil offences (e.g. domestic violence orders). Care of children and protection proceedings are heard in larger towns, which can create barriers to access for people in remote communities.</p>
Non-court based legal needs in remote communities	As noted earlier, access to services is a significant barrier faced by people living in remote and very remote communities, including legal assistance services outside of court support.
Community legal education	Providers noted a general increase in community legal education requests, particularly from services supporting clients, and note the importance of education in reducing the need for legal assistance services.
Tenancy legal assistance in remote communities	Many people in remote communities and regional centres are living in rental properties, with the only tenancy specific legal service based in Darwin (noting that women's legal services address tenancy related matters when they occur with other legal issues relating to domestic, family and sexual violence, family law and child protection). Requests for tenancy related legal assistance can include responses to housing conditions.
Safety of older people from abuse	Abuse of older people was noted as a growing area of concern, with a need for community legal education support for the community and service providers.
Adult guardianship	Providers noted adult guardianship as a growing area of legal need
Social security	Social security legal needs can manifest as a result of payments being withheld or not being received by those who are entitled. Providers noted significant demand for financial counselling across the Territory, including in relation to domestic violence matters.
Discrimination matters	Complaints for alleged breaches of the <i>Anti-Discrimination Act 1992</i> which can be made against anyone providing a service. The leading areas of complaint enquiries in the past year were impairment discrimination (16 per cent), race discrimination (15 per cent) and sex discrimination and failure to accommodate a special need (7 per cent). ⁴⁸
Government accountability	Complaints to the relevant Ombudsman or Commissioner relating to the exercise of powers, actions or conduct of government officials. The top public sector agencies by number of approaches received in the past year were Police, Fire and Emergency Services, Correctional Services and Health. ⁴⁹

Unmet need

While the Northern Territory legal assistance sector makes significant contributions in enabling vulnerable communities to access legal services, gaps in service provision remain. Current reporting processes do not account for people who encountered legal problems, but who were ultimately unable to access legal assistance services.

A Productivity Commission report acknowledges the difficulty in measuring unmet legal need.⁵⁰ The Commission cites that quantifying unmet legal need is complicated and highly subjective as there remains no agreed measure on what constitutes as unmet legal need.

The LAW Survey⁵¹ measures unmet legal need in the Northern Territory through surveying respondents who took no action in response to a legal problem or attempted to handle it themselves. The survey found that 21.4 per cent of people took no action, 49.9 per cent sought advice from formal or professional advisors and 28.7 per cent handled the issue without seeking further formal legal advice. Reasons for inaction provided by participants suggest unmet legal need. For example, some participants stated that they took no further action because they believed that the process would take too long, was too stressful, would cost too much or they did not know what to do.

Insights from consultations held with key legal assistance providers suggest that unmet legal need in the Northern Territory could be related to remoteness, Aboriginal language interpreter access and workforce shortages exacerbated by funding shortages. DCLS is the only generalist legal service in the Northern Territory operating a Tenancy Advice Service, which means there is a critical gap in tenancy related legal support services across remote areas, as well as for consumer and debt support services. It is noted that the women's legal services provide generalist civil law assistance (including tenancy related legal support, consumer and debt support services) to their clients who are also experiencing family law, child protection or domestic, family or sexual violence issues.

The extent of unmet need is also demonstrated by various legal assistance providers having to stop taking on new clients at various points during 2022. Legal assistance providers are facing significant funding pressures to meet the complex needs of clients in the Northern Territory, which are further compounded by pressures and challenges in other service areas, such as housing, courts, health, and child protection. There is also a high level of unidentified need due to lack of outreach and community legal education to assist community members to identify they are facing a legal issue.

There are also broader factors that impact the ability of the sector to respond to high levels of need, including:

- Limited capacity to respond to law reform, policy changes, and advocate for changes based on the common presenting issues of clients
- The role of community legal education in reducing the need for legal assistance services
- Workforce and recruitment challenges, including a lack of pro bono lawyers and specialist support, vicarious trauma experienced by staff and burn out, and competition with Northern Territory Government rates and conditions
- Commercial inequities created in the purchase and supply of legal services when outsourcing to panel lawyers
- Data collection and data analysis issues to accurately capture and report on unmet need.

2.5 Funding

2.5.1 Northern Territory funding

The Northern Territory Government provides funding to the legal assistance sector. In the 2022-23 NT Budget, the Northern Territory Government allocated \$16.68M to the NTLAC and community legal centres. A further \$1M was also allocated to the NTLAC in 2021-22 and 2022-23 to assist with demand pressures.

Projected funding levels are not provided as territory funding varies from year to year and is subject to annual budget cycles. Any figures provided will be incomplete and may be open to misinterpretation.

2.5.2 Commonwealth funding

The Commonwealth has committed to an estimated \$124.28M to the Northern Territory through the NLAP between 2020 and 2025.

Table 3: NLAP projected funding

Type of Service Provider	2020-21	2021-22	2022-23	2023-24	2024-25
Legal Aid Commission – Baseline	\$6.283M	\$6.368M	\$6.456M	\$6.551M	\$6.646M
Community Legal Centres – Baseline	\$1.072M	\$1.306M	\$1.320M	\$1.335M	\$1.351M
Community Legal Centres – Baseline: Family Law and/or Family Violence	\$0.529M	\$0.535M	\$0.541M	\$0.548M	\$0.554M
Community Legal Centres – SACS supplementation	\$0.217M	-	-	-	-
Domestic Violence Units/Health Justice Partnerships	\$1.017M	\$1.033M	\$1.050M	\$1.066M	\$1.83M
Aboriginal and Torres Strait Islander Legal Service – Baseline	\$13.799M	\$15.281M	\$15.489M	\$15.682M	\$15.878M
Aboriginal and Torres Strait Islander Legal Service – SACS supplementation	\$1.294M	-	-	-	-
Total	\$24.211M	\$24.523M	\$24.856M	\$25.182M	\$25.512M

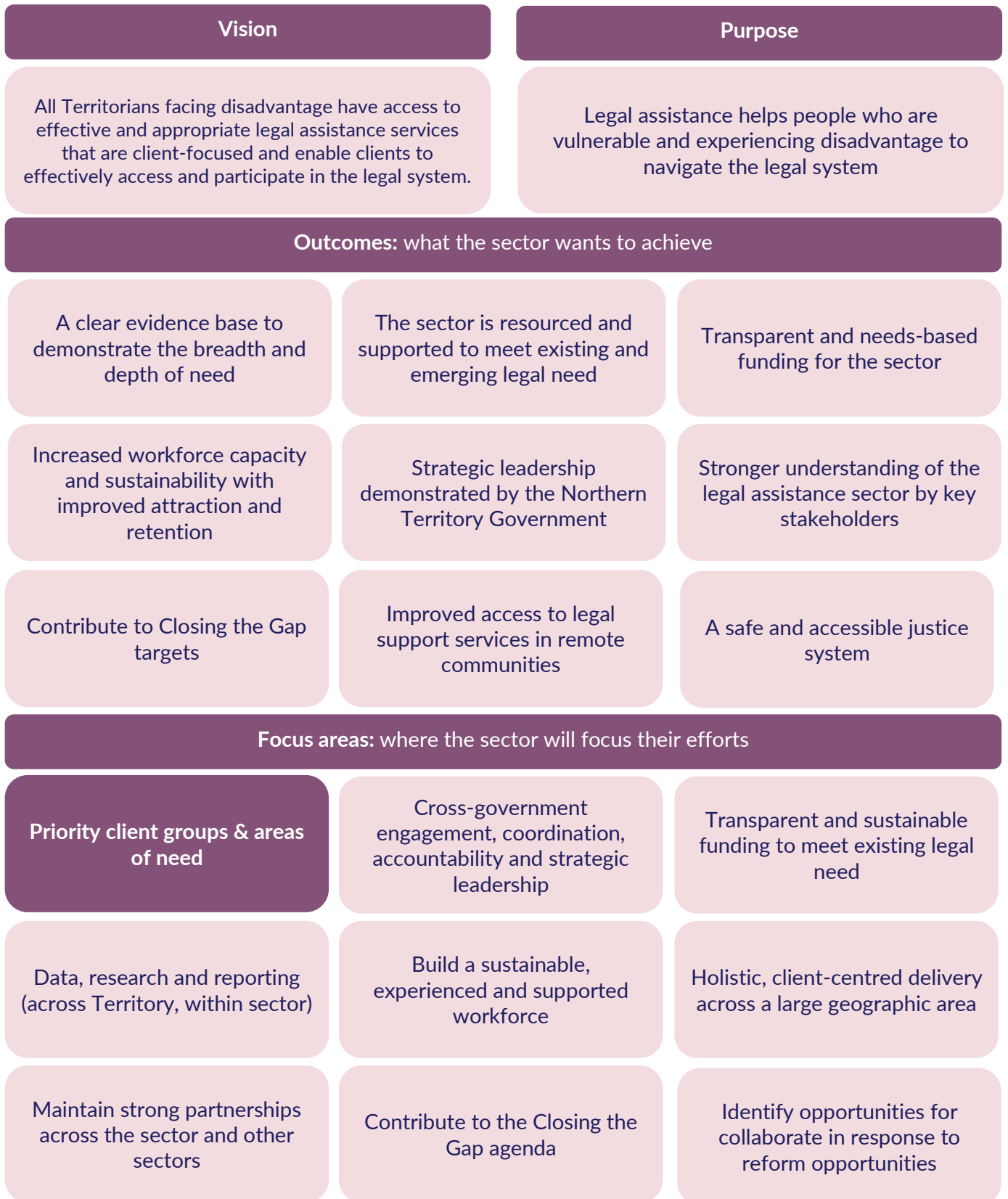
Source: NLAP

The Commonwealth may also provide additional funding to the legal assistance sector outside of the NLAP. An estimated \$5.61M in 2022-23 and \$22.993M over the course of the NLAP agreement is projected to be allocated to the Northern Territory through various bilateral agreements.

The Northern Territory received approximately \$1.2M through the National Partnership on COVID-19 Domestic and Family Violence Responses.

3 Northern Territory Legal Assistance Strategy

3.1 Strategy on a page



3.2 Vision

All Territorians facing disadvantage have access to effective and appropriate legal assistance services that are client-focused and support clients to effectively access and participate in the justice system.

Effective legal assistance services

Effective service delivery is two-fold. Workers need to be proficient in their relevant subject matter and skilled at working with vulnerable people with diverse backgrounds in order to best advance the interests of their client, who in turn will be supported through a collaborative approach. Clients typically present with several issues which may require expertise in several areas of the law. Clients may also present with other needs, such as housing, counselling or financial, which makes collaboration between services and systems through socio-legal integrated models just as important as collaboration between legal assistance providers. Timeliness of services is a significant component of accessibility and important in ensuring access to justice, as well as safety and wellbeing.

Appropriate and client-centred legal assistance services

Appropriate legal assistance recognises the importance of providing legal assistance in a way that meets the needs of clients. Culturally safe service provision is critical, noting that a significant proportion of clients seeking legal assistance services are either Aboriginal and Torres Strait Islander or culturally and linguistically diverse people. The significant increase in requests for assistance by women who are victims of domestic, family and sexual violence points to the need for providers to ensure they are providing safe, integrated and trauma-informed services.

Appropriate legal assistance also recognises that a client may require wrap around services, in conjunction with, or even before, they are ready to receive specialist legal assistance. The needs of the clients should be at the centre of service design and delivery. It also requires a shared understanding of where clients with particular needs can be best served. Client feedback should also inform how service provision is improved, with consideration as to how to appropriately and safely seek feedback from vulnerable cohorts.

Achieving justice

Legal assistance helps clients to participate in the legal system on their terms and in a way that improves their lives. Legal assistance providers help on an individual level, but they also contribute to broader system outcomes through collaboration across different sectors, contributing to policy and legislative reform and high-level advocacy.

3.3 Outcomes

1 *A clear evidence base to demonstrate the breadth and depth of need*

For those working within the sector, there is clear day-to-day evidence in the type, volume, and impact of legal matters on individuals, their families, and their communities, which demonstrates the breadth and depth of the need and demand for legal assistance services. These lived experiences, from clients and service providers alike, should form part of a broader evidence base to support the individual, community, and broader socio-economic and health impacts of investing in a robust legal assistance sector. The evidence base will include capturing and demonstrating the service levels provided, legal need demonstrated, and the impact of client outcomes driven by the sector.

Legal assistance services are funded and supported to dynamically record and report this data. This Strategy and Action Plan provides a starting point to capturing need and demand for legal assistance services across the Territory.

2 *The sector is resourced and supported to meet existing and emerging legal need*

As legal needs and demands grow in their complexity, volume, and change in nature, funding and resourcing allocations need to evolve accordingly. As a first step, there is a need to ensure the sector is resourced to meet the existing level of legal need in the Territory. Funding also needs to be directed towards emerging areas of need, which may emanate from new and complex sources, or have been an unexpressed need in the community.

Resourcing also needs to recognise the legal expertise that is required to provide effective services for clients and the reform support activities that are undertaken by legal assistance providers.

There is acknowledgement of the impact that policy and law reform can have on legal need in the community. There is proactive consideration to 'pipeline' impacts on the legal assistance sector, such as policing and law reform, when determining budgets and resourcing for the legal assistance sector.

3 *There is transparent and needs-based funding*

Transparent funding looks like clearly communicated funding decisions that are made according to a funding framework that also recognises and consolidates various streams of funding across government. Transparent funding is a key enabler for collaboration across the sector. Funding that is needs-based involves close engagement with the sector to understand the dynamic nature of legal assistance need and key drivers, ensuring that priority client groups and areas of legal need are met by multiple streams of funding.

Legal assistance clients rarely present with a single need, and may have other challenges that need to be resolved before they are ready to receive legal assistance. Resourcing for the sector should also reflect the need for wrap around or additional support services, such as specialist counselling, which are integral to achieving outcomes for clients.

4 *Strategic leadership demonstrated by the Northern Territory Government*

Strategic leadership offers greater support and engagement from the Department with the legal assistance sector across the following key areas:

- The legal assistance sector is included in cross-government efforts to achieve outcomes for Territorians, with a particular focus on child protection, youth justice and domestic, family and sexual violence responses
- The legal assistance sector is informed and engaged in policy and legislative reform led by the government and is supported to do this through the provision of appropriate resources and reasonable timeframes for input and feedback
- The Department is monitoring current trends in demands and corresponding impacts on the sector's ability to meet the needs of clients, which enables the Department to provide proactive support to the sector, particularly where this is a business continuity risk to legal assistance service provision
- The Department has a broader view of funding across the sector.

5 Increased workforce capacity and sustainability with improved attraction and retention

As the complexity of matters and the demand for legal assistance continues to grow, there is a need to increase the capacity of the workforce. This includes investing in the specialist training of the workforce as well as support services, noting that staff are routinely exposed to difficult and confronting subject matter in the course of their work which creates a risk of vicarious trauma.

Existing and ongoing challenges of recruitment and retention are likely to increase. There is also an opportunity for sector-wide workforce planning supported by the Northern Territory and Australian governments. Increased workforce sustainability looks like comparable salaries and conditions across key organisations, including the Northern Territory Government and legal assistance services, invested effort in business continuity planning, and staff attraction and retention strategies taking into account the higher cost of living in remote areas. There should also be a focus on supporting Aboriginal workforce development in the Northern Territory, including development pathways for aspiring lawyers.

6 Stronger understanding of the legal assistance sector by key stakeholders

Closely linked to outcome 5, there is an opportunity to strengthen government-wide understanding of the role of legal assistance and how it intersects with and complements a range of family, community, social support and health services. A better understanding of the flow on impacts of other sectors will enable cross-government strategic leadership and coordination, which in turn will support high quality and efficient service provision.

7 Contribute to Closing the Gap targets

Aboriginal people form a significant proportion of legal assistance clients in the Northern Territory. There is an opportunity for greater recognition by government of the role that legal assistance plays in enabling positive outcomes for Aboriginal Territorians. This includes four targets identified in Closing the Gap, as well as delivering on the Northern Territory’s Aboriginal Justice Agreement. There is also recognition of the importance of culturally appropriate service delivery across the sector.



Closing the Gap targets

Legal assistance contributes to the following key targets identified in Closing the Gap:

- Adults are not overrepresented in the criminal justice system – a reduction by at least 15 per cent by 2031.
- Young people are not overrepresented in the criminal justice system – a reduction in detention by 30 per cent by 2031.
- Children are not overrepresented in the child protection system – reduce the rate of children in out-of-home care by 45 per cent by 2031.
- Families and households are safe – the rate of all forms of family violence and abuse is reduced by at least 50 per cent by 2031, as progress towards zero.

Source: Closing the Gap

8 Improved access to legal support services in remote communities

The Northern Territory has a high population of people experiencing disadvantage, coupled with significant remoteness, which has a significant impact on the ability of Aboriginal Territorians to access services to address their needs, legal and otherwise.

Improved access to legal support services includes increasing support for bush court attendance, and more broadly identifying ways to increase service delivery in remote communities particularly for civil and family law legal assistance.

3.4 Focus areas

The focus areas below identify where the Northern Territory Government and sector can focus their effort to work towards the vision and outcomes identified in the Strategy. The focus areas reflect the key themes heard through engagement with the legal assistance sector.

- Priority client groups and areas of need (refer to section 2.4.3)
- Cross-government engagement, coordination, accountability and strategic leadership
- Transparent and sustainable funding to meet existing legal need
- Data and research and reporting (across Territory, within sector)
- Build a sustainable, experienced and supported workforce
- Holistic client-centred delivery across a large geographic area
- Maintain strong partnerships across the sector and other sectors
- Contribute to the Closing the Gap agenda
- Identify opportunities to collaborate in response to reform opportunities.

4 Northern Territory Legal Assistance Action Plan

4.1 Overview

The Northern Territory Legal Assistance Action Plan (Action Plan) supports the Northern Territory Legal Assistance Strategy (the Strategy) by identifying the key activities and initiatives that will support achievement of the outcomes of the Strategy and the NLAP.

The Action Plan will operate for the remaining term of the NLAP (2022-25), noting that it should be considered as an evolving document.

4.2 Key activities and initiatives

Table 4 details the key activities and initiatives that will support a whole-of-sector approach to achieving the vision and outcomes identified in the Strategy.

4.3 Milestones and review points

The Action Plan will be reviewed annually by the Department in collaboration with the sector, and updated to demonstrate outcomes and future work.

Table 4: Detailed activities and initiatives

Focus area	Action	Timeline	Responsibility
Cross-government coordination, accountability, and strategic leadership	1) Department to explore mechanisms for a cross-government coordinated approach to justice outcomes in consultation with the legal assistance sector.	2023 to 2025	Department
	2) Department to communicate the role of legal assistance services and the extent of unmet need in the Northern Territory to other departments.		
	3) Department to communicate the level of unmet need and its complexity and unique challenges to the Commonwealth, through the NLAP review process, and in conjunction and collaboration with the legal assistance sector.		
Transparent and sustainable funding to meet existing legal need	4) Department to develop a framework and processes for allocation of legal assistance grant funding.	2023 to 2025	Department
	5) Department to engage with other government departments and the Commonwealth on ways to consolidate sources of funding and reduce reliance on one-off grant funding.		
	6) Department to engage with other government departments and the Commonwealth on ways to significantly increase funding for legal assistance services.		
Data, research and reporting (across Territory, within sector)	7) Reach a consensus on how to quantify and collect data on unmet and unexpressed demand for legal services (relies on further funding and support to the sector)	2023 to 2025	Sector / Department
	a) Identify gaps in existing data collection and differences in current reporting practices		
	b) Identify ways to combine quantitative data and reporting with qualitative data gained through the lived experience of clients		
	c) Identify other sectors and services which can support reporting on unmet and unexpressed demand for legal services		
	d) Department will assist the sector to develop guidelines.		
8) Department and the legal assistance sector to engage with the Commonwealth on ways to streamline reporting requirements.			
Workforce planning and development	9) Develop strategies to improve attraction and retention of talent in order to preserve business continuity and meet increasing demand, including specialists	2023 to 2025	Sector / Department
	a) Explore the effectiveness of existing government initiatives to support legal assistance and support workers in regional and remote areas		

Focus area	Action	Timeline	Responsibility
	<ul style="list-style-type: none"> b) Explore opportunities to remove barriers to volunteering, including support for inter-state volunteers c) Seek funding for vicarious trauma training for the sector d) Investigate opportunities available for access to mental health first aid, first aid, 4WD training and cultural training. <p>10) Through collaborative service planning (CSP), collaborate and share knowledge regarding initiatives to mitigate burn out and vicarious trauma for staff.</p> <p>11) Through CSP, identify further ways to share training costs where possible, with the Department and the legal assistance sector to identify opportunities to support training for staff in remote areas.</p>		
<p>Holistic, client-centred delivery across a large geographic area</p>	<p>12) Identify existing projects and initiatives focused on culturally appropriate service delivery and identify opportunities to expand.</p> <p>13) Identify further opportunities for two-way learning between Aboriginal communities and legal workers, building on existing initiatives.</p> <p>14) Identify further opportunities to share resources and collaborate with other community services (such as health, regional councils, and others) to address gaps in remote service delivery through justice partnerships, building on existing initiatives.</p> <p>15) Ongoing sharing of insights from existing initiatives, such as the Access to Justice project in Tennant Creek, with a focus on collaborative, place-based methods of addressing legal and non-legal needs in remote communities and referrals.</p> <p>16) Share insights from Health Justice Partnerships and identify lessons learnt to improve service delivery across the Territory, with a focus on trauma-informed approaches and integrated models of practice, and identify opportunities to expand Health Justice Partnerships.</p> <p>17) Identify insights from the Supportlink program (single referral gateway for police, community and government agencies) in Alice Springs and opportunities for expansion into other areas of the Northern Territory.</p> <p>18) Further consideration of the key drivers behind priority areas of legal need and how other sectors and government agencies can support, for example community mediation services which may mitigate the need for legal services for certain matters.</p> <p>19) Identify opportunities for cross-government collaboration for Aboriginal language interpreting.</p>	<p>2023 to 2025</p>	<p>Sector / Department</p>

Focus area	Action	Timeline	Responsibility
<p>Maintain strong partnerships across the sector and other sectors</p>	<p>20) Department to lead further consultation with key sectors and services to build awareness of and further refine the Northern Territory Legal Assistance Strategy and Action Plan, including the Department of Territory Families, Housing and Communities, the Director of Public Prosecutions, Courts, Northern Territory Correctional Services, the domestic, family and sexual violence sector, and Family Violence Prevention Legal Services.</p> <p>21) Through the CSP process, consolidate referral pathways, and identify additional opportunities to streamline where possible, for example greater use of the NTLAC help line (noting the challenges associated with phone access for some remote communities, including shared phones).</p> <p>22) Identify shared resources for the sector, such as the NT Law Handbook, and how to collectively manage.</p>	<p>2023</p>	<p>Sector / Department</p>
<p>Contribute to the Closing the Gap targets</p>	<p>23) Identify opportunities to develop an Aboriginal workforce, particularly in remote communities.</p>	<p>2023 to 2025</p>	<p>Sector / Department</p>
<p>Collaborative approach to reform opportunities</p>	<p>24) Through the CSP process, Department to regularly inform legal assistance sector on relevant policy reform.</p> <p>25) Explore opportunities to increase support for the legal assistance sector to respond to policy reform initiative.</p>	<p>2023 to 2025</p>	<p>Sector/Department</p>

Appendix A

Northern Territory Legal Aid Commission (NTLAC)

NTLAC provides legal services including legal information, legal advice, representations, family dispute resolution and community legal education across the Northern Territory including Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs. NTLAC receives a majority of funding from the Northern Territory and Commonwealth Governments.

NTLAC also has a duty solicitor service for the Youth Justice Court, Local Court in criminal, domestic violence and family matters, the Family and Federal Circuit Court and Mental Health Review NTCAT sittings.

NTLAC also operates the Domestic Violence Legal Service (DVLS) Darwin which provides a free legal service for persons who have experienced or are at risk of domestic or family violence in Darwin and the greater Darwin region. The DVLS provides advice on applying for a domestic violence order, legal representation and social support and a duty service at the Darwin Local Court on domestic and family violence days.

North Australian Aboriginal Justice Agency (NAAJA)

NAAJA is a legal assistance service that focuses on delivering accessible legal services to Aboriginal people. NAAJA has a core legal practice in criminal and civil law, but also delivers community legal and night patrol community legal education, Indigenous Prisoner Throughcare, Kungus Program and a Custody Notification Service. NAAJA is contracted by the Commonwealth Attorney General's Department. The organisation has a staff of over 160 located across the Northern Territory.

Top End Women's Legal Service (TEWLS)

TEWLS is a not-for-profit, specialist women's legal service focused on the advancement of women's rights. It provides high quality, holistic, trauma-informed and culturally secure free legal services to women, and persons identifying as women, living in the Top End of the Northern Territory, including legal advice, casework and representation (litigation), and legal information and referral. TEWLS also provide community legal education and undertakes advocacy and law reform.

TEWLS provides integrated legal and non-legal services in the areas of family, migration and civil law, where clients frequently attend upon the service to meet with a practitioner who has a high-level understanding of domestic, family and sexual violence (DFSV), as well as the trauma associated with same. As a specialist DFSV service, TEWLS maintains a significant DFSV and family law legal practice, as well as an extensive civil law practice including in areas of tenancy and public housing, discrimination, sexual harassment, consumer law, complaints, child protection, and employment law. TEWLS also delivers the Temporary Visa Holders Experiencing Violence Pilot in the NT (funded by the Department of Social Services), a pilot focussed on the intersection between DFSV and migration law.

TEWLS provides in-house services as well as outreach services for women incarcerated in the Darwin Correctional Centre, women seeking shelter at any of the four women's shelters in the Greater Darwin, culturally and linguistically diverse women, and Aboriginal and Torres Strait Islander women in six town communities in the Greater Darwin region.

Darwin Community Legal Service (DCLS)

DCLS is a multi-disciplinary free, confidential service that supports members of the community to protect their legal rights and offers services related to general legal issues including information referral, legal advice and representation, tenants' advice service, seniors and disability rights service, special projects including Older Person's Abuse and NDIS appeals, and collaborative community legal education. DCLS provides legal help, advocacy and support services and promotes understanding and acceptance of rights, justice and inclusion.

Central Australian Women's Legal Service (CAWLS)

CAWLS is a not-for-profit specialist women's legal service providing free legal advice, representation and case management to women in Central Australia and the Barkly regions. Special concern is extended to women who are affected by domestic violence, living in remote communities and/or unable to afford access to other legal services. CAWLS services are available to all persons who identify as women, non-binary and gender diverse who have been adversely impacted by patriarchal structures and practices.

CAWLS operates the Southern Domestic Violence Legal Service (DVLS) (funded by the Northern Territory Government) and a Domestic Violence Unit & Health Justice Partnership (HJP) (funded by the Commonwealth Government). Through the DVLS and HJP, CAWLS provides a holistic integrated service designed to function as a 'one stop shop' for women who have experienced or are experiencing family violence. CAWLS works closely and collaboratively with other professionals to prioritise safety planning and risk management and deliver an integrated, trauma-informed service.

Women who attend the drop-in service are linked in to CAWLS client support services for assistance with interconnected non-legal issues and to CAWLS Women's Safety and Emotional Wellbeing Practitioner for court support and safety planning. CAWLS also provides an integrated financial counselling service and are the lead agency for the Community of Practice for financial counsellors in legal services nationally.

In addition, CAWLS developed the first specialist Migration Hub focused on meeting the intersecting legal needs relating to migration law, family law, child protection and family violence. CAWLS also provides general civil law advice and assistance across a broad range of areas including consumer law, employment law, tenancy, complaints, discrimination and wills and estates.

Katherine Women's Information & Legal Service (KWILS)

KWILS is a specialist women's legal service providing free legal advice and representation and non-legal supports to all women in Katherine and the Big Rivers Region, with a particular focus on the reduction of domestic, family and sexual violence. KWILS operates a drop-in service for urgent DVO, care and protection, and family law matters, and runs the daily DVO duty law service at the Katherine Local Court. Other non-urgent civil law matters including employment, discrimination, government accountability, consumer, tenancy and adult guardianship matters are booked into weekly clinic appointments.

KWILS currently travels regularly to Beswick, Barunga, Mataranka and Borroloola, and provides outreach services to women across the Big Rivers Region by telephone advice. KWILS also provides community legal education and undertakes advocacy including in respect of law reform issues.

North Australia Aboriginal Family Legal Service (NAAFLS)

NAAFLS is a legal services organisation that provides both legal and non-legal services, specialising in domestic violence matters, family matters, sexual violence matters, housing matters, and victims of crime compensation matters. It offers these services free of charge to Aboriginal and Torres Strait Islander people in the Top End, East Arnhem and Big River regions of the Northern Territory in a culturally competent manner. NAAFLS is also involved in policy advocacy work, lobbying for change through written submission and meetings with the government, and running education sessions so that the community is acquainted with their legal rights and obligations.

Central Australian Aboriginal Family Legal Unit (CAAFLU)

CAAFLU offers culturally appropriate legal and support services to Aboriginal and Torres Strait Islander people who are experiencing or have experienced domestic and family violence or sexual assault. CAAFLU provides legal advice and casework, counselling, information assistance, support and referral services.

Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NPY) Women's Council – Domestic and Family Violence Service

NPY Women's Council is an Anangu-led organisation that delivers health, social and cultural services in the NPY region of Central Australia. NPY offers a domestic and family violence service that includes casework in remote communities and community programs and legal education around domestic and family violence.

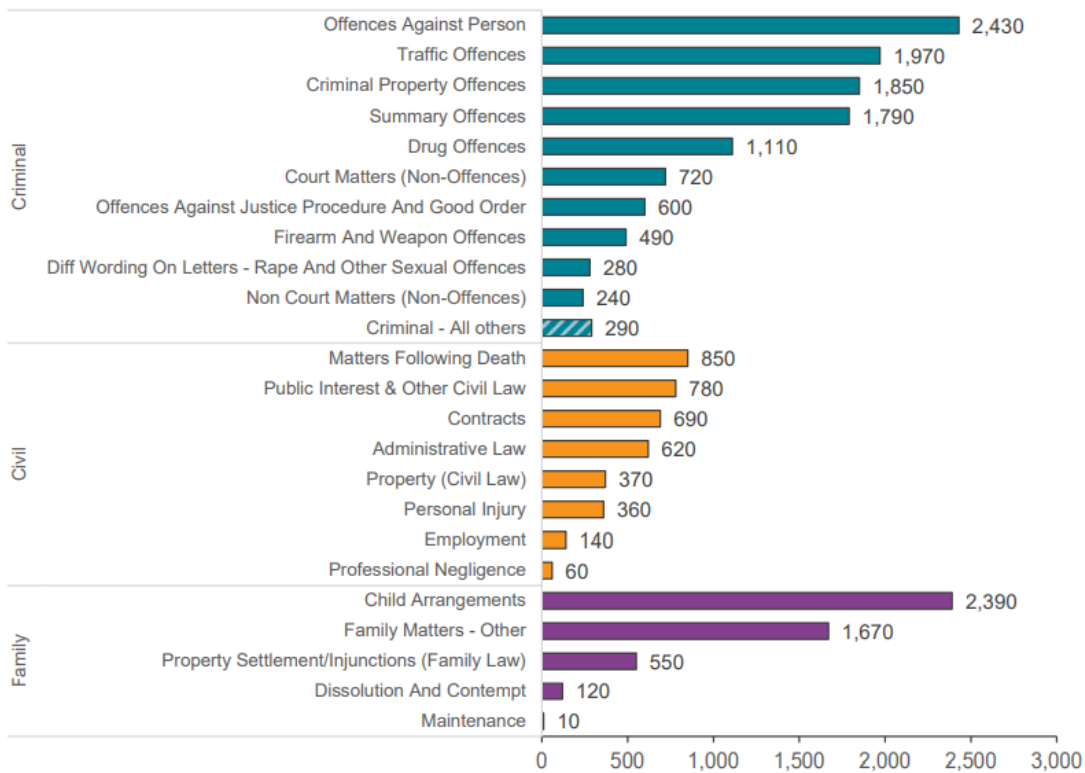
Appendix B

Aboriginal and Torres Strait Islander people	Children and young people	People who are culturally and linguistically diverse	Single parents
<ul style="list-style-type: none"> 76,000 people or 31 per cent of the population⁵² The Northern Territory has the highest proportion of Aboriginal and Torres Strait Islander people relative to its total population size⁵³ 	<ul style="list-style-type: none"> 46 per cent of Aboriginal people in the Northern Territory are aged under 25 years⁵⁴ There are 1,080 children and young people in out-of-home care in the Northern Territory, almost 90 per cent are identified as being Aboriginal or Torres Strait Islander⁵⁵ 	<ul style="list-style-type: none"> 35.9 per cent of people in the Northern Territory had at least one parent born overseas⁵⁶ More than 100 Aboriginal languages and dialects spoken in the Northern Territory⁵⁷ 	7,400 single parent families in the Northern Territory ⁵⁸
Older people ⁵⁹	People experiencing, or at risk of family violence	People in remote areas	People with low education levels
<ul style="list-style-type: none"> 21,593 people aged 65+ 13,269 Aboriginal or Torres Strait Islander aged 50+⁶⁰ 	<ul style="list-style-type: none"> 5,733 victims of family and domestic violence in the Northern Territory in 2021, and 4,473 (or 78 per cent) of these victims identify as female⁶¹ 	<ul style="list-style-type: none"> 44,819 people in the Northern Territory live in areas classified as 'very remote'⁶² There are 498 Aboriginal homelands within the Northern Territory⁶³ 	<ul style="list-style-type: none"> 56 per cent Year 12 Certification Rate in the Northern Territory which falls to 32.5 per cent in remote areas⁶⁴ Approximately 40 per cent Year 12 attainment rate in the Northern Territory for Aboriginal and Torres Strait Islander people which is the lowest rate nationwide⁶⁵
People experiencing homelessness	People in custody and/or prisoners	People with a disability or mental illness	

<ul style="list-style-type: none"> • 13,171 people experiencing homelessness in the Northern Territory ⁶⁶ • 88 per cent of people experiencing homelessness identify as Aboriginal or Torres Strait Islander⁶⁷ • 5,168 current applications for urban public housing⁶⁸ 	<ul style="list-style-type: none"> • Aboriginal people make up 85 per cent of the prison population in the Northern Territory ⁶⁹ • The Northern Territory consistently has the highest rate of young people in detention on an average night (40.8)⁷⁰ 	<ul style="list-style-type: none"> • Approximately 20,500 people with a disability in the Northern Territory⁷¹ • 5,181 active NDIS participants in the Northern Territory, the lowest of any state or territory ⁷² 	
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Appendix C

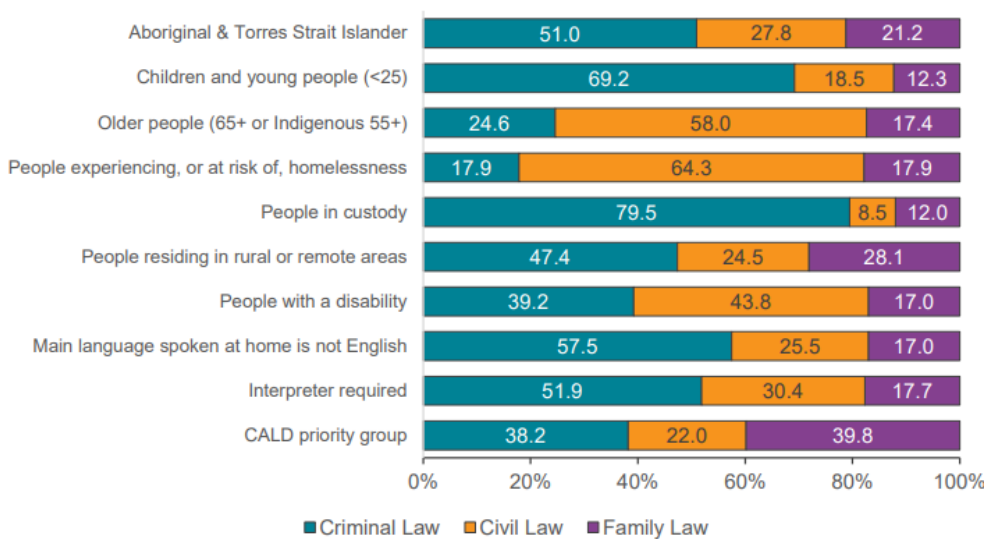
Figure 5: Top problem types (matter groups) for each area of law, NT 2020–21



Base: Problems addressed by legal services, excluding information services (N=20,366 problems, representing 12,515 services)

Source: [An Analysis of Legal Aid Service Data: Two Jurisdictional Profiles](#), The Law and Justice Foundation of NSW (2022)

Figure 6: Percentage of services provided to priority clients, by area of law, NT 2020-21



Base: Legal services (excluding information services) (N=12,515)

Source: [An Analysis of Legal Aid Service Data: Two Jurisdictional Profiles](#), The Law and Justice Foundation of NSW (2022)

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