

## National Legal Aid Funding Crisis

As the lack of funding for legal aid and access to justice reaches crisis point, the Law Council and its constituent bodies are continuing to urge the Government to address this issue in the 2010 Federal Budget.

The Law Council says the lack of legal aid funding is having a negative flow on effect to the broader community, and the legal profession is concerned about the social and economic impact failure to adequately fund this sector has on the wellbeing of Australian families and the broader community.

Law Council President Glenn Ferguson said the underfunding of legal aid affected all aspects of society.

“If you do not qualify for legal assistance and do not have resources to fund representation in court then you will be expected to represent yourself and this has an enormous impact on people’s health, stress levels and family relationships,” Mr Ferguson said.

A PricewaterhouseCoopers report commissioned by National Legal Aid recently revealed that for every \$1 spent on Commonwealth legal aid services, up to \$2.25 is saved within the justice system.

This same report revealed Commonwealth legal aid funding has decreased by 12 per cent in real terms since 1996-97.

“Like any number of professions, the law is a highly skilled and specialised area,” Mr Ferguson said.

“A doctor wouldn’t expect someone to self diagnose so it is unjust that individuals are being forced to represent themselves in complex legal proceedings due to lack of Government funding,” he said.

The Law Council and its constituent bodies have been calling on the Federal Government to address the underfunding of the legal assistance sector for well over a decade and unfortunately the current Government has done nothing to address the problem.

“The Law Council urges the Federal Government to address the crucial issue of legal assistance sector funding in the up-coming Federal Budget,” Mr Ferguson said.

The Law Council is calling on the Commonwealth for an immediate injection of funding of at least \$43.2 million for the next financial year, and a commitment in the budget to restore the Commonwealth share of Legal Aid Commission funding to 50 per cent in the longer term, up from 32 per cent. This would require an additional recurrent expenditure of \$220 million.

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