

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

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Question No. 61

Senator Ludlam asked the following question at the hearing on 20 October 2008:

In the course of the introduction and amendment of more than 40 pieces of legislation relating to terrorism and terror-related offences, the AFP, State Police, ASIO and other related agencies received additional funds to enforce the legislation and prosecute various cases.

- a) Is the Department aware of the additional burdens placed on community legal services and centres as a consequence of the application of these laws?
- b) Does the Department have any estimates of the degree to which the application of the terrorism-related laws have placed additional burdens on community legal centres, and
- c) Has legal aid funding been similarly resourced to meet the increased need of ensuring people's right to representation in these and other cases? Is such resourcing under consideration by the Department?

The answer to the honourable senator's question is as follows:

- a) The Department is not aware of any significant additional burdens placed on community legal services and centres as a consequence of the application of these laws.
- b) The Department regularly meets with the National Association of Community Legal Centres to discuss issues impacting the sector, including emerging trends. The Department has not been made aware of any increased burden placed on community legal centres as a result of these laws.
- c) The cost of legal aid in expensive Commonwealth criminal trials, including terrorism trials, is met from the Expensive Commonwealth Criminal Cases Fund. The Fund was established to ensure that the cost of providing assistance in a serious criminal matter does not impact on the capacity of legal aid commissions to provide assistance in other priority areas.

In the 2008–09 Budget the Australian Government provided an immediate injection of \$9 million to the Fund, and a further \$2 million in 2009–10, in recognition of the potential for increased demand on the Fund caused by trials relating to new anti-terrorism legislation.