

Legal Affairs

Franchising

Angus & Robertson's fate gives rise to reform **41**

Hearsay

Flood inquiry becomes open justice battle **42**

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Call to restore ALRC funding

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The federal government is under pressure to urgently restore funding and preserve the independence of the Australian Law Reform Commission after a Senate committee outlined grave concerns over its future in a report last week.

The Senate legal and constitutional affairs committee recommended the government restore budget cuts for the ALRC covering the 2010-11 to 2013-14 period, worth up to \$495,000 a year, as a "matter of urgency" and appoint at least two full-time commissioners rather than just the one at present.

The government should also help the ALRC resume its public information and education services immediately, it said.

The chief executive of the Rule of Law Institute of Australia (RoLIA), Richard Gilbert, said he welcomed the report, "particularly in relation to the sad state of affairs of the commis-

KEY POINTS

- A committee says that cuts put the Australian Law Reform Commission in a precarious position.
- The federal government is under pressure to justify the changes.
- It is preparing a response.

sion's finances and senior staffing".

"For the first time since the ALRC was established in 1975, we have a committee by majority saying that the ALRC is substantially underfunded," he said. "This is small bikkies compared to the recent budget, hardly a blip on the radar of the Attorney-General's Department budget. Surely funds can be found to restore the ALRC's resources."

The Law Council of Australia backed the committee's recommendations, saying the ALRC made an outstanding contribution to reform and funding cuts "undermined sig-

nificantly" its ability to function.

A spokesman for federal Attorney-General Robert McClelland said the government was preparing a response to the recommendations but it "strongly supports the work of the commission".

"The government is committed to assisting the commission to ensure that it is properly resourced to carry out its important functions," he said.

The committee said changes brought in by the government to the ALRC's governance structure and significant budget cuts put it "in an extremely precarious position". The committee said it was very concerned about ALRC's ability to continue to produce high-quality work.

"The submissions and evidence to this inquiry clearly refute the submission of the [A-G's] Department that the ALRC's resources are adequate to discharge its functions," it said.

The committee also said it agreed with RoLIA that changes to the ALRC's governance structure,

through the Financial Framework Legislation Amendment Act 2010, "lacked sufficient parliamentary scrutiny" and the act's "seemingly innocuous title belied significant changes to the ALRC".

"Critically, in the committee's view, the changes in the FFLA Act place in jeopardy the perception that the ALRC is independent from government," the committee said.

Mr McClelland's spokesman said the government was confident the changes "provide an appropriate governance framework that preserves the commission's independence while providing it with greater flexibility to go about its work".

In a dissenting report, government senators on the committee said they did not support the majority's recommendations and the majority had missed "the clear advantages for the ALRC" in its governance changes.

The government was also "committed to resourcing the ALRC for the long term" the dissenting report said.