

# LEGAL AID MATTERS

BE AFRAID WITHOUT LEGAL AID

## COMMON MISCONCEPTIONS ABOUT LEGAL AID

There are many misconceptions about legal aid. People who are lucky enough to qualify for legal aid universally agree that it really helped them. Some people just assume it's about representing criminals, for that "legal aid is just money for criminals to pay their lawyers".

Here are some facts:

1. Legal aid is meant to help everyone, including those charged with criminal offences but, just as importantly, people who are facing debt-recovery, people facing family separation, people who have been abused or threatened, those in disputes with the government or a well-represented company, people who've lost their job unfairly, people who have fallen on hard times and need some help getting back on their feet.
2. Lawyers who accept legal aid work are paid very little – often not even enough to cover their expenses. **A barrister who works full time and accepts only legal aid briefs in the Magistrates Court could expect to earn less than \$30,000 per year.** Many lawyers, particularly in rural and regional areas, do this work because they want to help people in their communities, and there's no-one else around who can do it. But because of savage cuts to Federal Government funding, many lawyers simply can't afford to accept legal aid work and run a viable business.
3. Legal aid is also there to educate the community about their legal rights. It is there to help individuals understand how to resolve legal problems on their own. Legal aid is also for people who need actual representation in court, where there is a real prospect of a heavy criminal penalty. Our laws are complex and penalties are increasingly harsh – so a mistake in court can leave you with a heavy fine or even in prison.
4. Most people charged with crimes don't actually qualify for legal aid, because of stringent means tests. Unless you are charged with an offence which is *likely* to result in being sent to prison, legal aid simply isn't available.
5. For anything else, unless you are on welfare payments or earn less than the minimum wage, you can forget about it. You're either representing yourself or trying to find money to pay a private lawyer.

This has to change. The Federal Government's legal aid funding neglect must stop.

### WHAT CAN YOU DO?

- Join the campaign for proper funding for legal aid by visiting [www.legalaidmatters.org.au](http://www.legalaidmatters.org.au)
- Via the website you learn more about the crisis, sign a petition and even directly write your local Member of Parliament.

