

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

Group: 2

Program: 1.5

Question: BE14/035

Senator Peris asked the following question at the hearing on 26-29 May 2014:

Senator PERIS: The Productivity Commission's draft report on access to justice, released in April, outlined that advocacy can reduce demand for legal service assistance and the justice system more generally and save taxpayer dollars. The commission recommended that advocacy should be a core activity of legal aid commissions and community legal centres, particularly peak bodies. Given this finding do you accept that your cuts to advocacy could end up costing the taxpayers more, and why are you acting against the Productivity Commission's findings?

Senator Brandis: We did have this debate before but, very quickly, I do not accept that proposition. We will wait for the final report of the Productivity Commission but, as I said a moment ago, while I regard policy and advocacy as worthwhile things, in a resource-constrained environment, where there is a finite amount of money, I would much rather spend the money on front-line services.

Senator PERIS: Given the fact that NAAJA has reported that, over the past seven years, criminal matters have increased by 72 per cent and family and civil matters have increased by 73 per cent, how will these cuts not affect front-line services?

Senator Brandis: I am advised by Mr Brennan that he in fact had a meeting by telephone with NAAJA as recently as 4 April this year.

Senator SINGH: Who is Mr Brennan?

Senator Brandis: Mr Brennan is my ever-efficient adviser.

Senator PERIS: But that was not my question. Given the fact that NAAJA has reported that, over the past seven years, criminal matters have increased by 72 per cent and family and civil matters have increased by 73 per cent, how will these cuts not affect front-line services?

Senator Brandis: The whole purpose of the government's approach to this is to prioritise the provision of front-line services. Individual decisions are made in relation to particular programs. I will take on notice the detail of the question you asked, and I will check that. But I adhere to my general observation that in a resource constrained environment, with a finite amount of money, we should be spending the money on front-line services.

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

The Productivity Commission's draft report on access to justice was released in April for consultation with the justice sector. The final report was provided to Government in September 2014 and is expected to be publicly released in October 2014.

The Government has directed that the funding of legal assistance services be focused on providing front-line services to disadvantaged people requiring legal help.

Savings announced in the Mid-Year Economic and Fiscal Outlook (December 2013) have been structured in a way that current funding levels for Aboriginal and Torres Strait Islander Legal Services will not be impacted.

Funding agreements under the Indigenous Legal Assistance Programme are in place until 30 June 2015. The Government is considering options for future legal assistance arrangements from 1 July 2015.

A number of reviews and inquiries will inform the Government's decision making around its legal assistance funding arrangements beyond June 2015. These include the Productivity Commission's inquiry into access to justice arrangements, and the review of the National Partnership Agreement on Legal Assistance Services.