

## **Attorneys-General must address crisis in legal assistance funding**

The Law Council of Australia is urging Attorneys-General on the Law, Crime and Community Safety Council (LCCSC) to urgently commit more funding to legal assistance services at their Council meeting this Friday, 22 May 2015, or risk critically undermining access to justice in Australia.

The call follows revelations in the Federal Budget that the Commonwealth is preparing to significantly reduce funding for legal assistance services over the forward estimates.

While the Federal Government reversed some of the devastating cuts to legal assistance services in this year's Budget, the level of funding for legal assistance services has failed to keep pace with population growth and inflation, meaning a significant decrease in spending in real terms.

The chronic shortfall in funding in the Federal Budget and failure to secure funding for community legal centres beyond two years will heavily impact service providers.

Law Council Treasurer Ms Fiona McLeod SC said the LCCSC will consider the terms of a draft National Partnership Agreement on Legal Assistance Services on Friday and must strive to reach agreement on a sustainable funding model, in consultation with the Australian Legal Assistance Forum.

"The level of unmet legal need in Australia is now overwhelming and the Commonwealth budget allocation is woefully inadequate," Ms McLeod said.

"This is feeding directly into social problems like unemployment, homelessness, familial breakdown, crime, and recidivism placing pressure on legal assistance services and other service providers across the community.

"The Productivity Commission has called for an additional \$200 million a year for national legal assistance services in civil matters. Winding back funding to community legal centres will drive civil matters to Legal Aid Commissions who are already under huge pressure to service the demand for assistance in criminal matters. The Productivity Commission report has found this additional investment would provide a foundation for future reform and yield significant downstream savings. The Commission should not be ignored."

Ms McLeod also called for the funding model to change.

"The existing adversarial model, which restricts Commonwealth funding to matters arising under Commonwealth laws, has resulted in less funding, more opaque expenditure and is not conducive to a national legal assistance program.

"The draft National Partnership Agreement also imposes unacceptably stringent performance benchmarks on legal assistance services, meaning failure to meet one of the benchmarks is almost inevitable and will jeopardise ongoing funding for the sector. This places an unacceptable level of uncertainty on legal assistance providers and the most vulnerable in our community," Ms McLeod concluded.

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