

14 November 2025

National Legal Aid calls for urgent funding review amid lawyer shortage

National Legal Aid (NLA), representing Legal Aids across Australia, is urging Attorneys-General to review legal aid fees paid to private lawyers in response to a lawyer shortage.

The Standing Council of Attorneys General (SCAG) meets in Brisbane this week NLA is calling on the Attorneys-General to support a review of fees to private lawyers, who undertake around 70 per cent of legal aid work.

The supply of Legal Aid private lawyers is already at unsustainably low levels in many regional and remote areas due to low fees and will likely reach a supply crisis in all areas by 2030. Funding constraints mean Legal Aids must apply a stringent means and assets test, which means that only the poorest 8% of Australians are eligible for legal aid.

NLA is calling on all Attorneys-General to work with them to develop a 5 year plan to help ensure that lawyers are available to represent disadvantaged clients, including victim-survivors of domestic and family violence, vulnerable children and First Nations people, particularly in rural and remote areas of Australia.

The call comes after a recent NLA survey of private lawyers found 30% plan to stop providing this work within 5 years.

The main reasons provided for this exodus were:

- Stagnant low fees for almost a decade
- High level of unremunerated work delivered by lawyers
- Requirements of the work including having to travel more than 200km one way to provide representation.

Due to funding constraints, in the last 10 years the average hourly legal aid rate for lawyers has remained unchanged in some states and is approximately three times less than lawyers can earn privately.

Katherine McKernan, Executive Director, NLA, said the shortage of lawyers meant access to justice was under threat.

“Without an adequate supply of lawyers, the capacity for Legal Aids to deliver legal representation services will be highly limited, impacting on clients and the efficient operation of the courts and justice system,” she said.

A review of the system of private lawyer fees nationwide will provide a critical picture of the supply of legal aid lawyers and the provision of legal aid for disadvantaged communities.

For comment please contact: Katherine McKernan, NLA Executive Director,

Katherine.mckernan@nationallegalaid.org.au; 0425 288 446