



## Key Facts: Legal Australia-wide Survey: Legal need in Australia

### Legal Assistance in Australia

National Legal Aid	Legal assistance providers	Our funding	Our services
<p>National Legal Aid represents the directors of the eight state and territory legal aid commissions in Australia.</p> <p>Every state and territory in Australia has its own legal aid commission, established as an independent statutory body to provide access to legal services to the community, and in particular to disadvantaged people.</p>	<p>In Australia, legal assistance is provided by:</p> <ul style="list-style-type: none"> <li>• Legal aid commissions</li> <li>• community legal centres</li> <li>• private practitioners</li> <li>• Aboriginal and Torres Strait Islander legal services</li> </ul> <p>Legal aid commissions are the largest providers of legal help in the country. They deliver services via their in-house legal practices, by funding community legal centres and by funding advice and representation by private practitioners.</p> <p>This mixed model of service provision has been recognised internationally and contributes to the success of the Australian legal assistance sector.</p>	<p>Each legal aid commission receives state/territory and Commonwealth government funding, client contributions and, in most states, funding from statutory trust funds, to provide a wide range of services. These include:</p> <ul style="list-style-type: none"> <li>• Legal advice, information and minor assistance across most areas of the law</li> <li>• Duty lawyer services and legal representation on a grant of aid in civil, criminal, family and children's matters</li> <li>• Family dispute resolution</li> <li>• Community legal education</li> <li>• Legal and non-legal referrals</li> <li>• Law reform and policy contributions</li> </ul>	<p>In 2011/12, legal aid commissions provided over 857,000 legal services. These included:</p> <ul style="list-style-type: none"> <li>• 286,000 telephone and face to face advice sessions</li> <li>• 337,000 duty lawyer services</li> <li>• 134,000 grants of aid for legal representation</li> <li>• 7,579 family dispute resolution sessions</li> </ul>

### What the LAW Survey tells us

Legal problems are widespread	Some people are particularly vulnerable to legal problems	A severe, negative impact on people's lives	Australians do not automatically seek legal help	People who take no action experience poor outcomes
<ul style="list-style-type: none"> <li>• About 8.5 million Australians over 15 years of age (almost half the population) will have experienced a legal problem in the past 12 months. About 22% will have experienced three or more legal problems.</li> <li>• About one quarter of the population over 15 years of age experience a legal problem with a moderate or severe impact on their lives each year.</li> <li>• The most common legal problems reported include consumer (21% of respondents), crime (14%), housing (12%) and government (11%).</li> </ul>	<ul style="list-style-type: none"> <li>• 65% of legal problems were experienced by 9% of respondents and 85% of problems were experienced by 22% of respondents.</li> <li>• People with a disability and single parents were more than twice as likely to experience legal problems. The unemployed and people living in disadvantaged housing were also more likely to experience legal problems.</li> <li>• Indigenous people were more likely to experience multiple legal problems, including government, health and rights related problems.</li> </ul>	<ul style="list-style-type: none"> <li>• Legal problems relating to family issues had the most adverse consequences.</li> <li>• Financial strain was associated with 29% of legal problems, stress related illness with 20%, physical ill health with 19%, relationship breakdown with 10% and having to move home 5%.</li> <li>• People with legal problems get sick, have relationship breakdowns or may lose their home.</li> </ul>	<ul style="list-style-type: none"> <li>• 51% of people sought professional advice (legal or non-legal) for their legal problems, 31% handled them without advice and 18% took no action.</li> <li>• People consult a wide variety of non-legal professionals to resolve their problems, as well as family and friends.</li> <li>• A legal professional was only used for a minority of all legal problems.</li> </ul>	<ul style="list-style-type: none"> <li>• People taking no action achieved the poorest outcomes.</li> <li>• Inaction to resolve legal problems was more prevalent among some disadvantaged groups, including people with a non-English main language, people with low education levels and people experiencing unemployment.</li> <li>• Reasons for taking no action were often related to stress (30%), cost (27%) or not knowing what to do (21%).</li> </ul>

### Servicing emerging and unmet legal need in the community

We are on the right track	Our vision for the future	Our challenges
<ul style="list-style-type: none"> <li>• The survey confirms that our mixed model of legal assistance benefits the community by assisting many people to achieve good outcomes to their legal issues.</li> <li>• The survey confirms that legal advice and assistance helps to avoid the adverse social and economic costs that otherwise follow from unmet legal needs.</li> <li>• The survey confirms that we should continue to direct our efforts towards: <ul style="list-style-type: none"> <li>- community education about legal rights and responsibilities to help prevent problems</li> <li>- early intervention and resolution of legal issues</li> <li>- legal representation in appropriate circumstances.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Meet increasing demand for legal help.</li> <li>• Holistic help for people with related legal and non-legal problems to ensure positive outcomes for our clients.</li> <li>• Tailored services for people who most need and can least afford legal help, particularly people with multiple legal and non-legal problems.</li> <li>• Ongoing delivery of better and more innovative and responsive legal services to make the most efficient and economic use of limited resources without compromising client outcomes.</li> <li>• A sustainable funding model for legal aid between the Commonwealth and State and Territory governments.</li> </ul>	<ul style="list-style-type: none"> <li>• Since 1996 Commonwealth funding has reduced in real terms from around half to one-third of total Legal Aid Commission expenditure.</li> <li>• We must balance the various and increasing demand for legal help through strict eligibility rules and means testing. Unfortunately, this means that increasing numbers of people are missing out on services.</li> <li>• Despite strong evidence of unmet legal need in the community, without further investment in legal aid we will not be able to keep up with demand for legal help.</li> <li>• This also means we will struggle to ensure that the protection of the law is available to everyone.</li> </ul>