

Program 3

Community Affairs

Program objective

To enhance and promote the rights of individuals and their reasonable access to justice.

◀ **Program 2**

Sub-program 3.3

Office of Film and Literature Classification

Sub-program objectives

To assist adults to make informed decisions about films and publications which they, and those in their care, may view or read by providing classification advice which is consistent with community standards.

To enable the film and publishing industry to produce and market their products in accordance with public classification standards and pre-set conditions of sale and exhibition.

As a result of the commencement of the Classification (Publications, Films and Computer Games) Act on 1 January 1996, the Office of Film and Literature Classification (OFLC) reports separately as a Department in compliance with s.50 of the Audit Act.

Section 54.(2) of the Classification (Publications, Films and Computer Games) Act gives the Director ‘...all of the powers of a Secretary under the *Public Service Act 1922* as they relate to the branch of the Australian Public Service comprising the Office of Film and Literature Classification.’

The Public Service Act defines a Department as ‘a branch or part of the Service in relation to which a person has, under this Act or another Act, the powers of, or exercisable by, a Secretary as if that branch or part of the Service were a separate Department.’

However, as funding for the sub-program continues to be appropriated through the Attorney-General’s Department, the accompanying financial statements incorporate the OFLC.

**Resources Summary—Sub-program 3.3
Office of Film & Literature Classification**

FINANCIAL	1995–96 Actual \$('000)	1996–97 Estimate \$('000)	1996–97 Actual \$('000)
Special Appropriations			
• Classification (Publications, Films and Computer Games) Act 1995	–	600	551
Appropriation Bill No. 1			
Running Costs			
• Salaries (139–1)	2 030	2 557	2 557
• Other (139–1) & (120–1) (p)	1 792	3 229	2 742
RUNNING COSTS APPROPRIATIONS	3 822	5 786	5 299
Other Program Costs			
• Compensation & Legal Expenses (120–2-04)	–	5	–
TOTAL APPROPRIATIONS	3 822	6 391	5 850
Adjustments affecting Outlays			
• Revenue			
– Miscellaneous	82	583	583
• Section 35 (Audit Act) Receipts	336	–	–
TOTAL OUTLAYS	3 404	5 808	5 267
STAFFING			
Staff Years	37.9	38.0	38.0
REVENUE AND/OR ITEMS NOT AFFECTING OUTLAYS			
Miscellaneous Receipts	880	2 507	2 507

(p) *indicates that the amount shown against an appropriation item is only part of the amount appropriated under that item.*

Specific accrual accounting information can be found in the accompanying audited Financial Statements.

Sub-program 3.4

Legal Aid and Family Services

Sub-program objectives

Access to assistance for the prevention and resolution of disputes through a range of mechanisms.

Access to justice through legal aid schemes and increased awareness of legal rights and responsibilities.

Access to a range of high-quality family relationship services.

Role

The sub-program is administered by Legal Aid and Family Services (LAFS), which is located in the Department's Central Office.

While LAFS administers some funding directly, most of the funds appropriated are allocated to various community-based service providers and Legal Aid Commissions (LACs) in all States and Territories.

Legal Aid

The Legal Aid Program aims to provide reasonable access to legal assistance, particularly for those who have needs arising under Commonwealth law. This goal is pursued in cooperation with States and Territories.

In 1996–97 Commonwealth funding was provided for legal aid through:

- LACs in all States and Territories in accordance with Commonwealth–State agreements for provision of legal assistance throughout Australia;
- community legal centres in all States and Territories for provision of community-based legal assistance throughout Australia;
- LACs and community legal centres in relation to the Child Support Scheme to assist with the efficient operation of the scheme's legal assistance aspects;
- direct grants of financial assistance in matters arising under a number of Commonwealth schemes, including matters under the *Native Title Act 1993*, the Workplace Relations Act, the Racial Discrimination Act, the Sex Discrimination Act, the Commonwealth Public Interest and Test Cases Scheme and the Overseas Custody (Child Removal) Scheme.

Subsequent to the announcement by the Attorney-General in June 1996 that the Commonwealth wished to terminate existing Commonwealth–State legal aid agreements from 30 June 1997, a key focus of the Legal Aid Branch during 1996–97 has been negotiation of new legal aid agreements to apply from 1 July 1997.

Family Services

The Family Services Program assists families to achieve and maintain appropriate functional relationships by providing reasonable access to quality marriage celebrant and family relationship services, including alternative means of family dispute resolution where appropriate. The program includes:

- family, child and relationship counselling services to help couples and family members establish and maintain appropriate relationships;
- marriage and relationship education for pre-marriage and at significant points in the life of families and relationships;
- family and child mediation to assist separating couples reach agreement on matters including parenting and care, finances and property;
- adolescent mediation and family therapy which aims to prevent youth homelessness by addressing serious conflict between adolescents and their families;
- contact services which facilitate safe contact arrangements for children whose parents are in high conflict over the contact;
- family skills training which provides vulnerable families with skills in positive parenting and non-violent problem-solving.

Family Services also administers the appointment under the Marriage Act of civil and religious marriage celebrants (other than nominees of major recognised denominations).



Training seminars conducted by Perception Psychological and Educational Services were provided by LAFS for workers in the field of children's contact services. Pictured at one of the seminars were (from left) Janice Dickinson (Anglicare WA); Susan Bennett (Director of LAFS Mediation Services); Liz Bell (Centacare, NT); Margaret Lord and Beatrice Melita (Perception); and Jacqui Charles (Central West Contracting Services).

Resources Summary—Sub-program 3.4 Legal Aid & Family Services

FINANCIAL	1995–96	1996–97	1996–97
	Actual \$('000)	Estimate \$('000)	Actual \$('000)
Appropriation Bill No. 1			
Running Costs			
• Salaries (120–1) (p)	4 112	4 339	4 258
• Other (120–1) (p)	3 836	4 171	4 122
RUNNING COSTS APPROPRIATIONS	7 948	8 510	8 380
Other Program Costs			
• Grants to Australian Organisations (120–2-01)	1 128	1 152	1 125
• Financial Assistance (120–2-03)	5 807	4 853	4 851
• Grants to Family Relationship Support Organisations (120–2-09)	26 845	33 000	30 804
• Payments under subsection 34A(1) of the Audit Act 1901	3	–	–
Appropriation Bill No. 2			
• Provision of Legal Aid (806–02)	125 952	134 486	128 303
• Legal Aid Grants (806–03)	13 843	15 991	15 116
TOTAL APPROPRIATIONS	181 526	197 992	188 580
Adjustments affecting Outlays			
• Revenue			
– Miscellaneous	58	49	49
• Section 35 (Audit Act) Receipts	76	3	3
TOTAL OUTLAYS	181 392	197 939	188 527
STAFFING			
Staff Years	64.0	67.0	66.0

(p) indicates that the amount shown against an appropriation item is only part of the amount appropriated under that item.

Specific accrual accounting information can be found in the accompanying audited Financial Statements.

The Family Services Council, established in December 1994, is an advisory council to the Attorney-General. It provides advice on the development of policy directions, priorities and principles in family services, including quality assurance and a research and evaluation agenda. The council consists of 10 people, including a departmental representative, service provider representatives and experts in social and family policy.

In March 1997 the Department contracted Community Link Australia to develop a quality strategy and a national information system for the Family Services Program. This project (known as FAMQIS) will be the most significant policy work for 1997–98 and will be conducted in close consultation with family services providers. The project will provide a framework for greatly improved performance information on the program and is due to be completed by June 1998, with a rollout plan for full implementation during 1998–99.

Strategy

Develop and implement coherent, innovative and achievable policy initiatives in conjunction with relevant stakeholders.

Performance measure

Endorsement of policy advice by the Minister.

Performance outcome

The Family Services Branch provided substantial input into the Attorney-General's discussion paper on options for provision of primary dispute resolution, including the non-judicial services of the Family Court of Australia. The paper is to be released for public debate in September 1997.

A new Family Services Council was appointed by the Attorney-General with a charter to advise on the capacity of Family Services Program contracted agencies to take on aspects of Family Court counselling and mediation work, and on how services should respond to the changes to the Family Law Act.

Reforms were made to the processes for appointing marriage celebrants to improve the efficiency and equity of the program, including the piloting of new selection processes in Karratha, WA. A discussion paper addressing a range of issues affecting the delivery of civil marriage services will be circulated for comment to key stakeholders over 1997–98.

The Legal Aid Branch provided advice and assistance to the Minister in dealing with an unprecedented level of public and media interest in legal aid policy issues during the year. The high-profile issues included the renegotiation of Commonwealth–State legal aid agreements, financial assistance for native title matters and Commonwealth funding for Environmental Defenders Offices.

The branch played a key role in developing policy priorities and guidelines for negotiation of new legal aid agreements with the States and Territories to apply from 1 July 1997.

Performance measure

Effectiveness of research and development initiatives.

Performance outcome

Research was completed in 1996 into issues of family violence confronting community-based family mediation services. The research found that most agencies had established policies and procedures for dealing with domestic violence, but highlighted the fact that mediators needed to be aware of the direct impact that a history of violence has on the ability to mediate. The research recommended that a national training program be developed for staff of mediation agencies about effective responses to family violence in the context of mediation. A national training program commenced in 1996–97.

The evaluation of the counselling program completed in 1996 identified the need for improved information and a quality strategy to promote systematic approaches to self-assessment and service improvement. A comprehensive project to address these recommendations – FAMQIS – began in March 1997. It was expected to provide a sound basis for approval and funding of organisations, and for ensuring delivery of high-quality services to the community.

Reviews of the community legal centre program in two States identified a number of areas for future policy development.

Performance measure

Effectiveness of consultation processes.

Performance outcome

All evaluations conducted in 1996–97 included consultations with stakeholders. A major consultation for the Family Services Program commenced in June 1997 and will be conducted throughout 1997–98 as part of FAMQIS. Consultations will include a program development phase to examine the program logic with a view to clarifying objectives, strengthening the focus on client benefits and enhancing the flexibility of service providers in meeting objectives.

The renegotiation of the legal aid agreements involved extensive consultations with all State and Territory governments leading to the implementation of new arrangements in each State and Territory in accordance with government policy.

The community legal centre program undertook extensive consultations with the National Association of Community Legal Centres on a number of issues, including the implementation of a service level agreement with each centre funded by the Commonwealth and commencement of a review of the national information scheme. The Legal Aid Branch maintains regular contact with the National Association to ensure effective communication.

In response to the Wik decision, the Legal Aid Branch was also involved in a targeted consultation over possible revisions to the native title guidelines.

Performance measure

Success in implementation of policy initiatives proposed.

Performance outcome

Children's Contact Services (formerly known as Changeover and Visiting Services) completed its first full year of operation in 1996–97. Research and evaluation of these services commenced, with the final report due at the end of 1998. The research will focus on the impact on children of using the centres. The evaluation will examine the efficiency, effectiveness and appropriateness of the services, and seek to identify models of best practice in service delivery.

The Commonwealth settled the basis for future Commonwealth funding for legal aid with all jurisdictions during the financial year. This process culminated in the formal signing of one agreement prior to the end of the financial year and completion of negotiations of four others to the stage where both parties were ready to sign formal documents. In the remaining three jurisdictions only minor issues remained to be resolved before final documents could be prepared.

Strategy

Contract provider organisations to deliver effective services to meet Commonwealth policy priorities.

Performance measure

Services provided to the community, cost effectively and in line with government priorities.

Performance outcome

An evaluation of federally-funded family mediation services in Sydney was completed in 1996. The evaluation found high agreement rates, client satisfaction with the decisions reached and agreements being close to the legal advice parties had been given. The evaluation recommended continued federal funding of family mediation services as they produced good outcomes that held up over time and were a sound, low-cost investment to help families with relationship difficulties.

An evaluation of the marriage and relationship counselling sub-program was completed in October 1996. The evaluation confirmed that the sub-program was meeting the needs of its clients.

An evaluation of marriage and relationship education commenced and was due for completion in 1997–98.

The Commonwealth Government took on a major task in 1996–97 in deciding to restructure legal aid funding to ensure that Commonwealth funds in future are used to provide assistance only for matters of priority under Commonwealth law, with the priorities to be determined at the Commonwealth level.

The complexity of the task was increased because of the sensitivity of many issues under negotiation at a time when Commonwealth funding for legal aid was subjected to intense political, media and community scrutiny. Despite these constraints the Commonwealth successfully achieved its goal. The new arrangements were designed to ensure greater efficiency and effectiveness in the use of Commonwealth funds. The restructuring process also led to innovative arrangements involving the Commonwealth purchasing services directly from some LACs. The existence of these arrangements alongside traditional cooperative arrangements will provide the Commonwealth with the opportunity to test the effectiveness of different arrangements.

During 1996–97 the Commonwealth provided funding for a joint Commonwealth-State review of the Community Legal Centre program in Queensland. The review examined the performance of the program and the efficiency and effectiveness of services delivered under it. The review found that Community Legal Centres were an effective service delivery mechanism in those areas identified by the Government as priorities – legal information, advice and community education. The review identified a number of managerial and accountability issues which were being addressed in the implementation of service level agreements. Questions about resource allocation and community need were also addressed. A working party will be established to implement the recommendations of the review.

Performance measure

Quality services accessible to targeted groups or regions.

Performance outcome

A needs-based planning process was used to identify locations for 34 new marriage and relationship education services funded from 1 January 1997. The process took into account the estimated target population, locations and levels of existing service delivery and the particular needs of regional and rural areas.

The evaluation of the counselling sub-program found that the program was administered equitably. However, clients who spoke a language other than English, clients who lived outside major urban centres and Aboriginal and Torres Strait Islander clients were under-represented. This was also likely to be the case in the other areas of the Family Services Program.

Six community development officers were placed in counselling organisations to promote the development of service models which improve the responsiveness of services to the needs of clients from linguistically and culturally diverse backgrounds through a process of organisational change.

A project to determine the most effective ways of delivering marriage and relationship education services in rural and remote areas was commenced. The project, involving the development of service prototypes, was due for completion by September 1997.

A number of best practice initiatives in marriage and relationship education will be funded for two years from 1997–98 following completion of the evaluation of this sub-program. It is expected that these will include some initiatives to develop service models that more appropriately meet the needs of indigenous Australians.

The Commonwealth is the most significant purchaser of community based legal services nationally.

During 1996–97 the Department participated in joint Commonwealth–State reviews of the Community Legal Centre programs in South Australia and Queensland. Terms of reference for these reviews reflected the Commonwealth’s commitment to ensuring that services delivered using program funds are cost effective and consistent with government priorities. Best practice and service quality issues were addressed in the reviews and a key objective was to ensure that Commonwealth resources are appropriately targeted to provide services in areas and for people facing the greatest need.

Strategy

Promote best management practice and greater accountability in service provision.

Performance measure

Effective contractual and monitoring arrangements in place.

Performance outcome

The evaluation of the counselling program, completed in October 1996, found that the form of existing contracts between the Department and providers of services did not adequately meet accountability requirements. A new standard agreement was developed to address these concerns. During 1996–97 all services under the Family Services Program signed revised service agreements specifying service area. Contracting arrangements will be further improved when the FAMQIS project has developed a more effective way of collecting performance data.

The renegotiation of agreements for the provision of legal aid services by LACs provided the Commonwealth with a mechanism to direct the policies and priorities to be applied to Commonwealth legal aid funds for the first time in the history of Commonwealth–State cooperative legal aid arrangements.

It also provided a mechanism to ensure that service providers account properly to the Commonwealth for the services provided on its behalf. The arrangements established improved reporting measures and more uniform management practices in the provision of legal assistance for Commonwealth matters. A management information consultancy was commissioned to refine performance information for the legal aid program.

The development and implementation, during 1996–97, of a national model service agreement for organisations receiving grants under the Community Legal Centre Program was of major importance in ensuring effective contractual and monitoring arrangements apply to the program.

The agreement was a critical element of the Commonwealth’s approach to ensuring greater accountability in the management of the program and achieving the highest possible levels of efficiency and effectiveness in community legal service delivery. The performance-based agreement linked funding to strategic plans containing service-level commitments by providers and must be agreed by the Commonwealth, enabling the Commonwealth as the funding body to provide greater direction with regard to priorities and acceptable activity levels.

The agreements are jointly administered by the Commonwealth, State Governments and LACs according to a management protocol. The protocol clarifies the roles and responsibilities of the program managers and is designed to ensure that program funding is administered efficiently and consistently nation-wide.

Performance measure

Progress toward implementation of quality programs.

Performance outcome

The FAMQIS project, involving the development of a quality strategy and a national information system for the Family Services Program in consultation with service providers and clients, commenced in March 1997. The project was due to be completed by June 1998 and fully implemented during 1998–99.

During 1996–97 a divisional quality sponsor and three quality facilitators received training through the departmental Quality Service Program. A series of planning and team-building workshops was facilitated by the Professional Development Unit of the Department. An irritants survey was conducted with staff to identify issues to be addressed as part of the development of a process of continuous improvement.

Strategy

Ensure staff have relevant skills and knowledge.

Performance measure

Regular assessment of staff development needs conducted.

Performance outcome

A need was identified for increased staff development in the areas of contracting, tendering and writing of ministerial correspondence, and staff attended appropriate training in these areas. Legal staff continued to have their developmental needs met through the Continuing Legal Education program.

Performance measure

Staff development undertaken in accordance with agreed individual development plans.

Performance outcome

An average of two days training per staff member was attained during 1996–97.

Major participation was shown in attendance at the following conferences, seminars and training courses:

- seventh National Family Law Conference;
- Innovations Expo '97;
- CDATA Mapinfo training;
- National Marriage Education Conference;
- tendering consultancies;
- senior executive leadership;
- stress management – women;
- inaugural public law weekend;
- various evaluation courses and workshops.

As part of the quality strategy campaign, an awareness session for LAFS staff was held and a program of follow-up seminars and workshops commenced. It was intended that further training assistance on achieving quality strategy objectives would be carried out in 1997–98.