

# SEP candidates condemn worsening assault on legal aid

Mike Head, Erin Cooke—SEP Senate candidates for Queensland  
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*The following response was sent by the Socialist Equality Party Senate candidates for Queensland, Mike Head and Erin Cooke, to a letter sent to federal election candidates by Community Legal Centres Queensland, asking what action they would take to address the continuing cuts to legal aid and funding for community legal centres. The letter and the responses can be read [here](#).*

The Socialist Equality Party (SEP) unequivocally opposes the deepening cuts to legal aid and assistance, and insists that access to legal services is a basic social and democratic right that must be available equally to all, not the preserve of the wealthy corporate elite.

Legal aid programs, always seriously inadequate and chronically-underfunded, have been increasingly gutted over the past two decades as part of a wider assault on essential social services and core legal and democratic rights.

The latest cuts of up to a third, or \$60 million a year, due to commence in July 2017, are only the latest attack on legal aid by successive governments, both Liberal-National and Labor, since the 1990s. Funding has been cut already by a third per head of population since 1997.

These cuts are part of a wider austerity offensive against the working class, which includes the decimation of healthcare, education, welfare and public housing, while billions of dollars are being spent on the military in preparation for war.

Legal aid cuts directly seek to block the capacity of working people to challenge government decisions, including welfare cut-offs, visa denials and cancellations of passports and citizenships, as well as to fight employer attacks, consumer rip-offs and police victimisation.

Among those affected are the most vulnerable layers

of the working class—low-paid workers, pensioners, the disabled, refugees, immigrants, indigenous people and victims of domestic violence. Lack of legal assistance can cause a spiraling of problems that can lead to destitution, with severe consequences.

During the same period, mainly on the back of manufactured terrorist scares, governments have spent hundreds of millions of dollars boosting the powers and resources of the intelligence agencies and police, which can now detain and interrogate “suspects” without charge and conduct rampant surveillance and spying. Unprecedented laws also have been introduced restricting the right to protest.

Since the 1990s, rates of imprisonment, counting those detained awaiting trial, have more than doubled to nearly 200 per 100,000 people, with indigenous people many times more likely to be incarcerated. This is a product of worsening social conditions, inadequate mental health services and repressive “law and order” policies. Moreover, the denial of legal representation has stripped many of any capacity to properly defend themselves.

At least 45,000 people have been forced to represent themselves in court since 2009, according to statistics released recently by the Law Council of Australia, the legal profession’s peak body. Over the past five years, nearly 15,000 people in South Australia alone have been refused legal aid.

Even by official estimates, 2.5 million Australians are now living in poverty. Yet, fewer than 74,000 legal aid grants were offered in 2014, mainly due to lack of funding and because aid is not available for many basic legal problems.

Community Legal Centres, which seek to partly fill the gap with the help of volunteers, helped over 215,000 people with free legal advice last year but had

to turn away more than 160,000, largely due to lack of funding. In Queensland, three in five people are being turned away from the centres.

This is under conditions in which social inequality has reached obscene levels. Alongside devastating job losses, mass youth unemployment, soaring housing costs, homelessness, poverty and suicides, the Rich 200 List members have accumulated collective personal wealth of \$197.3 billion, more than trebling their fortunes since 2000.

Millions of working class people face an increasingly difficult struggle to make ends meet every day, and often confront serious legal problems as a result. Half the population experiences such a problem each year, according to the Law Council, with the disabled and sole parents twice as likely to need legal assistance.

By contrast, the super-rich have no trouble hiring batteries of lawyers to defend their corporate and private interests. This makes a mockery of the pretence of “equality before the law” under capitalism.

Labor’s contempt and indifference toward those deprived of basic legal rights is seen by that fact that it is offering to reverse only a fraction of the latest cuts. And while the Greens have supported calls by the Law Council and the community legal centres for an extra funding of \$350 million over five years, this would amount only to a limited band-aid.

In our election statement, the SEP calls for a vast redistribution of wealth to secure the social rights of all, including the right to a stable and decent-paying job, a living income on retirement, free, high-quality public education and health care, affordable housing and access to culture and the arts. We also insist on the defence of all fundamental democratic rights, including the dismantling of the entire intelligence-police-state apparatus and overturning of all anti-democratic legislation.

These basic rights cannot be achieved without ending the domination of the financial and corporate oligarchy over economic life. Social need must replace corporate profit as the guiding principle. All the large corporations—the major banks, mining and energy conglomerates, retail chains, pharmaceutical corporations and communications giants—must be taken out of the grip of the billionaires and placed under public ownership and the democratic control of the working class, the vast majority of the population.

*To contact the SEP and get involved, visit our web site or Facebook page.*

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