

MEDIA RELEASE

FEDERAL GOVERNMENT MUST ADDRESS LEGAL AID CRISIS

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NEW SOUTH WALES
BAR ASSOCIATION

The President of the New South Wales Bar Association, Noel Hutley SC, today called on the Commonwealth Government to restore its funding contribution to legal aid to sustainable levels.

‘Over the last two decades, the Commonwealth’s share of funding for Legal Aid NSW has dropped from 55 per cent to just over 25 per cent’ Mr Hutley said. ‘Although the Commonwealth Attorney General announced the reversal of foreshadowed cuts to Federal funding cuts in March last year, that move merely arrested the decline in Commonwealth legal aid funding, rather than actually improving the position’ said Mr Hutley.

While Federal funding is at an all-time low, the justice system and individuals facing charges continue to suffer.

‘All Australians have a right to a fair trial and the shortest possible delay before proceedings are brought to their conclusion. But many people cannot afford a lawyer. Their only alternatives are to seek legal aid or to try to represent themselves before the court. In those circumstances, trials are unnecessarily drawn out by the lack of legal representation where judicial officers have to explain court practices and procedures to the unrepresented litigant, and the cost of the proceedings increases as a result.’

‘There have also been examples of trials not proceeding in circumstances where an accused does not have representation. These problems affect not only those accused of crimes, but victims of domestic violence and child abuse’ said Mr Hutley.

The President’s comments on the opening day of the 2016 Law Term were made as the Law Council of Australia and other legal professional bodies around the country called for an end to the Federal Government’s funding neglect of the legal aid system.

‘The legal profession is united in calling for a long term, sustainable solution from the Federal Government in this crucial area, and the restoration of the previous 50/50 funding split between the Federal and State Government for legal aid.’

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