Access To Justice Must Not Be Diminished - LCA President

The Law Council of Australia says the right of all Australians to have access to the justice system must not be gradually diminished and neglected, but instead should be a "funding priority" for the government.

Speaking during Law Week 1997, President of the Law Council, Mr Peter Short says a gradual reduction in legal aid funding - and increases in filing fees for the courts - means the justice system is becoming less and less accessible to many Australians.

"Access to justice is a central right in any democratic society. All Australians to be able to use the justice system." said Mr Short.

"The legal system should mirror the medical system in this respect. A hospital doesn't turn you away if you don't have enough money to pay for treatment - similarly, the justice system shouldn't

be an exclusive haven for the wealthy - it should be accessible to all citizens."

Access to justice has suffered, for many years, from budget cuts to legal aid and rises in court fees. The recent rise in High Court fees - in some areas as high as 700% - means that less people will be able to access that court."

"While the legal profession can see that the government, in introducing these fee rises, is wanting to partially recoup its funding of Australia's justice system, the Law Council says there are some government institutions -including the courts - which are simply not suited to a fair application of a user pays principle."

Mr Short went on to suggest that Law Week was an appropriate time for the government to reconsider the crucial right of access to justice, and to realise the importance of the preservation of that right in a democracy.

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