



Piccadilly Court
Level 10, 222 Pitt Street
Sydney NSW 2000
Australia
ABN 16 939 630 947

Tel +61 2 8267 4428
enquiries@nat.uca.org.au
assembly.uca.org.au

President
Stuart McMillan

General Secretary
Colleen Geyer

The Hon. Malcolm Turnbull, MP
Prime Minister of Australia
PO Box 6022
Parliament House
Canberra ACT 2600

15 December 2016

Dear Prime Minister,

We write to you as leaders of the Uniting Church in Australia to urge your Government to commit to properly funding the legal assistance sector in the 2017 Budget. We are extremely concerned about proposed cuts that would affect people in our society who are already experiencing considerable disadvantage.

The Uniting Church in Australia believes that every person is precious and entitled to live with dignity. We have a particular concern for the most vulnerable and disadvantaged people in society, including Aboriginal and Torres Strait Islander peoples, people with disability, those living in poverty, vulnerable older people and single parent families. Every person should have access to quality legal advice and support, regardless of their location, financial situation, cultural background or any other factor.

Right across the Uniting Church—from congregations in capital cities to very remote communities, those engaged in ministry, policy advisers and the many church community support agencies across Australia—there is deep concern that Commonwealth funding for the legal assistance sector is insufficient. We are concerned that Community Legal Centres (CLCs) and Aboriginal and Torres Strait Islander Legal Services (ATSILS) are facing national funding cuts. For example, funding to the ATSILS would be cut by over \$6 million in July 2017 when compared to their previous funding agreements; CLCs are facing 30 per cent cuts nationally from 1 July next year. It is shocking to contemplate that a funding cut of \$34.8 million is planned to CLCs over the next three years.

Aboriginal and Torres Strait Islander Legal Services

The Uniting Church has a special relationship of Covenant with its Aboriginal and Torres Strait Islander members. The heightened levels of disadvantage experienced by First Peoples across Australia is of particular concern to the Uniting Church.

The rates of incarceration of Aboriginal and Torres Strait Islander adults and young people are alarming. We understand the Australian Government has committed to investigating the overrepresentation of Aboriginal and Torres Strait Islander adults and young people involved in the criminal justice system. In this context, we do not understand how the Government can be contemplating such significant cuts to the funding of Aboriginal legal services.

The proposed funding cuts to ATSILS will have devastating consequences. This will mean unavoidable withdrawal of frontline services, leaving Aboriginal and Torres Strait Islander people unrepresented in courts and unable to access culturally competent legal services.



Piccadilly Court
Level 10, 222 Pitt Street
Sydney NSW 2000
Australia
ABN 16 939 630 947

Tel +61 2 8267 4428
enquiries@nat.uca.org.au
assembly.uca.org.au

President
Stuart McMillan

General Secretary
Colleen Geyer

The National Aboriginal and Torres Strait Islander Legal Services (NATSILS) reports a growing need for legal services and crisis levels of imprisonment of Aboriginal and Torres Strait Islander people. The need for ATSILS services is greater than ever before, even though their funding levels have remained largely static over the last decade. The Uniting Church recognises that a lack of access to justice directly impacts Aboriginal and Torres Strait Islander people's physical, emotional and social well-being. We believe that funding for ATSILS should be at realistic levels, reflecting the demand.

Community Legal Centres

Around 190 CLCs across Australia are now facing a funding crisis.

CLCs help our most vulnerable people—those who can't afford a lawyer. Nationally, nearly two thirds of clients are female; 26.6 per cent identify as having a disability; 20.6 per cent are from a culturally and linguistically diverse background; 15.3 per cent identify as Aboriginal or Torres Strait Islander peoples. Over half of clients helped by Queensland CLCs earn less than \$500 per week.

CLCs help people with a range of everyday legal problems such as family breakdown, parenting, domestic violence, debt, housing, and many other issues. CLCs also have a preventative focus, through legal education to client groups, government and community sector agencies, as well as by advocating for fairer laws and policies.

CLCs are already underfunded, so that in 2015, while they helped over 216,000 clients, they reported turning away 159,220 individual people who were seeking their assistance. Even with extensive community assistance, CLCs cannot meet the increasing level of need for legal services in our communities.

These funding cuts will mean that people across Australia will miss out on the legal help they need. Unresolved legal problems tend to generate a range of follow-on effects and will, in the short and longer term, involve significant costs to government at all levels and the whole community. People experiencing disadvantage will become even more vulnerable. When large numbers of people are already missing out on legal help, to further cut access to legal assistance is unthinkable.

The Uniting Church in Australia request

The Uniting Church in Australia joins the National Association of Community Legal Centres, the National Aboriginal and Torres Strait Islander Legal Services, and the ATSILS and CLCs across Australia in calling for the Commonwealth Government to:

1. reverse the Commonwealth funding cuts to Community Legal Centres and Aboriginal and Torres Strait Islander Legal Services;
2. immediately inject additional funding of \$120 million per year into the legal assistance sector, in line with the Productivity Commission's recommendation in 2014¹, including an immediate increase of \$17 million to the ATSILS to meet the urgent unmet legal needs; and

¹ Productivity Commission 2014, *Access to Justice Arrangements: Overview*, Inquiry Report No. 72, Canberra. <http://www.pc.gov.au/inquiries/completed/access-justice/report/access-justice-overview.pdf>, accessed 7 December 2016, 38.



Piccadilly Court
Level 10, 222 Pitt Street
Sydney NSW 2000
Australia
ABN 16 939 630 947

Tel +61 2 8267 4428
enquiries@nat.uca.org.au
assembly.uca.org.au

President
Stuart McMillan

General Secretary
Colleen Geyer

3. commit to developing a process for determining adequate and sustainable long-term funding contributions to the legal assistance sector, working with the State and Territory Governments, in consultation with the sector and informed by robust data and research.

We look forward to your reply on this urgent matter of social justice.

Yours sincerely,

Stuart McMillan
President,
Uniting Church in Australia

Rev. Dennis Corowa
Chair, Uniting Aboriginal and
Islander Christian Congress

cc. Senator the Hon. George Brandis QC, Attorney General
The Hon. Scott Morrison MP, Treasurer
