



Community legal services fear cutbacks will impact police, hospital, courts

ABC North Qld

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PHOTO: LawRight's David Maunsell says the service will close on June 30. (ABC North Queensland: Nathalie Fernbach)

Lawyers working at Queensland community legal services fear funding cuts to their sector will increase the workload for police, courts and hospitals.

The Federal Government has proposed a 30 per cent reduction in funding to Australian community legal centres from July.

Townsville's LawRight office will close on June 30, and the Aboriginal and Torres Strait Islander Women's Legal Services NQ will close its Palm Island office on the same day.

LawRight is a community legal service that provides civil law services and clinics for homeless people and those intending to represent themselves in court.

It assists 300 to 350 people each year and operates on a budget of \$200,000 a year.

The service was established in 2015 through a Federal Government grant that concludes on June 30 and is not being renewed.

Other services unable to take on cases

Principal solicitor David Maunsell said it was likely that after LawRight's closure, local courts and other community legal services would become over-burdened.

"They are not going to be able to take on most of the cases that we handle because that is simply not their area of expertise. Even if they were able to, they are already fully loaded with their existing case work," Mr Maunsell said.

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So far today police in Australia would have dealt with on average

445 domestic violence matters

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"The courts will suffer as well because they will be more clogged with clients who are not only unrepresented, but also don't have the benefit of getting some legal assistance to navigate their way through a very difficult and complex process."



PHOTO: Aboriginal and Torres Strait Islander Women's Legal Services NQ staff Babette Doherty (L), Cathy Pereira and Jessica Henry.
(ABC North Queensland: Nathalie Fernbach)

Indigenous women at greater risk of violence

The Aboriginal and Torres Strait Islander Women's Legal Services NQ was set up in 2006 and is Queensland's only free legal service for Indigenous women.

It has offices in Townsville and on Palm Island, and provides outreach services to the Townsville Women's prison and to regional centres including Mackay and Mount Isa.

Principal solicitor Cathy Pereira expressed concern that if Indigenous women were unable to access free legal aid, it could perpetuate violence against them and put them at risk of losing their children, or homelessness.

"Often Aboriginal and Torres Strait Islander women don't seek out assistance until they are in crisis," Ms Pereira said.

"Children are often removed because of family violence; they often lose their housing because they flee to escape family violence.

"It impacts on every aspect of their lives as it does for all women, but as the stats now show, Aboriginal and Torres Strait Islander women are 35 times more likely to be hospitalised nationwide for family violence reasons."



PHOTO: The North Queensland service will close the door on its Palm Island office due to funding cuts. (ABC North Queensland: Nathalie Fernbach)

Family court representation is vital

The service assists 800 women with advice each year and represents another 100 in court.

Ms Pereira said that many of the women who used the service had low literacy and little understanding of the legal system.

She said when people represented themselves in family law court, it could actually damage their case.

"They won't have any information about the documents they need to provide, and any of the documents they do provide are less likely to be competent," Ms Pereira said.

The service receives state, federal and other funding.

Several of the service's government grants will end on June 30, reducing their annual operating budget to less than \$500,000.

Ms Pereira said even at current funding levels they were unable to keep up with demand, and she had concerns for the wellbeing of the women who would not be able to access legal assistance.

"Police are often called out for domestic violence matters. Those call-outs will continue and probably increase, rather than women being able to protect themselves and address domestic violence through legal channels," Ms Pereira said.

"Hospital visits are likely to be higher due to the fact that women will not be able to escape family violence."

Funding cliff 'a legacy of former government'

Commonwealth funding for community legal services has been distributed by state governments under the National Partnership Agreement on Legal Assistance Services since July 2015.

Under the agreement, Queensland community legal services received \$8.945 million in the 2016-2017 financial year, and that amount will be \$6.958 million for the 2017-2018 year.

A number of services, including the ATSIWLS NQ, and the North Queensland Women's Legal Service also receive service-specific federal funding.

Ms Pereira said it was likely that non-ongoing grants such as the one that was funding the Palm Island service had not been renewed to meet current funding targets.

"The Commonwealth made a decision to reduce that funding that it gives to the states by 30 per cent, which leaves the states in the awkward position of having to choose which community legal services are worthwhile," Ms Pereira said.

The federal Attorney-General's office said in a statement that funding for community legal services had doubled since 2010

–2011, and the expiration of funding grants in June was a legacy of the former Labor Government.

"Then Attorney-General Mark Dreyfus allocated an amount of funding but decided it would expire on 30 June 2017," a spokesman said.

"This is the 'Dreyfus funding cliff' — a direct result of decisions by the former Attorney-General.

"Even in a resource-constrained environment, the Australian Government is providing over \$1.6 billion for legal aid, community legal centres and Indigenous legal assistance between 2015 and 2020."

Many community legal services, including LawRight, supplement government funding with their own fundraising and through bequests.

Mr Maunsell said fundraisers such as the annual Queensland Legal Walk did not replace ongoing funding, and services could not keep asking local law firms for help.

"We already rely on the goodwill of the private [legal] profession to support our service [through pro-bono work] ... it is reasonable that this type of service should be supported by government," he said.

Topics: law-crime-and-justice, community-organisations, domestic-violence, women, townsville-4810, palm-island-4815, brisbane-4000, mount-isa-4825

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