

CHAPTER 1

INTRODUCTION

Background

1.1 On 17 June 2003, the Senate referred the matters set out in the terms of reference to the Senate Legal and Constitutional References Committee for inquiry and report by 3 March 2004. On 2 March 2004, the Senate agreed to extend the reporting date to 31 March 2004. Because of the pressure of other Committee inquiries, the reporting date was extended to 26 May 2004.

1.2 The Committee presented an interim report on 25 May 2004, noting that it would present its final report on or before 8 June 2004.

Previous reports

1.3 The Committee has previously conducted an inquiry into the legal aid system in Australia, presenting reports in March 1997, June 1997 (the *Second Report* referred to elsewhere in this report) and June 1998 (the *Third Report*).

Conduct of the inquiry

1.4 The Committee advertised the inquiry in *The Australian* on 2 July 2003, 16 July 2003 and 13 August 2003, and invited submissions by 21 August 2003. Details of the inquiry and associated documents were placed on the Committee's website. The Committee also wrote to almost 300 organisations and individuals inviting their submissions, and later in its inquiry contacted a range of Indigenous remote communities seeking their response on access to justice issues in their communities.

1.5 The Committee received 115 submissions from various individuals and organisations and these are listed at Appendix 1. Submissions were placed on the Committee's website for ease of access by the public.

1.6 Public hearings were held in Port Augusta on 11 November 2003, Melbourne on 12 November 2003, Sydney on 13 November 2003 and Canberra on 9 February 2004 and 10 March 2004. A list of witnesses who appeared at the hearings is at Appendix 2. Copies of the Hansard transcripts are available at <http://aph.gov.au/hansard>.

Acknowledgement

1.7 The Committee thanks those organisations and individuals who made submissions and gave evidence at the public hearings.

Note on references

1.8 References in this report are to individual submissions as received by the Committee, not to a bound volume. References to the Committee Hansard are to the proof Hansard: page numbers may vary between the proof and the official Hansard transcript.