



Australian Government

Norfolk Island Legal Aid Guidelines for Provision of Legal Assistance

Authority

These guidelines are made under section 14 of the *Legal Aid Act 1995* (NI) by the First Assistant Secretary, Territories Division, Department of Infrastructure, Transport, Regional Development and Communications and delegate of the Minister under section 5 of, and item 1.49 of the Schedule to, the *Minister's Norfolk Island Delegation Instrument 2019*.

Types of matters

Legal assistance may be provided for criminal or family matters. It is not generally provided for civil law matters such as fines, bankruptcy, credit and debt matters, neighbourhood disputes, personal injury, wills and estates, and professional and medical negligence.

Funding caps

Hourly rate

- The maximum rate payable to solicitors is \$160 per hour.
- The maximum rate payable to counsel is \$400 per hour.

Criminal law matters

- The funding cap for criminal law matters with one defendant is \$50,000.
- The funding cap for each co-accused is \$25,000.

Family law matters

- The funding cap for family law matters is \$12,000 for each party.
- The funding cap does not apply to funding for independent children's lawyers.

Work undertaken prior to approval

- The funding cap for work undertaken by a solicitor prior to an application for legal aid being approved is 2 hours.

Exceptions

Funding in excess of the hourly rates and funding caps set by these Guidelines may be approved in exceptional circumstances.

Commencement

These Guidelines take effect once signed.

A handwritten signature in blue ink, appearing to read 'S. Vandebroek'.

Sarah Vandebroek
First Assistant Secretary

12 October 2020