

More cash for legal centres? There'll be pain without it

Hearsay

Katie Walsh



The nation's biggest corporate law firms. The Law Council of Australia. The Australian Bar Association. State-based law societies. Judges.

So reads the roll call of those who support a properly funded legal assistance sector. The sector's peak body, the National Association of Community Legal Centres, is lobbying the government ahead of the May budget to invest at least \$78 million in CLCs nationally over the next three years, to prevent them from turning away even more than the current figure of 160,000 people a year and ease the burden on an under-resourced court system.

Of course, we all operate on a budget and the Attorney-General's \$3.5 billion department is no different.

Attorney-General George Brandis has visited at least seven legal assistance providers in the past year, including North Queensland Women's Legal Service not once, but twice. Others have visited providers too; including Senators Michaelia Cash and Marise Payne and member for Moore, Ian Goodenough.

Moore, Cash or Payne? The question is, (puns unfortunately intended, apologies), were they convinced the sector deserves to receive more cash in avoidance of the pending pain from a July 1 funding cliff?

An Attorney-General spokeswoman said the government supported the "important work of the legal assistance sector and is providing substantial funding to front-line services to help those who need it most", citing more than \$1.6 billion going to the sector in the five years to 2020, plus \$16.5 million directly to CLCs as part of the package to address domestic violence.

The sector is grateful, but argues this

does not avoid the funding cliff, when amounts under their five-year partnership agreement fall from around \$40 million a year to

\$30 million. There is no sign of the extra \$120 million the Productivity Commission determined was needed each year (\$14.4 million of it to CLCs).

Why do corporate lawyers care? Well, here's how those bleeding heart lefties at Clayton Utz – the same ones that promoted Foreign Affairs Minister Julie Bishop to partnership and defended British American Tobacco in the good old (cough) days – put it.

"Reduced community legal centre funding is a false economy – the costs of unresolved legal problems will shift to other areas of government spending such as health care, housing and child protection," says the firm's pro bono warrior partner David Hillard.

"The country's largest law firms have been on record many times in our concern about the reduction in the capacity of CLCs to assist low-income and disadvantaged clients. Pro bono work cannot fill the gaps."

NCLC national spokesman Dan Stubbs acknowledged government support so far, and that it was not the sole responsibility of the federal arm – state governments must improve their

game too – but he implored the government to use the May budget to boost the sector.

"When there is this level of concern about the funding cliff across the profession, it sends a strong message that the funding crisis facing CLCs will have a huge impact on our clients, but also on the broader legal profession and justice system, given our important preventative and early intervention work," he said.

Of course, there may be ways to cut costs to accommodate a boost to CLCs.

After delivering the Victoria Law Foundation Law Oration on February 10, his first speech since retiring as the nation's top judge, Robert French was asked by an audience member whether it would be "a strengthening or a weakening of the rule of law if we only had a Solicitor-General and no Attorney-General"?

To which the chief purveyor of dry wit could only reply: "I'm sure it'd be cheaper."



Clayton Utz partner David Hillard leads the corporate law world's drive for more legal assistance funding.