

Tuesday, 6 October 2020

Courts win funding but wider legal sector misses out

The Law Council of Australia applauds the Government's material injection of \$35.7million, over four years, for resourcing and judicial numbers in the Federal Circuit Court, and acknowledges the overall investment of a projected \$132.1million, aimed at expediting the handling of family law and other matters over the same period.

This funding follows repeated calls from the Law Council for additional judicial resourcing, to improve outcomes for Australian families and migration applicants.

While the announcement is a step in the right direction, more is required to improve outcomes for Court users, says Law Council President, Ms Pauline Wright.

"The funding announced tonight will alleviate some of the hardship faced by Australian families with matters before the Court," Ms Wright said.

"However, the budgeted increase in Federal Circuit Court filing fees for migration litigants, is likely to increase social disadvantage to those who can least afford it."

"It is also disappointing that there has been no additional funding for the legal assistance sector in addition to the funds previously announced following the bushfires and COVID-19."

"The legal assistance sector has been chronically underfunded for years by successive governments, yet these frontline legal services have stood up to the challenge and worked tirelessly during the aftermath of the bushfires and throughout the pandemic to assist vulnerable Australians with their legal needs," Ms Wright said.

"A properly funded legal assistance sector, together with adequate funding for Commonwealth courts and tribunals, are essential components to the COVID-19 crisis recovery. The Government's failure to adequately fund this sector will only hurt our recovery," Ms Wright said.

Despite these shortcomings, the Law Council endorses other measures including:

- \$5.1m over two years for the Fair Work Commission to meet demand arising from COVID-19;
- \$46.3m over three years from 2019-2020 for the Fair Work Ombudsman to enhance its advice and education services for business and employees about workplace laws, including in the context of COVID-19;
- \$7.7m for upgrades to the Launceston and Rockhampton Federal Circuit Court registries;
- \$35.3m in increased temporary resourcing for the Fair Entitlements Guarantee program;
- \$50 million Women@Work Plan will expand the Women's Leadership and Development Program grants and establish a Respect@Work Council to address sexual harassment at work;
- \$10.6m over six years for community-based projects to address modern slavery; and
- The previously acknowledged Digital Business Plan.

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