

LEGAL AID COMMISSION (ACT)

Purpose

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 in-house legal and paralegal staff and private practitioners. The Commission's services include information and referral, legal advice and minor assistance, advocacy, duty lawyer services, grants of legal assistance (legally assisted cases), dispute resolution services, community legal education and submissions on law reform issues.

2012-13 Priorities

Strategic and operational issues to be pursued in 2012-13 include:

- providing legal representation to people in need, to enable them to assert or defend their legal rights by making grants of assistance in accordance with priorities and guidelines under the Act and *National Partnership Agreement on Legal Assistance Services*;
- promoting the prevention of legal problems by providing timely information about the law and legal processes and referring people to other legal or non-legal services where necessary to meet their needs;
- promoting the early resolution of legal problems through providing legal advice, minor assistance, advocacy and dispute resolution services;
- advising and assisting people appearing unrepresented before the courts in criminal and family law cases by providing duty lawyers at criminal sittings of the ACT Magistrates Court and Childrens Court and at sittings of the Family Court and Federal Magistrates Court;
- developing and implementing a legal education program tailored to the needs of those members of the community who experience a high incidence of adverse legal events;
- improving the provision of dispute resolution and other legal assistance services to the Aboriginal and Torres Strait Islander community;
- developing a strategic plan for the Commission for the period 2013-2017;
- implementing accepted recommendations of the Auditor-General's performance audit report;

- implementing recommendations in the Curran Report on measuring the quality and outcome of legal assistance services;
- completing the establishment of the Legal Aid Helpdesk function to improve access to legal services, earlier identification and resolution of legal problems and a holistic approach to client problems;
- commencing development of an integrated information management system to increase efficiency by interlinking case management and legal practitioner support systems with records management;
- enhancing the quality of services requiring special skills, by establishing panels of appropriately selected Independent Children’s Lawyers and Dispute Resolution Practitioners; and
- establishing ‘ACT Emergency Legal Help’ in collaboration with the ACT Legal Assistance Forum to provide an emergency legal assistance response capability integrated with the ACT Community Recovery Plan.

Estimated Employment Level

2010-11 Actual Outcome	2011-12 Budget	2011-12 Est. Outcome	2012-13 Budget
59	54	58	55 ¹

Note:

1. The decrease of 3 FTE in the 2012-13 Budget from the 2011-12 estimated outcome relates to the non-continuation of 2011-12 one-off events and savings due to budget constraints.

Strategic Objectives

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 objectives for the Commission in the 2012-13 Budget are:

Strategic Objective 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:

- promoting access to legal services and early identification and resolution of legal problems through completing the establishment of the Legal Aid Helpdesk;
- improving the timeliness of grants decision making and reducing the administrative cost of providing legal assistance through the eGrants online grants management system;
- improving the targeting of services to disadvantaged people, especially Aboriginal and Torres Strait Islander people; and
- increasing collaboration with other legal assistance providers in the Territory.

Strategic Objective 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 provide targeted legal education programs to groups it has identified as having special needs, such as people at risk of social exclusion and Aboriginal and Torres Strait Islander communities.

Strategic Objective 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 Class 1 – Legal Aid Services

	Total Cost		Government Payment for Outputs	
	2011-12 Est. Outcome \$'000	2012-13 Budget \$'000	2011-12 Est. Outcome \$'000	2012-13 Budget \$'000
Output Class 1				
Legal Aid Services	12,148	12,107	9,209	9,680
Output 1.1 Legal Aid Services Provided by Private Legal Practitioners	5,223	5,206	3,960	4,162

Output Description

The Commission, under arrangements with private practitioners, provides legal assistance 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 assistance 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	
	2011-12 Est. Outcome \$'000	2012-13 Budget \$'000	2011-12 Est. Outcome \$'000	2012-13 Budget \$'000
Output 1.2 Legal Aid Services Provided by Commission Staff	6,925	6,901	5,249	5,518

Output Description

The Commission's staff provide a full range of legal assistance 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

	2011-12 Targets	2011-12 Est. Outcome	2012-13 Targets
Output Class 1: Legal Aid Services			
Output 1.1: Legal Aid Services Provided by Private Legal Practitioners			
a. Total number of legal advice services provided in person ¹	100	350	300
b. Total number of duty lawyer services provided ²	800	700	800
c. Grants referred to Private Practitioners ³	1,250	1,220	1,200

Notes:

1. Legal advice is specific advice concerning a person's individual circumstances. The variance in the 2011-12 estimated outcome from the original target was due to a higher than expected number of matters in which the Commission had a potential conflict of interest.
2. Duty lawyer services are 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. The variance in the 2011-12 estimated outcome from the original target reflects lower demand for these services during the year.
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 civil law matters. The variance in the 2011-12 estimated outcome from the original target is a result of the need to contain increases in Legal Expenses by assigning a higher proportion of new grants to Commission staff.

	2011-12 Targets	2011-12 Est. Outcome	2012-13 Targets
Output 1.2 Legal Aid Services Provided by Commission Staff			
a. Number of information and referral services provided ¹	22,000	58,500	60,000
b. Number of legal advice and minor legal assistance services provided in person ²	4,000	3,600	4,000
c. Number of advocacy services provided ³	n/a	370	400
d. Number of legal information and advice services provided by the Legal Aid Helpline	7,000	7,600	7,500
e. Number of duty lawyer services provided ⁴	2,750	2,250	2,500
f. Number of legally assisted cases assigned to Commission staff ⁵	1,000	1,050	1,000

Notes:

1. The Commission has included website usage data in the count of information and referral services since November 2010 in accordance with reporting requirements under the National Partnership Agreement. The upward variance in the 2011-12 estimated outcome is due to an underestimate of the 2011-12 website usage figure when the original budget was prepared.
2. Legal advice is specific advice concerning a person's individual circumstances. Minor legal assistance is provided in cases where advice given includes recommended action that the person may have difficulty taking on their own behalf.
3. This is a new indicator. Advocacy without a grant of assistance is a new service classification introduced by the *National Partnership on Legal Assistance Funding*. It is provided in cases where people are unable to adequately advocate their own case to a third party and may extend to representation at a court or tribunal.
4. Duty lawyer services are 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. The variance in the 2011-12 estimated outcome from the original target reflects lower demand for these services during the year and the reclassification of civil duty lawyer services as advocacy services.
5. 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 civil law matters. The variance in the 2011-12 estimated outcome from the original target is a result of the need to contain increases in Legal Expenses by assigning a higher proportion of new grants to Commission staff.

Changes to Appropriation

Changes to Appropriation - Controlled

	2011-12	2012-13	2013-14	2014-15	2015-16
Government Payment for Outputs	Est. Out.	Budget	Estimate	Estimate	Estimate
	\$'000	\$'000	\$'000	\$'000	\$'000
2011-12 Budget	9,094	9,311	9,456	9,601	9,601
2nd Appropriation					
Revised Wage Parameters	30	116	116	120	120
2012-13 Budget Policy Adjustment					
Expensive Cases Fund	-	200	-	-	-
Improving Access to Justice – Addressing Supreme Court Backlog	-	33	-	-	-
Savings Initiative	-	(32)	(46)	(59)	(73)
2012-13 Budget Technical Adjustments					
Revised Indexation Parameters	-	(2)	(2)	(2)	71
Revised Superannuation Parameters	-	8	(3)	(34)	(63)
Revised Notional Superannuation Contributions	-	51	53	54	56
Treasurer's Advance – Improving Access to Justice – Addressing Supreme Court Backlog	89	-	-	-	-
Commonwealth Grants – Legal Aid NP	(4)	(5)	(1)	17	104
2012-13 Budget	9 209	9 680	9 573	9 697	9 816

Changes to Appropriation - Controlled

	2011-12	2012-13	2013-14	2014-15	2015-16
Capital Injections	Est. Out.	Budget	Estimate	Estimate	Estimate
	\$'000	\$'000	\$'000	\$'000	\$'000
2011-12 Budget	-	-	-	-	-
FMA Section 16B Rollover from 2010-11					
New Directions Program – Phase 2	28	-	-	-	-
2012-13 Budget	28	-	-	-	-

Legal Aid Commission (ACT) Operating Statement

2011-12 Budget \$'000		2011-12 Est. Outcome \$'000	2012-13 Budget \$'000	Var %	2013-14 Estimate \$'000	2014-15 Estimate \$'000	2015-16 Estimate \$'000
Income							
Revenue							
9,094	Government Payment for Outputs	9,209	9,680	5	9,573	9,697	9,816
503	User Charges - Non ACT Government	479	457	-5	464	472	479
1,518	Interest	228	234	3	240	245	252
0	Other Revenue	1,421	1,400	-1	1,435	1,471	1,508
11,115	Total Revenue	11,337	11,771	4	11,712	11,885	12,055
11,115	Total Income	11,337	11,771	4	11,712	11,885	12,055
Expenses							
5,081	Employee Expenses	4,992	5,049	1	5,076	5,083	5,160
823	Superannuation Expenses	773	860	11	891	927	959
5,432	Supplies and Services	5,919	5,665	-4	5,504	5,571	5,680
410	Depreciation and Amortisation	402	501	25	542	572	573
15	Other Expenses	62	32	-48	32	33	34
11,761	Total Ordinary Expenses	12,148	12,107	..	12,045	12,186	12,406
-646	Operating Result	-811	-336	59	-333	-301	-351
-646	Total Comprehensive Income	-811	-336	59	-333	-301	-351

Legal Aid Commission (ACT) Balance Sheet

Budget as at 30/6/12 \$'000	Est. Outcome as at 30/6/12 \$'000	Planned as at 30/6/13 \$'000	Var %	Planned as at 30/6/14 \$'000	Planned as at 30/6/15 \$'000	Planned as at 30/6/16 \$'000	
Current Assets							
3,838	Cash and Cash Equivalents	3,855	3,782	-2	3,871	4,187	4,419
36	Receivables	189	194	3	199	204	208
73	Other Current Assets	169	169	-	168	169	168
3,947	Total Current Assets	4,213	4,145	-2	4,238	4,560	4,795
Non Current Assets							
31	Receivables	0	0	-	0	0	0
2,874	Property, Plant and Equipment	2,947	2,720	-8	2,258	1,743	1,197
150	Intangibles	112	459	310	580	721	696
204	Capital Works in Progress	472	200	-58	200	0	0
3,259	Total Non Current Assets	3,531	3,379	-4	3,038	2,464	1,893
7,206	TOTAL ASSETS	7,744	7,524	-3	7,276	7,024	6,688
Current Liabilities							
396	Payables	506	456	-10	456	456	456
44	Finance Leases	77	77	-	77	77	77
1,754	Employee Benefits	1,113	1,164	5	1,218	1,271	1,323
90	Other Provisions	560	561	..	561	560	561
85	Other Liabilities	85	85	-	85	85	85
2,369	Total Current Liabilities	2,341	2,343	..	2,397	2,449	2,502
Non Current Liabilities							
24	Finance Leases	20	70	250	70	70	70
147	Employee Benefits	180	180	-	180	180	180
1,085	Other Non-Current Provisions	1,633	1,697	4	1,728	1,725	1,687
1,256	Total Non Current Liabilities	1,833	1,947	6	1,978	1,975	1,937
3,625	TOTAL LIABILITIES	4,174	4,290	3	4,375	4,424	4,439
3,581	NET ASSETS	3,570	3,234	-9	2,901	2,600	2,249
REPRESENTED BY FUNDS EMPLOYED							
3,581	Accumulated Funds	3,570	3,234	-9	2,901	2,600	2,249
3,581	TOTAL FUNDS EMPLOYED	3,570	3,234	-9	2,901	2,600	2,249

Legal Aid Commission (ACT) Statement of Changes in Equity

Budget as at 30/6/12 \$'000		Est. Outcome as at 30/6/12 \$'000	Planned as at 30/6/13 \$'000	Var %	Planned as at 30/6/14 \$'000	Planned as at 30/6/15 \$'000	Planned as at 30/6/16 \$'000
Opening Equity							
4,227	Opening Accumulated Funds	4,353	3,570	-18	3,234	2,901	2,600
4,227	Balance at the Start of the Reporting Period	4,353	3,570	-18	3,234	2,901	2,600
Comprehensive Income							
-646	Operating Result for the Period	-811	-336	59	-333	-301	-351
-646	Total Comprehensive Income	-811	-336	59	-333	-301	-351
0	Total Movement in Reserves	0	0	-	0	0	0
Transactions Involving Owners Affecting Accumulated Funds							
0	Capital Injection	28	0	-100	0	0	0
0	Total Transactions Involving Owners Affecting Accumulated Funds	28	0	-100	0	0	0
Closing Equity							
3,581	Closing Accumulated Funds	3,570	3,234	-9	2,901	2,600	2,249
3,581	Balance at the End of the Reporting Period	3,570	3,234	-9	2,901	2,600	2,249

Legal Aid Commission (ACT) Cash Flow Statement

2011-12 Budget \$'000		2011-12 Est. Outcome \$'000	2012-13 Budget \$'000	Var %	2013-14 Estimate \$'000	2014-15 Estimate \$'000	2015-16 Estimate \$'000
CASH FLOWS FROM OPERATING ACTIVITIES							
Receipts							
9,094	Cash from Government for Outputs	9,209	9,680	5	9,573	9,697	9,816
428	User Charges	506	334	-34	340	347	352
1,518	Interest Received	208	231	11	238	243	249
176	Other Receipts	1,571	1,401	-11	1,435	1,471	1,508
11,216	Operating Receipts	11,494	11,646	1	11,586	11,758	11,925
Payments							
4,720	Related to Employees	4,817	4,998	4	5,023	5,031	5,108
823	Related to Superannuation	773	860	11	891	926	958
5,594	Related to Supplies and Services	5,752	5,511	-4	5,383	5,485	5,627
247	Other	0	0	-	0	0	0
11,384	Operating Payments	11,342	11,369	..	11,297	11,442	11,693
-168	NET CASH INFLOW/ (OUTFLOW) FROM OPERATING ACTIVITIES	152	277	82	289	316	232
CASH FLOWS FROM INVESTING ACTIVITIES							
Payments							
50	Purchase of Property, Plant and Equipment and Capital Works	201	350	74	200	0	0
50	Investing Payments	201	350	74	200	0	0
-50	NET CASH INFLOW/ (OUTFLOW) FROM INVESTING ACTIVITIES	-201	-350	-74	-200	0	0
CASH FLOWS FROM FINANCING ACTIVITIES							
Receipts							
0	Capital Injection from Government	28	0	-100	0	0	0
0	Financing Receipts	28	0	-100	0	0	0
0	NET CASH INFLOW/ (OUTFLOW) FROM FINANCING ACTIVITIES	28	0	-100	0	0	0
-218	NET INCREASE / (DECREASE) IN CASH HELD	-21	-73	-248	89	316	232
4,056	CASH AT THE BEGINNING OF REPORTING PERIOD	3,876	3,855	-1	3,782	3,871	4,187
3,838	CASH AT THE END OF REPORTING PERIOD	3,855	3,782	-2	3,871	4,187	4,419

Notes to the Budget Statements

Significant variations are as follows:

Operating Statement

- government payment for outputs: the net increase of \$0.471 million in the 2012-13 Budget from the 2011-12 estimated outcome is mainly due to increased funding for the Legal Aid Help Desk (\$0.239 million), revised wage parameters (\$0.213 million), the Expensive Cases Fund (\$0.2 million), indexation (\$0.071 million), increased Commonwealth funding (\$0.065 million) and the Supreme Court 'Blitz' initiative (\$0.033 million). This is offset by the completion of funding for Street Law in 2011-12 (\$0.225 million), a Treasurer's Advance for the Supreme Court 'Blitz' in 2011-12 (\$0.089 million) and savings initiatives (\$0.033 million).
- interest: the decrease of \$1.290 million in the 2011-12 estimated outcome from the original budget is due to the revised treatment of the grant received from the ACT Law Society.
- other revenue: the increase of \$1.421 million in the 2011-12 estimated outcome from the original budget is due to the revised treatment of the grant received from the ACT Law Society.
- superannuation expenses: the increase of \$0.087 million in the 2012-13 Budget from the 2011-12 estimated outcome is due to increased salaries and increased ACT Government contribution rates.
- supplies and services:
 - the increase of \$0.487 million in the 2011-12 estimated outcome compared with the original budget is mainly due to increased legal expenses and an increase in the cost of expensive criminal cases; and
 - the decrease of \$0.254 million in the 2012-13 Budget from the 2011-12 estimated outcome is mainly due to the completion of the Street Law Program (\$0.225 million), a reduction in legal expenses (\$0.2 million) resulting from a tightening of means test criteria and a more strict approach to the granting of extensions of legal assistance, offset by an increase in the cost of expensive criminal cases (\$0.2 million).
- depreciation and amortisation: the increase of \$0.099 million in the 2012-13 Budget from the 2011-12 estimated outcome is due to the completion of the New Directions Program (NDP).

Balance Sheet

- current and non current receivables: the increase of \$0.122 million in the 2011-12 estimated outcome from the original budget is mainly due to the inclusion of GST owing from the Australian Tax Office.
- other current assets: the increase of \$0.096 million in the 2011-12 estimated outcome from the original budget is due to the recognition of prepaid expenses.
- intangibles: the increase of \$0.347 million in the 2012-13 Budget from the 2011-12 estimated outcome is mainly due to the transfer of NDP software from capital works.

- capital works in progress:
 - the increase of \$0.268 million in the 2011-12 estimated outcome from the original budget is due to the recognition of work performed on the eGrants project; and
 - the decrease of \$0.272 million in the 2012-13 Budget from the 2011-12 estimated outcome is mainly due to the transfer of the cost of the NDP (\$0.472 million) into intangibles. This is partially offset by the commencement of the Legal Aid Management Information System project (\$0.2 million).
- payables: the increase of \$0.110 million in the 2011-12 estimated outcome from the original budget is due to the inclusion of GST owing to the Australian Tax Office.
- employee benefits current and non current: the decrease of \$0.608 million in the 2011-12 estimated outcome from the original budget is largely due to the impact of the discount rate on the long service leave liability, the flow on impact of the audited outcome and audit recommendations.
- other current provisions: the increase of \$0.470 million in the 2011-12 estimated outcome from the original budget is due to the flow on impact of the audited outcome and revisions to the estimation methodology.
- other non current provisions: the increase of \$0.548 million in the 2011-12 estimated outcome from the original budget is due to changes in the accounting treatment of the new office accommodation lease in the financial statements as at 30 June 2011.

Statement of Changes in Equity

Variations in the statement are explained in the notes above.

Cash Flow Statement

Variations in the statement are explained in the notes above.

