

Media release

*For immediate release
20 August 2014*

Auditor-General finds legal aid services restricted by financial constraints

Victorian Auditor-General John Doyle today released a report to Parliament, *Access to Legal Aid*, which concluded that Victoria Legal Aid (VLA) is successfully performing its role to deliver legal aid services across Victoria. However, VLA faces significant challenges in these services by virtue of there being a fixed funding model based on 2008 demand levels and increasing demand for its services.

John Doyle said, 'Increased demand has resulted in VLA tightening eligibility for its more intensive and costly legal services in order to remain financially sustainable. This has had the effect of reducing the number of people who are eligible for legal representation—its most intensive service—while moving more people to less intensive services'.

'I note in this audit that VLA's funding is based largely on demand levels from 2008. Much has changed in the past six years with tension between demand and increasingly scarce resources. VLA faces a challenge in remaining financially sustainable and meeting demand to minimise the further erosion of access to justice for Victoria's most vulnerable citizens'.

Legal aid involves providing publicly funded legal services to people who are otherwise unable to afford it. People in need of legal aid typically represent the more vulnerable in society and their complex needs are often the product of entrenched systemic disadvantage.

John Doyle said, 'Currently, more people are coming before the justice system, and in turn more people are seeking state-funded legal services. In this environment, VLA has to make difficult decisions about who it can assist. Consequently, some people will not get the type of legal assistance they need'.

This audit assessed VLA's plans for the supply of legal aid, and its delivery of legal aid services. It also assessed performance frameworks—a key part of its accountability in the use of increasingly scarce public resources.

The audit found that VLA is performing its role in delivering legal services, with a sound understanding of the service demands it faces and the challenges it faces around policy settings and funding constraints. However, limitations with its performance framework mean that it is not possible to determine how effectively, efficiently and economically it is providing these services.

John Doyle said, 'It is pleasing that VLA has committed to improve its performance framework to provide greater assurance. As a public body with shortcomings in the way it reports on its performance and use of public funds, VLA is not alone. This is an area of ongoing audit interest for me, and I have recently commenced an audit of public sector performance measurement and reporting to get a broader perspective around this activity'.

[Link to report](#)

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Note to editors:

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