

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

Group 2

Program 1.3

Question No. SBE14/163

Senator Wright asked the following written question from the 20 November and 11 December 2014 hearings.

1. The Government released the Productivity Commission's final report on its Inquiry into Access to Justice Arrangements to the Government on 3 December 2014. Many aspects of the report have been welcomed by legal service providers and legal representative bodies. Does the Government intend to adopt or implement the full range of recommendations made by the Productivity Commission?
2. The Productivity Commission recommended a major increase in funding for legal assistance, with a focus on civil matters, including family law. It quantified the total cost increase needed as around \$200 million per annum. Does the Government intend to adopt this recommendation and deliver this funding to the legal assistance sector?
3. The Productivity Commission also clearly recommended that the Commonwealth, State and Territory Government's "should provide funding for strategic advocacy and law reform activities that seek to identify and remedy systemic issues and so reduce demand for frontline services". Does the Government support with this recommendation?
4. In light of this considered and evidence based finding, will the Government reconsider its decision to withdraw funding to legal assistance providers, on the basis that such providers should not be funded to engage in advocacy or law reform work?
5. Does the Government intend to consult with those groups identified in the Productivity Commission's report as providing critical legal services to those most in need – i.e. Aboriginal and Torres Strait Islander Legal Services, Aboriginal Family Violence Prevention Legal Services, Community Legal Centres, and Legal Aid Commissions, and the providers of legal aid and pro bono work in the private profession – as part of its response to the report?
6. What action does the Government intend to take in the next 12 months to address the following key recommendations made in Productivity Commission's report:
 - a) Provision of funding for community legal education and the establishment of Community Legal Education Collaboration Funds
 - b) Development of 'legal health checks' for priority disadvantage groups
 - c) Improving accessibility to legislation during public consultations, such as publishing plain language guides that summarises legislation in relevant areas
 - d) Protection for consumers of legal services, such as establishing taskforces to develop a centralized online resource reporting on typical fees for various types of legal matters and/or the publication of costs assessments decisions online

- e) Establishment of a taskforce to design and implement a limited license for family law
- f) Enhancing ombudsman complaints processes
- g) Improving the speed and accessibility of court process, for example the application of the Federal Court's Fast Track model more broadly
- h) Supporting self-represented litigants to navigate the court system, for example developing clear guidelines for judges, court staff and lawyers
- i) Improving the process for applying for grants for legal aid for civil and family matters
- j) Commonwealth, State and Territory Governments working together to agree on priorities for legal assistance services and provide adequate funding so that these priorities can be broadly realised.
- k) Development of strategies to proactively engage with at-risk Aboriginal and Torres Strait Islander people to reduce their likelihood of needing legal assistance to resolve disputes with government agencies, especially in the areas of child protection, housing and social security.
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- m) Consideration of the development of culturally tailored alternative dispute resolution services (including family dispute resolution services) for ATSI people
- n) Improving the collection and analysis of data relevant to the delivery of legal services.

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

The Government is considering the Productivity Commission's Inquiry Report on Access to Justice Arrangements and has not made any decisions about responses to the recommendations.