



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 247

WRITTEN QUESTION

J Davis to the Attorney-General, Hon Marie-Clare Boothby MLA:

Legal Aid NT Governance and Services

1. What does the Legal Aid Act 1990 require in relation to the appointment of the Director of the Northern Territory Legal Aid Commission and of members of the Commission?
 - a. Is a selection panel or merit-based process required by the Act or by administrative practice, and is the appointing authority bound by any recommendation made?
 - b. Are vacancies advertised publicly, and where are appointments and their terms published?
 - c. In respect of the current Director's appointment, did the selection panel provide a recommendation, and was the person appointed the person recommended? If not, what reasons were recorded for departing from the recommendation, and by whom?
 - d. Will the Attorney-General commit to amending the Legal Aid Act 1990 to apply an independent appointment protocol equivalent to that used for the Director of Public Prosecutions?
2. In a media release of 18 September 2025 titled "CLP Names Leaders to Bolster Legal Aid NT", the Government announced the appointment of a new Chairperson and Commissioner following what it described as "an open Expression of Interest process", and stated that it had delivered "an 80% boost to baseline funding, with \$5.5 million each year ongoing from 2025-26". On 17 November 2025 the Commission ceased providing new grants of legal aid in criminal matters for people not in custody.
 - a. What was the Commission's baseline funding immediately before that increase, and what is it now?
 - b. What changed in the Commission's financial position between those two dates?

- c. Did the Commission advise the Attorney-General or the Department before 17 November 2025 that it would be unable to continue new grants and, if so, on what date?
 - d. What was the Government's response to that advice?
- 3. How many grants of legal aid did the Commission make in criminal matters in each of 2024–25 and 2025–26, and how many applications were refused?
 - a. If the Department does not hold this information, has it requested it from the Commission, and does the Legal Aid Act 1990 or the Commission's funding agreement require the Commission to report it to the Minister?
- 4. How many duty lawyer referrals did the North Australian Aboriginal Justice Agency make to the Commission in each of 2023–24, 2024–25 and 2025–26?
 - a. In which system are duty lawyer referrals between the two services recorded?
- 5. How many formal referrals did the North Australian Aboriginal Justice Agency make under its memorandum of understanding with the Commission in each of 2023–24, 2024–25 and 2025–26?
 - a. Does the memorandum of understanding require either party to report referral numbers and, if so, to whom and how often?
- 6. Since 17 November 2025 the Commission has been unable to provide new grants of legal aid in criminal matters for people who are not in custody, and has continued grants for young people who are not in custody only where in-house staff have capacity. Has emergency funding been considered to ensure children have legal representation?
 - a. How many applications for a grant of aid by or on behalf of young people have been refused, deferred or waitlisted for capacity reasons since 17 November 2025?
 - b. If the number in any one of those categories is too small to report, please provide the total across all three.
- 7. How is the effect of these service reductions on the youth justice system being measured, and by whom?
 - a. If it is not being measured, has the Department sought advice from the courts on the effect?

8. Will the Department revise the funding model for the Commission in the next budget cycle to meet assessed service demand?
 - a. On what basis is the Commission's current appropriation calculated, and when was that basis last reviewed?
9. What are the principal drivers of the increase in the cost of providing the Commission's services, and what is the quantified contribution of each?
10. How many full-time equivalent positions within the Commission remained unfilled as at 30 June 2026, and what saving does that represent in the Commission's accounts for 2025–26?
 - a. If the Department does not hold this information, is the Commission required to report vacancies or salary savings to the Minister, and under what instrument?
11. The Victims of Crime office is closing due to funding constraints, with the loss of support for victims and of local staff.
 - a. Why was this funding not renewed?
 - b. What alternative programs are funded to support victims of domestic, family and sexual violence to engage with the justice system, and what funding is allocated to each in 2026–27?
 - c. Given the domestic and family violence related assault rate in the Territory is around three times the national average, how is the Department ensuring victims have the support necessary to navigate the legal process?
12. That release records that the newly appointed Chairperson of the Commission was previously a partner at Ward Keller.
 - a. Has the Commission engaged Ward Keller, or any other firm, to act for it in dealings or negotiations with the Northern Territory Government since 1 January 2025? If so, on what date was the engagement made and what has been the cost to the Commission?
 - b. What conflict of interest declaration was made by the Chairperson in relation to any such engagement, and where is it recorded?
 - c. What conflict of interest policy applies to members of the Commission, and is it published?