



**MEDIA RELEASE**

**Embargoed:**

**00:01AM FRIDAY 9TH SEPTEMBER 2016**

## **ABA CONSIDERS ALTERNATIVE FUNDING OPTIONS TO END AUSTRALIA'S LEGAL ASSISTANCE CRISIS**

The Australian Bar Association says that in addition to continuing to press Federal and State Governments to appropriately fund legal assistance for those in need, it is considering new and alternative sources of funding for the sector.

“We know Australia’s legal assistance services such as legal aid and community legal centres throughout the country are in crisis and everyday Australians are being denied access to justice as a result. We also know governments are working with increasingly strained resources.” said ABA President, Patrick O’Sullivan QC.

“We’re not suggesting governments take their eyes off the ball. We’re suggesting that we need to start thinking about doing things differently and look at the current challenges as an opportunity to innovate and change,” said Mr O’Sullivan QC.

Last week, the ABA held a round-table discussion in Brisbane with representatives from State Bars, the Queensland Public Defender’s Office, the Aboriginal and Torres Strait Islander Legal Service and the National Association of Community Legal Centres.

“The forum presented an open discussion about ways to increase the funding of legal assistance through other means, and also looked at how we can deliver justice differently and more efficiently through better use of alternative dispute resolution.”

“As part of the discussion, we looked at the precursors that lead people to come into contact with the justice system, such as alcohol and gambling. We need to have a good look at these issues and consider revenue raising options from the alcohol and gambling industries to directly support legal assistance.”

Among the options to be considered and further investigated include:

- The creation of legal assistance funds with sources of income from:
  - Special industry levies associated with the relevance and relationship between alcohol, gambling and our entire justice system.
  - Speeding fines levy – a model of which already exists in some jurisdictions
  - High Income Corporation Levy
- Innovative and more efficient justice options: Alternative dispute resolution such as legislative amendments to Family Law Regulations to allow for arbitration in non-complex children’s matters.

“The ABA considers that more equal access to justice through the legal assistance sector is a crucial issue for society. While the ABA is looking at new ways of doing things, it remains a core part of what government should fund and provide. The options which the ABA is considering are not in substitution for government funding. Campaigns such as Legal Aid Matters have an important role to play and the ABA is entirely supportive of them. However, we also believe it is time to consider alternatives available to assist and support current funding sources.”

The Australian Bar Association will prepare and present a detailed discussion paper to the Federal Government later this year.

**MEDIA ENQUIRIES:** Jo Oakes 0439 700 076 [media@austbar.asn.au](mailto:media@austbar.asn.au)