

# Reform commission hamstrung by cuts

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The impact of increased legal aid funding in the federal budget this year became apparent during the Senate estimates hearings in Canberra this week, where it was revealed that budget cuts at the Australian Law Reform Commission had forced it to cease education programs, while the National Native Title Tribunal could no longer afford to provide preliminary assessments of claims.

In the May budget, legal aid received an extra \$92.3 million over four years, but because the government capped new spending by each department at 2 per cent, the Attorney-General's Department was forced to find savings in other areas.

Over the next three years the ALRC will have to make do with \$1.23 million less. Next year it will receive \$495,000 less funding following cuts this financial year of \$242,000. Sabina Wynn, the executive director of the ALRC, told the legal and constitutional affairs reference committee that the ALRC had been forced to cut its educational programs to focus on conducting inquiries and was no longer producing its law reform journal *Reform*. This would save about \$240,000 a year.

To meet the additional \$255,000 next year, Ms Wynn said the commission would draw down from its reserves, which now stand at about \$900,000.

Additional savings would be found following a move to new premises, making further cuts to travel, and by carrying out consultations online.

Liberal senator Guy Barnett said the ALRC was now a "grossly diminished agency" and the cuts aroused "serious concerns for genuine law reform in Australia".

"This is a very sad state of affairs for transparency and reform in this nation," he said. "The current president could hold her meetings in a telephone box."

The usual practice has been for the ALRC to have three full-time commissioners, including the president, and three part-time commissioners. But it now has just one full-time commissioner, its president Rosalind Croucher, and one part-time commissioner, judge Susan Kenny.

Labor senator Joe Ludwig took on notice a question about whether the

## KEY POINTS

- An extra \$92 million was allocated to legal aid in this year's budget.
- The A-G's office has been forced to find savings in other areas.
- The ALRC and National Native Title Tribunal will lose funding.
- Liberal senator Guy Barnett says the ALRC is grossly diminished.

government intended to appoint more commissioners to the ALRC.

A spokesperson for the federal Attorney-General, Robert McClelland, said the government "is confident that the commission's funding is sufficient to enable it to carry out its functions" and had full confidence in Professor Croucher's leadership, including her "efforts to ensure that the commission is a flexible and efficient organisation".

Secretary of the Attorney-General's Department Roger Wilkins told the committee the government wanted the ALRC to concentrate on reports, and commissioners would be selected for particular inquiries, which would relieve the ALRC "of the ongoing need to keep paying permanent members of the commission, other than the president".

The ALRC handed its review of family violence and commonwealth laws to the Attorney-General on October 10 and Senator Ludwig confirmed this would be tabled within 15 sitting days, as required.

A consultation paper on the review of discovery laws is being prepared. Another report on family violence and state laws is also being prepared.

Mr Wilkins said a review of copyright laws was "very much on the agenda, but it is a question of timing".

The budget of the National Native Title Tribunal has been cut by \$17.1 million over four years. Registrar Stephanie Fryer-Smith said this had forced the tribunal to cut its assistance to parties.

"It has been our custom to provide preliminary assessments to claimant groups, which we have found is extremely useful and saves a lot of time and angst on the part of claimants and native title representative bodies. That is the sort of service that will have to go," she said.