

# STATEMENT OF COMMITMENT BY



and



**THIS STATEMENT OF COMMITMENT IS MADE ON the 29th day of May 2013 between:  
LEGAL AID NSW and THE ABORIGINAL LEGAL SERVICE (NSW/ACT) LIMITED (ALS)**

## PREAMBLE

Legal Aid NSW and the ALS both have a role in advocating for the legal rights of Aboriginal Australians and in promoting respect and understanding of these rights among the broader community.

Legal Aid NSW recognises and respects the unique role of the ALS as a specialist legal service for Aboriginal people.

Legal Aid NSW and the ALS are committed to working collaboratively and in partnership with each other in undertaking their respective roles and to ensure that their relationship is based on equality, respect, trust, honesty and openness.

## STATEMENT OF COMMITMENT

**In carrying out their obligations Legal Aid NSW and the ALS agree to work together to:**

### **Deliver high-quality, culturally sensitive legal services to Aboriginal people**

Provide high quality, culturally appropriate and innovative legal services.

Ensure that Aboriginal clients are informed of their legal options and the different services available to them.

Assist Aboriginal clients who are not eligible for Legal Aid NSW or ALS services to obtain legal assistance from other services such as LawAccess NSW, community legal centres and pro bono legal services.

Ensure that the safety and wellbeing of Aboriginal children and women is given priority.

Develop and implement protocols for the referral of criminal, family and civil law matters to help Aboriginal clients receive legal assistance from the most appropriate service for their needs.

Utilise the expertise of Aboriginal Field Officers in making appropriate referrals to each other's services.

Encourage and promote each other's services to Aboriginal clients and communities, and government and non-government agencies at all levels.

Work cooperatively to implement those elements of the *Legal Aid NSW Reconciliation Action Plan 2013-2015* which focus on Aboriginal community partnerships.

### **Improve the justice system for Aboriginal people**

Address the unmet legal needs of Aboriginal people, particularly in regard to the areas of family and civil law.

Consult and respond to emerging issues, policy and law reform, particularly in the family, civil and criminal law practice areas; increasing limitations imposed on criminal justice safeguards (right to silence, defence disclosure), juvenile justice, prisoners' issues and bail reform.

Encourage the Commonwealth and State governments to pursue strategies aimed at reducing recidivism and the disproportionate incarceration rate of Aboriginal people through rehabilitation in particular through the ALS's Prisoner ThroughCare Unit, intervention programs and investment in Aboriginal communities.

### **Share information and resources and support the professional development of each other's staff**

Identify and address service planning, program design and service delivery issues.

Share service delivery and organisational information and resources, legal practice precedent materials, community information and educational resources, staff training and information technology.

Provide professional development opportunities for each other's staff through training and secondment opportunities.

Work in partnership to support the ALS Family Law Practice.

### **Resolve disputes by negotiation**

Disputes arising out of this Statement of Commitment should in the first instance, be resolved locally by negotiation. If no resolution is made within one calendar month of notification of a dispute then the matter should be referred to the respective Solicitor in Charge (SIC) Legal Aid NSW and ALS Regional Manager. If the matter cannot be resolved at this level it should be referred to the CEO of each service for resolution.

### **Review the Statement of Commitment**

The parties agree to review the Statement of Commitment prior to 30 June 2014.

### **Variations**

This Statement of Commitment may be varied in writing by mutual agreement between the parties.

### **Termination**

Either party may terminate this Statement of Commitment and the obligations it entails by giving each party 3 months notice in writing without the necessity to give reasons for the termination.

### **Obligations arising under law**

The parties agree that this Statement of Commitment does not give rise to any legal rights or obligations at law. This Statement of Commitment will not be relied upon as a legally enforceable instrument by either of the parties.

*Signed For Legal Aid NSW*

*Signed For The Aboriginal Legal Service (NSW/ACT) Limited*