

Legal Aid Queensland

Legal Aid Queensland is an independent statutory authority that provides legal services to financially disadvantaged Queenslanders.

The Legal Aid Queensland Board and Executive Management Team is responsible for managing Legal Aid Queensland and ensuring the organisation achieves its objectives.

Duty lawyer services

One of Legal Aid Queensland's priorities is to arrange for the provision of duty lawyer services to courts and tribunals at approved sittings and locations across the state.

Tender

Legal Aid Queensland seeks the services of private practitioners to assist in the provision of duty lawyer services at Magistrates courts located at Beenleigh, Caboolture, Ipswich, Richlands, Sandgate, and Toowoomba, for the period 1 July 2022 to 30 June 2023.

Services are sought from private practitioners who are accredited duty lawyers, hold current practicing certificates, and are either:

- (i) Preferred Suppliers of Legal Aid Queensland and are on the Crime General Panel; or
- (ii) Community Legal Centres which are members of Community Legal Centres Queensland

Selection criteria

Bidders must be preferred suppliers of Legal Aid Queensland (on the Crime General Panel) or Community Legal Centres which are members of Community Legal Centres Queensland.

Bids for the provision of the duty lawyer services in the stated areas will be assessed in relation to the following criteria:

1. Experience
2. Quality of service
3. Ability to provide other legal aid services to the relevant area subject to the tender i.e. If subsequent to the duty lawyer attendance, a Legal Aid application form is lodged by or on behalf of the client and the client is granted legal aid for representation (under LAQ's grants guidelines a firm is in the local area of the court, if it is within 35 kilometres of the court)
4. Reliability of service
5. Price

In addition to the above selection criteria, bidders should also include a brief description of the business premises including any information regarding access and available facilities for people with disabilities.

If a bidder's premises are not located within easy reach of public transport, bidders should provide a brief description as to how a person, without their own means of transportation, can access the premises of the bidder or provide alternative locations which the bidder may utilise to provide follow up services to clients.

The successful bidder will be required to enter into a written contract with Legal Aid Queensland covering these areas:

(a) Duty lawyer services

- (i) The provision of a continuous and effective duty lawyer service during the periods set out in Schedule A, including a 'back up' service if the rostered duty lawyer is unavailable.
- (ii) Nomination of practitioners who are accredited, in accordance with the Queensland Law Society Inc. or Legal Aid Queensland Duty Lawyer Accreditation Scheme, to provide duty lawyer services and hold current Practising Certificate, issued by Queensland Law Society Inc
- (iii) Provision of administrative support staff, at court, to assist with the reception of defendants requiring duty lawyer services, if court volunteers are not available to assist with reception of defendants (e.g., recording personal details as required by the duty lawyer form)

(b) Reporting

- (i) Compliance with Legal Aid Queensland's reporting requirements for individual clients, duty lawyer sessions and monthly performance reports.

(c) Duty lawyer services standards

- (i) Warranty that the nominated practitioners will conduct themselves in accordance with all relevant laws, rules and guidelines made or applying under the *Legal Profession Act 2007* and published from time to time, relating to professional or ethical conduct including but not limited to the *Australian Solicitors Conduct Rules 2012*.
- (ii) Adoption of and adherence to Legal Aid Queensland's Case Management Standards and procedural guidelines for the provision of criminal law duty lawyer services.
- (iii) Acceptance of random visits by Legal Aid Queensland to the courts and the making of independent enquiries with the presiding magistrate as to the standard of the duty lawyer services being provided throughout the duration of the tender period.

(d) Contract price

- (i) The contract price shall be for an annual lump sum which incorporates any allowance required for travelling, parking and other ancillary expenses. Legal Aid Queensland reserves the right not to accept an unusually low tender price notwithstanding; all other criteria are met in order to ensure future competitive bids. **The contract price quoted is to specify the amount, exclusive of the Goods and Services Tax (GST), the GST amount and the amount inclusive of the GST.**

The contract period sought is from 1 July 2022 to 30 June 2023.

(e) Payment

- (i) Payment for the duty lawyer services provided shall be made fortnightly.
- (ii) Payments shall only be made in respect of duty lawyer sessions conducted by nominated (authorised) practitioners.
- (iii) Legal Aid Queensland may vary the terms of payment if any breach of the terms and conditions contracted for the provision of the duty lawyer service occurs.

(f) Confidentiality

- (i) Acceptance of confidentiality obligations in respect of the tender details and client information.

(g) Termination

- (i) Provision for the termination of the agreement as a consequence of breach of any contractual obligations and at will by both parties on notice.
- (ii) Continuation of the duty lawyer services will be required notwithstanding termination until an appropriate replacement service can be arranged.

(h) Dispute resolution

- (i) Agreement to participate in an internal dispute resolution process before resorting to external dispute resolution mechanisms.

(i) Compliance with laws

- (i) Attention is drawn to the obligation of persons engaged in the provision of services to comply with state and federal anti-discrimination legislation.

(j) Privacy

- (i) Agree to comply with parts 1 and 3 of chapter 2 of the *Information Privacy Act 2009*

Information to be provided with tender

In addition to addressing each of the criteria above, tenders should include this information:

- name, address and contact number of the bidder
- details of the nominated practitioners and a statement that they meet Legal Aid Queensland's requirements
- **a current resume (for each nominated practitioner) including relevant experience and demonstrated ability to perform duty lawyer services to the standard required**
- bank account details for receipt of payments including ABN and BSB numbers.

All information contained in the tender shall remain confidential.

Due date

Bids must satisfy all selection criteria at the time of submission and be received by Legal Aid Queensland via email only by 5 pm on 18 May 2022 and are to be addressed:

Private and Confidential
Tender and Contract Manager
Legal Aid Queensland
GPO Box 2449
BRISBANE QLD 4001
Phone (07) 3917 0404
Fax (07) 3917 0549

Bids are to be submitted by **email only** to: criminallaw.dutylawyer@legalaid.qld.gov.au

Late lodgement and extensions to closing

Bids received after the tender closing date/time will not usually be considered. Extensions to the tender closing date and time may be granted in exceptional circumstances at the discretion of Legal Aid Queensland. Applications for such extensions should be directed to the tender and contract manager before the closing date and time.

Selection process

Bids will be considered by a sub-committee of Legal Aid Queensland.

Notification

All bidders will be advised of the outcome of their bids in writing.

Notification to the successful bidders is subject to execution of a contract containing terms and conditions based on the content of this document. No legal relationship will arise between Legal Aid Queensland and any bidder unless and until a formal agreement is entered into.

Disclaimer

Legal Aid Queensland reserves the rights not to award the tender, and/or to enter into post-tender negotiations with all bidders and other parties even if all selection criteria are met.

Neither bidder nor any duty lawyer employed or engaged by any bidder will be considered to be employees of Legal Aid Queensland.

Further information

For more information, call John Dean, Duty Lawyer Services Coordinator/Tender and Contract Manager, Regional Services and Business Partnerships on (07) 3917 0404 during business hours, or email criminallaw.dutylawyer@legalaid.qld.gov.au.

Duty lawyer services

Please note where there is a requirement to provide duty lawyer services on Saturdays, duty lawyers must be accredited for both adults and children.

Beenleigh Magistrates Court

From 8.30 am as follows:

- (a) Two duty lawyers each Tuesday and Thursday, including any Tuesday or Thursday public holiday which may be a court sitting day (two duty lawyers following a long weekend, public holiday or the annual magistrates' conference or if determined necessary by the successful tender Representative after consulting the call-over list or number of defendants in-custody)

Caboolture Magistrates Court

- (a) Two duty lawyers from 8.15 am each Monday and Tuesday (including any Monday or Tuesday public holiday, which may be a court sitting day) for in-custody and bailed defendants.
- (b) One duty lawyer each Saturday or Public Holiday for persons in-custody (adults and children).

Ipswich Magistrates Court

- (a) Two duty lawyers from 8.15 am for arrest call overs, each Thursday and Friday for adults only and any Thursday and Friday public holiday which is a court sitting day.
- (b) One duty lawyer for Commonwealth call-over, each Thursday fortnight at 2.00 pm and any Thursday fortnight public holiday which is a court sitting day (roster to be arranged with the Principal Lawyer at LAQ Ipswich office)
- (c) One duty lawyer for Court Link call-over each alternate Thursday at 10.00 am.

Richlands Magistrates Court

One duty lawyer from 8.30 am as follows:

- (a) each Monday, Wednesday and Friday and any Monday, Wednesday or Friday public holiday which may be a court sitting day

Sandgate Magistrates Court

One duty lawyer from 8.30 am as follows:

- (a) each Monday and Thursday and any Monday or Thursday public holiday which may be a court sitting day

Toowoomba Magistrates Court

One duty lawyer from 8.00 am as follows:

- (a) each Monday, Tuesday, Thursday and Friday and any Monday, Tuesday, Thursday, and Friday public holiday which may be a court sitting day

Beenleigh Magistrates Court

The figures shown, at "E" below, are based on the data extracted from duty lawyer session reports received in the period 1 July 2021 to 31 March 2022 (but extrapolated to 30 June 2022).

For defendant numbers, an increase of 4% has been factored in to reflect estimated population growth.

The data provided below is intended to assist prospective bidders in determining whether to submit a bid or not.

A – Period 1 January 2018 – 31 December 2018

Total number of defendants during period	1359 + 4% population growth = 1413
Defendants per session (average)	8
Total time per defendant (minutes)	29
Total private practitioners' hours during period	683 (includes population growth allowance)

B – Period 1 January 2019 – 31 December 2019

Total number of defendants during period	1257 + 4% population growth = 1307
Defendants per session (average)	8
Total time per defendant (minutes)	28
Total private practitioners' hours during period	610 (includes population growth allowance)

C – Period 1 January 2020 – 31 December 2020

Total number of defendants during period	810 + 4% population growth = 842
Defendants per session (average)	7
Total time per defendant (minutes)	34
Total private practitioners' hours during period	477 (includes population growth allowance)

D – Period 1 January 2021 – 30 June 2021 (6-month extension)

Total number of defendants during period	234 + 4% population growth = 243
Defendants per session (average)	8
Total time per defendant (minutes)	29
Total private practitioners' hours during period	118 (includes population growth allowance)

E – Period 31 July 2021 – 30 June 2022 (extrapolated data)

Total number of defendants during period	999 + 4% population growth = 1039
Defendants per session (average)	9
Total time per defendant (minutes)	27
Total private practitioners' hours during period	468 (includes population growth allowance)

Caboolture Magistrates Court

The figures shown at “E” below are based on the data extracted from duty lawyer session reports received in the period 1 July 2021 to 31 March 2022 (but extrapolated to 30 June 2022).

For defendant numbers, an increase of 4% has been factored in to reflect estimated population growth.

The data provided below is intended to assist prospective bidders in determining whether to submit a bid or not.

A – Period 1 January 2018 – 31 December 2018

Total number of defendants during period	1688 + 4% population growth = 1755
Defendants per session (average)	9
Total time per defendant (minutes)	27
Total private practitioners' hours during period	790 (includes population growth allowance)

B - Period 1 January 2019 – 31 December 2019

Total number of defendants during period	1567 + 4% population growth = 1630
Defendants per session (average)	8
Total time per defendant (minutes)	30
Total private practitioners' hours during period	815 (includes population growth allowance)

C - Period 1 January 2020 – 31 December 2020

Total number of defendants during period	1215 + 4% population growth = 1264
Defendants per session (average)	4
Total time per defendant (minutes)	33
Total private practitioners' hours during period	695 (includes population growth allowance)

D - Period 1 January 2021 – 30 June 2021 (6-month extension)

Total number of defendants during period	327 + 4% population growth = 340
Defendants per session (average)	5
Total time per defendant (minutes)	30
Total private practitioners' hours during period	170 (Includes population growth allowance)

E - Period 1 July 2021 – 30 June 2022 (extrapolated data)

Total number of defendants during period	1187 + 4% population growth = 1234
Defendants per session (average)	5
Total time per defendant (minutes)	34
Total private practitioners' hours during period	699 (includes population growth allowance)

Ipswich Magistrates Court

The figures shown at “E” below are based on the data extracted from duty lawyer session reports received in the period 1 July 2021 to 31 March 2022 (but extrapolated to 30 June 2022).

For defendant numbers, an increase of 4% has been factored in to reflect estimated population growth.

The data provided below is intended to assist prospective bidders in determining whether to submit a bid or not.

A – Period 1 January 2018 – 31 December 2018

Total number of defendants during period	1294 + 4% (population growth) = 1346
Defendants per session (average)	12
Time per defendant (minutes)	22
Total private practitioner hours during period	494 with population growth applied

B – Period 1 January 2019 – 31 December 2019

Total number of defendants during period	1243 + 4% (population growth) = 1293
Defendants per session (average)	13
Time per defendant (minutes)	24
Total private practitioner hours during period	517 with population growth applied

C – Period 1 January 2020 – 31 December 2020

Total number of defendants during period	956 + 4% (population growth) = 994
Defendants per session (average)	10
Time per defendant (minutes)	27
Total private practitioner hours during period	447 with population growth applied

D – Period 1 January 2021 – 30 June 2021 (6-month extension)

Total number of defendants during period	306 + 4% (population growth) = 318
Defendants per session (average)	15
Time per defendant (minutes)	21
Total private practitioner hours during period	111 with population growth applied

E – Period 1 July 2021 – 30 June 2022 (extrapolated data)

Total number of defendants during period	1288 + 4% (population growth) = 1340
Defendants per session (average)	11
Time per defendant (minutes)	28
Total private practitioner hours during period	625 with population growth applied

Richlands Magistrates Court

The figures shown at “E” below are based on the data extracted from duty lawyer session reports received in the period 1 July 2021 to 31 March 2022 (but extrapolated to 30 June 2022).

For defendant numbers, an increase of 4% has been factored in to reflect estimated growth in population.

The data provided below is intended to assist prospective bidders in determining whether to submit a bid or not.

A – Period 1 January 2018 – 31 December 2018

Total number of defendants during period	976 + 4% (population growth) = 1015
Defendants per session (average)	7
Time per defendant (minutes)	32
Total private practitioners' hours during period	541 with population growth applied

B - Period 1 January 2019 – 31 December 2019

Total number of defendants during period	1411 + 4% (population growth) = 1467
Defendants per session (average)	10
Time per defendant (minutes)	27
Total private practitioners' hours during period	660 with population growth applied

C - Period 1 January 2020 – 31 December 2020

Total number of defendants during period	1202 + 4% (population growth) = 1251
Defendants per session (average)	9
Time per defendant (minutes)	28
Total private practitioners' hours during period	584 with population growth applied

D - Period 1 January 2021 – 30 June 2021 (6-month extension)

Total number of defendants during period	285 + 4% (population growth) = 296
Defendants per session (average)	8
Time per defendant (minutes)	29
Total private practitioners' hours during period	143 with population growth applied

E - Period 1 July 2021 – 30 June 2022 (extrapolated data)

Total number of defendants during period	1061+ 4% (population growth) =1104
Defendants per session (average)	7
Time per defendant (minutes)	28
Total private practitioners' hours during period	515 with population growth applied

Sandgate Magistrates Court

The figures shown at “E” below are based on data extracted from duty lawyer session reports received in the period 1 July 2021 to 31 March 2022 (but extrapolated to 30 June 2022).

For defendant numbers, an increase of 4% has been factored in to reflect estimated population growth.

The data provided below is intended to assist prospective bidders in determining whether to submit a bid or not.

A – Period 1 January 2018 – 31 December 2018

Total number of defendants during period	1132 + 4% (population growth) = 1177
Defendants per session (average)	13
Time per defendant (minutes)	20
Total private practitioners' hours during period	392 with population growth applied

B – Period 1 January 2019 – 31 December 2019

Total number of defendants during period	1335 + 4% (population growth) = 1388
Defendants per session (average)	16
Time per defendant (minutes)	17
Total private practitioners' hours during period	393 with population growth applied

C - Period 1 January 2020 – 31 December 2020

Total number of defendants during period	1286 + 4% (population growth) = 1337
Defendants per session (average)	14
Time per defendant (minutes)	16
Total private practitioners' hours during period	357 with population growth applied

D - Period 1 January 2021 – 30 June 2021 (6-month extension)

Total number of defendants during period	192 + 4% (population growth) = 200
Defendants per session (average)	16
Time per defendant (minutes)	16
Total private practitioners' hours during period	53 with population growth applied

E - Period 1 July 2021 – 30 June 2022 (extrapolated data)

Total number of defendants during period	1221 + 4% (population growth) = 1270
Defendants per session (average)	15
Time per defendant (minutes)	17
Total private practitioners' hours during period	360 with population growth applied

Toowoomba Magistrates Court

The figures shown at “E” below are based on the data extracted from duty lawyer session reports received in the period 1 July 2021 to 31 March 2022 (but extrapolated to 30 June 2022).

For defendant numbers, an increase of 4% has been factored in to reflect estimated population growth.

The data provided below is intended to assist prospective bidders in determining whether to submit a bid or not.

A – Period 1 January 2018 – 31 December 2018

Total number of defendants during period	3088 + 4% (population growth) = 3212
Defendants per session (average)	10
Time per defendant (minutes)	26
Total private practitioners' hours during period	1392 with population growth applied

B - Period 1 January 2019 – 31 December 2019

Total number of defendants during period	2884 + 4% (population growth) = 2999
Defendants per session (average)	9
Time per defendant (minutes)	27
Total private practitioners' hours during period	1350 with population growth applied

C - Period 1 January 2020 – 31 December 2020

Total number of defendants during period	1880 + 4% (population growth) = 1955
Defendants per session (average)	8
Time per defendant (minutes)	31
Total private practitioners' hours during period	1010 with population growth applied

D - Period 1 January 2021 – 30 June 2021 (6-month extension)

Total number of defendants during period	499 + 4% (population growth) = 519
Defendants per session (average)	8
Time per defendant (minutes)	29
Total private practitioners' hours during period	251 with population growth applied

E - Period 1 July 2021 – 30 June 2022 (extrapolated data)

Total number of defendants during period	1867 + 4% (population growth) = 1942
Defendants per session (average)	7
Time per defendant (minutes)	33
Total private practitioners' hours during period	1068 with population growth applied