

ACCESS TO JUSTICE CONFERENCE STATEMENT



Over 200 people from across Australia – including private practitioners and representatives of Aboriginal and Torres Strait Islander Legal Services, Community Legal Centres, Legal Aid Commissions and Family Violence Prevention Legal Services – came together for the first time since the pandemic to share ideas and learn from each other at the **National Access to Justice and Pro Bono Conference in Brisbane on June 21 – 23 2023**. Each of them is committed to supporting access to justice for society's most vulnerable.

The legal assistance sector has expertise across a diverse range of legal areas. Over the last two days of the Conference, there have been sessions on all aspects of law that impact people experiencing disadvantage – from youth justice, domestic and family violence and family law, AAT reform, climate change, Robodebt, AI and new technology, and of course the critical role pro bono plays.

The legal assistance sector is a dynamic place to work and a sector which makes a real difference to communities.

Importantly, it is cost effective – the recent independent report commissioned by National Legal Aid found that Legal Aid delivers approximately \$600 million in savings to the community, government and the justice system each year.

But the sector is also in crisis – as evidenced by the recent Aboriginal and Torres Strait Islander Legal Service emergency funding requirements and office closures. Whilst the emergency funding of \$21 million by the Federal Government is welcomed, it is not enough.

This crisis is also impacting the wider legal assistance sector, particularly in rural and remote areas. Approximately 29% of Australians live outside major cities and 7 of the 10 communities with the highest poverty after housing costs are in rural or remote Australia¹, but the availability of legal assistance is significantly limited due to difficulties recruiting and retaining both in-house legal assistance and private legal practitioners. For example, over the past 18 months Legal Aid Queensland has experienced a 32% reduction in the availability of family law practitioners.

The delegates to the Conference call on the Federal Government to keep justice within reach of our most disadvantaged as we head to the mid-cycle review of the National Legal Assistance Partnership.

As providers of legal assistance to the most disadvantaged and vulnerable people in Australia, we call for:

1. A significant increase in funding for all legal assistance providers that increases access to justice for people experiencing disadvantage.

Investment in legal assistance services will assist in meeting the Closing the Gap targets and the implementation of the National Plan to End Violence Against Women and Children. It will support the implementation of critical legislative reform including the Family Law Amendments and the reform of the Administrative Appeals Tribunal. It will also better assist legal assistance services to respond to emerging legal assistance issues such as climate change and disaster.

2. A priority focus on the issue of rural and remote legal assistance service delivery with a view to increased investment across the legal assistance sector that focuses on recruiting and retaining practitioners. This should be a partnership with the States and Territories that looks at service delivery issues, legal assistance need and funding responsibility in the context of commitment to First Nations Justice and the Closing the Gap targets.
3. The Federal Government to work with the legal assistance sector to help identify systemic issues and implement change where access to justice issues exist. The legal assistance sector has led in this space around issues such as Robodebt, Covid fines and the disproportionate representation of First Nations people, including young people, in the justice system. Current priorities include raising the age of criminal responsibility to at least fourteen.
4. Recognition of the contribution pro bono support makes within the legal assistance sector and resourcing of mechanisms to help legal assistance organisations leverage pro bono support for the benefit of the community.

1. Maps – Poverty and Inequality (acoss.org.au)

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