

## LEGAL AID COMMISSION (ACT)

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### Purpose

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

The purpose of the Commission is to promote a just society in the Australian Capital Territory by:

- ensuring that vulnerable and disadvantaged people receive the legal services they need to protect their rights and interests;
- 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 advice on law reform issues.

### 2013-14 Priorities

Strategic and operational issues to be pursued in 2013-14 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 the *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, Children's 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 by targeting Community Legal Education programs to disadvantaged groups identified in the Law Australia-Wide (LAW) Survey Report and other research into legal need;
- improving the provision of dispute resolution and other legal assistance services to the Aboriginal and Torres Strait Islander community;
- implementing the first year of the strategic plan for the Commission for the period 2013-2017; and
- surveying the quality and effectiveness of legal assistance services provided by the Commission.

## Estimated Employment Level

2011-12 Actual Outcome		2012-13 Budget	2012-13 Est. Outcome	2013-14 Budget
58	Staffing (FTE)	55	59 <sup>1</sup>	56 <sup>2</sup>

**Notes:**

1. The 2012-13 estimated outcome figures include 2 additional FTE for the Eastman Inquiry.
2. The 2013-14 Budget figure represents a net decrease of 3 FTE due to a reduction of 2 FTE as a result of the anticipated completion of the Eastman Inquiry and a reduction in 1 FTE to meet budget savings.

## Strategic Objectives

The Commission's Strategic Plan (2013-2017) 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 2013-14 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 protect their rights and interests. 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
- improving skills and work practices through staff training and development.

### 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 legal education programs tailored to the needs of people experiencing a high incidence of adverse legal events and those working in community organisations that assist them.

### 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 Classes

	Total Cost <sup>1</sup>		Government Payment for Outputs	
	2012-13	2013-14	2012-13	2013-14
	Est. Outcome \$'000	Budget \$'000	Est. Outcome \$'000	Budget \$'000
<b>Output Class 1: Legal Aid Services</b>	13,071	12,507	10,532	10,246
<b>Output 1.1: Legal Aid Services Provided by Private Legal Practitioners</b>	5,621	5,378	4,529	4,406

**Note:**

1. Total cost includes depreciation and amortisation expenses of \$0.507 million in 2012-13 and \$0.570 million in 2013-14.

### *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	
	2012-13	2013-14	2012-13	2013-14
	Est. Outcome \$'000	Budget \$'000	Est. Outcome \$'000	Budget \$'000
<b>Output 1.2: Legal Aid Services Provided by Commission Staff</b>	7,450	7,129	6,003	5,840

### *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

	2012-13 Targets	2012-13 Est. Outcome	2013-14 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>	300	1,180	1,200
b. Total number of duty lawyer services provided <sup>2</sup>	800	75	80
c. Grants referred to Private Practitioners <sup>3</sup>	1,200	1,160	1,010

### Notes:

1. Due to a systems error legal advice services provided by private practitioners have been incorrectly classified as duty lawyer services. The systems error, which has now been rectified, means that the 2012-13 target figure for legal advice services was under-estimated and the 2012-13 target figure for duty lawyer services was over-estimated. The target figures for the out years have been adjusted accordingly.
2. See Note 1 above.
3. The unfavourable variance in grants is due to increases in the cost of grants.

	2012-13 Targets	2012-13 Est. Outcome	2013-14 Targets
<b>Output 1.2: Legal Aid Services Provided by Commission Staff</b>			
a. Number of information and referral services provided <sup>1</sup>	60,000	59,000	60,000
b. Number of legal advice and minor legal assistance services provided in person <sup>2</sup>	4,000	3,000	3,500
c. Number of advocacy services provided <sup>3</sup>	400	630	650
d. Number of legal information and advice services provided by the Legal Aid Helpline <sup>4</sup>	7,500	9,400	9,000
e. Number of duty lawyer services provided <sup>5</sup>	2,500	2,400	2,500
f. Number of legally assisted cases assigned to Commission staff <sup>6</sup>	1,000	950	930

### Notes:

1. The figure includes website usage data in accordance with reporting requirements under the National Partnership Agreement.
2. Legal advice is specific advice of a legal nature 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. The unfavourable variance is likely to be due to under-reporting of some minor assistance services.
3. Advocacy without a grant of assistance is a new service classification introduced by the National Partnership Agreement on Legal Assistance Services. 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. The increase in Helpline calls is likely to be attributable to increased community awareness of this service following the establishment of the Legal Aid Helpdesk in July 2012.
5. 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. Variances in the number of duty lawyer services reflect fluctuations in demand.
6. Grants of legal assistance are 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 unfavourable variance in legally-assisted cases assigned to Commission staff is attributable to the 5 per cent fall in the number of grants of assistance in 2012-13 as a result of increasing costs.

## Changes to Appropriation

### Changes to Appropriation – Controlled

	2012-13	2013-14	2014-15	2015-16	2016-17
Government Payment for Outputs	Est. Out.	Budget	Estimate	Estimate	Estimate
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2012-13 Budget</b>	<b>9,680</b>	<b>9,573</b>	<b>9,697</b>	<b>9,816</b>	<b>9,816</b>
<b>2013-14 Budget Policy Adjustments</b>					
Expensive Cases Reserve	-	200	-	-	-
Eastman Inquiry	-	516	-	-	-
<b>2013-14 Budget Technical Adjustments</b>					
Revised Indexation Parameters	-	(6)	(6)	(6)	89
Revised Superannuation Parameters	-	(19)	(60)	(95)	(98)
Treasurer's Advance – Eastman Inquiry	852	-	-	-	-
Commonwealth Grants – Legal Aid NP	-	(18)	(18)	(22)	61
<b>2013-14 Budget</b>	<b>10,532</b>	<b>10,246</b>	<b>9,613</b>	<b>9,693</b>	<b>9,868</b>

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

2012-13 Budget \$'000		2012-13 Est. Outcome \$'000	2013-14 Budget \$'000	Var %	2014-15 Estimate \$'000	2015-16 Estimate \$'000	2016-17 Estimate \$'000
<b>Income</b>							
<b>Revenue</b>							
9,680	Government Payment for Outputs	10,532	10,246	-3	9,613	9,693	9,868
457	User Charges — Non ACT Government	435	406	-7	413	419	426
234	Interest	187	192	3	196	201	207
1,400	Other Revenue	1,411	1,328	-6	1,362	1,396	1,431
<b>11,771</b>	<b>Total Revenue</b>	<b>12,565</b>	<b>12,172</b>	<b>-3</b>	<b>11,584</b>	<b>11,709</b>	<b>11,932</b>
<b>11,771</b>	<b>Total Income</b>	<b>12,565</b>	<b>12,172</b>	<b>-3</b>	<b>11,584</b>	<b>11,709</b>	<b>11,932</b>
<b>Expenses</b>							
5,049	Employee Expenses	5,152	5,197	1	5,117	5,182	5,249
860	Superannuation Expenses	860	872	1	867	864	861
5,665	Supplies and Services	6,517	5,842	-10	5,236	5,257	5,354
501	Depreciation and Amortisation	507	570	12	671	639	657
32	Other Expenses	35	26	-26	27	28	28
<b>12,107</b>	<b>Total Ordinary Expenses</b>	<b>13,071</b>	<b>12,507</b>	<b>-4</b>	<b>11,918</b>	<b>11,970</b>	<b>12,149</b>
<b>-336</b>	<b>Operating Result</b>	<b>-506</b>	<b>-335</b>	<b>34</b>	<b>-334</b>	<b>-261</b>	<b>-217</b>
<b>-336</b>	<b>Total Comprehensive Income</b>	<b>-506</b>	<b>-335</b>	<b>34</b>	<b>-334</b>	<b>-261</b>	<b>-217</b>

## Legal Aid Commission (ACT) Balance Sheet

Budget as at 30/6/13 \$'000		Est. Outcome as at 30/6/13 \$'000	Budget as at 30/6/14 \$'000	Var %	Estimate as at 30/6/15 \$'000	Estimate as at 30/6/16 \$'000	Estimate as at 30/6/17 \$'000
<b>Current Assets</b>							
3,782	Cash and Cash Equivalents	3,436	3,116	-9	3,391	3,672	4,015
194	Receivables	269	280	4	291	301	312
169	Other Current Assets	95	94	-1	95	94	93
<b>4,145</b>	<b>Total Current Assets</b>	<b>3,800</b>	<b>3,490</b>	<b>-8</b>	<b>3,777</b>	<b>4,067</b>	<b>4,420</b>
<b>Non Current Assets</b>							
2,720	Property, Plant and Equipment	2,839	2,564	-10	2,194	1,931	1,550
459	Intangibles	447	481	8	778	504	330
200	Capital Works in Progress	200	500	150	0	0	0
<b>3,379</b>	<b>Total Non Current Assets</b>	<b>3,486</b>	<b>3,545</b>	<b>2</b>	<b>2,972</b>	<b>2,435</b>	<b>1,880</b>
<b>7,524</b>	<b>TOTAL ASSETS</b>	<b>7,286</b>	<b>7,035</b>	<b>-3</b>	<b>6,749</b>	<b>6,502</b>	<b>6,300</b>
<b>Current Liabilities</b>							
456	Payables	301	301	-	301	301	301
77	Finance Leases	70	70	-	70	70	70
1,164	Employee Benefits	1,350	1,403	4	1,455	1,506	1,558
561	Other Provisions	503	503	-	502	503	504
85	Other Liabilities	115	115	-	115	115	115
<b>2,343</b>	<b>Total Current Liabilities</b>	<b>2,339</b>	<b>2,392</b>	<b>2</b>	<b>2,443</b>	<b>2,495</b>	<b>2,548</b>
<b>Non Current Liabilities</b>							
70	Finance Leases	50	50	-	50	50	50
180	Employee Benefits	195	195	-	195	195	195
1,697	Other Non-Current Provisions	1,697	1,728	2	1,725	1,687	1,649
<b>1,947</b>	<b>Total Non Current Liabilities</b>	<b>1,942</b>	<b>1,973</b>	<b>2</b>	<b>1,970</b>	<b>1,932</b>	<b>1,894</b>
<b>4,290</b>	<b>TOTAL LIABILITIES</b>	<b>4,281</b>	<b>4,365</b>	<b>2</b>	<b>4,413</b>	<b>4,427</b>	<b>4,442</b>
<b>3,234</b>	<b>NET ASSETS</b>	<b>3,005</b>	<b>2,670</b>	<b>-11</b>	<b>2,336</b>	<b>2,075</b>	<b>1,858</b>
<b>REPRESENTED BY FUNDS EMPLOYED</b>							
3,234	Accumulated Funds	3,005	2,670	-11	2,336	2,075	1,858
<b>3,234</b>	<b>TOTAL FUNDS EMPLOYED</b>	<b>3,005</b>	<b>2,670</b>	<b>-11</b>	<b>2,336</b>	<b>2,075</b>	<b>1,858</b>

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

Budget as at 30/6/13 \$'000		Est. Outcome as at 30/6/13 \$'000	Budget as at 30/6/14 \$'000	Var %	Estimate as at 30/6/15 \$'000	Estimate as at 30/6/16 \$'000	Estimate as at 30/6/17 \$'000
<b>Opening Equity</b>							
3,570	Opening Accumulated Funds	3,511	3,005	-14	2,670	2,336	2,075
<b>3,570</b>	<b>Balance at the Start of the Reporting Period</b>	<b>3,511</b>	<b>3,005</b>	<b>-14</b>	<b>2,670</b>	<b>2,336</b>	<b>2,075</b>
<b>Comprehensive Income</b>							
-336	Operating Result for the Period	-506	-335	34	-334	-261	-217
<b>-336</b>	<b>Total Comprehensive Income</b>	<b>-506</b>	<b>-335</b>	<b>34</b>	<b>-334</b>	<b>-261</b>	<b>-217</b>
<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>Closing Equity</b>							
3,234	Closing Accumulated Funds	3,005	2,670	-11	2,336	2,075	1,858
<b>3,234</b>	<b>Balance at the End of the Reporting Period</b>	<b>3,005</b>	<b>2,670</b>	<b>-11</b>	<b>2,336</b>	<b>2,075</b>	<b>1,858</b>



## Legal Aid Commission (ACT) Cash Flow Statement

2012-13 Budget \$'000		2012-13 Est. Outcome \$'000	2013-14 Budget \$'000	Var %	2014-15 Estimate \$'000	2015-16 Estimate \$'000	2016-17 Estimate \$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>							
<b>Receipts</b>							
9,680	Cash from Government for Outputs	10,532	10,246	-3	9,613	9,693	9,868
334	User Charges	312	282	-10	288	292	299
231	Interest Received	184	190	3	194	198	204
1,401	Other Receipts	1,412	1,328	-6	1,362	1,396	1,431
<b>11,646</b>	<b>Operating Receipts</b>	<b>12,440</b>	<b>12,046</b>	<b>-3</b>	<b>11,457</b>	<b>11,579</b>	<b>11,802</b>
<b>Payments</b>							
4,998	Related to Employees	5,042	5,145	2	5,066	5,133	5,198
860	Related to Superannuation	860	872	1	866	863	860
5,511	Related to Supplies and Services	6,363	5,721	-10	5,150	5,202	5,301
<b>11,369</b>	<b>Operating Payments</b>	<b>12,265</b>	<b>11,738</b>	<b>-4</b>	<b>11,082</b>	<b>11,198</b>	<b>11,359</b>
<b>277</b>	<b>NET CASH INFLOW/ (OUTFLOW) FROM OPERATING ACTIVITIES</b>	<b>175</b>	<b>308</b>	<b>76</b>	<b>375</b>	<b>381</b>	<b>443</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>							
<b>Payments</b>							
350	Purchase of Property, Plant and Equipment and Capital Works	427	628	47	100	100	100
<b>350</b>	<b>Investing Payments</b>	<b>427</b>	<b>628</b>	<b>47</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>-350</b>	<b>NET CASH INFLOW/ (OUTFLOW) FROM INVESTING ACTIVITIES</b>	<b>-427</b>	<b>-628</b>	<b>-47</b>	<b>-100</b>	<b>-100</b>	<b>-100</b>
<b>-73</b>	<b>NET INCREASE / (DECREASE) IN CASH HELD</b>	<b>-252</b>	<b>-320</b>	<b>-27</b>	<b>275</b>	<b>281</b>	<b>343</b>
<b>3,855</b>	<b>CASH AT THE BEGINNING OF REPORTING PERIOD</b>	<b>3,688</b>	<b>3,436</b>	<b>-7</b>	<b>3,116</b>	<b>3,391</b>	<b>3,672</b>
<b>3,782</b>	<b>CASH AT THE END OF REPORTING PERIOD</b>	<b>3,436</b>	<b>3,116</b>	<b>-9</b>	<b>3,391</b>	<b>3,672</b>	<b>4,015</b>

## Notes to the Budget Statements

Significant variations are as follows:

### *Operating Statement*

- government payment for outputs:
  - the increase of \$0.852 million in the 2012-13 estimated outcome from the original budget is due to Treasurer's Advance received for the Eastman Inquiry; and
  - the decrease of \$0.286 million in the 2013-14 Budget from the 2012-13 estimated outcome is mainly due to a reduction in funding for the Eastman Inquiry due to its expected completion in the first half of the financial year.
- supplies and services:
  - the increase of \$0.852 million in the 2012-13 estimated outcome from the original budget is due to the legal costs of the Eastman Inquiry; and
  - the decrease of \$0.675 million in the 2013-14 Budget from the 2012-13 estimated outcome is due to a reduction in the legal expenses of the Eastman Inquiry and other reductions in legal and administrative costs.

### *Balance Sheet*

- cash and cash equivalents:
  - the decrease of \$0.346 million in the 2012-13 estimated outcome from the original budget reflects the cash impact of operating activities in 2011-12 and 2012-13, as well as capital purchases; and
  - the decrease of \$0.320 million in the 2013-14 Budget from the 2012-13 estimated outcome is due to capital purchases.
- property, plant and equipment: the decrease of \$0.275 million in the 2013-14 Budget from the 2012-13 estimated outcome is due to annual depreciation in excess of new purchases of plant and equipment that are placed into operation.
- capital works in progress: the increase of \$0.3 million in the 2013-14 Budget from the 2012-13 estimated outcome is due to the cost of Stage 2 of Legal Aid Management Information System (LAMIS) (\$0.5 million) less the transfer of the Stage 1 cost (\$0.2 million) to intangible assets.

### *Statement of Changes in Equity and Cash Flow Statement*

Variations in the statements are explained in the notes above.