

Media Release



Victoria Legal Aid cuts vital mental health legal service

Tuesday 12 February 2013

The Federation of Community Legal Centres is calling for the immediate reversal of a decision late last week by Victoria Legal Aid (VLA) to cut funding for the Mental Health Legal Centre (MHLC), an independent community legal centre providing representation, advice and advocacy for people living with a mental illness in Victoria.

“The defunding of this independent community legal centre dedicated to helping people living with a mental illness makes little sense given the growing need for advice and representation that will flow from the State Government’s mental health reform agenda,” said the Federation’s Acting Executive Officer, Claudia Fatone, today.

“Despite a clearly increasing need for the assistance the MHLC has delivered since 1987, the savings from the cuts (approx. \$360,000) – should they proceed – will not be reinvested in an alternative independent community legal service; they will be redirected to Victoria Legal Aid itself,” Ms Fatone said.

VLA currently delivers representation for people placed on involuntary treatment orders at the Mental Health Review Board, with the MHLC representing people placed on community treatment orders. However, under the State Government’s reforms the focus is set to shift to a greater community approach that closely aligns with the specialist skills offered by the MHLC.

“VLA has claimed it can deliver the services currently offered by the MHLC more efficiently, but there is considerable scope to challenge the claim that it can offer a service that enjoys the same level of trust from the community, the same level of participation in decisions by people living with a mental illness, let alone all the services the MHLC offers beyond representation at the Mental Health Review Board.

“The MHLC has a proven track record of building a strong volunteer contribution and a substantial network of pro bono lawyers, who are trained by the MHLC in the particular skills needed to successfully represent people living with a mental illness. The defunding of the MHLC also places at risk the capacity of people to choose who represents them, and would severely limit choice for people seeking mental health legal services.

“We are further concerned that VLA may encounter conflicts that prevent it representing people on mental health matters where they also represent related parties on matters such as family law and child protection,” Ms Fatone said.

The funding decision follows the MHLC’s completion of a period of statutory management late last year, with the appointment of a new Board on 27 November 2012, and the first meeting of that Board on 7 December. It is understood the VLA decision to defund the MHLC followed at its own Board meeting just days later.

The Federation understands that the defunding stems in part from past governance, administrative and financial concerns, but the decision is not in response to any notified breach by the MHLC of its current funding agreement, or concerns about current governance arrangements.

“People living with mental illness will be worse off for this decision if it is not reversed as a matter of urgency,” said Ms Fatone.

“More broadly, this decision undermines community legal centres, when national research commissioned last year shows that community legal centres offer a return of \$18 for every dollar invested in the quality, free legal help they provide,” Ms Fatone concluded.

The Mental Health Legal Centre is currently clarifying the basis of the VLA decision and will ask VLA to reconsider its decision before making public comment.

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