

## News

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# Lawyers warn of funds crisis

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Legal Aid funding is in crisis and miscarriages of justice will increase without a big boost in resources, the Law Society of WA has warned.

President Hylton Quail, who used this month's Law Society publication Brief to urge Federal and State governments to increase Legal Aid resources, said funding had not kept pace with private fees, increasingly complex cases and more demand

despite the Federal Government announcing an extra \$154 million last month.

"Unless both levels of government commit to substantially increased and recurrent legal aid funding, services will continue to decline, miscarriages of justice will increase and sole practitioners will be forced to refuse Legal Aid assignments," Mr Quail said.

"Not because they want to, but because they can't make a living."

He said the hourly fee for extra hours in complex Legal Aid cases

taken on by private lawyers had risen from \$115 to \$120 in the past 18 years, forcing practitioners to cut costs and subsidise their work with pro bono contributions.

He says despite more Federal funding, which means an extra \$23 million to WA over four years, the Commonwealth's contribution remains lower than State grants.

Legal Aid director George Turnbull said Federal funding for Legal Aid in WA would increase to about \$19 million next financial year, about

two-thirds of the almost \$29 million provided by the State.

Mr Turnbull said while funding problems were "spread across the board", the most acute area of difficulty was in family law cases which were increasingly complex and involved a "toxic" mix of family violence and abuse, mental health issues and drug and alcohol abuse.

He said the fees scale for private lawyers was being reviewed and Legal Aid would also seek more State money on top of the Federal increases,

though the WA Government was already the major contributor.

Attorney-General Christian Porter said applications for legal aid funding for family law matters were the exclusive responsibility of the Federal Government and this was the area placing a strain on Legal Aid funding.

A spokesman for Federal Attorney-General Robert McClelland said this year's increase in Legal Aid grants was the biggest funding injection in more than a decade.