

# Roma Community Legal Service Inc.

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Justice & Other Legislation  
Submission 004

30 June 2013

Mr Brook Hastie  
Research Director  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane Q 4000

Dear Mr Hastie

**Re: Justice and Other Legislation Amendment Bill 2013**

The Roma Community Legal Service Incorporated is writing to you about the **Justice and Other Legislation Amendment Bill 2013**. The Roma Community Legal Service Incorporated, based in Roma, which assists disadvantaged and marginalised people in the State electorate of Warrego and within the Federal electorate of Maranoa – some 475,000sqkm - to obtain equitable access to legal services. The Roma Community Legal Service incorporated is also a member of the Queensland Association of Independent Legal Services (QAIS).

The Roma Community Legal Service Incorporated is particularly interested in Part 30 of the Bill, which seeks to amend the definition of 'community legal service' in section 67A of the Personal Injuries Proceedings Act 2002 (PIPA). We are concerned that the proposed definition for 'community legal service' is quite narrow and may exclude legitimate community legal services.

The definition of 'community legal service' in the PIPA is important in ensuring that people who obtain legal advice from community legal services on potential claims are protected. People who attend community legal services are generally disadvantaged or marginalised people, often with little understanding of their legal rights. Therefore, it is important that these individuals are provided with the time necessary to consult with community legal services to ascertain whether they have a meritorious claim. These people, living in regional, rural, and remote Queensland – often at least 4-8 hours from an available legal service, will only be protected if the definition of 'community legal service' is accurate and encompasses all organisations which may provide such assistance.

The definition of 'community legal service' is also relevant in relation to whether a person may have recourse to the 'fidelity fund', held and administered by the Queensland Law Society under the *Legal*

*Profession Act 2007 (Qld)*. People who obtain advice through community legal services will only be protected and have recourse to the fidelity fund if the 'associate' who caused the financial loss was from a 'community legal service' as legislatively defined. Therefore, to ensure that clients of community legal services are adequately protected, the definition of 'community legal service' in PIPA must be broad enough to cover all community legal services.

The Roma Community Legal Service Inc., supports the definition of 'community legal centre' proposed by QAILS in its submission.

Please contact the writer on 07 46224547 or email on [madonnap@tpg.com.au](mailto:madonnap@tpg.com.au) if you require any further information.

Yours faithfully

Roma Community Legal Service Incorporated



**Madonna Price**

Director