



# National Legal Aid

## **‘People will be turned away’: When Legal Aid funding ends, vulnerable Australians pay the price**

14 May 2026

The 2026-27 Budget is a missed opportunity to strengthen access to justice at a time of rising demand for Legal Aid services, driven by family violence and cost-of-living pressures.

National Legal Aid welcomes funding for the Child Support Scheme, Ending Gender Based Violence and the NDIS Appeals Program, but flags concern the budget fails to address the ongoing crisis in funding for Legal Aids.

“The Federal Budget provided no necessary relief for the increasing demand and cost pressures faced by Legal Aids across Australia. Access to legal assistance is at the heart of our justice system and is fundamental to the rule of law. Yet fewer than 8% of Australians are eligible for legal aid – only around half of those living below the poverty line – leaving many to face serious legal problems without support. When cost-of-living pressures rise, so does demand for legal help,” said National Legal Aid Executive Director, the Hon. Yvette D’Ath.

“Legal Aid is essential to a functioning justice system and a critical safeguard for people who cannot afford a lawyer. Short-term, piecemeal funding destabilises services and makes it harder to meet demand. Legal Aid services across Australia are already making impossible decisions about who can be assisted. This Budget will force more people to miss out,” says Annmarie Lumsden, Chair of National Legal Aid.

Legal Aid NSW has made the difficult decision to withdraw from some family law services from 1 July 2026, including parenting and property matters, limiting assistance to victim-survivors of domestic and family violence and Aboriginal and Torres Strait Islander people.

Since November 2025, Legal Aid NT has been unable to provide new grants of legal aid in criminal matters for people who are not in custody and may need to make further service reductions due to funding shortfalls.

Lapsed funding for family law services in the Federal Circuit and Family Court of Australia, and only six months of remaining funding for the Commonwealth Cross-Examination Scheme mean Legal Aids are at risk of ceasing more family law services.

“Without additional investment, more people will be turned away, more will face courts and tribunals unrepresented, and pressure across the justice system will keep rising,” Ms Lumsden said.

Legal Aids are the major providers of family law duty lawyer and representation services nationwide. They also deliver the Independent Children’s Lawyers Program, representing children’s best interests in high-risk parenting matters. Around 86% of Legal Aid family law grants involve a risk of domestic and family violence.

National Legal Aid welcomes commitments in the 2026-27 Budget of:

- \$182.6 million over four years from 2026-27 and \$19.6 million ongoing from 2030-31 for reforms to the Child Support Scheme to address issues of weaponisation, financial abuse, and non-compliance. Legal Aids provide specialised child support legal services, assisting victim-survivors who experience financial abuse and coercion through the child support system.
- \$14.7m over 2 years to extend supplementary funding for the NDIS Appeals Program. Legal Aids provide legal representation to level the playing field for people with disability going through the complex process of NDIS review and appeals.
- funding for Ending Gender Based Violence, including for Aboriginal Community Controlled Organisations and initial actions in the first five years of the Our Ways – Strong Ways – Our Voices: National Aboriginal and Torres Strait Islander Plan to End Family, Domestic and Sexual Violence 2026–2036.

National Legal Aid will seek to work closely with Government to ensure the Second National Action Plan to End Violence Against Women and Children, due to be developed this year, includes commitments to system-wide approaches, including legal services, to prevent and address violence.

“We call on the Commonwealth Government to work with us and the broader legal assistance sector on sustainable, long-term funding solutions so that people facing complex legal problems can get timely help, resolve issues early, and move forward with their lives. We cannot stand by while vulnerable Australians are missing out on essential support when facing uncertainty and significant challenges in their lives.” Ms D’Ath said.

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