

FUNDING PRIORITIES FOR PROTECTION APPEAL LEGAL SERVICE DELIVERY

HOW TO EFFICIENTLY MEET HIGH LEGAL NEED AND REDUCE BACKLOGS IN PROTECTION APPEAL CASELOADS

- ➔ Circle Green Community Legal welcomes the Commonwealth Government’s commitment towards restoring the integrity of Australia’s protection visa system.
- ➔ We commend the appropriation of \$36.5 million nationwide (\$2 million in WA) to provide legal assistance at appeal stages.
- ➔ With our focus on efficient service delivery, in WA we’ve pioneered a data driven service. We are proactively monitoring our impact.
- ➔ Our 6-month progress report can be found on our [website](#). Early indicators show the service is contributing to reducing the backlog.

KEY STATS

88% clients advised no merit

45% did not lodge after receiving no merits advice

3 new clients engage the service daily

The current funding commitment ends on 30 June 2025. We identify three funding recommendations and the reasons to ensure Government achieves its objectives in fully addressing the existing backlog problem.

RECOMMENDATION	WHY?
<p>1</p> <p>Extend funding commitment by 6-12 months</p> <p>Estimated cost = \$2m for WA for 12 months</p>	<ul style="list-style-type: none"> • By remaining on the record for meritorious appeal matters and meeting legal need for a further 6-12 months, we will be on-track towards reducing the backlog in WA. • This will enable a fulsome evidence-base to better understand the causes and risks of the backlog in WA. • A shared data strategy can be achieved across the ART, FCFCOA, Government and legal service providers – improving understanding of the resourcing load across the protection visa framework for represented versus self-represented applicants.
<p>2</p> <p>Fund an independent evaluation on the impact of nationwide funded legal services on reducing backlogs</p> <p>Estimated cost = \$0.2m</p>	<ul style="list-style-type: none"> • Without an independent evaluation, there is a real risk that the impact of the investment (\$36.5 million nationwide) may be unrealised and fail to fulfil its intended purpose to reduce the backlog. • An independent evaluation will ensure stronger nationwide evidence (beyond our WA evidence base) and identify key recommendations for ongoing funding. • An independent evaluation could integrate Circle Green’s evidence base from WA as a ‘testing jurisdiction’ that may translate to key priorities for national service delivery. • The evaluation should be commissioned concurrently with the extended funding to optimise efficiency.
<p>3</p> <p>Commit to ongoing funding</p>	<ul style="list-style-type: none"> • Ongoing funding for appeal legal services will prevent future backlogs and ensure efficiency and integrity in the protection visa system.

The implementation of these recommendations will yield a high value return on the existing investment and ensure an efficient systems approach to preventing future backlogs.

FUNDING PRIORITIES FOR PROTECTION APPEAL LEGAL SERVICE DELIVERY

A PROBLEM-SOLVING APPROACH TO REDUCING BACKLOGS – TIMEFRAME OF KEY DELIVERABLES

By 30 June 2025
we will achieve an

- Efficient scalable model (pilot phase) focused on merits assessments.
- Innovative data strategy and outcomes framework.
- Time and cost of service breakdown to inform resources required for ongoing service delivery.
- First iteration of community legal education resources focused on improving self-navigation at appeal stages.

With a funding extension of 6-12 months, what could be achieved?

- Testing ground for our model as best practice to prevent backlogs.
- Mature evidence base featuring; composition of backlog, total number merits advices provided, % clients progressing with appeals after receiving no merit advice and the drivers for proceeding or not proceeding.
- Shared data strategy across ART, FFCOA, Govt and legal service providers.
- Automated community legal education
- An evidence base from which to answer:
 - ✓ How could appeal service delivery be tailored to meet the causes, risks and composition of backlog in WA?
 - ✓ What is the return on investment/avoided costs of the service for the ART and FFCOA in WA?
 - ✓ What is the impact of funded appeal legal services on the backlog?

Key Risks if funding ends 30 June 2025

- **Lost staff and capacity** – including efficiency, resource efficacy and knowledge expertise.
- **Continued unmet legal need** for appeal matters.
- **The removal of legal representation on meritorious matters** will undo progress towards reducing the existing backlog.
- **Lost opportunity to advance our data strategy** to a strengthened evidenced base and a coordinated approach to high functioning protection case management.

While a lot has been achieved in the first six months and more will be done by 30 June 2025, an extended investment will yield high value returns for the Government and support the backlog being sufficiently reduced. Beyond an extended funding period, recommendations 2 and 3 ensure a sustainable solution that prevents future backlogs in Australia's onshore protection visa caseload, ensuring integrity, fairness and greater efficiency.

Circle Green Community Legal welcomes the opportunity to work with Government and decision makers towards achieving these shared goals.