

## LEGAL AID COMMISSION (ACT)

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### Objectives

The Legal Aid Commission (ACT) (the Commission), was established by the *Legal Aid Act 1977* (the Act) and provides a range of legal aid services in accordance with the Act.

The mission of the Commission is to promote a just society in the Territory by:

- ensuring that vulnerable and disadvantaged people receive the legal services they need to assert or defend their rights;
- developing an improved community understanding of the law; and
- seeking reform of laws that adversely affect those assisted by the Commission.

A range of high quality legal aid services are delivered through internal staff and professional partners. The Commission's services include legal information, legal advice and minor assistance, duty lawyer services, grants of legal assistance (legally assisted cases), family dispute resolution services and community legal education.

### 2010-11 Priorities

Strategic and operational issues to be pursued in 2010-11 include:

- preparing for the proposed National Partnership Agreement on Legal Aid Services;
- continuing to implement the New Directions Program, through the establishment of:
  - eGrants (online grants management);
  - SMART (new systems for measuring service inputs, outputs and outcomes);
  - Case Management (computerised case management for the Legal Practice); and
  - PANELS (new private practitioner panel arrangements).
- expanding preventative and early intervention services such as community legal education, information and advice;
- continuing to improve cooperation and coordination of services with other legal assistance providers in the ACT;
- continuing to improve networking with other welfare services to provide a holistic approach to meeting clients' needs;
- establishing and filling the new Indigenous Liaison Officer position;
- implementing measures to ensure the continuation and success of the Youth Law Centre, including the recruitment of a suitable supervising lawyer;
- upgrading the Commission's information and communication technology (ICT) hardware to take advantage of contemporary and emerging technologies; and
- reviewing the structure of fees paid to private lawyers for handling legally assisted cases.

## Estimated Employment Level

2008-09 Actual Outcome	2009-10 Budget	2009-10 Est. Outcome	2010-11 Budget
52 Staffing (FTE) <sup>1</sup>	57	56	60

**Note:**

1. The increase of 3 FTEs in the 2010-11 Budget from the 2009-10 Budget is due to the creation of positions for Youth Law Services and the Indigenous Liaison Officer.

## Strategic Indicators

The Commission's Strategic Plan (2008-2012) is designed to improve the range, quality and targeting of legal aid services in the Territory. This will be achieved by pursuing strategic goals which align with the Commission's mission statement.

The strategic indicators for the Commission in the 2010-11 Budget are:

### Strategic Indicator 1

#### Legal Advice and Representation

To ensure that people are not prevented, by disadvantage, from obtaining the legal services they need to assert or defend their rights. This goal will be achieved by:

- researching the nature and extent of unmet need for legal aid services in the ACT, and barriers to people obtaining legal help;
- improving methods of service delivery;
- expanding the provision of advice and assistance in civil law priority areas of need through the Commission's civil law practice and in collaboration with community legal centres; and
- improving the coordination of legal aid and other community services.

### Strategic Indicator 2

#### Community Legal Education

To develop within the community an improved understanding of the law and legal system operating in the Territory. To achieve this goal the Commission will target legal education programs to meet priority areas of need in the community.

### Strategic Indicator 3

#### Law Reform

To promote the reform of laws that adversely affect those we assist. To achieve this goal the Commission will monitor the impact of laws on disadvantaged members of the community and make submissions for reform of those laws, where appropriate.

## Output Classes

	Total Cost <sup>1</sup>		Government Payment for Outputs	
	2009-10	2010-11	2009-10	2010-11
	Est. Outcome \$'000	Budget \$'000	Est. Outcome \$'000	Budget \$'000
<b>Output Class 1:</b>				
<b>Legal Aid Services</b>	10,520	11,150	8,044	8,904
<b>Output 1.1: Legal Aid Services Provided by Private Legal Practitioners</b>	4,524	4,794	3,459	3,829

**Note:**

1. Total cost includes depreciation of \$0.203 million in 2009-10 and \$0.345 million in 2010-11.

### *Output Description*

The Commission, under arrangements with private practitioners, provides Legal Aid services to the community. This output includes payments to private practitioners and the cost to the Commission of administering these arrangements.

Private practitioners are engaged by the Commission to provide legal aid services. They are paid professional fees and disbursements on the basis of agreed scales, up to a commitment level determined by the Commission on an individual case basis.

	Total Cost		Government Payment for Outputs	
	2009-10	2010-11	2009-10	2010-11
	Est. Outcome \$'000	Budget \$'000	Est. Outcome \$'000	Budget \$'000
<b>Output 1.2: Legal Aid Services Provided by Commission Staff</b>	5,996	6,356	4,585	5,075

### *Output Description*

The Commission's staff provide a full range of legal aid services to the community. The cost of these services is calculated on the same basis as Output 1.1 except that the professional fees component is replaced by salaries and related costs.

## Accountability Indicators

	2009-10 Targets	2009-10 Est. Outcome	2010-11 Targets
<b>Output Class 1: Legal Aid Services</b>			
<b>Output 1.1: Legal Aid Services Provided by Private Legal Practitioners</b>			
a. Total number of legal advice services provided in person <sup>1</sup>	450	261	400
b. Total number of duty lawyer services provided <sup>1,2</sup>	400	617	500
c. Grants referred to Private Practitioners <sup>3</sup>	1,400	1,379	1,400

### Notes:

1. Legal advice is specific advice of a legal nature concerning a person's individual circumstances. Minor assistance is provided in cases where advice given includes recommended action that the person may have difficulty taking on their own behalf. The variance from the target is caused by greater use of pro bono than in the past. The target for the 2010-11 Budget takes into account the expectation of increased early intervention including advice under the proposed National Partnership Agreement.
2. Duty lawyer services are legal services provided by a legal practitioner at a court or tribunal to people who would otherwise be unrepresented. Duty lawyer services consist of advising the person, and in appropriate circumstances appearing on their behalf, in relation to the proceeding or event.
3. Grants of legal assistance is financial assistance to enable people (who would not otherwise be able to afford legal services) to obtain legal representation in legal proceedings, or in other legal matters of a substantial nature. Grants of legal assistance are provided in criminal, family and general law matters.

	2009-10 Targets	2009-10 Est. Outcome	2010-11 Targets
<b>Output 1.2: Legal Aid Services Provided by Commission Staff</b>			
a. Total number of information and referral services provided <sup>1</sup>	19,000	7,139	10,000
b. Total number of legal advice and minor assistance services provided in person <sup>2</sup>	3,000	2,821	3,200
c. Total number of legal advice and minor assistance services provided by telephone <sup>2</sup>	8,000	8,581	9,000
d. Total number of duty lawyer services provided <sup>3</sup>	2,300	2,708	2,500
e. Grants referred to Commission staff <sup>4</sup>	1,200	969	1,200

### Notes:

1. The method of recording this measure has changed to enable more accurate reporting. The changes have revealed an over estimation of the actual number of information services in the past. Implementation problems experienced earlier in the year with the new recording method has meant that the year to date figures are likely to be an underestimate of the actual number of information services. The recording of information is likely to be an ongoing problem because by nature these services are frequent and brief contacts by telephone, at the counter or at court.
2. Legal advice is specific advice of a legal nature concerning a person's individual circumstances. Minor assistance is provided in cases where advice given includes recommended action that the person may have difficulty taking on their own behalf.
3. Duty lawyer services are legal services provided by a legal practitioner at a court or tribunal to people who would otherwise be unrepresented. Duty lawyer services consist of advising the person, and in appropriate circumstances appearing on their behalf, in relation to the proceeding or event.
4. Grants of legal assistance is financial assistance to enable people (who would not otherwise be able to afford legal services) to obtain legal representation in legal proceedings, or in other legal matters of a substantial nature. Grants of legal assistance are provided in criminal, family and general law matters. The variance in the 2009-10 estimated outcome from the original target is the result of the higher proportion of increasingly complex matters being handled by the Commission than in the past.

## Changes to Appropriation

### Changes to Appropriation - Departmental

	2009-10	2010-11	2011-12	2012-13	2013-14
Government Payment for Outputs	Est. Out.	Budget	Estimate	Estimate	Estimate
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2009-10 Budget</b>	<b>8,020</b>	<b>8,247</b>	<b>8,276</b>	<b>8,454</b>	<b>8,454</b>
<b>2010-11 Budget Policy Adjustments</b>					
Youth Law Services	-	188	193	199	205
Indigenous Liaison Officer	-	46	48	49	51
Revised Wage Parameters	-	67	114	115	116
Efficiency Dividend	-	-	(19)	(29)	(40)
<b>2010-11 Budget Technical Adjustments</b>					
Supplementation to Cover Statutory Interest Shortfall	-	400	-	-	-
Revised Indexation Parameters	-	-	-	-	70
National Partnership - Legal Aid	24	(44)	(83)	(129)	(129)
<b>2010-11 Budget</b>	<b>8,044</b>	<b>8,904</b>	<b>8,529</b>	<b>8,659</b>	<b>8,727</b>

### Changes to Appropriation - Departmental

	2009-10	2010-11	2011-12	2012-13	2013-14
Capital Injections	Est. Out.	Budget	Estimate	Estimate	Estimate
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2009-10 Budget</b>	<b>2,269</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>2010-11 Budget Policy Adjustments</b>					
New Directions Program - Phase 2	-	268	-	-	-
ICT Upgrade	-	161	-	-	-
<b>2010-11 Budget</b>	<b>2,269</b>	<b>429</b>	<b>-</b>	<b>-</b>	<b>-</b>

**Legal Aid Commission (ACT)  
Operating Statement**

2009-10 Budget \$'000		2009-10 Est.Outcome \$'000	2010-11 Budget \$'000	Var %	2011-12 Estimate \$'000	2012-13 Estimate \$'000	2013-14 Estimate \$'000
<b>Income</b>							
<b>Revenue</b>							
8,020	Government Payment for Outputs	8,044	8,904	11	8,529	8,659	8,727
359	User Charges - Non ACT Government	359	359	-	359	359	359
1,628	Interest	1,628	1,289	-21	1,328	1,528	1,728
<b>10,007</b>	<b>Total Revenue</b>	<b>10,031</b>	<b>10,552</b>	<b>5</b>	<b>10,216</b>	<b>10,546</b>	<b>10,814</b>
<b>Gains</b>							
<b>0</b>	<b>Total Gains</b>	<b>0</b>	<b>0</b>	<b>-</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>10,007</b>	<b>Total Income</b>	<b>10,031</b>	<b>10,552</b>	<b>5</b>	<b>10,216</b>	<b>10,546</b>	<b>10,814</b>
<b>Expenses</b>							
4,495	Employee Expenses	4,519	4,802	6	4,757	4,823	4,855
673	Superannuation Expenses	675	713	6	732	742	745
5,029	Supplies and Services	5,053	5,220	3	4,332	4,586	4,819
203	Depreciation and Amortisation	203	345	70	433	433	432
70	Other Expenses	70	70	-	70	70	70
<b>10,470</b>	<b>Total Ordinary Expenses</b>	<b>10,520</b>	<b>11,150</b>	<b>6</b>	<b>10,324</b>	<b>10,654</b>	<b>10,921</b>
<b>-463</b>	<b>Operating Result</b>	<b>-489</b>	<b>-598</b>	<b>-22</b>	<b>-108</b>	<b>-108</b>	<b>-107</b>
<b>-463</b>	<b>Total Comprehensive Income</b>	<b>-489</b>	<b>-598</b>	<b>-22</b>	<b>-108</b>	<b>-108</b>	<b>-107</b>

**Legal Aid Commission (ACT)  
Balance Sheet**

<b>Budget</b>		<b>Est.Outcome</b>	<b>Planned</b>		<b>Planned</b>	<b>Planned</b>	<b>Planned</b>
as at 30/6/10		as at 30/6/10	as at 30/6/11	Var	as at 30/6/12	as at 30/6/13	as at 30/6/14
\$'000		\$'000	\$'000	%	\$'000	\$'000	\$'000
<b>Current Assets</b>							
2,397	Cash and Cash Equivalents	2,564	2,260	-12	2,534	2,808	3,082
174	Receivables	240	241	..	242	243	244
122	Other	179	179	-	179	179	179
<b>2,693</b>	<b>Total Current Assets</b>	<b>2,983</b>	<b>2,680</b>	<b>-10</b>	<b>2,955</b>	<b>3,230</b>	<b>3,505</b>
<b>Non Current Assets</b>							
50	Receivables	100	100	-	100	100	100
2,419	Property, Plant and Equipment	2,216	2,097	-5	1,768	1,439	1,111
0	Intangibles	0	253	#	199	145	91
<b>2,469</b>	<b>Total Non Current Assets</b>	<b>2,316</b>	<b>2,450</b>	<b>6</b>	<b>2,067</b>	<b>1,684</b>	<b>1,302</b>
<b>5,162</b>	<b>TOTAL ASSETS</b>	<b>5,299</b>	<b>5,130</b>	<b>-3</b>	<b>5,022</b>	<b>4,914</b>	<b>4,807</b>
<b>Current Liabilities</b>							
517	Payables	342	342	-	342	342	342
42	Finance Leases	28	28	-	28	28	28
760	Employee Benefits	1,018	1,018	-	1,018	1,018	1,018
294	Other Provisions	331	331	-	331	331	331
<b>1,613</b>	<b>Total Current Liabilities</b>	<b>1,719</b>	<b>1,719</b>	<b>-</b>	<b>1,719</b>	<b>1,719</b>	<b>1,719</b>
<b>Non Current Liabilities</b>							
18	Finance Leases	34	34	-	34	34	34
37	Employee Benefits	136	136	-	136	136	136
<b>55</b>	<b>Total Non Current Liabilities</b>	<b>170</b>	<b>170</b>	<b>-</b>	<b>170</b>	<b>170</b>	<b>170</b>
<b>1,668</b>	<b>TOTAL LIABILITIES</b>	<b>1,889</b>	<b>1,889</b>	<b>-</b>	<b>1,889</b>	<b>1,889</b>	<b>1,889</b>
<b>3,494</b>	<b>NET ASSETS</b>	<b>3,410</b>	<b>3,241</b>	<b>-5</b>	<b>3,133</b>	<b>3,025</b>	<b>2,918</b>
<b>REPRESENTED BY FUNDS EMPLOYED</b>							
3,339	Accumulated Funds	3,410	3,241	-5	3,133	3,025	2,918
155	Reserves	0	0	-	0	0	0
<b>3,494</b>	<b>TOTAL FUNDS EMPLOYED</b>	<b>3,410</b>	<b>3,241</b>	<b>-5</b>	<b>3,133</b>	<b>3,025</b>	<b>2,918</b>

**Legal Aid Commission (ACT)  
Cash Flow Statement**

2009-10 Budget \$'000		2009-10 Est.Outcome \$'000	2010-11 Budget \$'000	Var %	2011-12 Estimate \$'000	2012-13 Estimate \$'000	2013-14 Estimate \$'000
	<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
	<b>Receipts</b>						
8,020	Cash from Government for Outputs	8,044	8,904	11	8,529	8,659	8,727
359	User Charges	359	359	-	359	359	359
1,628	Interest Received	1,628	1,289	-21	1,328	1,528	1,728
176	Other Revenue	176	176	-	176	176	176
<b>10,183</b>	<b>Operating Receipts</b>	<b>10,207</b>	<b>10,728</b>	<b>5</b>	<b>10,392</b>	<b>10,722</b>	<b>10,990</b>
	<b>Payments</b>						
4,376	Related to Employees	4,416	4,653	5	4,595	4,641	4,673
673	Related to Superannuation	675	713	6	732	742	745
5,148	Related to Supplies and Services	5,156	5,369	4	4,494	4,768	5,001
247	Other	247	247	-	247	247	247
<b>10,444</b>	<b>Operating Payments</b>	<b>10,494</b>	<b>10,982</b>	<b>5</b>	<b>10,068</b>	<b>10,398</b>	<b>10,666</b>
<b>-261</b>	<b>NET CASH INFLOW/ (OUTFLOW) FROM OPERATING ACTIVITIES</b>	<b>-287</b>	<b>-254</b>	<b>11</b>	<b>324</b>	<b>324</b>	<b>324</b>
	<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>						
	<b>Payments</b>						
2,319	Purchase of Property, Plant and Equipment and Capital Works	2,319	211	-91	50	50	50
0	Purchase of Land and Intangibles	0	268	#	0	0	0
<b>2,319</b>	<b>Investing Payments</b>	<b>2,319</b>	<b>479</b>	<b>-79</b>	<b>50</b>	<b>50</b>	<b>50</b>
<b>-2,319</b>	<b>NET CASH INFLOW/ (OUTFLOW) FROM INVESTING ACTIVITIES</b>	<b>-2,319</b>	<b>-479</b>	<b>79</b>	<b>-50</b>	<b>-50</b>	<b>-50</b>
	<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>						
	<b>Receipts</b>						
2,269	Capital Injection from Government	2,269	429	-81	0	0	0
<b>2,269</b>	<b>Financing Receipts</b>	<b>2,269</b>	<b>429</b>	<b>-81</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2,269</b>	<b>NET CASH INFLOW/ (OUTFLOW) FROM FINANCING ACTIVITIES</b>	<b>2,269</b>	<b>429</b>	<b>-81</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>-311</b>	<b>NET INCREASE/ (DECREASE) IN CASH HELD</b>	<b>-337</b>	<b>-304</b>	<b>10</b>	<b>274</b>	<b>274</b>	<b>274</b>
<b>2,708</b>	<b>CASH AT BEGINNING OF REPORTING PERIOD</b>	<b>2,901</b>	<b>2,564</b>	<b>-12</b>	<b>2,260</b>	<b>2,534</b>	<b>2,808</b>
<b>2,397</b>	<b>CASH AT THE END OF THE REPORTING PERIOD</b>	<b>2,564</b>	<b>2,260</b>	<b>-12</b>	<b>2,534</b>	<b>2,808</b>	<b>3,082</b>

**Legal Aid Commission (ACT)  
Statement of Changes in Equity**

Budget as at 30/6/10 \$'000		Est.Outcome as at 30/6/10 \$'000	Planned as at 30/6/11 \$'000	Var %	Planned as at 30/6/12 \$'000	Planned as at 30/6/13 \$'000	Planned as at 30/6/14 \$'000
<b>Opening Equity</b>							
1,533	Opening Accumulated Funds	1,475	3,410	131	3,241	3,133	3,025
155	Opening Other Reserve	155	0	-100	0	0	0
<b>1,688</b>	<b>Balance at the Start of the Reporting Period</b>	<b>1,630</b>	<b>3,410</b>	<b>109</b>	<b>3,241</b>	<b>3,133</b>	<b>3,025</b>
<b>Comprehensive Income</b>							
-463	Operating Result for the Period	-489	-598	-22	-108	-108	-107
<b>-463</b>	<b>Total Comprehensive Income</b>	<b>-489</b>	<b>-598</b>	<b>-22</b>	<b>-108</b>	<b>-108</b>	<b>-107</b>
0	Transfer to/from Accumulated Funds	155	0	-100	0	0	0
0	Other Reserves	-155	0	100	0	0	0
<b>0</b>	<b>Total Movement in Reserves</b>	<b>0</b>	<b>0</b>	<b>-</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Transactions Involving Owners Affecting Accumulated Funds</b>							
2,269	Capital Injections	2,269	429	-81	0	0	0
<b>2,269</b>	<b>Total Transactions Involving Owners Affecting Accumulated Funds</b>	<b>2,269</b>	<b>429</b>	<b>-81</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Closing Equity</b>							
3,339	Closing Accumulated Funds	3,410	3,241	-5	3,133	3,025	2,918
155	Closing Other Reserve	0	0	-	0	0	0
<b>3,494</b>	<b>Balance at the End of the Reporting Period</b>	<b>3,410</b>	<b>3,241</b>	<b>-5</b>	<b>3,133</b>	<b>3,025</b>	<b>2,918</b>

## Notes to the Budget Statements

Significant variations are as follows:

### *Operating Statement*

- government payment for outputs: the increase of \$0.860 million in the 2010-11 Budget from the 2009-10 estimated outcome is due to new initiatives for the Youth Legal Services and the Indigenous Liaison Officer, revised wage parameters, indexation and supplementation to cover a shortfall in statutory interest.
- interest: the decrease of \$0.339 million in the 2010-11 Budget from the 2009-10 estimated outcome is due to a reduction in earnings on the statutory interest account.
- employee expenses: the increase of \$0.283 million in the 2010-11 Budget from the 2009-10 estimated outcome is due to the positions created under new initiatives and revised wage parameters.

- supplies and services: the increase of \$0.167 million in the 2010-11 Budget from the 2009-10 estimated outcome is due to indexation and an increase in the cost of services being provided.
- depreciation and amortisation: the increase of \$0.142 million in the 2010-11 Budget from the 2009-10 estimated outcome is due to completion of the accommodation fit out, security, ICT and business continuity upgrades in 2009-10 and the ICT upgrade works due for completion in 2010-11.

### *Balance Sheet*

- cash and cash equivalents:
  - the increase of \$0.167 million in the 2009-10 estimated outcome from the original budget is due to the flow-on effect of the 2008-09 audited outcome; and
  - the decrease of \$0.304 million in the 2010-11 Budget from the 2009-10 estimated outcome reflects the use of cash reserves to fund operations.
- receivables current and non current: the increase of \$0.116 million in the 2009-10 estimated outcome from the original budget is mainly due to an increase in the GST receivable from the ATO.
- property, plant and equipment:
  - the decrease of \$0.203 million in the 2009-10 estimated outcome from the original budget is due to the flow-on effect of the 2008-09 audited outcome; and
  - the decrease of \$0.119 million in the 2010-11 Budget from the 2009-10 estimated outcome reflects the ageing of infrastructure, particularly related to ICT.
- intangibles: the increase of \$0.253 million in the 2010-11 Budget from the 2009-10 estimated outcome is due to the completion of ICT projects.
- payables current: the decrease of \$0.175 million in the 2009-10 estimated outcome from the original budget is due to the reduction in GST payable.
- employee benefits current and non current: the increase of \$0.357 million in the 2009-10 estimated outcome from the original budget is due to a change in accounting methodology for determining leave provisions and the appointment of staff with existing leave liabilities.

### *Cash Flow Statement*

Variations in the statement are explained in the notes above.

### *Statement of Changes in Equity*

Variations in the statement are explained in the notes above.