



# Criminal Law Duty Lawyer 2025–28 Invitation to Tender

## 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 Leadership 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 criminal law duty lawyer services at Magistrates Courts located at **Toowoomba, Sandgate, and Ipswich for the period of 1 July 2025 to 30 June 2028.**

Services are sought from private practitioners who are accredited duty lawyers, hold a current practising certificate, and are:

- a preferred supplier of Legal Aid Queensland and on the Criminal law general sub list or
- a law firm willing to become a preferred supplier on the Criminal law general sub list or
- a community legal centre that is a member of Community Legal Centres Queensland.

## Selection criteria

Bidders must be preferred suppliers of Legal Aid Queensland on the Criminal law general sub list or willing to become a preferred supplier on the Criminal law general sub list, or community legal centres that are members of Community Legal Centres Queensland.

Bidders will need to specify which Magistrates Courts they are applying for, that is, either Toowoomba, Sandgate or Ipswich. Bidders will need to submit a separate tender for each location, if they wish to apply for more than one Magistrates Court location.

Bids for the provision of the duty lawyer services in Toowoomba, Sandgate, and Ipswich will be assessed in relation to the following criteria (in no order or level of importance):

- Experience
- Quality of service



- 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 Queensland application form is lodged by or on behalf of the client and the client is granted legal aid for representation (note: under Legal Aid Queensland's grants guidelines a firm is in the local area of the court, if it is within 35 kilometres of the court)
- Reliability of service
- 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 the bidder will use 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:

#### **1. Duty lawyer services**

- a. 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.
- b. 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.
- c. 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).

#### **2. Reporting**

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

#### **3. Duty lawyer services standards**

- a. 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 2023*.
- b. Adoption of and adherence to Legal Aid Queensland's Case Management Standards and procedural guidelines for the provision of criminal law duty lawyer services.
- c. 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.

#### **4. Contract price**

- a. 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 even if all other criteria are met, to ensure future competitive bids. The contract price quoted will need 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 2025 to 30 June 2028 for Ipswich, Sandgate and Toowoomba.

## **5. Payment**

- a. Payment for the duty lawyer services provided shall be made fortnightly.
- b. Payments shall only be made in respect of duty lawyer sessions conducted by nominated (authorised) practitioners.
- c. 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.

## **6. Confidentiality**

- a. Acceptance of confidentiality obligations in respect of the tender details and client information.

## **7. Termination**

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

## **8. Dispute resolution**

- a. Agreement to participate in an internal dispute resolution process before resorting to external dispute resolution mechanisms.

## **9. Compliance with laws**

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

## **10. Privacy**

- a. 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:

- name, address and contact details 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 whether the practitioner is duty lawyer accredited (specifying for adults and/or children) or is able to be accredited, as well as 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 Monday 12 May 2025**.

Bids must be addressed to [criminallaw.dutylawyer@legalaid.qld.gov.au](mailto: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 extensions should be directed to [criminallaw.dutylawyer@legalaid.qld.gov.au](mailto:criminallaw.dutylawyer@legalaid.qld.gov.au) 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 outlined in 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 Emma Jones, A/Coordinator Duty Lawyer Services, Business Partnerships Unit, on (07) 3917 0404 during business hours, or email [criminallaw.dutylawyer@legalaid.qld.gov.au](mailto:criminallaw.dutylawyer@legalaid.qld.gov.au).



## Schedule A

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

### Ipswich Magistrates Court

- a. Two duty lawyers from 8:15am for arrest call overs, each Thursday and Friday for adults only and any Thursday and Friday public holiday that is a court sitting day.
- b. One duty lawyer for Commonwealth call-over, each Monday fortnight at 10am and any Monday fortnight public holiday that is a court sitting day (roster to be arranged with the Principal Lawyer at Legal Aid Queensland Ipswich office)
- c. One duty lawyer for Court Link call-over each Friday at 2pm.
- d. One duty lawyer each Saturday for the Toowoomba-Ipswich Hub Court.

### Sandgate Magistrates Court

One duty lawyer from 8am as follows:

- a. each Monday and Thursday and any Monday or Thursday public holiday that may be a court sitting day.

### Toowoomba Magistrates Court

One duty lawyer from 8am as follows:

- a. Each Monday, Tuesday, Thursday and Friday and any Monday, Tuesday, Thursday, and Friday public holiday that may be a court sitting day.
- b. One duty lawyer each Saturday for the Toowoomba-Ipswich Hub Court.





## Duty lawyer tender statistics

### Ipswich Magistrates Court

The figures provided below are based on duty lawyer session report data for the Ipswich Magistrates Court, covering the 2021–22, 2022–23, 2023–24 and part of the 2024–25 financial years.

A two percent increase should be applied to defendant numbers for each financial year of the service agreement period for 2025 – 2028 to account for projected population growth in the region. This standard allowance supports consistent tender modelling and helps ensure resourcing levels reflect anticipated demand.

This information is intended to assist prospective bidders in assessing whether to submit a bid.

FY 2021–22    Period: 1 July 2021 – 30 June 2022	
Total number of defendants during period	1255
Defendants per session (average)	11
Time per defendant (minutes)	29
Total duty lawyer tender hours during period	600
FY 2022–23    Period: 1 July 2022 – 30 June 2023	
Total number of defendants during period	1294
Defendants per session (average)	12
Time per defendant (minutes)	29
Total duty lawyer tender hours during period	620
FY 2023–24    Period: 1 July 2023 – 30 June 2024	
Total number of defendants during period	1355
Defendants per session (average)	7
Time per defendant (minutes)	34
Total duty lawyer tender hours during period	757
FY 2024–25 (partial)    Period: 1 July 2024 – 31 December 2024	
Total number of defendants during period	692
Defendants per session (average)	6
Time per defendant (minutes)	31
Total duty lawyer tender hours during period	356



## Duty lawyer tender statistics

### Sandgate Magistrates Court

The figures provided below are based on duty lawyer session report data for the Sandgate Magistrates Court, covering the 2021–22, 2022–23, 2023–24 and part of the 2024–25 financial years.

A two percent increase should be applied to defendant numbers for each financial year of the service agreement period for 2025 – 2028 to account for projected population growth in the region. This standard allowance supports consistent tender modelling and helps ensure resourcing levels reflect anticipated demand.

This information is intended to assist prospective bidders in assessing whether to submit a bid.

FY 2021–22    Period: 1 July 2021 – 30 June 2022	
Total number of defendants during period	1253
Defendants per session (average)	15
Time per defendant (minutes)	18
Total duty lawyer tender hours during period	373
FY 2022–23    Period: 1 July 2022 – 30 June 2023	
Total number of defendants during period	896
Defendants per session (average)	11
Time per defendant (minutes)	26
Total duty lawyer tender hours during period	394
FY 2023–24    Period: 1 July 2023 – 30 June 2024	
Total number of defendants during period	718
Defendants per session (average)	8
Time per defendant (minutes)	32
Total duty lawyer tender hours during period	386
FY 2024–25 (partial)    Period: 1 July 2024 – 31 December 2024	
Total number of defendants during period	287
Defendants per session (average)	6
Time per defendant (minutes)	43
Total duty lawyer tender hours during period	206



## Duty lawyer tender statistics

### Toowoomba Magistrates Court

The figures provided below are based on duty lawyer session report data for the Toowoomba Magistrates Court, covering the 2021–22, 2022–23, 2023–24 and part of the 2024–25 financial years.

A two percent increase should be applied to defendant numbers for each financial year of the service agreement period for 2025 – 2028 to account for projected population growth in the region. This standard allowance supports consistent tender modelling and helps ensure resourcing levels reflect anticipated demand.

This information is intended to assist prospective bidders in assessing whether to submit a bid.

FY 2021–22    Period: 1 July 2021 – 30 June 2022	
Total number of defendants during period	1861
Defendants per session (average)	7
Time per defendant (minutes)	34
Total duty lawyer tender hours during period	1043
FY 2022–23    Period: 1 July 2022 – 30 June 2023	
Total number of defendants during period	1746
Defendants per session (average)	7
Time per defendant (minutes)	38
Total duty lawyer tender hours during period	1098
FY 2023–24    Period: 1 July 2023 – 30 June 2024	
Total number of defendants during period	1942
Defendants per session (average)	7
Time per defendant (minutes)	39
Total duty lawyer tender hours during period	1268
FY 2024–25 (partial)    Period: 1 July 2024 – 31 December 2024	
Total number of defendants during period	964
Defendants per session (average)	7
Time per defendant (minutes)	38
Total duty lawyer tender hours during period	614