

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Group 2

Program 1.3, 1.5

Question No. 19

Senator Wright asked the following question at the hearing on 24 February 2014:

Senator WRIGHT: Generally, then, what sorts of organisations are going to be affected?

Senator Brandis: This is what I was trying to get to before.

Senator WRIGHT: Okay, now we can come to it.

Senator Brandis: Well, now I can. You read the note to the MYEFO and I want to explain to you the approach the government has taken.

Senator WRIGHT: I would appreciate brevity though.

Senator Brandis: The kind of services where these savings will be found are in what is sometimes called policy and advocacy. You see—as you are aware but others may not be—that most of what the legal assistance sector or the access to justice sector does this case work: helping specific people who are too poor to afford a lawyer. But increasingly over recent years an increasing percentage of the legal assistance dollar has been spent on what is called advocacy work or policy work, which is not directed to helping specific clients with specific needs but in participating in—as it were—society's discussion about various areas of potential law reform or identifying gaps in the legal system.

Now, that is a good thing to do but in my view—and I hold this view very strongly—where resources are limited, I would rather see that money spent helping individual people in need who cannot afford a lawyer rather than spent on policy development. That is where the savings will be found.

Senator WRIGHT: Please advise of every organisation whose funding will be affected by this measure and please advise at what point, in relation to each of those organisations, will the loss of funding be effective? That is specific information that many, many organisations are keen to understand and know.

Senator Brandis: Sure, we will take that on notice. Can you clarify, when you say the loss of funding will be effective, you are after a date, are you?

Senator WRIGHT: Yes, essentially, because we have got the forward estimates. We have got the figures over the forward estimates, but we want to understand what the implications of this are.

Senator Brandis: We can take that on notice.

The answer to the honourable senator's question is as follows:

The table below shows the impact of the MYEFO savings measure.

| Source | Effective Impact |
|---|--|
| Environmental Defenders Offices | 1. Direct agreement between AGD and EDO's over 2013-17 covering funding allocated by the previous government cancelled effective 17 December 2013. 2. Service agreement for ongoing funding expiring on 30 June 2014. |
| Expensive Commonwealth Criminal Cases Fund (ECCCF) | Appropriation reduced for 2013-14 and 2014-15. |
| Indigenous Legal Aid and Policy Reform program (LAPR) appropriation | Appropriation reduced for 2013-14 and 2014-15. |
| Public Interest Advocacy Centre | Service agreement for ongoing funding expiring on 30 June 2014. |

Legal Assistance funding arrangements currently expire 30 June 2015, with no details available of arrangements beyond this period.

MYEFO Savings by Program

| | 2013-14 \$m | 2014-15 \$m | 2015-16 \$m | 2016-17 \$m | Total \$m |
|--|------------------------|------------------------|------------------------|------------------------|----------------------|
| Legal Aid Commissions | 3.5 | 1 | 0.999 | 0.999 | 6.498 |
| Aboriginal and Torres Straits Islanders Legal Services | 0.18 | 1.641 | 6.036 | 5.484 | 13.341 |
| Community Legal Services | 0.875 | 3.499 | 7.623 | 7.621 | 19.618 |
| SUB TOTAL (3 AGD Legal Assistance programs) | 4.555 | 6.14 | 14.658 | 14.104 | 39.457 |
| Family Violence Prevention Legal Services (appropriation held by PM&C) | 0 | 0.366 | 1.646 | 1.645 | 3.657 |
| LEGAL ASSISTANCE TOTAL (all 4 programs) | 4.555 | 6.506 | 16.304 | 15.749 | 43.114 |

