

MEDIA RELEASE

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“Funding cut for Fitzroy Legal Service will create injustice” Liberty Victoria

Victoria Legal Aid has cut the Fitzroy Legal Service practice funding by 40%.

This will mean that the Fitzroy Legal Service is able to help 400 fewer clients each year.

Fitzroy Legal Service has operated a casework practice for over thirty years. It does a large amount of legally aided criminal and family law work as well as a significant amount of pro bono work.

Legal Aid is under-funded. It is trimmed to meet the budget. The budget should be increased to meet the need. Only the very rich and the very poor are able to secure adequate representation in court in criminal matters and in some family law matters. The rest represent themselves or abandon their rights. A great deal of court time is wasted as Judges and Magistrates try to explain the procedure to self-represented litigants. Many cases go on appeal because they miscarried at first instance. Many litigants walk away from their encounter with the legal system feeling bruised, cheated or betrayed; feeling that they have not had Justice. Their perception is too often justifiable.

Inadequate funding of Legal Aid and Community Legal Centres is one of the greatest sources of injustice in Australia today. In June 2004 the Senate Legal and Constitutional References Committee delivered its report on Legal Aid and Access to Justice. It found that legal aid funding was inadequate to meet the need, that Community Legal Centres were inadequately funded, and that as a result there was serious injustice to vulnerable groups and an undesirably high number of unrepresented litigants. The principal findings include the following:

- it is imperative that there be adequate funding of legal assistance for actions taken under state/territory law involving domestic violence
- where violence has taken place, legal representation is needed to ensure that women can participate effectively in the legal system
- there are overwhelming deficiencies in the legal aid system as it relates to Indigenous people in Australia
- Guidelines introduced in 1997 have resulted in a reduction of available legal assistance for migrants and refugees. Migrants and refugees are amongst the most disadvantaged groups in terms of access to justice
- improving access to justice is essential to breaking the cycle that leads to homelessness and poverty

The cuts in funding for the Fitzroy Legal Service will increase the injustice suffered by ordinary men and women who cannot afford legal help.

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