

Budget 2020 – Reducing violence against women and their children

Community Legal Centres Overview

After a significant period of uncertainty, the National Legal Assistance Partnership 2020-25 (the NLAP) commenced on 30 June 2020. Consequently the 2020-21 Budget contained very little additional funding for the sector and no increase at all to the funding of Domestic Violence Units and Health Justice Partnerships.

Community Legal Centres

The Budget

After a significant period of uncertainty, the National Legal Assistance Partnership 2020-25 (the NLAP) commenced on 30 June 2020. The NLAP provides Commonwealth funded legal assistance to the states and territories, including Community Legal Centres (CLCs), Aboriginal and Torres Strait Islander Legal Services (ATSILS) and Domestic Violence Units/Health Justice Partnerships.

Consequently the 2020-21 Budget contained very little additional funding for the sector with slight increases of just of \$3 million per annum to CLCs; around \$4 million per annum increase to ATSILS and no change to the funding of Domestic Violence Units and Health Justice Partnerships.

National Partnership Payments Expense (\$m)

	2020-21	2021-22	2022-23	2023-24
Community Legal Centres	48.5	55.9	56.7	57.6
Aboriginal and Torres Strait Islander Legal Services	79.5	86.7	88.2	89.6
Domestic Violence Units and Health Justice Partnerships	9.9	10.1	10.2	10.4

Source: 2020-21 Budget Paper No.3, Table 2.11: Payments to support other state services.

The Budget also included \$31.1 million in Covid-19 Legal Assistance Funding for 2020-21. This funding was agreed in June 2020 and subject to specific conditions including that at least 40 per cent of the frontline legal assistance funding be allocated to domestic violence matters, assisting transition to online provision of legal services and data collection around increased demand due to Covid-19.

Gender implications

Why is this an issue for women?

CLCs provide advice on a wide range of areas -- domestic violence, financial matters and employment are just some of these. There is a growing body of evidence that during 2020, women have disproportionately felt the effects of Covid-19.

What are the 2020 Budget impacts on women?

The Australian Institute of Criminology recently published survey results of more than 15,000 Australian women. The July 2020 report identified a range of factors that contributed to the increase and severity of domestic violence incidents during the pandemic. It concluded that 'the COVID-19 pandemic appears to have coincided with the onset of physical or sexual violence or coercive control for many women. For other women, it coincided with an increase in the frequency or severity of ongoing violence or abuse'. Health Justice Partnerships were developed to assist 'people who are vulnerable to intersecting legal and health problems, but who are unlikely to turn to legal services for solutions'. Given the peculiarities of 2020, identifying and assisting women at risk via the health system is even more important. Despite this the Budget provided no real increase in funding for CLCs to provide domestic violence or health justice partnership services.

Similarly, there is growing evidence that women's employment has been disproportionately affected by the pandemic. Not only have women been more likely to lose employment, they are also more likely to be exposed to work that exposes them and their families to health risks, for example in the health and aged care sectors. For both groups of women, employment and financial advice is crucial. Often they are not union members and CLCs step in to fill this gap. However, again there was no increased funding to address this additional demand.

The CEO of the National Aboriginal and Torres Strait Islander Legal Service noted post-Budget that the lack of increase in funding ignored the 'existing enormous pressure on our services, now exacerbated by COVID-19 in over-incarceration from over-policing, for family violence, housing and child protection'.

While the 2020 NLAP has provided set funding for the sector for the next five years, the lack of increase in the Budget is disappointing given the disproportionate impact on women from the COVID-19 crisis. This impact is not just a problem to be addressed through COVID-19 funding for a single budget cycle. Rather it is one which will require significant funding to ensure that women can access legal advice to ensure their safety and security.

Recommendations

1. The government provide increased funding to assist the CLCs to address their existing high demand and to provide further ongoing funding to address the specific additional needs arising from COVID-19.

2. The government increase funding to ATSILS to ensure access to legal and financial advice services to address the higher levels of unemployment and underemployment experienced by Aboriginal and Torres Strait Islander people, 'escalating utility bills, housing and an insecure economy', all while police powers are increasing due to the pandemic.
3. Health justice partnerships and Domestic Violence Units are most in need of increased funding to ensure that women at risk are identified and able to access vital legal advice in times of crisis.