

ACCESS TO JUSTICE FOR ALL

FUND JUSTICE | EMPOWER COMMUNITIES

THE LEGAL ASSISTANCE SECTOR IS IN CRISIS AND NEEDS URGENT ATTENTION

The situation

As a result of decades of significant underfunding, our government-funded legal assistance services—designed to be there for members of our community during times of life when they experience significant vulnerability, need, hardship and stress—are being forced to:

- **Reduce the availability of important legal assistance** as many services are forced to turn away potential clients.
- **Set means testing to unacceptably harsh levels** that most Australian households—even those experiencing significant disadvantage or living below the poverty line—will not be eligible to meet.
- **Shrink service footprints** in rural, regional and remote Australia.

Each year tens of thousands of Australians are missing out on the legal help they need due to a lack of resourcing and capacity within the legal assistance sector. These negative outcomes have far-reaching implications for individual Australians, their families, and their communities.

The solution

The [Final Report](#) of the Independent Review of the National Legal Assistance Partnership (NLAP) was publicly released on 28 May 2024.

The Report paints a stark picture of a sector in crisis but also **provides clear guidance for how access to justice in Australia can be dramatically improved.**

To begin to address this crisis, the Commonwealth, State and Territory Governments must urgently give effect to the key funding recommendations of the Report, including, in particular:

- **\$459 million** per annum shared by the Commonwealth (approx. 60 per cent), State and Territory Governments to increase funding for civil and family law matters (Rec 5).
- **\$46 million** in Commonwealth funding and \$337 million in State/Territory funding to increase the rates paid to private practitioners undertaking legal aid work to ensure that they are set at the same level as provided in the relevant court scales (Rec 18).
- **\$88 million** in Commonwealth funding to ensure that Independent Childrens Lawyers appointed by the Family Courts are available across Australia and properly supported to perform their vital role in representing the interests of children (Rec 19).
- **\$69 million** in Commonwealth funding to increase pay parity between staff working across the Sector (Rec 25).

We welcome and **strongly endorse other key recommendations contained in the NLAP Report**, including those targeted towards better justice outcomes for First Nations peoples, the establishment of a HECS-HELP forgiveness scheme for rural, regional and remote lawyers, support for the long-term capabilities of those in the legal assistance workforce, and the need for improved data collection to support evidence-based decision making.

For more information visit [A2J4All.au](https://www.a2j4all.au)