

Media Release

Victorian Bar calls for fair go for Legal Aid in Federal Budget

Wednesday, 4 May 2011

Australia's most disadvantaged are missing out on fair access to justice and the situation is set to worsen if the Federal Government does not address the legal aid black hole in the 2011 Federal Budget next week.

The Victorian Bar and the Law Institute of Victoria have pointed to the program set out in the Law Council of Australia Budget Submission which calls for \$66M in this year's budget just to return the Federal contribution to legal aid to pre-1997 levels.

The submission calls for nearly \$312M over four years, which would return Commonwealth funding to 50% of legal aid nationally, up from 33% currently.

"It's a big number, but that is the amount needed to catch up after 14 years of chronic underfunding," said Mark Moshinsky SC, Victorian Bar Chairman.

"While we acknowledge that the Government faces budgetary constraints, the bottom line is that real people are missing out on legal representation and assistance.

"Those missing out include the socially and economically disadvantaged - the working poor, minorities and people with disabilities. It includes people who are on incomes below the poverty line.

"These are the people least equipped to deal with navigating a complex legal system, who cannot afford legal representation to ensure they get a fair go in any legal situation.

"Relying on the goodwill of lawyers and barristers, who offer countless hours of pro bono assistance, is not the answer. We cannot have a system that degenerates into a system for the 'haves' and another for the 'have nots'.

"The Federal Government must address this systemic and chronic underfunding or we risk becoming a culture where a fair go, and access to justice, depends on how much money you have," Mr Moshinsky concluded.

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