

Media Release



Law Council
OF AUSTRALIA

Thursday, 30 August 2018

Don't ignore justice issues in drought relief

The Law Council is calling on the Australian Government to prioritise strategies and funding to boost legal services and legal assistance in rural, regional and remote Australia as part of its drought response.

Law Council of Australia President, Morry Bailes, said financial hardship caused by the drought will undoubtedly cause legal problems for farmers and rural communities, yet many will face serious hurdles to getting the legal help they need.

"The law can't be seen in isolation – we can't pretend that farmers who are having credit and debt problems because of the drought are not also having legal problems," Mr Bailes said.

"The government's drought response must consider what kind of legal needs farmers and their communities have, which is often overlooked. Family law needs are also likely as relationships come under increased pressure.

"Farmers may be asset rich, but can often struggle to afford a lawyer, particularly in times of drought. On top of that we know that many parts of rural, regional and remote Australia are critically underserved when it comes to legal services and legal assistance.

"The chronic national underfunding of legal aid and community legal centres also means these vital 'safety net' services are struggling to service those in rural, regional and remote Australia."

The Law Council's [Justice Project](#), which began in early 2017, is a national, comprehensive review that examined the state of access to justice in Australia for people experiencing significant disadvantage. It is one of the most extensive reviews of its type in 40 years.

The Justice Project's 1400 page [Final Report](#) uncovered significant concerns about unmet legal needs, across civil, criminal and family law in rural, regional and remote communities.

"The Justice Project Final Report found that rural, remote and regional Australians face serious disadvantage when it comes to accessing lawyers, courts and justice," Mr Bailes said.

"Some regions in Australia are critically underserved or don't even have services available. In Western Australia there is a single community legal centre solicitor covering an area that is more than twice the size of the United Kingdom.

"The drought, and the financial hardship it causes, will only exacerbate the disadvantage rural, regional and remote Australians face in accessing justice.

"This is not a small group of people – some seven million Australians live outside our major cities and are facing significant disadvantage in their ability to access justice. In fact, only 10.5 per cent of Australian solicitors are practicing in a country or rural area.

"We are calling on the government, alongside with the legal sector, to prioritise rural, regional and remote justice strategies and funding to deliver services in areas of critical need.

"The strategies [recommended](#) in the Justice Project Final Report (rec. 2.11) for rural, regional and remote Australia include: placement, mentoring and incentive schemes, increased legal aid rates and bolstering practitioner referral networks – including to facilitate pro bono assistance."

Patrick Pantano: Public Affairs
P 02 6246 3715
E Patrick.Pantano@lawcouncil.asn.au

Sonia Byrnes: Communications
P 0437 078 850
E Sonia.Byrnes@lawcouncil.asn.au

The Law Council of Australia is the national voice of the legal profession, promoting justice and the rule of law.