

Michael McGarvie
Victorian Legal Services Commissioner
CEO
Victorian Legal Services Board
GPO Box 492
Melbourne Vic 3001



31 March 2017

Dear Mr McGarvie

Review of Lawyers' Practising Certificate Fees

We write in response to the review of practising certificate fees and to raise serious concerns with the proposed options and the impact they will have on community lawyers and community legal centres.

Community legal centres provide essential legal services for the most in need in the community. These services are delivered on very tight budgets and in the face of crushing demand. Often, centres will pay the cost of practising certificates for their lawyers. For community legal centres, these costs will not be passed onto clients, as is this case in the private profession. This means the increased cost will directly reduce their budgets and capacity to assist their communities.

Additionally, community legal centres are facing a 30 per cent cut to their Federal funding from 1 July, which will result in staff losses and reduced services for the community. This is at a time of unprecedented and growing legal need. Increasing practising certificate fees will place even further pressure on service capacity of community legal centres and reduce access to justice.

For community lawyers that do not have the costs of their practising certificate met by their employer, any increase will have a significant impact on them personally. The salary of a community lawyer is far less than for private or government lawyers. The average salary range for a lawyer in the community legal sector is \$65, 000 - \$85, 000 per annum. Therefore, the cost of a practising certificate has considerable implications, comparatively to other lawyers in the profession.

The proposed changes appear to make Victoria even more expensive than other states. In Queensland, practising certificate fees range from \$229 - \$114.50. In NSW, fees are \$370.

In Tasmania, community lawyers are a separate category, recognising the unique contribution they make and the significantly reduced salary of community lawyers and lack of funding for community legal centres.

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The cost of a practising certificate for a community lawyer in Tasmania is \$119.34.

An increase in practising certificate fees will detrimentally impact community legal centres and community lawyers and reduce access to justice for those most in need of legal help. We recommend that practising certificate fees should remain the same, or if changes are introduced, that a separate category be created for community legal centres, with the rate remaining at the current fee.

Please contact me directly at any time via [REDACTED] or on [REDACTED].

Sincerely,

A handwritten signature in black ink, appearing to read 'Serina McDuff', written in a cursive style.

Serina McDuff
Executive Officer