



Australian Government  
Attorney-General's Department

Secretary

09/9535

27 May 2009

Mr Peter Hallahan  
Committee Secretary  
Senate Standing Committee on Legal and Constitutional Affairs  
Parliament House  
CANBERRA ACT 2600

Dear Mr Hallahan

**Budget Estimates Hearings May 2009, Attorney-General's Department – Legal Aid Funding**

At today's Senate Estimates Hearings regarding the Attorney-General's Department Portfolio Budget Statements, Senator the Hon George Brandis SC asked whether the figures contained in Budget Paper No. 3 at page 100, Table 2.122 were correct, and whether this indicated that funding for legal aid has been reduced for 2009-10. I am writing to summarise the funding information provided to the Committee in the Department's evidence in relation to this matter.

The figures published by Treasury for 2008-09 and 2009-10 were:

**Estimated Payments to the States for legal aid**

\$ million	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
2008-09	55.7	37.2	37.2	17.2	14.4	6.1	4.3	4.2	176.4
2009-10	51.6	34.0	36.2	16.4	14.1	5.5	4.2	3.7	165.6

These figures are incorrect. The correct figures are set out in the table below:

**Estimated Payments to the States for legal aid**

\$ million	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	Total
2008-09	53.1	35.4	35.4	16.3	13.8	5.8	4.1	4.2	168.1
2009-10	52.2	35.1	35.5	15	14.1	5.5	4.2	3.7	165.3

There is no decrease in the core funding to the States and Territories for legal aid in 2009-10. Funding levels have been maintained with an indexation adjustment. In 2008-09 legal aid commissions benefited from an injection of additional one-off funding of \$10.1 million (\$8.6 million was re-allocated by the Attorney-General from other Departmental programs and \$1.5 million was from unallocated funds within the Legal Aid Program). Core funding for the Commonwealth Legal Aid Program for 2009-10 will increase to \$165.3 million, from \$159.4 million in 2008-09.

Yours sincerely

  
Roger Wilkins AO