



Greg Smith SC MP

Attorney General
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MEDIA RELEASE

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GREATER ACCESS TO JUSTICE FOR DISADVANTAGED

The Government has developed new guidelines and funding principles to improve access to community legal services for socially and economically disadvantaged and vulnerable people in NSW, Attorney General Greg Smith SC announced today.

“In tight financial times we have to make sure the money goes where it is most needed – to give legal advice and representation to people who cannot otherwise afford it and for cases which are in the public interest and have a good chance of success,” Mr Smith said.

“I applaud all those who work at Legal Aid and in the community legal sector, and especially those who provide pro bono assistance. They deserve commendation for their commitment, passion and professionalism, and I believe they will support this initiative to help the most disadvantaged and vulnerable.”

“This initiative will enhance the focus of community legal centre services on the needs of the disadvantaged, meaning more people will be able to get legal help.”

Funding for Community legal centres is sourced from the Public Purpose Fund and State and Commonwealth governments.

The Public Purpose Fund – which is sourced from the interest earned on solicitors' trust accounts – has been diminishing as a consequence of recent reductions in interest rates.

“The new guidelines will help ensure that all organisations understand the principles which will be considered when making a grant application.”

In NSW, 36 community legal centres, which are not for profit organisations, received more than \$18m in public funding last financial year, including \$5.26m from the Public Purpose Fund.

“I will ask the trustees of the Public Purpose Fund and Legal Aid NSW to endorse the new funding guidelines,” he said.

“A steering committee will also develop a medium to long term strategy to enhance delivery of legal services to vulnerable and disadvantaged people in NSW.”

A recent report by the Law and Justice Foundation into Legal Need in NSW found disadvantaged people experienced more legal problems, and overall only half of all people who had a legal problem sought any advice.

My Department has also completed a review of the delivery of legal assistance and information services to the NSW community and the Government has accepted the recommendations.

A review will also be held into the Community Legal Centre Program, and Legal Aid will be asked to introduce a time recording system for its own legal services, as recommended by the NSW Auditor General.

The new funding guidelines say:

- Funding should be primarily used for casework (legal advice and representation) for socially and economically disadvantaged and vulnerable groups who may otherwise not have access to justice
- Funding may be used for information and referral services, community consultation, education and capacity building, professional development, advice on law reform and policy issues and activities ancillary to legal casework.
- Funding may not be used for lobbying activities, public campaigning and providing legal advice to activists and lobby groups.
- Funding for legal representation should be subject to a means and merit test
- Funded services should take into account the public interest, such as concerns of disadvantaged and vulnerable people, and issues affecting an individual's rights.

Mr Smith said: "The introduction of new guidelines should ensure that the grants are properly targeted and that taxpayer's dollars are earmarked for core legal services and advice."