

## Law Council calls on Government to release Federal Court Funding Report

The Law Council of Australia has called on the Government to release the KPMG report into the funding of the Federal Courts for public comment.

The KPMG report was presented to the Government in March, but its contents have not been made public until a report in *The Australian* on 29 August 2014 provided some information regarding the contents of the Report.

President of the Law Council of Australia, Mr Michael Colbran QC, said that now a media outlet has obtained a copy of the report, and quoted from it, it is appropriate for the Government to release the entire report for public comment and consultation.

"If real progress is to be made in addressing the funding crisis facing the Federal Courts, the Government needs to review the recommendations of the report with input from key stakeholders, including the legal profession," Mr Colbran said.

According to the media article, the KPMG report warns that the Federal, Family and Federal Circuit Courts face the prospect of having to make 'significant cuts' to service and staffing levels, potentially leading to increased delays in litigation, the closure of smaller registries, and cutbacks of services to regional Australia.

The article quoted the KPMG report as saying that 'the pool of potential efficiencies' within the courts 'has already been tapped'.

"If media reports as to the content of the KPMG report are accurate, then it appears that the report confirms what the legal profession has said for some years – that the Federal Courts are drastically underfunded, and that the public is suffering as a result," Mr Colbran said.

Chair of the Law Council's Family Law Section, Mr Rick O'Brien, said the problems are particularly severe in the Family Law sector.

"Successive Governments have focused their efforts on searching for ways to effect more savings in an already inadequately funded Family Law system.

"The Family and Federal Circuit Courts are under-resourced, and the problems are only getting worse.

"These Courts deal every day with those families in our community which are most in need, and those children who are most at risk.

"A continued failure to adequately resource the Family Law system will only create a snowballing effect, the social and economic cost of which will continue to be felt by the community for years to come," Mr O'Brien said.

Mr Colbran urged the Government to make a commitment to address the recommendations of the KPMG report, and to consult with the Courts and the legal profession to formulate a clear plan for the future.

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“The Government is now armed, it seems, with a comprehensive report confirming the financial crisis facing Federal Courts, and proposing a range of possible solutions.

“The time has come for proper consultation, and prompt action to alleviate the crisis, secure the future of the Courts, and enable them to provide to the public access to justice.

“Access to effective representation in adequately resourced courts is a critical responsibility of government.

“The rule of law in Australia is undermined without effective access to adequately resourced courts,” Mr Colbran concluded.

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