
New South Wales Government
Attorney General's Department

↑
Office of the Protective Commissioner
Office of the Public Guardian
Justice Precinct Offices
Births, Deaths & Marriages
Heritage Courtyard
Jeffery House
Recreation Hub

PARRAMATTA JUSTICE PRECINCT

About us

Legal Aid NSW is the largest legal aid agency in Australia. We provide a range of legal services to socially and economically disadvantaged people through our Central Sydney office and 21 regional offices around NSW.

We also work in partnership with private lawyers who receive funding from Legal Aid NSW to represent legally aided clients.

We are an independent statutory body reporting to the NSW Attorney General, the Hon Greg Smith SC.

Our Vision

To ensure that people who are economically and socially disadvantaged can understand, protect and enforce their legal rights and interests.

Our Mission

To deliver a range of innovative, high quality legal services to our clients and the community, to assist them to resolve their legal problems.

Our Values



Integrity: Acting ethically at all times

Professionalism: Providing high quality services

Efficiency: Using resources responsibly

Equity: Ensuring equitable access to services

Cover: Lawyers and administrative staff from the criminal law practice work in a team environment at Parramatta Justice Precinct, representing clients appearing at the Parramatta Children's Court, Local Courts at Parramatta and Ryde, the Parramatta Trial Court Complex, the Parole Authority and the Drug Court.

The office at the Parramatta Justice Precinct and the Drug Court team also located at Parramatta is home to over 60 highly committed staff. This includes the specialist services provided by the Children's Legal Service, Prisoners Legal Service and Drug Court team.

They also provide community legal education in schools, youth centres and gaols and contribute to law reform initiatives in their areas of expertise.

The Hon Greg Smith SC
Attorney General and Minister for Justice
Governor Macquarie Tower
Sydney NSW 2000

Dear Attorney

Legal Aid NSW has pleasure in presenting to you the report of its activities for the year ended 30 June 2011. This report is submitted in accordance with section 13 (1) of the *Legal Aid Commission Act 1979* and section 10 (1) of the *Annual Reports (Statutory Bodies) Act 1984*.

Yours sincerely

Richard Funston
Acting Chief Executive Officer
October 2011

About this report

This annual report reviews and reports our activities and performance, including what we set out to do in our Corporate Plan 2009-2011, based on four key corporate priorities – Social Inclusion, Access to Justice, Integrated Services and Organisational Flexibility.

Achievements in this report are aligned with our plan – services for people at greatest risk of social exclusion with a focus on early intervention, strong partnerships, and greater flexibility so we can respond better to clients' changing legal needs.

This report incorporates all operational activities of our organisation, including joint initiatives. It reflects our commitment to effective corporate governance through openness and accountability and provides an account of our revenue and how we have used public funds.

As well as the past year, the report looks to the year ahead and provides an insight into the challenges facing Legal Aid NSW.

In this report we refer to ourselves as Legal Aid NSW. Although our organisation is established under the *Legal Aid Commission Act 1979*, the Board endorsed the use of the name Legal Aid NSW in 2006.

This is our 32nd annual report. This and earlier annual reports are available on the Legal Aid NSW website: www.legalaid.nsw.gov.au

Printed copies are available on request by contacting us on 9219 5028.

Last year's annual report received a Gold Award from the Australasian Reporting Awards – our fourth Gold Award.

Contents

Overview

Chair's report	2
CEO's report	3
Highlights at a glance	5
Fact file	6
Measuring performance	7
Corporate Plan	8
Services at a glance	10
Justice system	12
Section 1 Client services	13
Client service delivery highlights, including case reports, research and policy direction	
Section 2 Collaborating with our partners	31
Key partners help us to improve our services	
Section 3 Managing our organisation	45
The performance of our highly skilled people; and our efficiency highlights	
Section 4 Corporate governance	55
The Board	56
Executive Directors	58
Organisation chart	60
Governance framework	61
Section 5 Financial summary	66
Financial overview and statements	67
Section 6 Appendices	131
Glossary	159
Index	161
5 year performance trends	164
How to contact us	Back cover

Chair's report

On behalf of the Board I am pleased to introduce the 2010-2011 Annual Report.

I have been delighted to chair a Board that comprises members who bring a diversity of skills and perspectives to their role. I particularly want to welcome Barbara Ramjan who joined the Board in October.

The Board, appointed by the Attorney General, oversees the long-term strategic direction of Legal Aid NSW. Under Section 15 of the *Legal Aid Commission Act 1979*, the Board is responsible for establishing the broad policies and strategic plans of Legal Aid NSW. As such, a key role for the Board is to ensure that policies that govern the provision of legal aid reflect the changing needs of disadvantaged people in NSW.

Responding to changing needs

This year the Board approved changes to policy in relation to criminal law fee scales, compulsory schooling order matters in the Children's Court, extended supervision orders under the *Crimes (Serious Sex Offenders) Act 2006* and preventative detention and prohibited contact orders under Commonwealth and State terrorism legislation.

This year the Board focused on the establishment and expansion of services under the National Partnership Agreement on Legal Assistance Services such as the Family Law Early Intervention Service and the expansion of the Government Law Program.

“*Legal Aid NSW is an innovative, efficient and productive organisation providing a broad range of services that now make up our legal aid system.*”

The Board was also briefed on issues relating to reform of bail laws and provision of legal services by audio-visual link. The Board oversaw the expansion of State funded services such the pilot project with Bidura Children's Court to use alternative dispute resolution procedures in care and protection matters and the establishment of a new Drug Court for the Hunter.

Quality services

The Board plays an important role to ensure that legal aid services are delivered efficiently and to a high standard. During 2010-2011 the Board considered outcomes of program and service reviews at Legal Aid NSW, including a review of the Advocates and Senior Advocates, a review of procedures for allocating criminal law duty and case work to private lawyers and a review of the Family Dispute Resolution Service. These reviews provided useful recommendations for improvements.

New government—new agenda

The Board was pleased to host the new Attorney General, the Hon Greg Smith SC, soon after being appointed to office. The meeting was valuable and productive, providing an opportunity to discuss the Government's priorities and hear about the work of Legal Aid NSW. We are confident that the engagement with the Attorney will continue over the coming year.

The year ahead

The year ahead will provide an opportunity to consolidate the initiatives and reforms of this year.

The Board will oversee the implementation of the recommendations arising from the service and program reviews. In particular, the Board will be involved in discussions about revising procedures for the allocation of matters to private lawyers with a view to seeking to minimise the impact on service delivery and the workload for Legal Aid NSW staff.

We will also work hard to ensure the new services established over the past year deliver their expected outcomes.

The Board will continue to work closely with the CEO and Executive team to respond both to the new government's reform agenda and the changing needs of disadvantaged people in NSW.

After three years as CEO, Alan Kirkland left Legal Aid NSW, and the Board acknowledges his service since joining us from the Australian Law Reform Commission. Richard Funston has been appointed Acting CEO until such time as a new permanent appointment has been made. The Board also recognises the long service of the two former Deputy CEOs, Steve O'Connor and Russell Cox.

It has been a privilege to lead the Board over the last year. Legal Aid NSW is an innovative, efficient and productive organisation providing a broad range of services that now make up our legal aid system. I look forward to continuing our engagement with the State government and building on the valuable work undertaken this year.

Hon Peter Collins AM QC
Chair, Legal Aid NSW



CEO's report

I am pleased to present the Legal Aid NSW 2010-2011 Annual Report.

This has been a year of growth and change for Legal Aid NSW.

We began the year with a \$10 million funding increase as part of the new National Partnership Agreement on Legal Services (the NPA) and I was delighted with the way in which Legal Aid NSW commenced work under the Agreement. We moved fast, to establish new services and expand the reach of existing services. As a result, Legal Aid NSW continued to be seen as a leader and innovator in the provision of legal assistance to very disadvantaged people.

This year represented the final year of our Corporate Plan 2009-2011 and this report provides an overview of our achievements in the four key focus areas of that plan.

Social inclusion

With additional funding under the NPA we established an innovative Family Law Early Intervention Service and by the end of the financial year, there were already positive signs of its impact on the way in which matters were progressing through the courts.

We also expanded our Government Law practice, which provides assistance in relation to Commonwealth benefits and immigration matters, and expanded the reach of our specialist initiative for people facing prosecution for Centrelink fraud, through the integration of criminal and civil law expertise.

Our unique Regional Outreach Clinic Program was also expanded, to now provide regular legal advice clinics in 13 of the most disadvantaged towns in New South Wales, from Dareton in the Far South West to Macksville on the North Coast.

Access to justice

With additional State Government funding, confirmed by the new Government, we employed additional staff to represent defendants appearing in the new Drug Court in the Hunter in March 2011, and increased the staffing in our Children's Legal Service, which assists children and young people charged with criminal offences. We also coordinated a pilot of external mediation for families in care and protection matters, referred from Bidura Children's Court, and funded lawyers to participate in dispute resolution conferences organised by the Court.

This year involved a significant increase in our services for people accused of Commonwealth crimes. A small number of tireless lawyers, from within Legal Aid NSW and in private practice, have provided services to 95 people charged with people smuggling offences. To manage the large influx of these matters, we moved quickly to establish a specialist Commonwealth Crimes Unit, and recruited additional criminal lawyers to manage these complex matters.

In April 2011, I was proud to host the graduation of 10 lawyers from diverse backgrounds who were selected to participate in our family

dispute resolution traineeship program. These lawyers, from Vietnamese, Spanish, Arabic, Chinese, Indian, African and Pakistani communities, are now accredited family mediators, which will allow them to conduct family law mediations and improve links between their communities, legal assistance services and the family law system.

Through 2010-2011, our civil lawyers continued to lead the response to major disasters. Lawyers at the Wagga Wagga office of Legal Aid NSW did a remarkable job responding to the October floods in the Riverina. As a humanitarian gesture, civil lawyers across Legal Aid NSW assisted Legal Aid Queensland to deal with the enormous wave of demand arising from the January 2011 storms, floods and cyclones.

This was also a big year for law reform, and Legal Aid NSW provided the Commonwealth and State Governments with considered, practice-based advice on issues ranging from family violence to juvenile remand. I was particularly pleased with our contribution to discussions about bail law reform, supported by many criminal lawyers who took the time to contribute to our submissions.

...continues next page



“**Legal Aid NSW continued to be seen as a leader and innovator in the provision of legal assistance to very disadvantaged people.**”

Overview

Integrated services

Recognising that Legal Aid NSW is but one player in the legal assistance sector, we continued to collaborate with our partners in the sector. Legal Aid NSW staff made an important contribution to the work of the NSW Legal Assistance Forum, which delivered a number of practical improvements in the availability of legal assistance, particularly for prisoners.

I am particularly proud of our long and strong association with the Aboriginal Legal Service NSW/ACT, which was strengthened through the development of a new Statement of Commitment, and our agreement to establish three new Field Officer positions to increase access to civil and family law services for Aboriginal people.

We also established a strategic research alliance with the NSW Law and Justice Foundation, to help us to evaluate the effectiveness of our services and build a stronger evidence base for our work.

Organisational flexibility

One of the weaknesses in the capacity of Legal Aid NSW that was identified in the Corporate Plan was around our ability to identify and respond to changes in demand. This has been a particular concern in relation to our criminal law services, where we have had a limited understanding of the factors that have driven growth in expenditure.

In early 2011, I commissioned an analysis of the cost drivers in criminal law expenditure, with reference to BOCSAR and court data. This analysis will help us to work with other Government agencies, to ensure that we have a sustainable funding base and to contribute to reforms in the justice system.

Internal changes

Late in 2010, I commissioned two reviews: one looking at the senior management structure at Legal Aid NSW and another looking at the structure and focus of our Human Resources Management Branch.

These reviews led to some important changes in the executive structure of Legal Aid NSW. This meant that we farewelled two Deputy CEOs, Steve O'Connor and Russell Cox, in December 2010 and our Director of Human Resources, Jennifer Bulkeley. I would like to thank Steve, Russell and Jennifer for their commitment and contribution to Legal Aid NSW.

The changes also saw Patricia O'Farrell join us as Deputy CEO, Operations; Vicki Leaver join us as Executive Director, People and Organisational Development; and Annmarie Lumsden assume the new role of Executive Director, Strategic Policy, Planning and Management Reporting.

Refinement of the structure, to reflect the priorities of the new Attorney General, will be a priority during 2011-2012.

Financial performance

Our expenditure, in line with funding provided by the State and Commonwealth Governments and the Public Purpose Fund, grew from \$217.2 million in 2009-2010 to \$230.2 million in 2010-2011. This was consistent with the growth in total funding over the past three years, which has seen total approved expenditure, as indicated in the State Budget papers, increase from \$193.4 million in 2008-2009 to \$241.8 million for 2011-2012. It is unlikely that this unusual rate of growth in funding will be able to be sustained into the future.

The operating result for 2010-2011 was better than budget by approximately \$0.2 million.

The year ahead

The work of Legal Aid NSW in 2011-2012 will be driven largely by the priorities of the new State Government.

A review of legal assistance services will guide future decisions about resource allocation and prioritisation, and reviews of bail and sentencing laws are anticipated to have a significant impact on the nature of, and demand for, our criminal law services into the future.

Legal Aid NSW will be guided by a new, two-year corporate plan, which will have a stronger emphasis on supporting staff, particularly those in frontline service delivery roles.

For the public, Legal Aid NSW will present a fresh face through a contemporary, user-friendly website, providing a significantly enhanced range of information about our services.

In closing, I would like to thank everybody who contributed to our significant effort in 2010-2011—the Board, the Executive team and most importantly, our hardworking staff. Every day, staff at Legal Aid NSW are at work assisting people with legal problems or ensuring that our organisation runs effectively. Our justice system would be much poorer without them.



Alan Kirkland
CEO, Legal Aid NSW

Highlights at a glance

What we did

We provided 818,250 client services and increased our programs and services by allocating resources effectively. By taking our services right into communities through outreach programs, we provided much needed legal services, increasing minor assistance services by 37.5%. New early intervention programs will help keep people out of court and the prison system whilst new

regional programs are bringing our services into the reach of more people in rural and regional New South Wales.

As well as completing the goals set out in our Corporate Plan 2009-2011, we developed a new Legal Aid NSW Plan to guide our work over the next two years. We are in a strong position to look to the future.

There are four priorities in the 2009-2011 Corporate Plan

PRIORITY 1: SOCIAL INCLUSION

Prioritising services for people at greatest risk of social exclusion

- Established the Early Intervention Unit in family law (p 21)
- Expanded domestic violence services with a 78.7% service increase (p 37)
- Profiled frequent users of legal aid services (p 14)
- Evaluated the Mortgage Hardship Service (p 23)
- Conducted client surveys (p 14)
- Introduced 'minor assistance clinics' (p 21)
- Increased minor assistance services by 37.5% (p 6, 21, 24)

PRIORITY 2: ACCESS TO JUSTICE

Legal assistance through information, community education and reform

- Played a key role in the new Hunter Drug Court (p 19)
- Increased community legal education by 50.7% (p 27)
- Appointed and trained 10 multicultural mediators (p 29)
- Made 36 law reform submissions (p 28)
- Increased outreach services to 146 locations, a 49% increase (p 7, 17)
- Funded a new community legal centre on the Mid North Coast (p 35)
- Developed a barristers' panel for complex criminal law matters (p 33)

PRIORITY 3: INTEGRATED SERVICES

Strong partnerships with local legal service providers, community groups and government

- Appointed 510 more lawyers to panels – a 17% increase on last year (p 33)
- Funded 14 new community legal centre projects (p 36)
- Developed a new agreement with the Aboriginal Legal Service (p 44)
- Implemented a binding National Partnership Agreement that supports key projects (p 43)
- Trained our partners in new skills (p 41)

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

Responding to changing legal needs

- Commenced a project to identify and gather data collected by external agencies on factors relevant to Legal Aid NSW services (p 26)
- Completed an analysis of legal aid criminal law expenditure (p 51)
- Developed consistent data definitions and a reporting framework for the National Partnership Agreement (p 43)
- Developed a new Information and Communication Technology Strategic Plan for 2011- 2013 (p 52)
- Conducted new "whole of office" planning (p 52)

Financial management

Our net financial result was a deficit of \$0.6 million, which is a small improvement on the budgeted deficit and a further improvement on the previous year's deficit of \$2.6 million.

Financial summary

	2009-2010 (\$M)	2010-2011 (\$M)	Change (%)
Operating revenue	215.1	230.1	7.0
Operating expenses	217.2	230.2	6.0
Total assets	98.9	97.8	(1.1)
Total liabilities	62.9	62.1	(1.3)
Surplus/Deficit	(2.6)	(0.6)	76.9
Net equity	36.0	35.8	(0.6)

Fact file

Finance

Our total income was \$230.1 million and we spent \$230.2 million.

Of our total expenditure, 47.6% was spent in criminal law, 28.9% in family law, 11.8% in civil law and 11.7% in community programs. See the financial summary on page 66 for details about where our funds come from and how we spend them. Details about our community program funding can be found in Appendices 5 and 6.

People

We employed 972 staff (880.28: full-time equivalent), 421 in regional offices and the balance in the Central Sydney office. Of that total, 481 staff are lawyers and 491 are employed in administrative and corporate services roles.

Sixty eight lawyers have specialist accreditation (NSW Law Society qualifications for expertise in the field).

Management

An independent Board oversees our long-term strategic direction, whilst the day-to-day management is overseen by the CEO, assisted by a Deputy CEO, Operations and eight Executive Directors.

See pages 56 and 58 for their profiles and achievements.

Private lawyers – our key partners

In 2010-2011, 43.7% of our case and duty services were provided by private lawyers. See Assigned Grants and Duty Services in Appendix 7.

Structure

Following a review of our executive management structure, our organisation now has eight divisions – Criminal Law, Family Law, Civil Law, Grants and Community Partnerships, Strategic Policy, Planning and

Management Reporting, Finance and Administration, People and Organisational Development, and IT Services and Records.

Three of these divisions are legal practices – Civil Law, Family Law and Criminal Law (pages 19-25). Each legal practice has a number of specialist services (page 11).

Our organisational chart appears on page 60.

Clients

The majority of services delivered by Legal Aid NSW are provided to people from disadvantaged socio-economic groups. This includes people on low incomes, from rural and regional areas and coming from non-English speaking backgrounds.

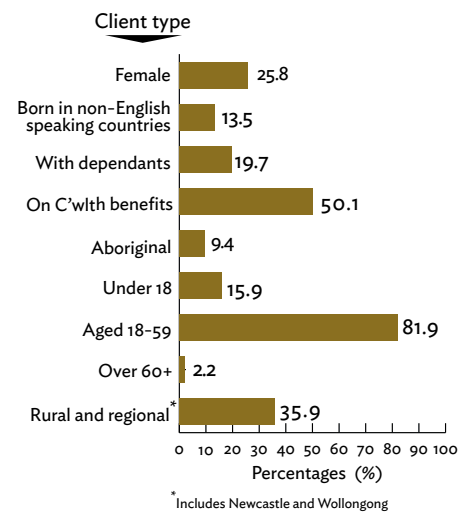
Our client profile has remained relatively stable in the last five years; however there has been an ongoing increase in the percentage of total case and inhouse duty services provided to Aboriginal people, reflecting an emphasis by Legal Aid NSW on meeting the needs of this particularly disadvantaged group.

Performance

The operations of Legal Aid NSW are guided by a number of plans, including our Corporate Plan and divisional plans.

Our key performance indicators measure how we are performing in accomplishing our core business. See pages 8-9 for our Corporate Plan and summary of future goals, and page 7 for our indicators and targets.

CLIENT PROFILE LEGAL AID NSW
BASED ON TOTAL CASE GRANTS & IN-HOUSE DUTY SERVICES



Key legislation

Our organisation was established under the *Legal Aid Commission Act 1979*.

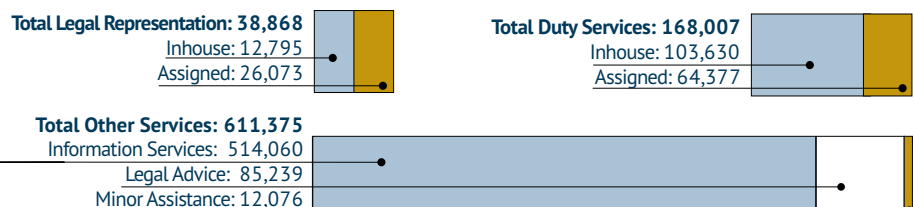
Section 68 of the *Legal Aid Commission Act 1979* enables Legal Aid NSW to establish special consultative committees to advise the Board in exercising its functions under the Act. A full list of these committees appears in Appendix 13.

The health and safety of people in our workplace is conducted in accordance with s 18 of the *Occupational Health and Safety Act 2000*.

Our financial statements are prepared in accordance with the provisions of the *Public Finance and Audit Act 1983*.

We increased minor assistance services by 37.5%.

TOTAL CLIENT SERVICES IN 2010-2011: 818,250



Measuring performance

Performance indicators and service delivery targets help us meet our objectives and achieve results for the community.

Legal Aid NSW maintained a sound performance effort in 2010-2011. We provided more information services, advice and minor assistance, and our community legal

education sessions increased by 50.7%. Satisfactory results continued to be achieved in an overwhelming majority of inhouse file reviews. The biennial client satisfaction survey showed an 89.5% satisfaction rating. The results will be published on our website later in 2011.

Performance Area	Key Performance Indicators		
	RESULT 08-09	RESULT 09-10	RESULT 10-11
Community awareness of legal rights and responsibilities			
Client satisfaction rating	86.5%*	N/A (survey not conducted during 2009-10)	89.5%
Average waiting time for advice appointments	0.93 weeks	1.12 weeks	0.94 weeks
Number of information services provided	410,053	497,872	514,060
Rate per 100,000 of NSW population accessing information services	5,810	6,991	7,138
Number of advice and minor assistance services provided	88,763	93,666	97,315
Rate per 100,000 of NSW population accessing advice and minor assistance services	1,258	1,315	1,351
Number of publications distributed	548,203	634,496	647,800
Rate per 100,000 of people accessing publications	7,767	8,910	8,995
Accessibility of legal aid			
Means test income limit as a % of national minimum weekly wage	58.5%	58.5%	55.8%
Percentage of Local Court sittings serviced by duty lawyer schemes	100%	100%	100%
Representation service standards			
Percentage of satisfactory comprehensive inhouse file reviews	96.4%	97.4%	97.8%
Number of Legal Aid NSW lawyers with specialist accreditation	66	65	68
Number of Legal Aid NSW lawyer attendances at training sessions	1,813	2,648	2,034
Number of private lawyer attendances at Legal Aid NSW training sessions	1,316	1,560	796

*Survey based on civil law clients only

Service delivery targets

An overview of service delivery targets and results relating to delivery of Legal Aid NSW services.

Measure (total number)	2009-2010 performance	2010-2011 target	2010-2011 performance	2011-2012 target
Legal advice services	84,884	90,000	85,239	90,000
Information services	497,872	530,000	514,060	530,000
In-house and assigned duty services	168,382	170,000	168,007	170,000
Conferences - family dispute resolution	2,574	2,600	2,486	2,600
Community legal education sessions	1,425	1,500	2,148	2,150
Outreach advice services	10,375	11,000	10,092	11,000
Locations with regular outreach*	98	107	146	150
Locations with regular outreach for Aboriginal communities	11	14	12	14

*Where inhouse practice areas conduct outreach in the same location, the location is only counted once. Includes outreach locations of the Regional Outreach Clinic Program and the Cooperative Legal Service Delivery Program.

CORPORATE PLAN 2009–2011

Corporate priorities	Corporate actions
<p>1 Social inclusion Prioritisation of services for those at greatest risk of social exclusion</p>	<p>Revise key policies on access to aid, based on evidence of social inclusion and exclusion</p> <p>Expand and improve services for Aboriginal communities, people in domestic violence situations and people experiencing financial stress</p> <p>Improve relationships with non-legal service providers working with disadvantaged communities</p>
<p>2 Access to justice Early access to legal assistance through information, community education and reforms to the legal system</p>	<p>Make better use of the web, to improve access to information on legal issues and services</p> <p>Develop and implement community legal education programs for emerging migrant and refugee communities</p> <p>Expand and improve outreach services in Aboriginal communities</p> <p>Contribute to reforms to the legal system, particularly in relation to dispute resolution, trial efficiency and diversion from the criminal justice system</p>
<p>3 Integrated services Improved responses to the diverse needs of clients</p>	<p>Introduce new cross-divisional service delivery initiatives</p> <p>Provide more opportunities for staff to train and work across traditional program boundaries</p> <p>Improve communication and collaboration with private lawyers, the Aboriginal Legal Service and community legal centres</p>
<p>4 Organisational flexibility Better understanding of, and responsiveness to, changing legal needs</p>	<p>Develop an integrated suite of demand, cost and efficiency indicators</p> <p>Improve the ability of staff to interpret and apply data, through better communication, systems and training</p>

We completed our two-year plan, achieving many of our goals.

What we achieved

- Conducted studies and research that will help guide our policymaking and casework (p 14).
- Established an Early Intervention Unit in family law to help people at greatest risk of social exclusion (p 21).
- Review of means test and civil law policies to incorporate social inclusion principles is ongoing; final report due in late 2011 (p 14, 51).

- Increased domestic violence services by 78.7% since expansion.
- Evaluated the Mortgage Hardship Service (p 23).
- Expanded homeless outreach clinics in local health centres (p 17).
- Trained and resourced our partners so they are in a stronger position to help disadvantaged clients (p 41).

- Redeveloped our website with new features that quickly guide the public to legal help (p 52).
- Expanded community legal education programs for community workers working with socially excluded people (p 27, 28, 43).

- Expanded outreach advice services to areas with significant Aboriginal populations (p 15, 40).
- Made 36 law reform submissions (p 28).
- Supported the expansion of the Drug Court to the Hunter region (p 19).
- Developed a new specialist barristers' panel for complex criminal law matters (p 33).

- Reviewed a pilot that combines criminal and civil law services to provide a better service to people charged with Centrelink fraud (p 19).
- Assisted staff to work across practice areas and programs (p 49, 50).
- Improved training and development opportunities for private lawyers who undertake legal aid work (p 41).
- Partnered with community legal centres to enhance access to justice for disadvantaged people (p 35).
- Provided an Employee Assistance Program for staff of community legal centres (from 1 January 2011) (p 36).

- Completed an analysis of cost drivers of criminal law expenditure to develop a better understanding of the cost drivers in our criminal law practice (p 51).
- Developed consistent data definitions and a reporting framework for the new National Partnership Agreement (p 43).
- Increased our capacity to undertake needs analyses and user testing for our community legal education materials (p 27).
- Commenced a small research project to identify and obtain regular data from external agencies that impacts on demand for legal services (p 26).

Year ahead

A new Legal Aid NSW Plan will guide our work over the next two years. There are four key priorities in this plan.

Promoting access to justice

- Expand advice and minor assistance services, especially in regional and remote areas
- Improve access to legal assistance, through better information and referral services and targeted communication strategies
- Advocate for reform of the legal system in areas that impact significantly on the lives of disadvantaged people, particularly youth detention

Pursuing excellence in legal services

- Improve training for lawyers, especially those providing services at court
- Review our processes for selecting, monitoring and communicating with panel lawyers
- Develop improved models of service delivery for Aboriginal and culturally diverse communities
- Conduct regular service evaluations to identify and drive good practice

Supporting our people

- Promote the health and wellbeing of staff by:
 - addressing the impacts of workload and workplace stress
 - promoting access to health and support services
 - supporting managers to deal proactively with wellbeing issues
 - promoting staff security and occupational health and safety across work locations
- Promote and support professional development and career opportunities for staff
- Improve support for our inhouse legal practice through better communication, information sharing and technology
- Enhance our ability to respond to changing workload and legal needs, through improvements to business information systems

Linking services

- A culture of 'One Legal Aid'— collaboration right across Legal Aid NSW services
- Partnerships with other agencies – joint responses to clients' legal and non-legal needs through:
 - improved collaboration with the Aboriginal Legal Service and community legal centres
 - improved referrals to and from health and human service agencies
 - improved collaboration between legal services in regional and remote areas

Overview

Our services at a glance

These two pages are a snapshot of our client services.

Details about our achievements in client service delivery are summarised in the Corporate Plan (pages 8-9) and expanded upon in Section 1 of this report. Here, we provide statistics for 2010-2011. Tables showing a three-year comparison are available in Appendix 7.

Information

Provided 514,060 information services, an increase of 3.3% from last year.

Our information services are free and can be accessed by the general community. Our staff can help with initial inquiries about a legal problem and legal processes, and provide written information to help clients understand their situation and the availability of legal aid. Our staff help clients work out what to do next, and the best place to go if they need further assistance.

Information over the phone is also available through LawAccess NSW, a free legal information, referral and advice service administered by the Department of Attorney General and Justice, and partly funded by Legal Aid NSW.

Legal advice and minor assistance

Provided 97,315 advice and minor assistance services, an increase of 3.9% on last year.

Legal advice is available at no cost for our clients.

Our lawyers will help clients to identify their problem, inform them of their legal rights and obligations and help them to understand what course of action can be taken.

Lawyers may also draft letters or other documents for clients and make telephone calls on their behalf to help resolve their problem. We refer to this as minor assistance.

We provide information, legal advice, minor assistance, duty services, representation and community legal education to our clients.



Children's lawyer Julianne Elliott talks to young people at the Children's Court, Parramatta Justice Precinct. This year, lawyers from the Children's Legal Service provided over 12,500 duty services at NSW Children's Courts.

Duty lawyer services

Provided a total of 168,007 duty services (103,630 of these were inhouse and 64,377 were by private lawyers).

Legal Aid NSW provides lawyers in various courts and tribunals throughout New South Wales.

Duty lawyers provide advice and/or representation to people appearing before the Local and Children's Court on criminal charges. Some matters are able to be finalised on the first appearance. Otherwise the duty lawyer can seek an adjournment for further advice, to arrange a grant of aid or to allow time for further preparation.

A duty lawyer is provided to all persons in custody for a first appearance bail application.

The duty lawyer service is free of charge.

Legal Aid NSW also provides duty lawyer services for people involved in proceedings under the *Family Law Act 1975* and child support legislation. These services include providing advice and information, completing standard documents, and representation based on the guidelines. These services are provided across the State in the Family and Federal Magistrates Courts.

Duty lawyer services are available for children and adults involved in care and protection matters at every specialist Children's Court in NSW, and at many regional courts when they sit as Children's Courts.

The duty lawyer acts for either the children or the parents (or other eligible adults) on the first day that the case is heard by the Magistrate and, wherever possible, applies for a grant of legal aid to continue to act

as the lawyer for that client in the ongoing matter.

Legal Aid NSW also provides duty lawyer services for people with a mental illness, under the *Mental Health Act 2007*. Our Mental Health Advocacy Service provides duty services at the Mental Health Review Tribunal.

Legal representation

Provided representation in 38,868 matters (12,795 inhouse and 26,073 assigned).

Legal Aid NSW provides legal representation in criminal law, family law and civil law matters to people who meet its eligibility tests. See Policies in Brief in Appendix 15. Clients need to apply for legal aid through a private lawyer who will complete an online application or by completing our paper application form.

Generally, only people with income and assets below a certain level can obtain legal representation. Most people granted legal aid are required to pay a contribution towards the costs of their legal representation.

Publications and community legal education

Distributed 647,800 publications and increased community legal education sessions by 50.7% (page 27).

We provide free publications and legal education kits to help people

in New South Wales to understand their legal rights and responsibilities.

A full list of publications appears in Appendix 9.

A catalogue listing our resources can be viewed on the Legal Aid NSW website www.legalaid.nsw.gov.au (see Publications).

We conduct legal education sessions at venues across the State. These sessions can be tailored to suit the needs of particular groups.

Youth hotline

Answered 20,726 calls to the hotline, advising 10,078 young people about their legal rights.

Our telephone hotline provides legal advice and information to young people under 18, and operates 9am to midnight weekdays, with a 24-hour service from Friday 9am to Sunday midnight and also on public holidays. Many of these calls facilitate the operation of the *Young Offenders Act 1997* where after legal advice, young people make admissions to police and are then given cautions or referred to youth justice conferences by police, rather than being charged with offences and brought before a court.

Family dispute resolution

Held 2,486 conferences, reaching full or partial settlement in 80.5% of matters (full table on page 141).

We provide family dispute resolution (FDR) conferences in family law matters to facilitate the resolution of disputes at an early stage. Parties are given the opportunity to negotiate a settlement which suits

them, without the need to go to court. If a settlement is reached, consent orders may be drafted and filed in the Family Court or Federal Magistrates Court.

FDR is also available for matters in late litigation. Before legal aid is granted for parties to be represented at a final hearing, if appropriate, the parties are referred to FDR.

At least one of the parties must have a grant of legal aid before a conference is organised by Legal Aid NSW.

This year we conducted a successful trial of FDR in care and protection matters (see page 21).

Specialist services

Established an Early Intervention Unit in family law at the Parramatta Justice Precinct, helping people deal with their legal problems before they become more serious (page 21).

Our specialist services are staffed by experts in their field.

Services include the:

- Adult Drug Court Service
- Child Support Service
- Children's Legal Service (criminal matters)
- Client Assessment and Referral Unit
- Coronial Inquest Unit
- Early Intervention Unit (family law)
- Homeless Legal Outreach Program
- Mental Health Advocacy Service
- Mortgage Hardship Service
- Older Persons' Legal and Education Program
- Prisoners Legal Service
- Veterans' Advocacy Service
- Youth Drug and Alcohol Court Service

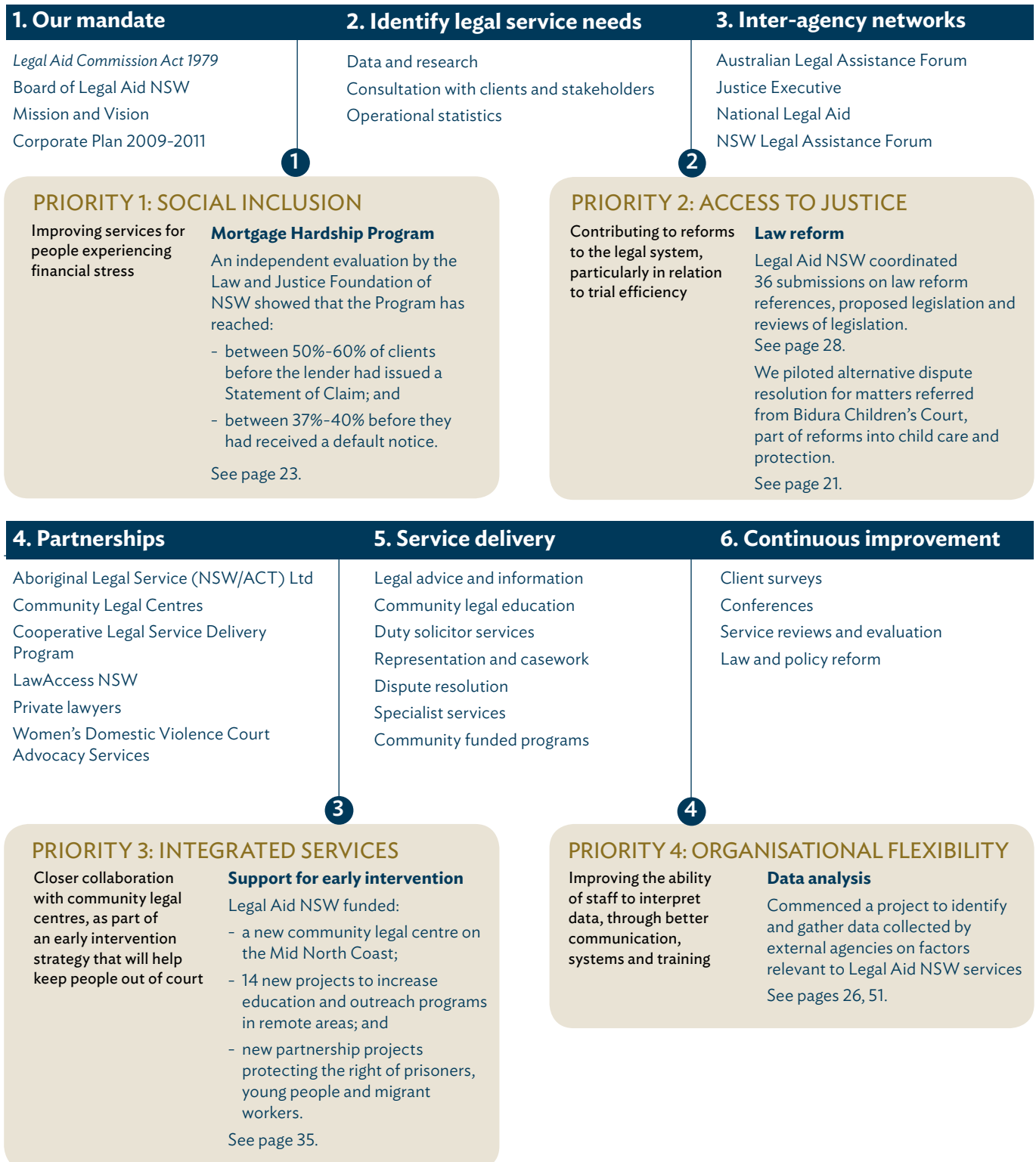


Senior lawyer Marvia Sorensen advocates that her client is an eligible and appropriate participant for the Drug Court Program at the new Hunter Drug Court. For more information, see page 19.

Working within the justice system

Legal Aid NSW is a major stakeholder in providing services that promote social justice and reduce disadvantage. Our role in the justice system is shown in the diagram below. It illustrates the importance of strong partnerships with other agencies in providing legal services and shaping policy to directly benefit our clients.

2010–2011: how our corporate plan actions improved access to justice for clients



SECTION 1

Client services

New service responses to groups at high risk of social exclusion



Major achievements

Conducted surveys and research to direct policy changes and improve advice and casework services (page 14)

Reviewed a social security fraud prosecutions pilot with excellent results (page 19)

Played a major role in establishing the new Hunter Drug Court (page 19)

Introduced a more customer-focussed counter and advice service (page 23)

Evaluated the Mortgage Hardship Service with excellent results (page 23)

Substantially increased our minor assistance services (pages 21, 23)

Improved outcomes for people with intellectual disabilities in the criminal justice system (page 26)

Increased community legal education sessions by 50.7% (page 27)

Made 36 law reform submissions (page 28)

Appointed 10 culturally diverse mediators to improve their communities' access to Australian family law (page 29)

In this section

Profiling our clients	14
Priority client groups	15
Legal practice highlights in criminal, family and civil law	19
Community legal education	27
Law reform	28
Client diversity	29
Private lawyers – their casework	30

Above: Rebekah Doran is a lawyer from the Mortgage Hardship Service assisting people who are experiencing difficulty with their mortgages due to severe financial hardship. An evaluation showed the service has been successful in meeting its goals. See page 23.

Profiling our clients

Research and surveys help ensure our decision-making stays informed and relevant to the needs of our clients.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

Frequent users of legal aid services: a research study

This year we completed a study looking at the 50 most frequent users of Legal Aid NSW services from 2005 to 2010. The study aimed to develop a profile of our highest service users in order to build an evidence base for improving our casework to these clients.

We looked at our highest service users across the criminal, family and civil law practices, using a mixture of quantitative and qualitative research methods.

We found that, of our 50 highest service users, 90% were children or young people under 21 years of age. The average age of first contact with Legal Aid NSW for our high service users was 13 years. We also found that more than three quarters of our high service users were male and Australian born. Our highest service user had 159 discrete dealings with Legal Aid NSW.

Not surprisingly, our high service users were concentrated almost entirely in our criminal law practice although many had contact with our care practice; almost 50% of our high service users have spent periods in out-of-home-care. We found that a very high percentage had been suspended or excluded from school, and 65% had attended four or more schools.

Three quarters of our high service users had been victims of neglect or experienced violence in their homes as children, half had a diagnosed mental illness, one third a cognitive impairment and two thirds had experienced homelessness.

Ninety percent of our 50 highest service users were under 21 years of age.

The research report is available on our website at www.legalaid.nsw.gov.au/publications/reviews-and-submissions

A key finding suggested by the study is that, too often, court is the critical and common intervention point. We share our high service users with many other agencies involved in the criminal justice and human services systems. The literature suggests that we could all be working together more effectively to resolve the complex needs of this small, but frequent, group of clients.

Social inclusion survey

More work was done on our social inclusion client survey to determine whether an applicant for legal aid is at risk of social exclusion, or is socially excluded. This will help us to develop policies that can more effectively target those people at risk of social exclusion.

PRIORITY 2: ACCESS TO JUSTICE

Client satisfaction

This year Legal Aid NSW undertook a general client satisfaction survey to measure satisfaction with advice and minor assistance services, across the criminal, civil and family law practices. The survey was conducted between May and June 2011 by an independent company, Taverner Research. Legal Aid NSW

recruited the clients from its offices across New South Wales. A total of 502 clients who consented to participate were interviewed by telephone.

Questions addressed issues such as waiting times, whether our service was useful and whether clients had personal safety concerns. Particular attention was given to people with special needs, with face-to-face interviews included if needed.

Preliminary results show a 89.5% satisfaction level for advice and minor assistance services across all practice areas. A summary of the survey results will be published on the Legal Aid NSW website at www.legalaid.nsw.gov.au/publications/reviews-and-submissions

PRIORITY 3: INTEGRATED SERVICES

Testing effectiveness

In May 2011 we established a strategic research alliance with the Law and Justice Foundation of NSW, engaging the Foundation's research expertise to test the effectiveness of New South Wales services such as early intervention services in family and civil law and our outreach advice services. The research alliance will also facilitate research on areas of joint interest to Legal Aid NSW and the Law and Justice Foundation.

Year ahead

Improve services and work practices based on the results of research such as the frequent users study and client satisfaction survey. Embark on a series of *What Works?* projects with the Law and Justice Foundation to investigate the impact and value of our programs.

Key challenge

Making informed decisions so we are in a stronger position to provide disadvantaged clients with better targeted services to address legal issues. The knowledge we gain from research and surveys will help us to achieve this.

Priority client groups: Aboriginal people

Legal Aid NSW has identified four priority client groups and addressed their particular needs through specialist programs and outreach services.

Aboriginal people

Improving legal services to Aboriginal clients is a key responsibility for every staff member of Legal Aid NSW. These responsibilities are guided by the Aboriginal Services Unit, working in alignment with three Corporate Plan priorities – social inclusion, access to justice and integrated services. Service improvement initiatives also responded to recommendations from the *Report into the Civil and Family Law Needs of Aboriginal People* (University of NSW).

An Aboriginal Justice Committee advises the CEO on Aboriginal justice initiatives. Appendix 13 has membership details.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

Last year, we helped over 1,100 Aboriginal people and their descendants register claims for Stolen Wages. This year, a total of \$725,931 was paid to the Aboriginal Trust Fund Repayment Scheme claimants who were assisted by Legal Aid NSW to make and pursue their claims.

PRIORITY 2: ACCESS TO JUSTICE

We are committed to making it easier for more Aboriginal people to access our services. Research supports employing Aboriginal

staff to act as liaison officers in geographical areas of high need as a way to improve access. As part of a pilot project, we employed our first Aboriginal Field Officer in November 2010 to help Aboriginal people experiencing problems with debt, fines, violence or family law matters. The new position is a joint initiative of Legal Aid NSW and the Aboriginal Legal Service (NSW/ACT). Based at Campbelltown, but also covering Wollongong to Nowra, the Field Officer facilitates community legal education and outreach programs and also arranges for people to see a lawyer or refers them to other useful services, and provides court support.

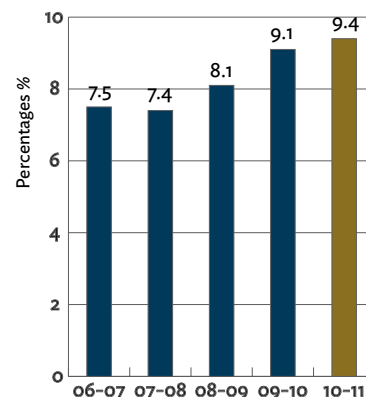
Another effective way of reaching Aboriginal communities is to take services out to these communities, to save people travelling long distances to Legal Aid NSW offices. In recognition of this, we expanded our outreach program, conducting legal advice in 12 locations where there is no Legal Aid NSW office.

Using National Partnership Agreement funding, we established monthly advice clinics in 13 of the most disadvantaged towns in New South Wales with large Aboriginal populations. Out of all the clients who attended 93 clinics, 31% were Aboriginal. See page 40.

We provided information and advice clinics at major Aboriginal events, including Greater Western Sydney Information and Referral Days at Emerton and Campbelltown, the Goodooga

Family Fair Day in remote far western New South Wales where 81% of the population is Aboriginal, the Ella 7's rugby tournament

PERCENTAGE OF TOTAL CASE AND IN-HOUSE DUTY SERVICES PROVIDED TO ABORIGINAL CLIENTS 5 YEAR TREND



(Coffs Harbour), the Rugby League Knockout Carnival (Central Coast), and the Yabun Festival (Sydney).

Our services for Aboriginal people are explained in a new suite of publications using the artwork of Bourke Aboriginal artist Tanya Martin of the Ngemba People.

Year ahead

Support the Aboriginal Legal Service to employ Aboriginal Field Officers in Coffs Harbour and Walgett, as well as evaluate this pilot project.

Implement a new Aboriginal Services, Employment and Partnerships Plan 2011-2013 to ensure our services meet the needs of Aboriginal people. Use new resources for Aboriginal people to support our growing number of education and community outreach programs.

Key challenge

Reaching Aboriginal communities living in isolated areas poses a very big challenge. Our approach will be to take our services out to a greater number of communities using the skills and contacts of our Aboriginal Field Officers.



Aboriginal Field Officer, Kelly Smith (L) helps a client to fill out an application for legal aid, watched on by Janelle Clarke from the Aboriginal Services Unit of Legal Aid NSW.

Priority client groups: Older people, people with a mental illness, homeless people

Older people

The Older Persons' Legal and Education Program was established in 2008 and is delivered through a partnership between Legal Aid NSW and the Aged-care Rights Service (TARS) – a specialist community legal centre. The program aims to improve access to legal advice, minor assistance and casework for older people through direct service delivery, and by building the capacity of public legal services to respond to the needs of older people.

This program is a leading example of how integrated services can provide better services for clients, particularly early access to legal assistance through information and community legal education.

Major achievements

PRIORITIES 1 & 2: SOCIAL INCLUSION AND ACCESS TO JUSTICE

Following an independent review in 2009, a Steering Committee comprising representatives of key organisations was established to advise the Program on its future strategic direction and to inform it of new services, initiatives and research. Appendix 13 has membership details. The Steering Committee has focused on initiatives that deliver community legal education and legal services to culturally and linguistically diverse communities, Aboriginal people and people living in regional, rural and remote areas.

Twenty six community legal education sessions were attended by 820 older people and community workers in New South Wales, including older people from multicultural backgrounds. Sessions covered substitute decision-making, end-of-life planning, protecting assets and other legal issues.

Our Veterans' Advocacy Service (VAS) assisted veterans and their dependants claim their rights and entitlements under the *Veterans' Entitlements Act 1986*. This year, VAS provided increased assistance at the Veterans' Review Board, including, for the first time in 15 years, representation services. Eighty five one-day advice sessions were held for veterans, mostly in regional areas, servicing clients who do not have access to advice.

PRIORITY 3: INTEGRATED SERVICES

The *Planning Ahead Project* – a collaboration between Legal Aid NSW as lead agency, private lawyers and 'host services' such as the Benevolent Society, continued in Hurstville, Gosford and Wagga Wagga as well as expanding to Penrith.

The *Legal Pathways Project Pilot* – a cross-sectoral partnership between Legal Aid NSW, the Council on the Ageing (NSW) and the Law Society of NSW to increase access of disadvantaged older people to legal services – was established as a 12 month project. The pilot was very successful and funding was provided by Legal Aid NSW to the Council on the Ageing (NSW) for administrative support to continue the project.

Two new brochures were added to a suite of brochures on legal issues for older people. *Why make a will?* was produced in partnership with the Law Society of NSW, with Legal Aid NSW the lead agency, and is available in Greek, Italian, Arabic, Chinese and Vietnamese. It will be distributed widely by private lawyers participating in a Wills Awareness Day in August 2011 organised by the Elder Law and Succession Committee of the Law Society, of which Legal Aid NSW is a member.

In response to an emerging issue being seen by the Older Persons Legal Unit, *They want me to leave: staying in your home when your partner dies*, was produced. It is now in its second print run.

The Unit also updated a publication, now called *Speaking for myself: planning for later life decision making*, in partnership with the Benevolent Society.

Year ahead

Publish more information on emerging elder law issues, and information on wills for Aboriginal communities.

Increase minor assistance and early intervention services through more outreach programs.

Establish an outreach service for culturally and linguistically diverse communities and Aboriginal older people living in remote areas.

Key challenge

Addressing issues for older people in gaol through closer links with Corrective Services NSW on key issues.

People with a mental illness

The Mental Health Advocacy Service, based in Burwood, provides duty representation for people who appear before the Mental Health Review Tribunal (MHRT) under the *Mental Health Act 2007*, *Mental Health (Forensic Provisions) Act 1990* and *NSW Trustee and Guardian Act 2009*.

Ten inhouse lawyers represent clients in 20 mental health facilities in metropolitan Sydney, and forensic facilities such as the Forensic Hospital at Malabar, as well as coordinating private lawyers doing duty work before the MHRT throughout New South Wales.

Other areas of expertise include representing people appearing before the Guardianship Tribunal as well as representation in all inquiries associated with the *Drug and Alcohol Treatment Act 2007*.

The service also provides a telephone information service and runs weekly advice clinics at its office at Burwood and in major mental health facilities.

Major achievements

PRIORITIES 1 & 2: SOCIAL INCLUSION AND ACCESS TO JUSTICE

Over 11,000 duty services were provided through the Mental Health Advocacy Service, with 30% of these provided by the inhouse practice and the balance assigned to private lawyers.

MHAS inhouse lawyers provided 1,902 duty services before the MHRT and gave 1,303 advice sessions.

This was the first full financial year of the new approach to conducting mental health inquiries before the MHRT. Previously mental health inquiries were held by magistrates within the first week to 10 days of a patient's detention in hospital. Since amendments to the *Mental Health Act 2007*, commenced in June 2010, inquiries are conducted before the MHRT three to four weeks after a mentally ill person is admitted.

The service responded to the changes by providing weekly advice clinics for newly admitted patients, education sessions for both staff and patients, and publishing *Have you been involuntarily admitted to hospital?* explaining patients' rights, including appeal and discharge forms.

During the year a new forensic unit, Macquarie Clinic, was opened at Bloomfield Hospital. This represents a significant improvement in terms of rehabilitation for our forensic clients.

Patients now have the opportunity to move from high security units in the Forensic Hospital at Malabar to the medium security of Bloomfield in preparation for discharge into the community. Lawyers from the MHAS provide representation for Bloomfield forensic patients before the MHRT.

Difficulties in linking services with clients once they leave the hospital system have been a perennial matter for concern as poor, or no services may lead to the deterioration of patients' mental health and their subsequent hospitalisation. In addition to legal representation, the MHAS provides non-legal advocacy for our clients to assist them in obtaining care and support in the community. This type of advocacy is particularly important for clients who live with more than one disability or whose needs do not easily fit into traditional community support models.

At the request of the Guardianship Tribunal, the MHAS provided lawyers to act as a separate representative for people appearing before the Tribunal. In these cases separate representatives assist the Tribunal by making recommendations they believe are in the best interests of the client. This year Legal Aid NSW granted aid in 309 matters before the Tribunal.

An important feature of the work at MHAS is educating clients, mental health workers and the general community on mental health law. Twenty five community legal education sessions were delivered to government and non-government workers in the mental health system, as well as to consumers and their carers.

Year ahead

Monitor the situation with regard to community support for clients returning to the community, and work in conjunction with the MHRT and other stakeholders to ensure that our clients have access to appropriate services.

Key challenge

Finding services that meet the individual needs of our clients continues to be a challenge, particularly for those clients with special needs. We will work with the MHRT, service providers and consumers to seek services that ensure clients receive safe and effective care, both in hospital and the community.

Homeless people

As homeless people are at very high risk of being socially excluded, they are a key part of our social inclusion program. Working in partnership with health services is the best way of meeting the needs of these particularly disadvantaged and marginalised clients.

Major achievements

PRIORITIES 1 & 3: SOCIAL INCLUSION AND INTEGRATED SERVICES

We operated 22 homeless outreach clinics, largely in regional New South Wales, expanding this year into the Richmond/Tweed and South East NSW regions.

Most clinics take place in local health centres as there is clear and compelling evidence of the link between legal and health issues.

Training was conducted for all staff who deal with homeless people, prisoners or people with a mental illness on issues relating to complex legal needs such as guardianship and capacity issues.

1 Client services

Priority client groups cont

A training program was also delivered to community workers, raising awareness of legal issues contributing to homelessness.

Civil lawyers worked together with criminal lawyers on social security prosecutions (see page 19).

Year ahead

Open more outreach clinics in North West New South Wales including Walgett, Tamworth, Wellington, North Eastern New South Wales and South Eastern New South Wales.

Key challenge

Linking with people who are at most disadvantage, particularly in remote areas. Building relationships with local service providers will be vital to successfully making those connections.

Homeless Persons' Legal Service lawyer Sharlene Naismith (second from left) and local lawyers present cheques to homes and refuges for homeless men and women. The funds came from fees and sponsorship paid by lawyers who attended a legal seminar in Nowra. Photo: South Coast Register



Representing our priority clients – casework

CASE 1 OLDER PERSON FORCED FROM HOME

An elderly client transferred her house to relatives for less than market value in return for a life interest in the home. Her relatives encouraged her to sell an investment unit and use the proceeds to improve the granny flat at the back of the house, where she would live. The granny flat was not rebuilt, and her relationship with her family broke down to the point where she was forced to leave her home. The money advanced to the family from the sale of the investment property was not returned either. Our client sued her family in the Supreme Court. The case was resolved at mediation with our client receiving a suitable financial settlement.

CASE 2 COMMUNITY TREATMENT ORDER TOO PUNITIVE

An Aboriginal client was subject to a community treatment order made by a Magistrate. The order was made for a period of two years, which appeared punitive given the nature of the offence. On appeal, the Mental Health

Review Tribunal's decision confirmed it has the jurisdictional power to hear such appeals, and that the duration of a community treatment order is determined by how much time it would take to stabilise a person and establish a therapeutic relationship with the treating team. The Tribunal allowed the appeal and confirmed the order for six months.

CASE 3 SOCIAL HOUSING PROTECTION

Our client had received an order terminating her tenancy of an Aboriginal Land Council home in which she and her family had lived for many years. There had been complaints about loud music and occasional arguments.

We filed a re-hearing application in the Consumer Trader and Tenancy Tribunal (CTTT). This was successful and the case was set down for a re-hearing. The Tribunal member decided again to terminate the tenancy.

We appealed to the Supreme Court on the basis that the Tribunal member had failed to take into account relevant considerations relating to social housing under s 64(4) of the *Residential Tenancies Act 1987*. His Honour agreed with this point and the matter was remitted to the CTTT to be re-determined.

Mediation was arranged between the tenant, the neighbours and the Local Aboriginal Land Council.

This was successful and our client and her family remain in their home.

Highlights from our practice areas: Criminal, civil and family law

Criminal law

The criminal law practice provides legal information, advice, minor assistance, duty services and representation in criminal courts at each jurisdictional level across the State. These services are provided from the Central Sydney office and 19 regional offices.

Specialist advice, information, minor assistance, duty services and representation are provided through the Children’s Legal Service, Prisoners Legal Service and Drug Court.

The practice provides community legal education throughout New South Wales and contributes to law reform initiatives.

FACT FILE

Total staff:	314
Total expenditure:	\$109.644 M
State:	\$102.480M
Commonwealth:	\$7.164 M
47.63% of our overall budget was spent on criminal law services.	

Major achievements

PRIORITY 1: SOCIAL INCLUSION

Fortnightly information sessions for defendants in traffic and domestic violence proceedings were rolled out to nine Sydney metropolitan and four regional Local Courts.

Services to clients suffering intellectual disability and mental health problems in the Shoalhaven area were improved through the

commencement of a pilot that makes the services of our Client Assessment and Referral Service (see page 26) available to private lawyers acting for legally aided clients.

We expanded our mixed model (inhouse and private lawyer) of service delivery for juveniles facing criminal charges at Hornsby and Sutherland Children’s Courts.

PRIORITY 2: ACCESS TO JUSTICE

The Prisoners Legal Service in Parramatta used audio-visual links to provide criminal and family law advice and information to prisoners in the newly opened South Coast Correctional Centre.

A project officer was appointed to identify early intervention initiatives that may assist people charged or at risk of being charged with, criminal offences.

Legal Aid NSW helped to set up the Hunter Drug Court, the second of its kind in New South Wales.

The Drug Court commenced on 7 March 2011 with two criminal lawyers and one administrative officer participating in the Drug Court team, helping address the connection between drug use and crime in the Hunter region.

Demand increased for our services in the Court of Criminal Appeal practice (appeals relating to those charged with terrorist offences); Supreme Court Bails practice (to accommodate extra lists of juveniles seeking bail); Children’s Court practice (to cover the redistribution of work following

Legal Aid NSW helped set up the new Hunter Drug Court—a therapeutic approach to rehabilitating people with drug addictions caught up in the criminal justice system.

renovations to Hornsby and Sutherland Court complexes); and in the Commonwealth crime practice (to cover persons charged with people smuggling offences who are being prosecuted in New South Wales).

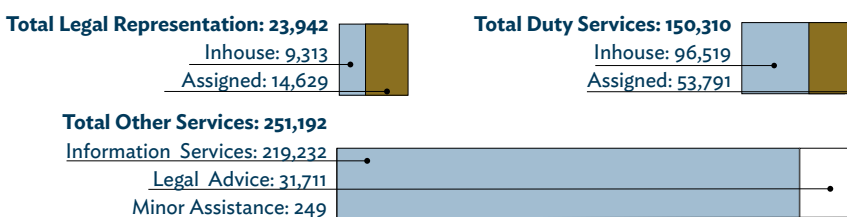
Our lawyers worked together with private lawyers to provide representation for 95 alleged people smugglers who have been transferred to New South Wales. See page 30.

Legal aid is only available for traffic offences if there is a real possibility of a gaol penalty, or there are exceptional circumstances. To assist people who are not eligible for legal aid, we published *Drugs, driving and you* for people pleading guilty to a Driving Under the Influence of a Drug charge.

PRIORITY 3: INTEGRATED SERVICES

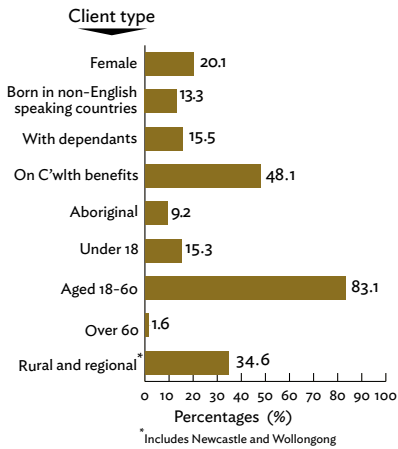
Since September 2009, Wollongong civil and criminal lawyers have been working collaboratively on cases where Centrelink is prosecuting a fraud alleged to arise from an overpayment of a benefit. In some cases this involved pursuing administrative review prior to the criminal matter and in others, civil lawyers reviewing Centrelink documents to assist criminal lawyers in criminal matters. An evaluation showed the pilot has delivered good outcomes for clients, and increased targeted community legal education for groups identified as at risk. There are plans to implement this approach in more offices and locations.

TOTAL CRIMINAL LAW CLIENT SERVICES IN 2010–2011: 425,444

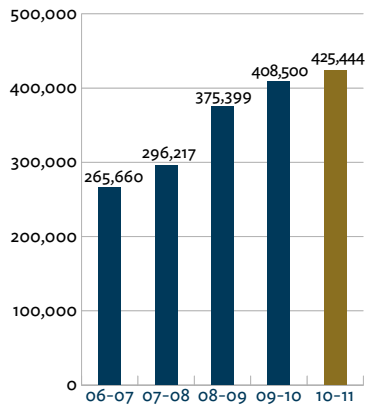


Highlights from our practice areas cont

CRIMINAL LAW CLIENT PROFILE
BASED ON TOTAL CASES AND IN-HOUSE DUTY SERVICES



TOTAL CRIMINAL LAW CLIENT SERVICES 5 YEAR TREND



Responding to changing laws and amendments

From 1 October 2010 a new community sentencing option called *Intensive Correction Order* (ICO) became available.

ICOs are a replacement for periodic detention which was a form of imprisonment served mid-week or on weekends at particular gaols in the State.

An ICO can be imposed on an offender for a period of up to two years. It is an alternative to full-time custody, and unlike periodic

Criminal lawyers – their casework

CASE 1 ELIGIBLE FOR THE DRUG COURT

The 2009-2010 Annual Report referred to a case of *Hilzinger* which clarified eligibility for the Drug Court where the offence charged involved some degree of violence. It was noted that the decision of the Drug Court was subject to appeal in the Court of Appeal. The Court of Appeal handed down its decision in May 2011. The Court of Appeal held that the test applied for eligibility to the Drug Court requires the elements of the offence to be considered. Conduct will be considered in limited circumstances. The Court of Appeal was strongly influenced by the fact that the Drug Court can in its discretion refuse to accept a person if it considers all the circumstances of the offending mean they are not a proper person to be allowed onto the program. This decision may see the scope of eligibility and how it relates to referred offences to the Drug Court being expanded. This will allow more clients access to the Drug Court Program where they may previously have been excluded.

CASE 2 DOORWAY TO EDUCATION

A 16-year-old pleaded guilty to serious offences. When he was sentenced in the Supreme Court the presiding judge found no special circumstances under

s 19(3) of the *Children (Criminal Proceedings) Act 1987* which would allow him to remain in a juvenile justice centre after the age of 18. We filed a Notice of Motion in the Supreme Court arguing the availability of educational and therapeutic programs in juvenile detention centres provided special circumstances. Our client had been studying for his HSC and was not able to complete his HSC in a classroom environment in adult custody. The young person was returned to juvenile justice custody so that he could complete the HSC.

CASE 3 CLIENT REBUILDS HIS LIFE

Our client was charged with a series of offences committed over a year. He experienced drug addiction and homelessness and had a physical disability, at times sleeping rough. Despite a long criminal record, including significant periods in custody, this client had never undertaken drug rehabilitation. He was referred to the Magistrates Early Referral Into Treatment Program, undertook detoxification and subsequently spent several months in a rehabilitation centre. He returned to court after successfully completing the program, a changed person. He had addressed the underlying issues of his drug addiction. He was commended by the Magistrate

and felt positive about finding a home. He received a number of good behaviour bonds, where he may otherwise have been facing a further custodial sentence.

CASE 4 HOLISTIC HELP

A client with an intellectual disability who has schizophrenia had lived with his mother in the family home until she obtained an order evicting him due to frequent verbal arguments. He began living on the streets and was later charged with breaching the court order.

The duty solicitor arranged for funds to be provided by the mother to pay rent for new accommodation and other costs. The order was also amended to allow contact with his mother.

Meanwhile our Homeless Legal Outreach Service helped find accommodation and our social workers made arrangements for the Criminal Justice Support Network to support our client. His charges were ultimately dismissed under s 32 of the *Mental Health (Forensic Provisions) Act 1990* and he was accepted for case management by Ageing, Disability and Home Care.

There is more information about criminal law cases and achievements on the Legal Aid NSW website at [www.legalaid.nsw.gov.au/what we do/our work in action](http://www.legalaid.nsw.gov.au/what-we-do/our-work-in-action)

detention, it is available over a much wider area of the State. Offenders serving an ICO can be subject to strict conditions, have to undertake community work and do educational and rehabilitative programs.

This sentencing option has the advantage of being available to a larger proportion of eligible offenders in regional areas of New South Wales. It does, however, require compliance with strict conditions, making the risk of breach action and then imposition of a full time custodial order high.

The NSW Sentencing Council will report annually on the use of the new orders and will review them after five years. In addition, the NSW Bureau of Crime Statistics and Research will be asked to measure how effective the orders are in reducing re-offending. Our criminal law practice is monitoring the breach rate.

Year ahead

Establish the Commonwealth Crimes Unit for the defence of people charged with Commonwealth crime matters and particularly people-smuggling offences.

Provide assistance to defendants in domestic violence proceedings at one metropolitan and one regional court.

Develop more early intervention initiatives to improve services to people charged, or at risk of being charged, with criminal offences.

Key challenge

Developing early intervention services for people charged, or at risk of being charged, with criminal offences and testing new ways of helping clients avoid an escalation of their problems.

Family law

The family law practice provides legal advice, minor assistance, duty services and case representation in Commonwealth family law matters, including child support matters, and in state care and protection matters at 20 locations across the State.

Outreach services are provided in 65 locations where there are no Legal Aid offices. Family lawyers also undertake law reform and community legal education.

Early intervention and family dispute resolution services are provided across New South Wales.

FACT FILE

Total staff:	227
Total expenditure:	\$66.498 M
State:	\$18.306 M
Commonwealth:	\$48.192M
28.89% of our overall budget was spent on family law services.	

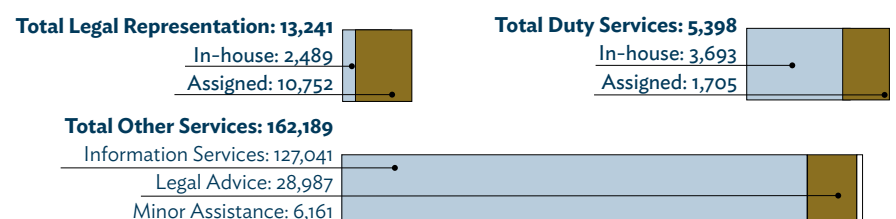
Major achievements

PRIORITY 1: SOCIAL INCLUSION

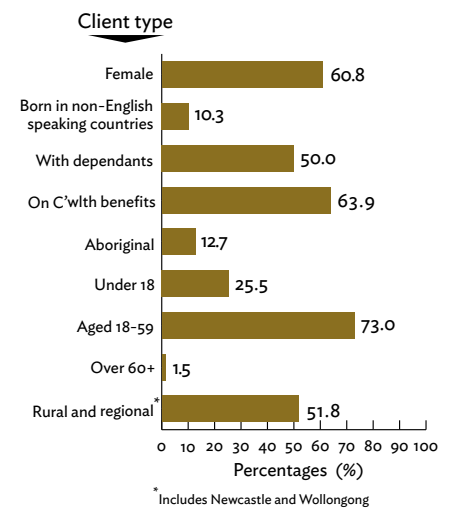
We expanded our outreach services to 19 new locations throughout New South Wales after they were identified as a means of providing services to clients most at risk of social exclusion.

We introduced 'minor assistance clinics' as a way of improving services to people most at risk of social exclusion who would not otherwise be entitled to aid but need help to advocate on their own behalf.

TOTAL FAMILY LAW CLIENT SERVICES IN 2010-2011: 180,828



FAMILY LAW CLIENT PROFILE BASED ON TOTAL CASES AND IN-HOUSE DUTY SERVICES



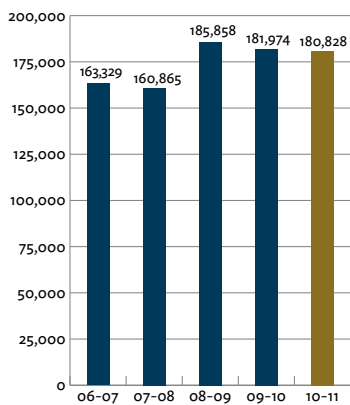
Minor assistance covers work done in advice sessions such as simple correspondence and phone calls. The impact of this change can be seen by the 37.1% increase in minor assistance undertaken for clients.

An Early Intervention Unit was established with additional funding under the National Partnership Agreement. The Unit helps people resolve legal issues as early as possible and stay out of the court system by providing free specialist legal advice and assistance. It has already reached an additional 15 towns in rural areas where people had difficulty accessing family law services.

We increased our minor assistance services in family law by 37.1%.

Highlights from our practice areas cont

TOTAL FAMILY LAW CLIENT SERVICES 5 YEAR TREND



PRIORITY 2: ACCESS TO JUSTICE

A pilot commenced at Parramatta Family Court registry, where the court directly refers matters to Legal Aid NSW for family dispute resolution, allowing parties to resolve their disputes without the need for further intervention by the courts.

We launched a pilot of alternate dispute resolution (ADR) in care and protection proceedings involving 100 matters referred from Bidura Children’s Court at Glebe, and have facilitated a number of mediations in District Court appeals.

Almost 13% of family law clients were Aboriginal, a proportion that has been rising steadily for the last few years. Family lawyers regularly attend Aboriginal Legal Service (NSW/ACT) offices and in the Campbelltown area, Aboriginal communities have much better access to family law services following the appointment of an Aboriginal Field Officer (see page 15).

We introduced new family law services to Broken Hill in response to a regional need identified by the Far West Community Legal Centre. We trained 10 lawyers from culturally and linguistically diverse backgrounds as mediators. See page 29.

Family lawyers – their casework

CASE 1 FAST INTERVENTION

Our client is a refugee from Sudan and the mother of a small child. After the father took the child from her care, our client was sent to the Family Court registry in Parramatta and referred directly to the duty scheme offered by our new Early Intervention Unit.

An urgent application and affidavit were sent to the Australian Federal Police to ensure that the child could be placed on the Airport Watch List. The next day a Federal Magistrate ordered an ex-parte recovery order that was enforced by the Australian Federal Police who found the child and returned her to her mother.

Our Orange office picked up the matter and is representing the client under a grant of legal aid.

CASE 2 CHILD SUPPORT

Our client is the sole carer of a 12-year-old girl with multiple physical and intellectual disabilities. Her daughter uses a wheelchair full time and a communication board to speak. Our client has to deal with the physical challenges of caring for her daughter in addition to the communication and learning difficulties associated with her daughter’s intellectual disability. This caring role will continue for the foreseeable future.

Our client’s former husband was not making regular financial contributions to his daughter, despite having the capacity to do so. The Court reassessed the situation and issued an order for \$240,000 to be paid to our client.

CASE 3 AN END TO VIOLENCE

Our client is the mother of two small children, who fled an abusive relationship in another state, taking her children to live with her mother. From a very young age, she had lived with her partner who regularly beat her.

There was little evidence corroborating the family violence except from our client’s mother.

The matter was defended with the father seeking a shared care arrangement.

We successfully obtained final orders that gave our client sole parental responsibility. The father was to have no contact with the children. An injunction restraining him from coming within 500 metres of our client or the children meant the young family could live free from violence and abuse.

CASE 4 BOYS FREE TO LIVE THEIR OWN LIVES

We acted for an Aboriginal father of two teenage boys. The mother had not been involved in her children’s lives for over 10 years. The children were heavily involved in a cultural group and had offers to travel overseas to showcase their culture; however the mother refused to sign the passport applications and went underground.

After months of trying to find the mother and serve her with court documents, orders were made in the exact terms we sought.

We helped our client change the youngest child’s name so that the passport application could be lodged. After that, the children were free to travel.

There is more information about family law cases and achievements on the Legal Aid NSW website at www.legalaid.nsw.gov.au/what-we-do/our-work-in-action

Year ahead

Make sure more people in New South Wales have access to family law services by expanding Early Intervention Unit outreach and duty services and increasing outreach locations.

Launch four DVDs on family law topics and an interactive website to ensure information and advice about family law is accessible and available to clients, particularly those who are most disadvantaged.

Key challenge

Ensuring that our clients have access to a full range of early intervention legal services before their family law problems escalate. We will achieve this by expanding family law outreach locations and advice services, increasing the duty services provided in court registries, and continuing to integrate family dispute resolution processes into our services.

Civil law

The civil law practice provides legal advice, minor assistance, duty and casework services to people through a practice in Central Sydney and 13 smaller practices in regional offices.

It has unique expertise in delivering cost-effective services to disadvantaged communities in a broad range of general law.

Civil law problems, if left unsolved, can have a far reaching impact on people's lives. The impact can range from health problems to family breakdown and contact with the criminal justice system. The civil law program focuses on areas that have the most impact on people's lives, including tenancy and housing issues, debt, social security and refugee and migration issues and other breaches of fundamental rights.

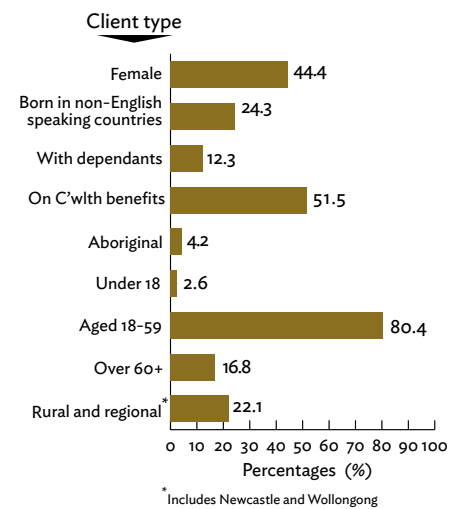
The program also directs its services towards people who are at most disadvantage in accessing legal services. This includes those living in rural and remote areas, homeless people and the elderly, people with a mental illness or other serious health issues, Aboriginal people, and people experiencing severe financial hardship.

FACT FILE

Total staff:	185
Total expenditure:	\$27.155 M
State:	\$19.933 M
Commonwealth:	\$7.222 M
11.79% of our overall budget was spent on civil law services.	

CIVIL LAW CLIENT PROFILE

BASED ON TOTAL CASES AND IN-HOUSE DUTY SERVICES

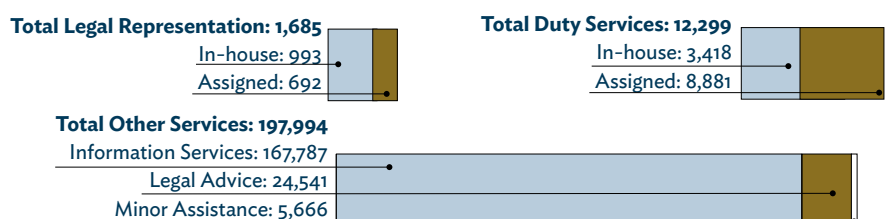


Major achievements

PRIORITY 1: SOCIAL INCLUSION

In 2010, Legal Aid NSW commissioned a review of the Central Sydney Civil Law Advice Service to achieve a more targeted, efficient and consistent civil law advice service – not just in Central Sydney but across the whole of Legal Aid NSW. The new approach that came out of that review has been implemented in three Legal Aid offices as pilot sites – Central Sydney, Coffs Harbour and Penrith – and will be trialled for six months before being rolled out to all offices. As a result of training and better resourcing, the service is working more efficiently. The waiting time for civil law appointments has been reduced from 4-5 weeks to just over 2.5 weeks. The attendance rates are also noted to be improved.

TOTAL CIVIL LAW CLIENT SERVICES IN 2010-2011: 211,978



1 Client services

Highlights from our practice areas cont

The Mortgage Hardship Service (MHS), now in its second year, provides advice and representation to people who are experiencing difficulty with their mortgage because of severe financial hardship. A key aim of the Program is to reach clients as soon as possible in the mortgage repossession process. This was pursued by building strong relationships with community workers and organisations likely to encounter people experiencing financial stress.

An independent evaluation by the Law and Justice Foundation of NSW in 2011 showed that the MHS has reached:

- between 50%-60% of clients before the lender had issued a Statement of Claim; and
- between 37%-40% before they had received a default notice.

This enabled 52% of clients (based on a sample study) to save their home (in contrast to research by the Australian Housing and Urban Research Institute, which concluded only a minority of severely stressed mortgagors sought advice, and of those who did, it was often too late to save their home).*

Also responding to an area of growing demand, our Government Law Section, specialising in social security, immigration and veterans' law, assisted greater numbers of temporary visa holders where relationships have broken down because of family violence. See case report on next page.

PRIORITY 2: ACCESS TO JUSTICE

The civil law practice focused on early intervention through timely advice and minor assistance in 2010-2011, providing much needed legal services to the most disadvantaged communities in areas such as fines and debt. This has directly resulted in a 37.6% increase in minor assistance services.

We increased our minor assistance services in civil law by 37.6% – the result of more early intervention and outreach programs.

Expanding programs for Aboriginal people in the areas of victims' compensation, Stolen Wages and wills was a priority, as was expanding outreach programs (see pages 15 and 40) and conducting community legal education (see page 27).

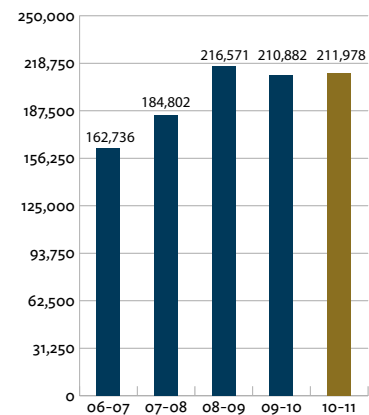
Other priority client groups included older people, homeless people and people with a mental illness (see pages 15-18). Civil lawyers provided advice clinics in 17 gaols across New South Wales, providing advice on topics such as debt, fines and tenancy.

Our publishing program helped provide assistance to people with financial problems. Publications included:

- a second edition of the *Mortgage Stress Handbook*, for people in danger of losing their homes – a national publication in partnership with the Consumer Credit Legal Centre;
- The *Credit Law Toolkit*, distributed nationwide to financial counsellors, also in partnership with the Consumer Credit Legal Centre; and
- *Fined Out* (3rd ed.) for people with fines debts in partnership with the Inner City Legal Centre and Redfern Legal Centre.

We also improved the quality of our employment law services, assisting workers with unfair dismissals, termination, redundancy entitlements, underpayment of wages and discrimination in the workplace.

TOTAL CIVIL LAW CLIENT SERVICES 5 YEAR TREND



PRIORITY 3: INTEGRATED SERVICES

We forged a national partnership that launched a new and innovative style of advocacy – the National Bulk Debt Project – on 18 May 2011. The project helps Australians who are totally reliant on social security (or who have no income) to ensure their money is used for food, shelter and household bills by collecting clients with debts owed to certain debt collectors and credit providers, and negotiating bulk waivers.

Our partners are Victoria Legal Aid and West Heidelberg Community Legal Service. The first national registration of clients opened on the project's website www.bulkdebt.org on 30 June 2011.

**AHURI Research and Policy Bulletin, The great Australian nightmare: Mortgage default and repossession, Issue 128, July 2010.*

Responding to changing laws and amendments

In November 2010 the High Court decided that, contrary to the Government position, people arriving by boat to the Australian mainland were entitled to have access to the Australian courts to review decisions regarding their refugee status. This has led to a huge demand for representation for 'irregular maritime arrivals' in seeking judicial review of decisions that they are not refugees.

Civil lawyers – their casework

We are working with other legal aid commissions and the NSW and Victorian Public Interest Law Clearing Houses to develop a national approach to providing assistance for people in these circumstances.

Following a series of natural disasters, we contributed to a project called 'A Fair Go In Insurance - consumer reform in insurance'. This project is a coalition of consumer advocacy and legal aid organisations that has released 12 recommendations for reform of the insurance industry. Recommendations include mandatory information for insured persons; a standard definition of 'flood'; the clear statement of insurance exclusions; the extension of unfair terms law to insurance contracts; the timely determination of insurance claims; and expert involvement in the determination of flood risk.

The collaboration led to important meetings with Commonwealth ministers to put forward the consumer view of improving insurance outcomes, particularly in relation to flood claims.

We were also invited to be on the panel of the National Disaster Insurance Review and facilitated a consumer response to further inquiries into natural disasters and insurance.

CASE 1 IMMIGRATION AND FAMILY VIOLENCE

We acted for a woman who had been granted a temporary partner visa and whose marriage had broken down because of violence by her husband. The Department of Immigration and Citizenship refused her application for permanent residence after an independent expert said there was 'no history of regular violence and she did not seem fearful about her safety.' We represented her successfully at the Migration Review Tribunal and she has been granted permanent residence.

CASE 2 COURT FEES

In November 2010, the Commonwealth introduced a new fees regime for Commonwealth courts and tribunals. Previously the fee was nil if the applicant could show financial hardship or where legal aid was granted. The changes allowed for a deferral of the full fee for a short period of time or a reduced fee. These changes have a major impact on disadvantaged people who are not able to pay even the reduced fee or have no prospect of being able to pay the deferred fee. We challenged this in the Federal Court (*Rosson v Tesoriero* [2011] FCA 449) where the Judge held that the Court continues to have a broad discretion to permit an application to be filed even if the relevant fee is unpaid.

That discretion may be exercised in circumstances where the person claims to be unable to pay the fee because of financial hardship, although a decision about whether or not to exercise discretion will still need to be made on the facts of each case.

The decision means that impecunious applicants still have a means of lodging valid review applications in the federal courts.

CASE 3 SOCIAL SECURITY

Our client had received a compensation award for injuries suffered in a work accident. As a result she was ineligible to receive any Centrelink income support during the 'preclusion period' from January 2009 until June 2012. By February 2010 the funds had been exhausted and she had no income and was unable to work due to her injuries. We represented her in the Administrative Appeals Tribunal where an agreement was mediated for the preclusion period to end in February 2011 due to 'special circumstances'—poor physical and mental health, dire financial circumstances, her previously undiagnosed intellectual impairment, and the imminence of homelessness.

There is more information about civil law cases and achievements on the Legal Aid NSW website at www.legalaid.nsw.gov.au/what-we-do/our-work-in-action.

Year ahead

Provide outreach services to communities that have a high level of need.

Secure funding to extend the Mortgage Hardship Service for two more years.

Review the improved civil law advice service pilot before rolling it out to all Legal Aid NSW offices.

Provide advice and minor assistance to clients in regional and rural New South Wales in relation to fines and Work Development Orders.

Implement early intervention strategies in other areas of law such as fines, disputes with Centrelink and debt.

Promote systemic solutions in response to Centrelink prosecutions.

Continue to deliver effective litigation services in order to effect systemic change especially in areas that impact on people's lives such as insurance disputes and judicial review of decisions regarding refugee status.

Key challenge

It can be difficult to reach the most disadvantaged and vulnerable clients, particularly in regional areas. Building relationships with local service providers is vital to successfully making those connections.

Holistic services

Meeting clients' complex needs

The social workers in our Client Assessment and Referral Unit work collaboratively with lawyers to ensure the best possible outcomes for clients.

They do this by preparing psychosocial assessments for use in court that address the complex range of social difficulties underlying people's legal problems.

They also link clients to other services that can assist them.

Divisional plans across the organisation promote a greater use of social workers, especially for clients with complex needs.

Major achievement

PRIORITY 1: SOCIAL INCLUSION

Social workers assisted 444 clients referred to the unit, mostly by the criminal law practice.

They assessed 332 clients, providing 128 psychosocial reports for use in court and making 65 referrals to other agencies. Clients needed assistance with a range of issues, key areas being mental health, intellectual disability, drugs and alcohol, homelessness and parenting.

A new funded position allowed the unit to dedicate more resources to assisting clients with an intellectual disability or acquired brain injury, being dealt with under s 32 of the *Mental Health (Forensic Provisions) Act 1990*. Enhanced assessment and referral services – part of the Intellectual Disability Service Improvement Project – helped to divert clients facing criminal charges away from the justice system.



Advocating for a multi-agency approach – Danielle Castles from Legal Aid NSW (seated) explains the benefits of the Shoalhaven pilot project to legal and health professionals at a forum in Nowra during Law Week (May 2011). Photo: Law Society Journal.

Making sure people get the right service

A strong focus of our work this year was to make sure our clients are reaching services they need to reach instead of becoming lost in the system or referred to the wrong place – often called the 'referral roundabout'.

Major achievement

PRIORITY 3: INTEGRATED SERVICES

A number of strategies improved referrals to and from Legal Aid NSW for clients. A new database of all the services provided across our practice areas, including outreach services is now being used to provide a map of our services on the Legal Aid NSW website. Clients can search for services via the postcode or the town they live in. New measures that are improving referrals between Legal Aid NSW and LawAccess NSW include monitoring inappropriate referrals between the agencies and regular staff visits.

New protocols and tools have been developed to assist our staff in making appropriate referrals for our clients.

We are improving our knowledge of how our clients find out about us and services they are referred to through collecting data. This will allow us to better track client pathways and develop strategies to promote our services to clients.

Year ahead

Develop a case plan for s 32 orders for people with an intellectual disability or an acquired brain injury — part of a Nowra Local Court pilot project. Improve referrals for our clients, making sure our partners have a clear understanding of our services.

Key challenge

To develop early intervention services and approaches for Legal Aid NSW clients across all our program areas. A planning day scheduled for August 2011 will identify new priorities for the Client Assessment and Referral Unit and develop a more responsive approach to service delivery.

Community legal education

Community legal education (CLE) equips people with the awareness, knowledge and skills needed to successfully resolve law related problems encountered in everyday life. Legal Aid NSW has a strong history of providing community legal education as part of its core services to the public.

CLE sets out to help people anticipate and avoid legal problems, act more quickly when problems do occur and deal with legal issues more effectively, including knowing when and where to get support and expert help. CLE covers a wide range of activities aimed at increasing legal capability. CLE can be delivered as a workshop in a school, a legal theatre performance, a web based resource or a step by step guide or brochure.

In 2009 we developed a CLE Strategic Plan 2009-2011 to guide our CLE work. This plan is based on the Corporate Plan priorities and its actions are linked to divisional plans.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

The CLE program focuses on providing innovative programs for priority client groups and structured programs for community sector workers who work with socially and economically disadvantaged people.

We delivered 44% of our community legal education sessions in regional New South Wales thanks to strong local partnerships.

Highlights included delivering:

- 322 CLE sessions to Aboriginal people
- 197 CLE sessions to prisoners
- 85 CLE sessions to homeless people
- 213 CLE sessions to children and young people.

PRIORITY 2: ACCESS TO JUSTICE

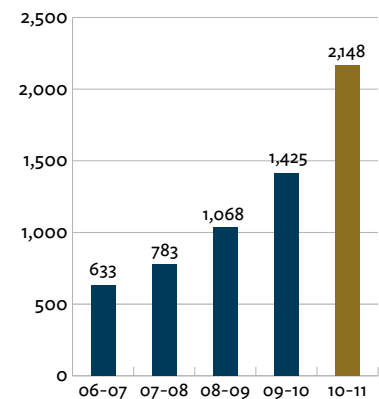
Early access to legal assistance through information and community legal education is an important aspect of this corporate priority.

The CLE Strategic Plan identifies a number of actions to increase targeted preventative services.

Highlights included:

- expanding the workshop program for community sector workers to regional areas including Newcastle, Wollongong, the Riverina, Central West, South Coast, Central Tablelands and North Coast and increasing the number of workshop topics offered from 8 to 14;
- responding swiftly to events that had the potential to cause people financial stress including delivering CLE to flood-affected communities in the Riverina,

TOTAL COMMUNITY LEGAL EDUCATION SESSIONS 5 YEAR TREND



North Coast and Central West as well as communities affected by the closure of companies that are major employers;

- making better use of the web and increasing access to information on legal issues for prisoners in New South Wales by working with Corrective Services NSW and other legal service providers to develop a static web based legal information portal for prisoners; and improving relationships with non-legal service providers working with disadvantaged communities.



The first Koori men's legal workshop was run over three days in May 2011. Participants were given information about family and civil law, especially how to deal with legal problems before they become more serious.

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

We developed a suite of tools to improve the quality of community legal education resources. We undertook a structured needs analysis and user tested two forthcoming resources:

Best for Kids: Family law information for children and parents; and *What's the law? — Australian law for new arrivals*.

Year ahead

Develop our capacity to deliver quality community legal education sessions by providing enhanced professional development opportunities to staff.

Deliver train the trainer workshops for English language teachers, tutors and community workers in using the new education kit *What's the law? Australian law for new arrivals*.

Develop and deliver innovative education to parents and family support workers about the family law concept 'best interests of children'.

Expand the number of community legal education sessions for Aboriginal communities and agencies.

Develop a web-based Community Legal Education Management system that will interface with the Legal Aid NSW web site, providing new functionality such as an online calendar of workshops and enhanced registration processes.

Key challenge

Improving the quality of community legal education services through the development of improved planning, systems and processes.

Law reform

One of the corporate priorities of Legal Aid NSW is improving access to justice through reforms to the legal system.

Law reform submissions are an important way for Legal Aid NSW to contribute to the development of legal and public policy. They provide the opportunity to comment on how changes to the law or Government policies may impact on our clients, our resources or the functions of Legal Aid NSW. The day-to-day interaction of legal and non-legal staff with clients provides a unique perspective on likely impacts of law or policy reforms on our clients.

Legal Aid NSW played an important role in contributing to law reform in New South Wales and Australia. The Legal Policy Branch coordinated 36 submissions on law reform references, proposed legislation and reviews of legislation. See Appendix 8 for details.

Major achievements

PRIORITY 2: ACCESS TO JUSTICE

The Children's Legal Service and Legal Policy Branch commenced a law reform project with the aim of developing alternative options to custody for young people, in liaison with other areas of Government. The project includes contributing to NSW Police Force documents, training scripts and internal communications to promote the use of police discretion and the standardisation of admission requirements under the *Young Offenders Act 1997*; and preparing law reform papers on a number of issues that are having a particularly negative effect on the rates of young people on remand.

Legal Aid NSW contributed to the debate about bail reforms following the release of a Review of the *Bail Act 1978* and an exposure draft of the *Bail Bill 2010* by the Department of Justice and Attorney General in October 2010.

Our submission raised a number of concerns about the Bill, including its impact on the presumption of innocence and its restrictions on the right of bail review.

We provided submissions to a review of the penalty notice scheme being conducted by the NSW Law Reform Commission. Given that the penalty notice scheme has a disproportionately negative impact on the economically and socially disadvantaged people who are our client base, Legal Aid NSW was able to put together a strong submission based upon the practical experience of our lawyers.

Legal Aid NSW provided submissions to the NSW Law Reform Commission inquiry into the law and practice regulating what happens to people with a mental illness or a cognitive impairment, or both, who come before the criminal courts. A Legal Aid NSW reference group was established to draw upon the expertise of our staff to respond to the issues raised in the consultation papers. One of the principles underpinning our submission was that special provisions for people with cognitive and mental health impairments should operate across all tiers of the court system, and at every stage of proceedings.

Year ahead

Work with other government agencies to influence bail law reform and increased diversion of people from the criminal justice system, in particular, juveniles and people with mental and cognitive impairments.

Key challenge

To ensure that the contribution we make to law reform is as effective as possible, through a more structured approach and strategic direction.

Client diversity

Legal Aid NSW maintained its focus on meeting the needs of diverse clients.

This year saw further consolidation and action in relation to the Multicultural Action Plan and the Disability Action Plan. The plans are monitored by the Legal Aid NSW Access and Equity Committee (membership details are in Appendix 13) and are available on the Legal Aid NSW website. Both plans expire in 2010-2011.

Multicultural Action Plan

FACT FILE

13.5% of our case and inhouse duty clients are born in non-English speaking countries

\$983,899 was spent on interpreters

69,136 translated brochures were distributed in 30 languages

A summary of key performance highlights from the Multicultural Action Plan appears in Appendix 12.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

We continued to make wide use of interpreters and translators when providing our core services, both face-to-face and over the telephone. Expenditure was \$983,899, an increase of 14.27% from the previous year (of \$861,029). We also contributed to the cost of interpreters in community legal centres by way of grants of \$51,122.

PRIORITY 2: ACCESS TO JUSTICE

As the result of a new initiative, families from culturally diverse backgrounds who are separating can now make decisions about their lives with the help of mediators who understand their particular culture, values and history.

Ghena Krayem (lecturer, University of Sydney Law School and an active member of the Muslim community in NSW) and Theresa Simon, member of the Arabic (Maronite) community at their graduation ceremony held at the Family Court in Sydney. Photo: Peter Ryan.



“Separation and the breakdown of a relationship or marriage is a difficult time in any family’s life. It is essential that we are aware of the families who may be unaccustomed with the way separation is dealt with by the law and make them feel comfortable as they negotiate their way.” Theresa Simon, Arabic (Maronite) community

Ten lawyers from Vietnamese, Spanish, Arabic, Chinese, Indian, African and Pakistani communities completed traineeships to work as mediators to improve their communities’ access to Australian family law processes. The lawyers graduated and are now accredited family mediators and part of our Family Dispute Resolution Service.

The initiative responds to a key recommendation in the KPMG report, *Family dispute resolution services in legal aid: evaluation report* – that all commissions could improve access to family dispute resolution programs by culturally and linguistically diverse groups, making sure services are appropriate and effective for people from diverse backgrounds.

We distributed 69,136 translated publications and delivered community legal education sessions on family law, domestic violence, the Australian legal system, mental health and Legal Aid NSW services, to a wide range of culturally and linguistically diverse groups, humanitarian communities and recent immigrants.

Disability Action Plan

Significant work was undertaken in the Disability Action Plan. A summary of key performance highlights appears in Appendix 11.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

We delivered disability confidence training to managers and trained our reception staff to assist clients, especially those who may experience difficulties in completing forms.

PRIORITY 2: ACCESS TO JUSTICE

Key initiatives included:

- a survey of clients to assist in developing social exclusion indicators;
- Legal Aid NSW client satisfaction survey has disability-specific content;
- an e-text version of the legal aid application form on our website for people using assistive technology;
- a publication explaining the qualifying criteria for a Disability Support Pension; and

1 Client services

- office systems to improve case management for clients with intellectual disabilities and mental health issues.

PRIORITY 3: INTEGRATED SERVICES

We worked in partnership with the Intellectual Disability Rights Service on the Intellectual Disability Service Improvement Project to inform and train private lawyers in the use of s 32 orders for people with an intellectual disability or an acquired brain injury.

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

We developed specifications for a new training centre in the Central Sydney office that will have better facilities for people with disabilities.

Year ahead

A new Multicultural Action Plan and Disability Action Plan will be developed for the next two years.

Key challenge

Identify and address barriers to access for people from culturally and linguistically diverse (CALD) communities who need legal help by developing a comprehensive CALD Communication Strategy, that provides ethno-specific community information and practical resources for staff.

Private lawyers – their casework

We work in partnership with private lawyers, who receive funding from Legal Aid NSW to represent legally aided clients in assigned matters. In 2010–2011, private lawyers provided 43.7% of our case and duty services.

CASE 1 REPRESENTING ALLEGED PEOPLE SMUGGLERS

Private lawyers worked together with the inhouse practice to provide representation for alleged people smugglers who have been transferred to New South Wales.

In mid 2010, the Commonwealth reached an agreement with the state governments of New South Wales, Victoria and Queensland to prosecute alleged people smugglers. Most alleged smugglers are detained off the north-west coast of Australia and are usually prosecuted in Western Australia or the Northern Territory. Those jurisdictions had become overloaded with matters.

Legal Aid NSW started receiving these high profile matters at the end of last year. Most clients face a charge of aggravated people smuggling under the *Migration Act 1958*, which carries a mandatory minimum sentence for a first offence of five years imprisonment, with a non-parole period of three years.

The matters have had a high profile due to the mandatory sentences that apply upon conviction. Particular emphasis in the defence cases is being given to the apparent age of the accused as some are young men under 18. Defence considerations also include the role that the alleged smugglers have fulfilled on the voyage from Indonesia to Australia.

Legal Aid NSW has received 95 applications for these matters to date.

The first of these matters to go to trial in New South Wales concluded in a hung jury for all three accused,

at the end of June 2011. The matter will soon be set down for re-trial.

Trials of clients charged with people smuggling are being listed at Campbelltown and Sydney District Court. Trials are already being listed in 2012 at these two court locations.

CASE 2 HIGH COURT APPEAL OVER RELOCATION OF YOUNG CHILD

We granted legal aid to a mother so she could respond to an application made by the father for the return of their child to Norway.

The Australian mother and Norwegian father lived together in Norway where they had a child.

A year later, the mother left for Australia taking the child with her. The father filed a child abduction complaint against her in Norway. An application was subsequently made on behalf of the Central Authority in Australia for the return of the child to Norway.

The trial judge found that, as a result of serious family violence, returning the child to Norway would expose him to a grave risk of psychological harm and to an intolerable situation. The father's appeal to the Full Court of the Family Court was unsuccessful.

Appealing to the High Court, the father relied on a number of grounds; he specifically argued that the Full Court had erred in failing to identify and apply the proper principles that should be considered in determining whether an intolerable situation would exist on the child's return to Norway. He also argued that there were adequate protective procedures in place in Norway to safeguard the mother and child.

The High Court refused the father's application for special leave on the basis that he did not have 'sufficient prospects of success', particularly as he had made concessions about a number of the incidents of violence.

SECTION 2

Collaborating with our partners

More effective working relationships with other service providers



Dina Lioumis advises a client with a family law problem. Dina heads the new Early Intervention Unit in the Legal Aid NSW family law practice. The Unit helps people resolve issues before they become more serious. See page 41.

Major achievements

- Increased the number of lawyer appointments on panels to 3,460 – 17% more than last year with 48% of lawyers working in regional areas (page 33)
- Developed a panel of barristers for complex criminal law matters (page 33)
- Funded a new legal centre in the Mid North Coast region (page 35)
- Increased domestic violence services by 77% since expansion (page 37)
- Provided outreach programs in more regional locations (page 38)
- Participated in over 130 interagency forums and committees (page 42)
- Developed a new Statement of Commitment with the Aboriginal Legal Service (NSW/ACT) (page 44)

In this section

Key partners at a glance	32
Private lawyers	33
Community programs	35
Regional partnerships	38
Training our partners	41
Forums and committees	42
Aboriginal community partnerships	44

2 Collaborating with our partners

Key partners at a glance

Although we are the main provider of legal services in New South Wales, we also work closely with other agencies to ensure clients receive the most appropriate services to help resolve their particular legal needs.

Private lawyers

Private lawyers provided 43.7% of all Legal Aid NSW case and duty services.

We work in partnership with private lawyers who receive funding from Legal Aid NSW to represent legally aided clients (page 33).

LawAccess NSW

LawAccess NSW referred 47,847 inquiries to Legal Aid NSW offices.

LawAccess NSW is a free service that assists customers over the phone to manage their legal problems. It provides them with legal information, managed referrals and, in some instances, legal advice. LawAccess is available to anybody in New South Wales. It is administered by the Department of Attorney General and Justice, and partly funded by Legal Aid NSW. The main areas people sought help with in 2010-2011 were family law parenting arrangements, debt, divorce, wills, neighbours, apprehended violence orders, employment law and car accidents.

National Legal Aid (NLA)

Focused on delivering the reforms set out in the new National Partnership Agreement on Legal Assistance Services.

National Legal Aid is comprised of the directors of the eight independent legal aid commissions in each of the States and Territories (page 42).

NSW Legal Assistance Forum (NLAFF)

Organised training for settlement grants program workers about legal issues affecting newly arrived migrants and refugees in partnership with the Department of Immigration and Citizenship.

NLAFF brings agencies responsible for legal service delivery together to work as members of targeted working groups, to improve legal services for disadvantaged people in New South Wales (page 42).

Aboriginal Legal Service (NSW/ACT)

Developed a new Statement of Commitment ensuring that both agencies work together to address the legal needs of Aboriginal people in New South Wales.

The new statement was signed during NAIDOC Week, on 4 July 2011. It defines how this partnership will work over two years, especially in finding new ways of improving services to Aboriginal clients (page 44).

Cooperative Legal Service Delivery (CLSD) Program

Over 30 Law for Community Workers sessions were held across regional NSW.

CLSD is a regionally based approach to legal service delivery. It develops partnerships between regionally based legal, community and government agencies through initiatives that increase access to legal assistance and services (pages 38, 150).

Community Legal Centres (CLCs)

A new CLC was established on the Mid North Coast of New South Wales, servicing the Local Government Areas of Hastings, Kempsey and Greater Taree.

Legal Aid NSW administers funding to 36 Community Legal Centres. Most provide general legal assistance but some provide specialist services (pages 35, 138).

Women's Domestic Violence Court Advocacy Program

After services expanded to 108 Local Courts, there was a 78.7% increase in the number of services provided to women in New South Wales.

This program works with the NSW Police Force, Local Courts and legal, health, welfare and accommodation services in the community to provide an integrated response to domestic violence (pages 37, 137).

Partnerships with private lawyers

The Grants Division of Legal Aid NSW (Grants) receives, determines and manages legal aid applications.

It is a high volume work environment. The vast majority of the work is submitted and managed electronically and there is regular telephone contact with legal aid clients and lawyers.

FACT FILE

Total staff 78

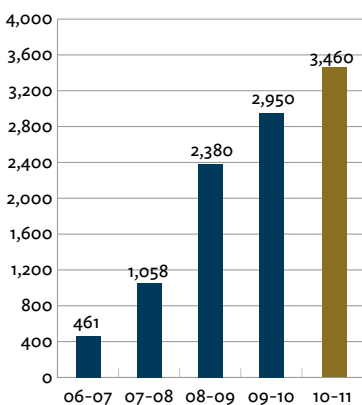
Legal Aid NSW received 48,337 applications for legal aid comprising:

- 27,431 applications in criminal law
- 18,077 applications in family law
- 2,829 applications in civil law

3,460 appointments on 11 panels

43.7% of all legally aided case and duty services were provided by private lawyers

LAWYER APPOINTMENTS ON PANELS 5 YEAR TREND



Panels

Panel arrangements for private lawyers undertaking legal aid work now apply across all areas of law. Panels aim to improve the

Panel appointments ensure that we can provide representation and assistance to clients appearing at any criminal court in New South Wales.

delivery of legal aid services to the community as well as our relationship with private lawyers. On appointment to a panel, lawyers sign a service agreement and agree to comply with practice standards and audit arrangements. They are then able to undertake legal aid work in the areas of law covered by the panel.

During 2010-2011, panels operated in General Family Law, Care and Protection, Independent Children's Lawyers, General Criminal Law, Serious Criminal Law, Children's Criminal Law (specialist Children's Courts), Prisoners Legal Service, General Civil Law, Mental Health Advocacy, Veterans' Law and in Specialist Domestic Violence matters.

Major achievements

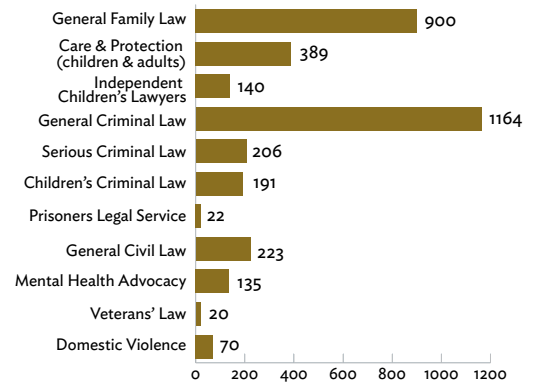
PRIORITY 2: ACCESS TO JUSTICE

We made 510 more appointments to legal aid panels, a 17% increase on last year, bringing the total number of appointments on all 11 panels to 3,460. We have appointed lawyers practising in the Sydney metropolitan area and throughout regional New South Wales. This ensures that Legal Aid NSW is able to provide representation and assistance to clients appearing at any criminal court in New South Wales.

Law and Justice Foundation research shows that more than 93% of New South Wales lawyers work in Sydney, the Hunter or the Illawarra and only 6.6% practise in rural, other regional or remote areas. Forty-eight percent of lawyers appointed to Legal Aid NSW panels were in regional areas.

The Specialist Barrister Panel for Complex Criminal Law matters

PRIVATE LAWYER APPOINTMENTS ON PANELS 2010-2011

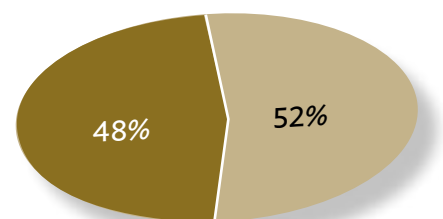


opened for applications between December 2010 and February 2011. This panel is the first of two specialist barrister panels resulting from recommendations made by the Trial Efficiency Working Group. This group was established by the NSW Attorney General in 2008 to identify the causes of the unnecessary length of criminal trials and to evaluate possible solutions.

Barristers appointed to this panel will be eligible to be briefed in legally aided complex criminal matters in the District and Supreme Courts.

Following consultation with the Law Society of NSW and the NSW Bar Association, the Board of Legal Aid NSW approved a criminal law fee scale package in February 2011 which included a higher rate for junior counsel appointed to the Specialist Barrister Panel.

Proportion of panel lawyers practising in metropolitan Sydney and throughout regional New South Wales.



2 Collaborating with our partners

Private lawyers cont

Audit review

PRIORITY 3: INTEGRATED SERVICES

The Legal Aid NSW audit strategy assists in monitoring panel lawyers' adherence to the requirements of the Legal Aid NSW Panels Service Provision Agreements. Lawyers are required to comply with our practice standards, policies and guidelines.

The strategy addresses both financial and service provision risk factors by using a series of checks against the various panel provisions.

In addition to our existing file audits, we have now introduced 'spot checks', calling on lawyers to forward clients' financial documents in selected matters so we can check compliance with the verification of means policy.

The initiative has promoted discussion regarding lawyers' responsibilities for ensuring the accuracy of financial information disclosed by the client on an application for aid. 'Spot check' audits have also identified the need to review policies dealing with the verification of clients' means.

An ongoing focus of the audit strategy is working with panel lawyers to assist them in meeting their responsibilities to Legal Aid NSW by making relevant resources easily available. This year the first of a series of guides to claiming fees was developed for lawyers in the area of general criminal law and published on the Legal Aid NSW website.

A unique partnership model forms the largest network of professional legal and social welfare services for victims of domestic violence in Australia.

Monitoring service agreements

PRIORITY 3: INTEGRATED SERVICES

We reviewed appointments to the monitoring committee which makes recommendations to the CEO of Legal Aid NSW about lawyers who have breached their panel service agreement, including suspension or removal from a panel. The committee is comprised of senior private lawyers and barristers nominated by the Law Society of NSW and the NSW Bar Association as well as Legal Aid NSW nominees.

Domestic violence lawyers

PRIORITY 1: SOCIAL INCLUSION

Since May 2010, Legal Aid NSW has administered the Domestic Violence Practitioner Scheme (DVPS) in 17 Local Courts in the Sydney metropolitan and Central Coast regions. Under the Scheme specialist domestic violence lawyers work in partnership with the local Women's Domestic Violence Court Advocacy Service (WDVCAS) to assist women and children experiencing domestic violence to obtain effective protection through an ADVO, and to assist in resolving related family law and child protection issues and provide advice on victims' compensation.

This partnership model is unique to New South Wales and comprises the largest network of professional legal and social services for victims of domestic violence in Australia.

In December 2010, the DVPS expanded to an additional 15 Local Courts, mainly in rural and regional areas. The Scheme now operates in 32 Local Courts. In 2010-2011, 3,179 clients were assisted.

Seventy lawyers have been appointed to a specialist panel to provide services at these courts under the DVPS. Lawyers on the panel adhere to practice standards and attend specialist training (see training details in Appendix 4).

Good guidelines, better communication

PRIORITY 3: INTEGRATED SERVICES

We revised the Grants Allocation Guidelines, which determine how work is to be assigned to private lawyers under s 12(f) of the *Legal Aid Commission Act 1979*. The new guidelines will be published early in 2011-2012.

Private lawyers were kept well informed about the allocation of assigned legal aid work, system enhancements, and changes to policy and procedures.

For the first time, private lawyers who undertake legal aid work were given access to the Legal Aid NSW Learning Management System so they can view and register for courses, online learning activities and annual conferences.

Year ahead

Implement the Specialist Barrister Panel for Complex Criminal Matters and open a panel for appellate matters in the Court of Criminal Appeal and High Court.

Review our processes for selecting, monitoring and communicating with private lawyers.

Key challenge

Effective operational implementation of the Specialist Barrister Panel for Complex Criminal Law Matters will require clear communication with all criminal lawyers and barristers, as well as new systems and processes.

Community programs

Community Legal Centres Program

Legal Aid NSW administers State, Commonwealth and Public Purpose Fund (PPF) funding for 36 Community Legal Centres (CLCs) throughout NSW, including Community Legal Centres NSW (CLCNSW), the peak body representing CLCs in the State.

CLCs are independent, non-profit organisations that are generally incorporated bodies managed by a board or management committee.

CLCs provide free legal services to address the specific needs of disadvantaged people. More detailed information about services and locations of individual centres is contained on the CLCNSW website at www.clcnsw.org.au.

Five CLCs also receive funding to operate Children's Court Assistance Schemes (CCASs) at eight Children's Court locations across New South Wales.

The Community Legal Centre Sub-Committee advises the Legal Aid NSW Board on matters relating to management and funding (Appendix 13 has membership details).

The Children's Court Assistance Scheme (CCAS) Advisory Group provides advice on the operation of the Children's Court Assistance Schemes and policy and guidelines issues. Appendix 13 has membership details.

At the launch of the new community legal centre L to R: Federal MP for Lyne, Rob Oakeshott; Deputy CEO of Disability Advocacy NSW, Catherine Peek; Federal Attorney-General, Robert McClelland; Principal Solicitor of Mid North Coast CLC, Jackie Curran and Coordinator of Mid North Coast CLC, Nicholas Comino. Photo: Sharon Fuller

A new Mid North Coast Community Legal Centre will service Hastings, Kempsey and Greater Taree.

FACT FILE

36 centres assisted 46,831 people

Made 4,593 referrals to Legal Aid NSW

Received 3,878 referrals from Legal Aid NSW

Opened 8,596 new cases and completed 7,349 cases

Opened 803 major cases (complex/lengthy matters)

Delivered 931 community legal education programs

Funding in 2010-2011

A total of \$18,103,835 was paid to CLCs through the program comprising:

- \$7,366,097 in Commonwealth Government funding (40.69%);
- \$5,509,422 in State Government funding (30.43%);
- \$5,228,316 in Public Purpose Fund funding (28.88%).

The Commonwealth Attorney-General's Department, the NSW Premier and the Minister for Women and Legal Aid NSW provided an additional \$2,035,459 for new and expanded services, rural programs, short-term partnership programs and a new CLC.

As well as making their annual contribution, the Trustees of the PPF also approved \$360,000 for the Aboriginal Legal Access Program.

The Commonwealth Attorney-General's Department also provided one-off funding of \$435,455 for service delivery to specific client groups.

More details about funding can be found in Appendix 6.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

Under the New South Wales Domestic and Family Violence Action Plan, funding of \$1,305,260 has been provided for Rural Women's Outreach Programs conducted by Shoalcoast CLC (at Nowra), Western NSW CLC, Northern Rivers CLC and Warringa Baiya Aboriginal Women's Legal Centre. The funding is for five years and will enable centres to increase their outreach and community legal education programs in remote areas.

PRIORITY 2: ACCESS TO JUSTICE

A new CLC was established at Port Macquarie on the Mid North Coast of New South Wales, servicing the Local Government Areas of



2 Collaborating with our partners

Community programs cont

Hastings, Kempsey and Greater Taree. The Commonwealth and State Governments will fund the CLC at \$310,000 per annum over three years up to 30 June 2013.

The centre opened on 3 June 2011 and the Commonwealth Attorney-General, the Hon Robert McClelland, officially launched it on 9 August 2011.

In 2010–2011, the Commonwealth Attorney-General announced that funding would continue for providing legal services to clients in Family Relationship Centres (FRCs) up to 30 June 2013. These services commenced as a pilot in January 2010.

The 15 CLCs that provide legal services in 18 FRCs across New South Wales provided a total of 2,354 advices and opened 427 new cases.

Legal Aid NSW is also providing legal services to clients in three FRCs. These services include legal information sessions, community legal education, legal advice, minor assistance and some legally assisted mediations.

In 2010, Legal Aid NSW took over the administration of the Aboriginal Legal Access Program (ALAP) in CLCs. The aim of the ALAP is to ensure Aboriginal people have better access to culturally appropriate legal services and are aware of their legal rights.

The PPF funded this arrangement as a trial that was subject to a review.

An independent review, completed in February 2011, found that all CLCs participating in the ALAP have increased the level of casework and advice provided to Aboriginal clients over the funding period.

The Trustees of the PPF and the State Attorney General approved further funding of \$369,000 per annum over the triennium 2011–2014 to employ workers to build on

successful projects in Hawkesbury Nepean CLC; Shoalcoast CLC; Northern Rivers CLC; Macarthur LC; and Illawarra LC. The funding also provides for a full-time coordinator position at CLCNSW.

PRIORITY 3: INTEGRATED SERVICES

In August 2010, the CEO directed new funding from the National Partnership Agreement on Legal Assistance Services towards innovative partnership projects between Legal Aid NSW and CLCs. Guidelines for project grants funding were finalised in December 2010 and applications for projects to be funded in 2010–2011 were called for in February to April 2011. The successful projects in this round are:

- **Community education through case studies** – helping migrant women in the workplace; submitted by Kingsford Legal Centre (KLC) as a partnership with Asian Women At Work and a Legal Aid NSW employment lawyer (\$20,000);
- **Visa cancellation on character grounds: meeting the legal needs of prisoners** – to help prisoners challenge decisions at first instance; submitted by KLC as a partnership with the Human Rights Unit of Legal Aid NSW (\$25,000); and
- **To Tweet or Not To Tweet?** – helping children and young people identify and manage the legal and privacy risks involved in using social media; submitted by the National Children's and Youth Law Centre as a partnership with the Legal Aid NSW Children's Legal Service (\$26,750).

PPF funded projects operating in 15 CLCs over the triennium 2008–2011 were reviewed between December 2010 to February 2011. The review found that 14 centres had met or exceeded their targets. On the recommendation of the Trustees of the PPF, the Attorney

General approved further funding of \$1.3 million per annum over the triennium 2011–2014 for projects and programs in 14 CLCs.

New tripartite service agreements were implemented between 33 CLCs, Legal Aid NSW and the Commonwealth Attorney-General's Department, setting out conditions for the Community Legal Services Program from 1 July 2010 to 30 June 2013. New service agreements are also being developed for three other non Commonwealth-funded CLCs to bring them in line with the rest of the NSW CLC sector.

From 1 January 2011, CLCs were given access to the Legal Aid NSW Employee Assistance Program. Under the program, CLC staff and their family members will have unlimited access to free and confidential counselling services provided by accredited psychologists across NSW.

Year ahead

Review the Children's Court Assistance Scheme Program.

Introduce a new performance management framework incorporating stakeholder feedback on CLCs.

Develop new partnership projects that focus on the goals established through the Access to Justice Framework and National Partnership Agreement on Legal Assistance Services.

Key challenge

The National Association of CLCs is introducing a new accreditation process for all member CLCs. Working with CLCs to meet accreditation standards and audit requirements will be a challenge requiring significant collaboration and work in the coming year.

Women's Domestic Violence Court Advocacy Program

Legal Aid NSW administers NSW Government funding for 28 Women's Domestic Violence Court Advocacy Services (WDVCASs), providing services in 108 Local Courts around New South Wales.

The program assists women and children who have experienced or who are experiencing domestic violence to obtain effective legal protection from New South Wales Local Courts through applications for Apprehended Domestic Violence Orders (ADVOs). The services provide information, assistance and referrals to social welfare organisations.

A committee with representatives from a cross-section of agencies advises the CEO about program activities. See Appendix 13 for details.

FACT FILE

Provided services at 108 courts

Provided 73,765 services to 21,219 clients across NSW (a 25% increase on last year and a 78.7% increase since program expansion)

10.2% of clients were Aboriginal women

21.2% of clients were women from backgrounds other than English-speaking

55% more interim and final orders were made

Funding in 2010-2011

In 2010-2011, \$6,970,622 was paid in grants for this program.

Funding is provided to incorporated, not for profit non-government service provider organisations through a triennial service agreement with Legal Aid NSW. Details of funding allocations are in Appendix 5.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

Protecting women and children from domestic violence is a key goal in our Corporate Plan social inclusion priority.

As a result of program expansion from 65 to 108 Local Courts, there has been a 55% increase in the number of interim and final orders obtained for clients from 2008 to 2011, and an increase of 60.1% in the number of referrals made to other services.

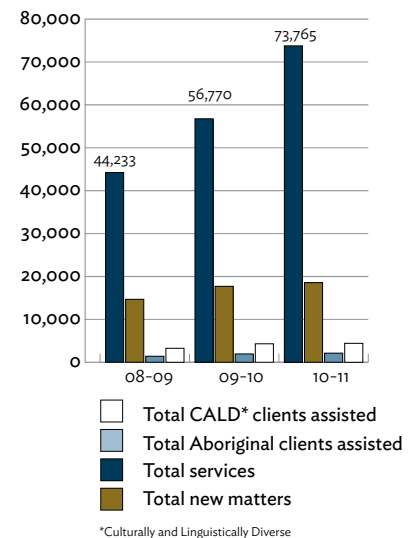
The number of culturally and linguistically diverse specialist workers increased from 5 to 13 and Aboriginal specialist workers increased from 10 to 23 across the 28 services. As a result, the number of Aboriginal clients increased from 1,407 in 2008-2009 to 2,129 in 2010-2011 and the number of culturally and linguistically diverse clients also increased from 3,261 to 4,499 across 2008-2011.

In November 2010, the WDVCA Unit was awarded the Premier's Award, Leading Change for its successful program expansion. Despite a complex restructure, the program was effectively implemented with strong support from stakeholders.

PRIORITY 3: INTEGRATED SERVICES

The Program relies on collaborative partnerships to achieve positive outcomes for clients. Partnerships

INCREASE IN SERVICES AS A RESULT OF EXPANSION



There has been a 78.7% increase in services since the program expanded in July 2009.

were strengthened through regular meetings with representatives from service provider organisations and WDVCA coordinators. Members of the NSW Police Force and NSW Local Courts were included in our training programs.

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

In preparation for the next funding triennium (2012-2015), the WDVCA Unit engaged a consultant to review the Program's expansion. The purpose of this



Bev Lazarou, Michelle Jones and Louise Blazejowska with the Premier's Award for Leading Change. Photo: Dani Pontes.

2 Collaborating with our partners

Regional partnerships

project is to measure efficiency and use the findings of the review report to enhance funding arrangements, staffing allocation, and WDVAS locations.

From 1 March 2011, Legal Aid NSW provided funding to the WDVAS Network Inc for the external placement of the Network Executive Officer position. To assist the Network to operate as an independent peak body the Program Manager worked with the Network to develop a strategic plan for 2010–2011 and is providing ongoing support and mentoring to the Management Committee for the next 18 months.

A training officer was appointed to oversee training programs, which are critical to WDVAS workers understanding the legislative framework of domestic violence in New South Wales and Legal Aid NSW policies and practices. New initiatives included training in the special needs of priority client groups – Aboriginal clients, non-English speakers and clients with a mental health issue. See Appendix 4 for details.

Year ahead

Conduct an external review of the WDVAS services to ensure they are achieving their targets for clients.

Ensure domestic violence lawyers are well used at courts.

Key challenge

Resourcing lawyers from a distance. This will be done through regular training, better use of social media and by linking specialist panel lawyers with inhouse lawyers. We will also ensure that panel lawyers can easily contribute to policy and operational reform.

People living in rural and remote areas can have difficulty accessing legal services.

Legal Aid NSW played a leadership role in developing regional coalitions and outreach programs that keep finding new ways to improve service delivery to people disadvantaged by distance.

FACT FILE

Outreach clinics in 128 regional locations

93 clinics provided under the ROCP assisting 249 clients

70 projects and workshops across 9 CLSD regions

Regional coalition

The Cooperative Legal Service Delivery (CLSD) Program is a regionally-based approach to legal service delivery that aims to improve access to legal services in regional areas of New South Wales. It does this by building cooperative networks of public legal sector, pro bono and community service providers.

There are now nine CLSD partnerships across regional New South Wales. Participating agencies include Legal Aid NSW regional offices, Community Legal Centres, the Aboriginal Legal Service, Aboriginal programs including Aboriginal Community Justice Groups and Circle Sentencing, LawAccess NSW, Local Court, tenancy, domestic violence,

disability and financial counselling services, local community and settlement services as well as pro bono legal services, Government departments and regional libraries. CLSD partners work collaboratively on projects that respond to locally identified, emerging and unmet legal needs. Initiatives undertaken with CLSD typically include training, community legal education, workshops and outreach clinics. The work of CLSD partnerships is informed by strategic planning workshops which use empirical evidence of local disadvantage and legal needs to determine service priorities set out in action plans.

The Program is guided by a Steering Committee that provides advice to the Legal Aid NSW Executive on CLSD activities. See Appendix 13 for details.

Major achievements

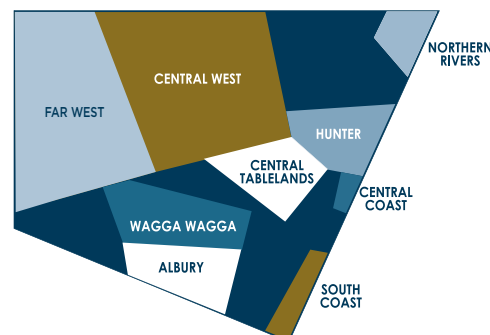
Nine regions – one voice

PRIORITY 1: SOCIAL INCLUSION

The CLSD Program bases its work on the theory that local, place-based initiatives are one of the best ways to target people experiencing inter-related forms of disadvantage – and that these provide a platform for the delivery of integrated services and support. Projects pursued under the CLSD banner aim to draw upon the collective resources and knowledge of a range of services, both legal and non-legal to address locally-identified needs and gaps.

Cooperative Legal Service Delivery Program 2004-2011

This map shows the regions where the Cooperative Legal Service Delivery Program operates. In August 2010, the Albury and Wagga Wagga CLSD region was divided into two discrete CLSD partnerships, bringing the total to 9 CLSD partnerships.



Projects in 2010–2011 that addressed the social inclusion priority included:

- fines workshops in regional locations;
- a carers' forum conducted by CLSD partner firm Blake Dawson on legal issues for parents and carers of children with a disability in Newcastle;
- *Law for Non-Lawyers* for workers in Nowra and Bega in conjunction with the Public Interest Law Clearing House; and
- *Law for Community Workers* workshops – practical training and capacity building for community workers in the regional New South Wales towns of Bathurst, Lithgow, Dubbo, Nowra, Bega, Albury, Wagga Wagga, Griffith, Tweed Heads and Lismore. A total of 37 workshops were held on topics that included care and protection, family law, mental health, fines, debt and mortgage stress, legal issues for older people and young people and the law.

Law for community workers in regional Australia

Thank you Legal Aid for making such wonderful training available and accessible to regional community service workers and for making it available free to staff, volunteers and boards. I very much appreciate your willingness to respond to a great need we experience in regional areas for good, accessible and relevant training.

Shauna McIntyre, Lismore/Tweed Heads

PRIORITY 2: ACCESS TO JUSTICE

Many of the achievements of CLSD Program partners have enhanced access to justice for marginalised communities – including migrant communities and remote or isolated Aboriginal communities. Projects undertaken under this priority included:

- joint service community legal education workshop for international students on domestic violence, employment and credit and debt matters, on the Central Coast;
- legal theatre workshops on employment law in the Northern Rivers targeting emerging Filipino and African communities;
- community legal education workshops in Lismore on family/humanitarian visa applications, family breakdown, visa cancellations and processing problems;
- legal showcase in Narooma by the South Coast CLSD partners, including many South Coast-based Aboriginal support agencies;
- workshops about discrimination law rolled out across New South Wales to communities with high Aboriginal populations;
- joint service outreach to provide community legal education on wills and planning ahead issues to Aboriginal communities in North West New South Wales; and
- *Learn About the Law* - one-day workshop with the Older Persons' Legal and Education Program and CLSD partners in the Hunter for Aboriginal community workers and members.

PRIORITY 3: INTEGRATED SERVICES

The CLSD Program brings together private lawyers and workers from other public legal services to share information and provide services to people in regional New South Wales.

Key collaborations this year included:

- funding a DVD on the Custody Notification Service for the Aboriginal Legal Service (NSW/ACT) (with subtitles for people who are hearing impaired) – distributed to CLSD partners including community legal centres and private lawyers across New South Wales;

- support for free weekly advice clinics in Bathurst and Taree – provided by lawyers from community legal centres, Legal Aid NSW and private law firms; and
- closer partnerships with the Aboriginal Legal Service (NSW/ACT), as well as Aboriginal programs from agencies including Aboriginal Affairs NSW, the Department of Attorney General and Justice, Fair Trading, and the Department of Families, Housing, Community Services and Indigenous Affairs .

Year ahead

Conduct an independent evaluation of the CLSD partnership and the role of the CLSD Program Unit in supporting the partnerships.

Roll out the CLSD Program to another region in New South Wales.

Key projects will include:

- rolling out discrimination law workshops to more regional communities in New South Wales, commencing with the Hunter in September 2011; and holding 'complaints' clinics/workshops to assist people to lodge complaints and seek remedies for identified discrimination matters;
- supporting a pilot project with Lifeline Financial Counselling and Nowra Legal Aid office to provide legal and financial counselling support to prisoners in the new Nowra Correctional Centre; and
- exploring early intervention pilot projects in criminal law in regional New South Wales, including assistance and advocacy for traffic and domestic violence offenders in conjunction with the Legal Aid NSW criminal law practice.

2 Collaborating with our partners

Regional partnerships cont

Key challenge

Enhancing collaboration between public and private sector lawyers and community agencies, and providing them with the support they need to provide legal services in areas of high need. We will address this by facilitating information-sharing, training and relationship-building events.

Rural and regional outreach programs

The civil and family law practices have expanded their regional outreach services.

PRIORITY 1: SOCIAL INCLUSION

The civil law practice expanded its general and specialist outreach programs in regional areas, including Western New South Wales. Homeless outreach services expanded into the Richmond / Tweed and South East New South Wales areas.

There are now 68 civil law outreach clinics currently operating in regional New South Wales; 22 of these are homeless clinics and 8 service Aboriginal communities.

The aim of the outreach program is to provide legal services to people and communities who have been identified as experiencing high levels of social exclusion and unmet legal needs and who face barriers to accessing mainstream legal assistance. We use a combination of local knowledge, contacts and networks as well as research on locations of high disadvantage (such as that undertaken by Professor Tony Vinson, University of Sydney) to inform our choice of locations for outreach.

Twelve of the 19 new outreach locations in family law were in regional New South Wales, including Albion Park, Wyong, Forbes and Grafton where there

are large populations at high risk of social exclusion.

PRIORITY 2: ACCESS TO JUSTICE

Regional Outreach Clinic Program

We now provide fortnightly or monthly advice clinics in 13 of the most disadvantaged towns in New South Wales, many with high Aboriginal populations.

The Regional Outreach Clinic Program (ROCP) was established in 2009 as a pilot with funding from the Commonwealth Attorney-General's Department under the Regional Innovations in Legal Services Program.

The aim of the Program is to provide public access to sustainable and effective advice and minor assistance legal services to people at risk of social exclusion living in particularly disadvantaged regional, rural and remote areas of New South Wales.

The Program funds private and community legal centre lawyers to provide legal advice and minor assistance services to communities with little or no access to public legal services, and where it would not be feasible or efficient for Legal Aid NSW to provide a regular outreach service. Participating lawyers are appointed after an Expression of Interest process.

In the first phase, seven clinics were established in Bowraville, Brewarrina, Dareton, Lithgow, Moree, Macksville and Wentworth. These locations were chosen on the basis of indicators of socio-economic disadvantage and relative lack of access to public legal services. In some cases clinics are in communities hundreds of kilometres away from their nearest Legal Aid NSW office.

Using National Partnership Agreement funding, another six clinics were established in 2010-2011. The new clinics are located in

Bega, Boggabilla, Lightning Ridge, Nambucca Heads, Orange and Tenterfield.

Ninety three clinics were provided under the ROCP with 249 clients receiving services, 31% of whom were Aboriginal. Most clients were in receipt of Centrelink benefits. Clients have been returning to the clinics for further assistance, and eligible clients received ongoing assistance through a grant of legal aid or referral to a duty lawyer service. Assistance was most commonly sought in family law and child support; traffic offences and assault; debt, victim's compensation, employment, and wills and estates.

We now provide regular monthly or fortnightly advice clinics in 13 of the most disadvantaged towns in New South Wales.

Year ahead

Expand civil law outreach programs in North West New South Wales, North Eastern New South Wales and South Eastern New South Wales.

Expand family law outreach programs to the Hunter regional
Provide resourcing and support for ROCP lawyers through training and mentoring. A two-day training course is scheduled for September 2011.

Key challenge

Making sure that new ROCP clinics are reaching their target communities and client groups and that clients needing follow-up assistance and ongoing casework services get help. This will be done by examining client data and working with relevant local services to make sure clinic services are accessible and that gaps in services are addressed.

Training and resourcing our partners

We provide our partners with regular training and mentoring opportunities and, in turn, they bring invaluable expertise to our conferences and seminars.

Major achievements

PRIORITY 3: INTEGRATED SERVICES

We trained and resourced our partners so they are in a better position to help disadvantaged clients. Initiatives included:

- four two-day training programs for lawyers who are part of the Domestic Violence Practitioner Service in Sydney and Newcastle;
- liaison on domestic violence issues between the Mentoring Project Officer and government and community agencies, including presentations at NSW Police Force domestic violence liaison officer training;
- training and resources for lawyers working with clients who have an intellectual disability, part of a two-year partnership agreement with the Intellectual Disability Rights Service;
- training community sector lawyers about new tenancy laws;
- training advocacy and support groups for people with HIV about the law on privacy, health records and unlawful discrimination;
- a forum for domestic violence workers including specialist training provided by the Mental Health Coordinating Council of NSW;
- policy training to LawAccess NSW, community legal centres and other external stakeholders so they can give clients accurate information about our services and make appropriate referrals;
- training sessions and a conference in Parramatta for family relationship centre and community legal centre staff on family law and the Family Court;

- training for community workers on legal issues contributing to homelessness; and
- discrimination law workshops for workers in Aboriginal services organisations.

For numbers attending each training course, see Appendix 4.

Educating partners about our new early intervention program

The Commonwealth Attorney-General's *Better Partnerships Program*, brings together three key agencies to assist families to resolve disputes without going to court. As part of its leadership role, Legal Aid NSW provided intensive early intervention training for its partners – community legal centres and family relationship centres. These included information sessions, court visits, debriefs, a specialist workshop and a conference in Parramatta with speakers including Elizabeth Kelly, Deputy Secretary, Commonwealth Attorney-General's Department and Associate Professor Lawrie Moloney, Australian Institute of Family Studies.

Communicating change through our publishing program

The biggest changes to credit law in 15 years began in July 2010. In partnership with the Consumer Credit Legal Centre (NSW) Inc, we published the *Credit Law Toolkit*, an interactive training toolkit, and distributed it nationwide to community legal centres, the Australian Securities and Investments Commission, private lawyers and financial counsellors. Financial counsellors reported the new resource was very useful for training and as a reference for two of the most common consumer credit problems: financial hardship and unjust or unsuitable credit provision.

With project partners – Inner City Legal Centre and Redfern Legal Centre – we were the lead agency in publishing the third edition of *Fined Out*, an overview of how fines are dealt with in New South Wales, including changes to Work and Development Orders.

The *Mortgage Stress Handbook* (2nd edition) was published in partnership with the Consumer Credit Legal Centre (NSW) Inc to include changes brought in under new Commonwealth laws in 2010. Unlike the New South Wales-specific first edition, the second edition has national application.

It is available online at www.legalaid.nsw.gov.au/mortgagestresshandbook

Both the *Mortgage Stress Handbook* and *Credit Law Toolkit* were funded by the Department of Families, Housing, Community Services and Indigenous Affairs.

Year ahead

Develop e-learning modules to better inform our partners about Legal Aid NSW eligibility policies.

Publish the second stage of the credit law interactive training toolkit to cover consumer debt enforcement and collection and fringe lending.

Provide mentoring and professional support to lawyers working in the regions as part of our Regional Outreach Clinic Program including training on working with Aboriginal clients and training community workers to help them identify legal issues.

Key challenge

Finding new and better ways to resource our partners.

Forums and committees

Inter-agency committees

Legal Aid NSW staff were members of over 130 inter-agency statewide committees working towards making the justice system more efficient, fair and accessible. Staff in regional offices also participate in local committees.

A full list of committees appears in Appendix 14.

Major achievements

PRIORITY 3: INTEGRATED SERVICES

The Compulsory Drug Treatment Correctional Centre at Parklea Corrections Facility is an interagency approach to the treatment and rehabilitation of repeat offenders with long-term drug dependencies.

Civil lawyers contributed to the Australian Securities and Investments Commission Insurance Advisory Committee, which will oversee insurance issues concerning consumers.

The Legal Aid NSW Human Rights Group commenced partnerships with Kingsford Legal Centre and the Public Interest Law Clearing House, providing services to prisoners in visa cancellation matters.

We participated in the Working Group for Positive Life, which broadly deals with ensuring human rights for persons with HIV, and with issues surrounding the provision of health care to them.

One of our civil lawyers, David Coorey, was appointed a member of the Financial Ombudsman Service (FOS) Board, which comprises consumer and financial services industry representatives. FOS aims to fairly and independently resolve disputes between consumers and member financial service providers.

Forums

Legal Aid NSW is a member of several state and national forums that work collectively to find better ways of dealing with key legal issues affecting people's legal rights.

NSW Legal Assistance Forum

Legal Aid NSW continues to play a significant role in the activities of the NSW Legal Assistance Forum (NLAF).

NLAF is chaired by Alan Kirkland, CEO of Legal Aid NSW, and Legal Aid NSW staff participate in or convene NLAF Working Groups.

The work of NLAF this year has focused on improving access to legal services for prisoners, culturally and linguistically diverse (CALD) communities and rural regional and remote communities.

NLAF has also focused on improving coordination in delivery of legal services in the area of employment law and delivery of legal and non-legal services to people experiencing domestic violence.

Major achievements

PRIORITY 3: INTEGRATED SERVICES

Key initiatives included:

- launching a legal information portal, an intranet site about the law, legal systems and legal programs for use by prisoners on the new network of computers being rolled out in New South Wales gaols. The initiative was jointly funded jointly by Corrective Services NSW and Legal Aid NSW;
- organising training for settlement grants program workers about legal issues affecting newly arrived migrants and refugees in partnership with the Department of Immigration and Citizenship;
- mapping the demand for and provision of employment law

services to build an evidence base to discuss ways to increase employment law services across the legal assistance sector;

- hosting a roundtable discussion with the Commonwealth Government, Law Council of Australia and the legal profession to discuss strategies for recruiting and retaining lawyers in rural, regional and remote areas;
- securing funding from the Commonwealth Attorney-General's Department to continue to undertake research to monitor issues of lawyer availability, recruitment and retention in rural, regional and remote areas of New South Wales;
- convening a roundtable discussion with service providers and peak organisations to improve effective referral pathways between legal and non-legal services for people experiencing domestic violence; and
- developing a 'map' of the domestic violence sector to outline services, agencies and government departments involved in the provision of services to people experiencing domestic violence.

More information is available on the NLAF website: www.nlaf.org.au

National Legal Aid

National Legal Aid (NLA) is comprised of the Directors of the eight independent legal aid commissions in each of the States and Territories. Together NLA provides services to more than 750,000 Australians each year. NLA is supported by working groups and networks, each of which comprises representatives from each of the legal aid commissions. Alan Kirkland, CEO of Legal Aid NSW, chaired NLA until February 2011.

PRIORITY 3: INTEGRATED SERVICES

This year NLA focused on implementing the new National Partnership Agreement (NPA) on Legal Assistance Services. Under the Agreement, States and Territories will receive funding from the Commonwealth to deliver Commonwealth funded legal aid services. The Agreement is over four years until June 2014 and provides an additional \$10 million in funding. Funding for Legal Aid NSW over four years is \$248 million. For 2010-2011, the NPA funding was \$60.2 million.

Key features of the Agreement include increased focus on early intervention and prevention services; greater access to Commonwealth funding for matters falling under a State jurisdiction in areas of early intervention and child protection and family violence where there is a related family law matter; and encouraging greater collaboration among legal and other service providers.

Legal Aid NSW has established and commenced delivery of several innovative projects to increase preventative, early intervention and dispute resolution services including:

- early intervention services in family law;
- more legal advice clinics in rural and remote communities
- increasing legal assistance in social security matters at an earlier stage in proceedings;
- more civil law outreach services in Western Sydney and regional areas; and
- improving the availability of civil law assistance to prisoners, focussing on issues such as fines, debt and tenancy.

The first six monthly performance report under the NPA was submitted to the Commonwealth. A comprehensive annual report for 2010-2011 will be provided in September 2011.

NLA continued to work with the Law and Justice Foundation on its Legal Needs Survey which is due in September 2011. NLA Directors provided advice to the Commonwealth about the impact across Australia of prosecuting alleged people smugglers, discussed practices for the work of Independent Children's Lawyers and responded to the changes to new fees in federal courts.

Through NLA's Community Legal Education Working Group, Directors collaborated on innovative community legal education campaigns. In particular NLA led the development of a community legal education package for newly arrived migrants with funding from the Department of Immigration and Citizenship.

The NLA Grants and Statistics Working Group focused on data development, consistency of definitions for reporting under the National Partnership Agreement and developing national legal aid statistics for reporting on the NLA website.

Directors reviewed international, national and state and territory best practice models for responding to the legal needs of disadvantaged people in order to provide advice to Government on further opportunities to assist disadvantaged Australians.

NLA also developed a two-year strategic plan with three priority groups: children, people with mental health issues, and low-income consumers. The plan will guide the work for NLA working groups from 2011 to 2013.

NLA made submissions on legal issues affecting disadvantaged people including submissions in relation to Federal Court filing fees and the Family Law Legislation Amendment (Family Violence) Bill 2011 and other measures.

Australian Legal Assistance Forum

The CEO represents Legal Aid NSW and the other legal aid commissions on the Australian Legal Assistance Forum (ALAF) which also includes the Law Council of Australia, Aboriginal and Torres Strait Islander Legal Services and the National Association of Community Legal Centres.

ALAF works to address national legal assistance issues in a cooperative and coordinated way.

Justice Executive

The CEO of Legal Aid NSW, Alan Kirkland, attended quarterly meetings of the Justice Executive Group along with Laurie Glanfield, Director General of the Department of Attorney General and Justice, Nicholas Cowdery, Director of Public Prosecutions (until he retired in March 2011), and Ron Woodham, Corrective Services Commissioner. These meetings facilitate effective coordination of justice issues, allow Department-wide priorities and strategies to be identified and provide an opportunity for strategic thinking and advice on critical justice issues. Other justice agencies, such as NSW Police, the Judicial Commission and Juvenile Justice participate in the meetings from time to time.

Prime Minister's Council on Homelessness

The CEO, Alan Kirkland, was appointed to the Prime Minister's Council on Homelessness in August 2009. The Council advises the Prime Minister and Australian Government on progress towards the targets for reducing homelessness set out in the White Paper on Homelessness, *The Road Home*, and in the National Partnership Agreement on Homelessness.

Aboriginal community partnerships

National Australian Legal Assistance Advisory Board

The National Legal Assistance Advisory Board (NLAAB) was established by the Federal Attorney-General in May 2011. The NLAAB meets biannually to facilitate strategic decision-making across the legal assistance system. It provides advice to the Attorney-General on issues affecting the provision of legal assistance services, including the coordination and integration of services, improved access to and availability of services, and early intervention. The Advisory Body consults with service providers, alternative dispute resolution organisations, courts and tribunals, the legal profession and other educational, business, industry, consumer and community organisations. Alan Kirkland, CEO of Legal Aid NSW, chairs the NLAAB.

Year ahead

Participate in NLA and its working groups to implement the actions set out in the Strategic Plan including actions arising from the results of the Law and Justice Foundation's National Survey of Legal Needs. Focus on early intervention services to advise the Federal Government on what more could be done to assist disadvantaged Australians to resolve their legal problems before they escalate. Continue the implementation of the National Partnership Agreement on Legal Assistance Services.

The Aboriginal Legal Service (ALS) NSW/ACT is our key partner in delivering legal services to Aboriginal people in New South Wales.

The Aboriginal Services Unit of Legal Aid NSW is responsible for managing the relationship between Legal Aid NSW and the ALS.

A new two-year Statement of Commitment, replacing the previous Statement of Cooperation, will ensure that both agencies work together to address the legal needs of Aboriginal people in New South Wales and recognises the role that each has to play in achieving this.

Major achievements

PRIORITY 1: SOCIAL INCLUSION

We provided skills and resources to Aboriginal people working in the justice system. Consultation with the Aboriginal Services Division at the Department of Attorney General and Justice led to rolling out community legal education to Aboriginal Client Service Specialists, Aboriginal Community Justice Group Coordinators and Circle Sentencing Project Officers.

Aboriginal Community Justice Groups served as local reference bodies for Legal Aid NSW offices in 20 locations around the State.

PRIORITY 2: ACCESS TO JUSTICE

We employed our first Aboriginal Field Officer based at Campbelltown who is working in the areas of family and civil law. The purpose of this position is to reduce the barriers between Legal Aid NSW and Aboriginal communities through a combination of outreach, community legal education and case matter assistance (see page 15).

PRIORITY 3: INTEGRATED SERVICES

We informed our partners and Aboriginal communities about our services at key events and forums, including the NSW Land Council State Conference (5-7 April 2011) and Greater Western Sydney

Information and Referral Days in Emerton (24 November 2010) and Campbelltown (1 December 2010).

The CEO and Principal Solicitor of the Aboriginal Legal Service are members of our Aboriginal Justice Committee which met quarterly (see Appendix 13 for membership details).

The criminal law practice and the ALS negotiated a new protocol for the transfer of criminal law work from each agency in a way that promotes efficiency and effective representation for clients.

Civil lawyers established an outreach clinic in collaboration with the Aboriginal Medical Service of Western Sydney at Mt Druitt. They also conducted advice clinics at some ALS offices and in other key Aboriginal organisations.

Legal Aid NSW continued to fund the ALS to employ three care and protection lawyers in regional New South Wales.

Five workshops were provided to Northern Rivers Aboriginal communities about discrimination law, training a total of 53 Aboriginal community workers.

Year ahead

Aboriginal Field Officers will work closely with Aboriginal communities in Campbelltown, Coffs Harbour and Walgett. Evaluate the Aboriginal Field Officer Pilot Project. Training on civil law issues will be provided to administrative staff working in Aboriginal Legal Service (NSW/ACT) offices to help them identify civil law issues and make referrals.

Key challenge

Managing the Aboriginal Field Officer Pilot in three diverse communities with high legal needs, and meeting those needs effectively.

SECTION 3

Managing our organisation

Responding better to changing legal needs



Major achievements

- Developed recommendations for improving psychological injury management (page 46)
- Increased our Aboriginal workforce to 4.5% (page 47)
- Employed more women senior executive directors (page 47)
- Provided Aboriginal Cultural Awareness training to 82 staff (page 48).
- Increased development opportunities for senior managers (page 48)
- Online learners grew to 3,446 as more community workers and private lawyers came on board (page 48)
- Analysed increasing crime expenditure (page 51)
- Conducted a number of reviews (page 51)
- Enhanced our online learning system for external users (page 53)
- Improved our environmental management (page 54)

In this section

OUR PEOPLE

Health and welfare	46
Equal employment opportunity	47
Learning	48

OUR OFFICE SYSTEMS

Review and evaluation	51
Engaging our staff	52
Technology	52
Office enhancements	54
Environmental management	54

Above: Diploma of Management graduates 2010. See page 48. Photo: Dani Pontes

SECTION 3

Managing our organisation

Responding better to changing legal needs



Major achievements

- Developed recommendations for improving psychological injury management (page 46)
- Increased our Aboriginal workforce to 4.5% (page 47)
- Employed more women senior executive directors (page 47)
- Provided Aboriginal Cultural Awareness training to 82 staff (page 48).
- Increased development opportunities for senior managers (page 48)
- Online learners grew to 3,446 as more community workers and private lawyers came on board (page 48)
- Analysed increasing crime expenditure (page 51)
- Conducted a number of reviews (page 51)
- Enhanced our online learning system for external users (page 53)
- Improved our environmental management (page 54)

In this section

OUR PEOPLE

Health and welfare	46
Equal employment opportunity	47
Learning	48

OUR OFFICE SYSTEMS

Review and evaluation	51
Engaging our staff	52
Technology	52
Office enhancements	54
Environmental management	54

Above: Diploma of Management graduates 2010. See page 48. Photo: Dani Pontes

3 Managing our organisation

People

The results of the Corporate Plan were achieved by our highly qualified lawyers and advocates and efficient, client-friendly administrative staff. We continually look for ways to improve our systems and support to ensure our staff can do their work more effectively.

This year, the rebranding of Human Resources to 'People and Organisational Development' demonstrates our commitment to putting people at the centre of our operations. People and Organisational Development's focus is health and wellbeing and strong professional development opportunities.

FACT FILE

972 staff (421 in regional offices and 551 in Central Sydney)

481 lawyers and 491 administrative staff

41 Aboriginal staff

731 women and 241 men

15 new permanent staff (5 in regional offices)

68 lawyers have specialist accreditation

Health and welfare

Health in our workplace – improving psychological injury management

The Mental Health and Wellbeing Working Group was established in 2010 to make recommendations for initiatives aimed at improving the psychological health and wellbeing of all staff and identify the risks they face. The Group involves a cross section of staff from different offices, roles and professional backgrounds.

The Group prepared recommendations for new initiatives that could improve psychological injury management.

Highlights through the year included taking part in Lifeline's



Justice Anna Katzmann addressing Legal Aid staff at the inaugural Mental Health Month morning tea. Photo: Dani Pontes

Stressdown Day in July 2010 and an address to staff by Justice Anna Katzmann during Mental Health Month in October 2010. Justice Katzmann spoke about the pressures in the legal profession and made suggestions about how we can all make a positive contribution.

Occupational health and safety (OHS)

We reviewed our OHS processes, policies and guidelines to ensure best practice and the optimum level of health and safety of our employees. The current focus is on implementing processes to ensure the wellbeing of staff – both mental and physical.

Findings from an independent review of health and wellbeing in the criminal law practice, in particular to identify factors relating to stress, workload, mental health,

depression and morale, are due to be released shortly.

Stay Healthy Program initiatives included free flu vaccinations, defensive driving skills training, a stretch break program and sponsoring staff to participate in the Global Corporate Challenge.

The OHS Committee, made up of employer and employee representatives, met five times to review OHS policies. Committee membership details are in Appendix 13.

An Implementation Plan has been developed to put in motion actions to meet the targets of the NSW Government's Working Together Strategy.

Workers compensation

Of the 25 workers compensation claims lodged in the 2010-2011 reporting period, two of the injuries occurred in the 2008-2009 reporting period. Figures and costs incurred by these two claims have been included in the 2010-2011 figures.

Of the total 25 claims lodged in the 2010-2011 reporting period, 22 claims were accepted. One claim was not accepted and two claims were initially accepted under provisional liability, however these were declined following pre-liability investigation.

Record of workers compensation claims

Type of claims	No of claims for 2009-2010	No of claims for 2010-2011
Workplace	17	16
On duty (not at workplace)	6	4
Journey	8	5
Recesses – lunchtime & authorised breaks	2	-
Total claims lodged	33	25
Total claims accepted	32	22
Total claims not accepted	1	1
Total claims withdrawn	-	-
Claims declined	1	1

Work related incidents		
Type of injury/incident	No of claims for 2009-2010	No of claims for 2010-2011
Workplace	7	12
On duty (not at office)	3	1
Journey	10	5
Recesses – lunchtime & authorised breaks	3	2
Total injuries/incidents	23	20

The cost incurred to 30 June 2011 of new claims reported in 2010-2011 was \$236,840 compared to \$242,728 in 2009-2010, a decrease of \$5888.

The number of accepted claims (includes claims accepted under provisional liability), decreased from 32 in 2009-2010 to 22 in 2010-2011.

Of the accepted claims in this reporting period, there were 5 fall/slip and 10 body stress (e.g. Repetitive Strain Injury) claims amounting to \$61,686 in 2010-2011 or 26.05% of the total cost of claims.

There was an increase in psychological injuries (Post Traumatic Stress Disorder, Anxiety Disorders and Depression) from five in the 2009-2010 reporting period to nine in the current reporting period. Of the nine claims, one claim was accepted outright and one claim was not accepted. The other seven claims were initially accepted under provisional liability. However of this group, one claim was finalised prior to the pre-liability investigation,

two claims were accepted following the pre-liability investigation, two claims were declined following the pre-liability investigation and two claims remain under investigation.

Five of the nine claims lodged were due to alleged bullying. Action is either currently underway or has been undertaken to investigate these claims to ensure that any accepted and outstanding issues are addressed.

Costs incurred by these claims amounted to approximately \$173,789 or 73.38% of the total cost of claims for 2010-2011.

The number of full time equivalent (FTE) (on average) staff for this financial year is 880.28, an increase of 52.48 from 827.80 in 2009-2010. This equates to an average claim cost of \$269.05 per staff member compared to \$293.22 per staff member in 2009-2010.

Legal Aid NSW will continue to pursue the established risk management approach to health and safety with a view to identifying any issues of concern before they can result in injuries/incidents and claims.

The total number of 'Incident Only' reports has decreased slightly from 23 in 2009-2010 to 20 in this reporting period of 2010-2011.

EEO profile

Major achievements

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

We increased the number of Aboriginal staff to 4.5% of total staff, representing 39.2 FTE positions and 41 actual staff.

An additional position was advertised for an Aboriginal person as part of the Career Development Program, making a total of five Aboriginal positions within the Program. Two of the placements are in the Newcastle office.

An Aboriginal Field Officer was employed at the Campbelltown office (see page 15).

We increased the number of Aboriginal staff to 4.5% of all staff.

The number of staff with a disability rose from 4% of total staff last year to 5.4% this year. Disclosure of disability is voluntary.

Although the total number of SES and Senior Officer positions remained the same following a restructure of the executive management structure, the gender composition of the 2010-2011 executive is more balanced than in previous years. There are two female SES officers compared to zero in 2009-2010.

Six women occupy nine senior positions compared to three women in a team of seven last year.

STAFF NUMBERS 5 YEAR TREND

Year	FTE* figures** financial year end	Actual staff number financial year end
2010-11	880.28	972
2009-10	827.80	909
2008-09	824.34	912
2007-08	784.77	852
2006-07	742.31	805

*FTE: full time equivalent

**See Appendix 2 for more details.

STAFF NUMBERS 3 YEAR TREND

Staff movements	2008/09	2009/10	2010/11
New permanent staff	45	29	15
Staff departures	56	41	52
Promotions	24	26	26

Data not recorded before 2008.

3 Managing our organisation

People cont

Learning

FACT FILE

5,734 course attendances

3,687 staff and 1,429 external partners attended 3,786 seminars, courses, workshops and conferences

1,703 new online users came on board

Major achievements

PRIORITY 1: SOCIAL INCLUSION

Our Aboriginal cultural awareness training program entered its third year. The training helps ensure the workplace is culturally sensitive and services are delivered in a culturally appropriate manner. Eleven training sessions were held in Coffs Harbour, Bathurst, Central Coast, Wagga Wagga and Central Sydney, attended by 82 Legal Aid staff and partner agency staff. Participants evaluated the training highly.

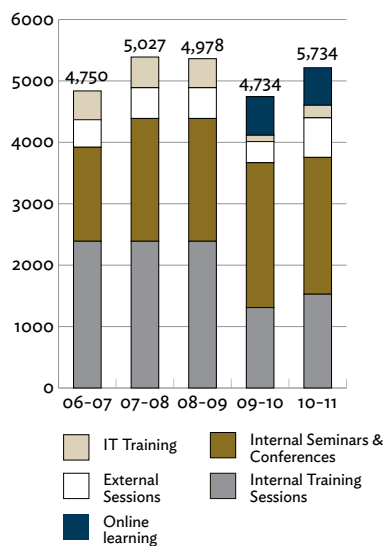
PRIORITY 4: ORGANISATIONAL FLEXIBILITY

The number of users of our Learning Management System (LMS) grew to 3,446 meaning that our continuing legal education, general training courses, online modules and community legal education activities are now being accessed more widely than ever.

In December 2010 we welcomed most private lawyers as LMS users well in time for our annual criminal law conference. Conference participants found the online registration and payment system easy to use.

This year also saw Legal Aid NSW conduct a series of management forums and workshops attended by 195 managers from both legal and administrative streams of the organisation. This initiative provides an opportunity for managers to review their work and link it up with the broader priorities of Legal Aid NSW.

COURSE ATTENDANCES 5 YEAR TREND



Ten staff gained a Diploma in Management and 12 more embarked on the Diploma (three from our partner organisations). The program is tailored to managing in the legal/public sector environment. Almost 200 employees have graduated since 2003.

Two staff completed the Executive Masters in Public Administration.

Amongst the past year's best attended training activities were visits to the Supreme, District and Children's Courts and to LawAccess in Parramatta, our inhouse version of *Law for Non-Lawyers* and sessions on our records management procedures.

A new online training package based on the *Credit Law Toolkit*, a publication jointly developed by the Consumer Credit Legal Centre and Legal Aid NSW very quickly became a popular online learning program.

Our courses addressed the NSW Law Society's mandatory continuing legal education requirements, providing training in practice management and business skills and professional skills. In 2010-2011, NSW Legal Services Commissioner, Steve

Mark, presented a seminar on *Ethics and Professional Responsibilities*. The presentation, with case studies, was recorded and will become the basis of a new e-Learning module.

Two initiatives were implemented in the important area of equipping our staff to provide services to members of new and emerging communities. Cheryl Nolan, Coordinator, North Coast Settlement Service conducted a half-day *African Cultural Awareness* workshop for staff at the Coffs Harbour office, and in Central Sydney the NSW Service for the Treatment and Rehabilitation of Torture and Trauma Survivors conducted the workshop, *Working Effectively with Refugee Survivors*. This was the pilot for a series of workshops designed to help civil lawyers provide a more comprehensive and effective service to our refugee and immigrant clients.

Legal Aid library staff provided training in legal research to corporate and practice areas in regional offices and Central Sydney.

Registered users of our Learning Management System grew to 3,446 from 1,743 last year.

Conferences

Our conferences have gained a reputation as stimulating learning forums, each year attracting greater numbers of participants. This year's criminal law conference welcomed 440 participants, the family law conference and care and protection conferences combined, 603, and the civil law conference, 115.

See Appendix 4 for a detailed list of conference and seminar attendance.

Policy and staff reviews

Legal Aid NSW is a statutory body established under the *Legal Aid Commission Act 1979* (NSW). The Office of the Legal Aid Commission

and the Legal Aid Commission Temporary Staff Division are Divisions of the NSW public sector established under the *Public Sector Employment and Management Act 2002* to provide personnel services to Legal Aid NSW. No staff were employed by the Legal Aid Commission Temporary Staff Division.

Major achievements

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

Late in 2010, the CEO commissioned two reviews: one reviewing the senior management structure at Legal Aid NSW and the other reviewing the Human Resources Division.

As a result of these reviews, there were changes to the senior executive, moving Legal Aid NSW to a flatter Executive structure, comprising eight Executive Directors. See pages 58 and 60.

The Human Resources Branch was renamed the People and Organisational Development Division, to signify a stronger focus on developing the skills of our staff, promoting their health and wellbeing and building a positive workplace culture.

We continued to implement the public sector wide e-recruitment system, which went live in June 2010. All business processes

and documentation in relation to recruitment and positions are being reviewed as part of the implementation of the system. This project will deliver a paperless and more time-efficient recruitment and selection process.

The Performance Planning and Review System was reviewed and a new system known as Individual Planning has been developed. Three pilots were undertaken across the Central Sydney office. Following interest by regional offices, pilots were also undertaken in three country regions and one metropolitan office. A report and recommendations for further implementation will be completed in 2011-2012.

An organisation-wide plan articulating strategies to address all facets of people management, including staff development and support was initially slated for 2010-2011; however, due to an executive restructure, this plan has been postponed until next year. This will become a priority for 2011-2012.

In 2010, a review of the Advocacy Unit (criminal law) undertaken by His Honour Andrew Haesler, DCJ, SC was completed. An implementation committee was formed and its recommendations were submitted for final approval to the CEO.

These recommendations include establishing a Senior Allocations Advocate and clear guidelines for the distribution of work between Solicitor Advocates and Senior Advocates. The review has clarified the type of work to be performed with a priority of maximising the amount of time Advocates spend on trial work.

A review of the role of Legal Support Officers was finalised with guidelines set for consideration of ratios of Legal Support Officers supporting lawyers whenever changes to the establishment are being processed.

Employee relations

PRIORITY 3: INTEGRATED SERVICES

Staff took part in a number of reviews, including: Legal Support Officer Review, Office Managers Review, Helpdesk Solutions Report, Solicitor Advocate Review, Medibank Health Solutions Report and the Mental Health and Wellbeing Group.

Staff participated in various internal and external committees (see Appendices 13 and 14).

There were no changes to the Code of Conduct.



Staff from the Grants Division took up new opportunities to develop their skills and knowledge.
Photo: Dani Pontes.

3 Managing our organisation



Staff members celebrating 20 years of service this year were recognised for their fine contribution by managers and peers. Celebrations took place at the Managers' Conference in November 2010 and at Parramatta Justice Precinct where colleagues gathered to acknowledge Solicitor Advocate Richard Leary's 20 years of fine achievement. Richard was also awarded a special staff award for Best Advocacy and Performance in Frontline Court Work. Photo: Dani Pontes

Career development

PRIORITY 3: INTEGRATED SERVICES

Providing more opportunities for staff to train and work across traditional program boundaries, saw family lawyers take up secondments as registrars in the Children's and Family Courts or as lawyers in other Government departments whilst the Grants Division provided opportunities for staff to work on projects in other divisions and also welcomed the expertise of civil law staff to its area. Five positions were offered on the 2011 Career Development Program from a field of 260 applicants. The

Program offers rotations in two legal practice areas to recently admitted solicitors over a two-year period.

Professional and personal achievements

Mary Ryan, the Acting Solicitor-in-Charge of the Dubbo office was appointed as a Magistrate in January 2011. Mary's deep sense of social justice and strong empathy for the most disadvantaged in society comes from a background with the Aboriginal Legal Service and Legal Aid NSW. She is especially well known for her love of the bush and understanding of the

particular issues faced by people living in isolated regional areas.

Janelle Clarke from the Aboriginal Services Unit and Timika Williams from the Community Legal Centres Program graduated with a Diploma in National Indigenous Legal Advocacy from Tranby Aboriginal College.

Family lawyer Alexandra Harland was lead author for the book *Family Law Principles* published by Thomson Reuters.

Annmarie Lumsden, Executive Director Strategic Policy, Planning and Management Reporting completed her Executive Masters in Public Administration.

Year ahead

Develop an organisation-wide plan to address all areas of people management, including staff development and health and well-being.

Implement recommendations from the report by the Mental Health and Wellbeing Working Group.

Increase our Aboriginal workforce to 5.25% by June 2012 and 5.5% by 2013.

Extend Aboriginal cultural awareness training to private

lawyers who work in communities where there is no Legal Aid NSW office, and to mediators on our family dispute resolution panel.

Implement the recommendations of reviews into workload, structure and wellbeing in the criminal law practice.

Focus learning on organisational development and managing change, especially in the areas of mental health and wellbeing and professional development.

Review our management and leadership training to ensure it is

meeting current and future needs of staff.

Key challenge

Introducing the new OHS legislation will require a review of existing OHS systems and processes to ensure compliance under the new Act. This new *Work Health and Safety Act 2011* may require significant changes to current systems which require action to comply and may require educating the workforce.

Office systems

We made our systems and processes more efficient and innovative – achieving our Corporate Plan goals and resulting in better services for clients.

Major achievements

PRIORITY 3: INTEGRATED SERVICES

From the time of introducing a new grants management system (ATLAS) in 2009, we have been enhancing ATLAS and the related case management system (CASES) to make it easier for staff to provide an effective service to lawyers and clients. In November 2010, we upgraded ATLAS and the related Grants Online system addressing suggestions and issues raised by staff and private lawyers.

Staff can now record how clients who receive legal advice found out about legal aid, and where the clients were referred after the advice. This will assist with reporting under the National Partnership Agreement outcome of ensuring clients receive 'joined up' services.

Data and analysis

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

A research team from the University of New South Wales helped us to gather data collected by state and commonwealth agencies on factors which influence the demand for Legal Aid NSW services. This will improve our ability to provide timely and appropriate responses to changing community legal needs. Reporting needs have been identified and a range of agencies are being contacted to identify data that may be shared with Legal Aid NSW.

Analysis of increasing crime expenditure

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

Legal Aid NSW has experienced increasing expenditure in criminal law matters over a number of years but has struggled to explain the reasons for this increase.

An internal analysis commissioned by the CEO in March 2011 found that the single largest driver of crime expenditure for Legal Aid NSW is payments to private lawyers for an increasing number of days of court attendance in indictable matters, and in particular, District Court trials. This reflects the increase in the average length of District Court trials finalised by verdict: 8.67 days in 2010, compared to 7.84 days in 2009 and 7.75 days in 2008. In summary, the average length of trials increased by approximately one day from 2009 to 2010.

While the number of persons with District Court matters has been relatively stable, Bureau of Crime Statistics and Research data indicates increases in the number of persons charged in particular offence categories, with significant increases in sexual assault, robbery, drug offences, theft and break and enter. These increases in particular offence categories correlate with trends in increasing Legal Aid NSW expenditure.

Legal Aid NSW will use this information to inform future planning and funding negotiations.

Policy review and program evaluation

PRIORITY 1: SOCIAL INCLUSION

We reviewed the Legal Aid NSW means test and contribution policy to consider how the policies align with contemporary concepts of social and economic disadvantage, with the aim to incorporate social inclusion principles. A final report

will be released later in 2011.

A review of civil law policies continued, to incorporate social inclusion into the civil law policy framework.

We have surveyed over 400 people to date, as part of a client survey to determine social exclusion indicators. The indicators will be used to determine whether an applicant for legal aid is at risk of social exclusion. This will help us to develop client policies that can more effectively target those people at risk of social exclusion.

Based on recommendations from an independent review of the Older Persons' Legal and Education Program, we improved education programs and legal services to older people from culturally and linguistically diverse communities, Aboriginal older people, and older people living in isolated regions.

The fee scales paid in all civil law matters and the funding model used in Commonwealth family law matters were reviewed to simplify them, achieve consistency across our three practices, and make the process more transparent for private lawyers. The outcomes of these reviews will be considered in 2011-2012.

During 2010-2011, the Board considered outcomes of program and service reviews, including a review of procedures for allocating criminal law duty and casework to private lawyers and a review of the Family Dispute Resolution Service. These reviews provided useful recommendations for improvements.

Year ahead

Develop indicators of social exclusion and continue to review client policies in the context of a social inclusion framework.

Complete the means test and contribution policy review and begin implementing its recommendations.

Engaging our staff in change

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

Staff responded enthusiastically to new initiatives that will help solve work issues and help plan for the future. These included:

- a forum for civil lawyers to find better ways of helping clients with housing, consumer protection, human rights, social security and immigration law issues (May 2011);
- more training and seminars in employment law, issues facing prisoners, homeless people and people with a mental illness.
- cross-divisional forums pioneered by Grants that have been highly successful in identifying and resolving systems issues for the inhouse practice, as well as for private lawyers;
- a planning day to establish the future role of corporate services in providing legal aid services (May 2011);
- the first “whole of office” planning day for lawyers, administrative staff, advocates and senior managers to find ways of being more responsive to the legal needs of family law clients (May 2011); and
- staff workshops to consider and comment on the new Legal Aid NSW Plan.



Technology

Information Technology played a key role in assisting the organisation to deliver better services, and to achieve Corporate Plan priorities.

Major achievements

PRIORITY 2: ACCESS TO JUSTICE

Internet

This year Legal Aid NSW completely redeveloped its website with a focus on providing a site that is easy to use and that quickly guides the public to legal help. The website has been written in plain English and accessibility generally has been a theme. The Publications Online feature within our website has been developed so that the public can find publications readily. The new website has information in various languages as well as a searchable database of Legal Aid NSW services using Google maps.

The new website was undergoing final testing at the end of 2010-2011 and was launched soon after in August 2011.

PRIORITY 3: INTEGRATED SERVICES

Strategic Plan

We developed an Information and Communications Technology Strategic Plan 2011-2013, outlining initiatives and focus areas over the next three years that will support and enable Legal Aid NSW to consistently deliver on its targets.

Joined up Justice

This year we continued to work closely with other justice sector agencies, particularly the Office of the Director of Public Prosecutions, to integrate our case and grants management systems with JusticeLink – the courts management system across the Department of Attorney General and Justice.

We expect the first stages of the integration with JusticeLink to be implemented in the first half of 2011-2012.

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

Infrastructure

This year we selected a new telephone system to replace the current ageing systems throughout all Legal Aid NSW offices. The new telephone system to be implemented in all Legal Aid NSW offices is based on Voice Over IP technology and will provide a complete unified communications environment for staff. Key new features for staff include support for working from any desk at any office with their telephone extension number, as well as supporting staff mobility while away from their desk or office.

Legal Aid NSW maintains its own primary data centre together with a disaster recovery data centre. This year we continued to expand the use of server virtualisation to reduce the overall operation cost of our server fleet, together with providing flexibility for operational needs.

National Legal Aid statistics website

The National Legal Aid (NLA) statistics website which is part of the NLA website (www.nla.org.au) has been re-developed by Legal Aid NSW to automate data uploads and to provide a common data schema for all legal aid commissions across Australia. The website allows commissions to upload data on a monthly basis. The site then automatically consolidates the data and publishes it through charts and data grids.

Safdar Iqbal, Operations Manager, Information Technology Services, examines the changing role of technology. Photo: Wayne Gale

Audio-visual links (AVL)

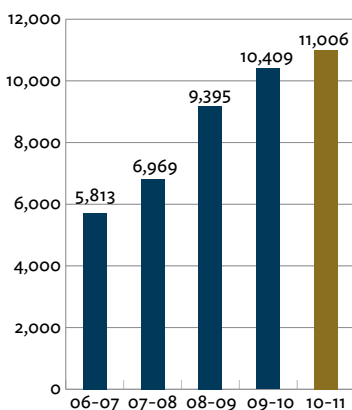
All our regional locations now have video equipment connected directly to our wide area network, which allows us to remove redundant communication links, achieving significant costs savings. AVL has also resulted in significant time savings, particularly in communicating with clients in custody.

Staff can not only use dedicated video conference suites at each of our offices, they can also now video conference with other justice sector agencies directly from their desktop or laptop by using webcam technology.

Staff increased their usage of AVL services: 11,006 AVL conferences were held this year, compared with 10,409 last year and 5,813 in 2006-2007. The majority – 6,073 – were from criminal law.

Recognising the business importance of video conferencing, we also upgraded our disaster recovery site this year so that conferencing could continue uninterrupted should the Central Sydney data centre facilities become unavailable through a disaster situation.

**AVL CONFERENCES HELD
5 YEAR TREND**



The IT Helpdesk took 13,901 calls with 94.8% of call resolution times meeting targeted service levels.

Enhancements to the Learning Management System

This year we made further enhancements to the Learning Management System to provide better services for external users of the system including integration with our grants management system so external users who already have access to use Grants Online can directly access the Learning Management System. An additional feature has been developed which allows external users to register for Legal Aid NSW conference sessions and to pay for those by credit card online using a new payment facility.

Project Management Office

Our project management practices are continually being enhanced to be in line with industry best practices to meet the needs of those for whom we undertake information technology projects.

A Project Management Office Charter was recently developed then endorsed by the ICT Steering Committee. This charter describes the Project Management Office's function and its responsibilities to enable it to continually deliver successful projects, build project management maturity, provide transparency and also act as the Legal Aid NSW authority on project management practices.

Service Desk

Following a review of help desk services across Legal Aid NSW, this year we progressed the implementation of a Service Desk incorporating the former IT Helpdesk and Grants Support Desk. The Service Desk is a single point of call within Legal Aid NSW

for staff and external business partners in relation to information technology, the use of business systems, and a range of other operational and support activities.

Year ahead

Expand and integrate video and web conferencing facilities into service delivery streams.

Provide frontline staff with a range of mobility options to support their work outside the Legal Aid NSW office environment providing services at court and in remote areas through outreach programs.

Finalise the implementation of the Service Desk, providing single point of call assistance to staff and business partners on a range of support services.

Redevelop our business intelligence and management reporting systems.

Broaden our use of collaboration tools and integration with records management systems.

Upgrade software to allow lawyers to access Grants Online using iPads.

Explore ebook initiatives with legal publishers and implement a new library management system to improve access to information.

Key challenge

Providing frontline staff with a range of contemporary business tools and technologies so they can provide the best possible service to the New South Wales public, wherever the service is located.

3 Managing our organisation

Office enhancements

Office refurbishment included:

- upgrading facilities in Central Sydney to make more efficient use of space;
- new fitouts for the Information Technology, Finance and Executive areas;
- an innovative ‘hot desk’ space for the new Family Law Early Intervention Unit at Parramatta; and
- an accessible toilet and an automatic opening entry door for disabled staff on one floor of Central Sydney, and three more accessible toilets planned in refurbishments on other floors including the training centre.

To help keep our staff safe, security facilities were upgraded at our regional offices with fixed duress alarms installed in interview rooms.

Major achievement

PRIORITY 3: INTEGRATED SERVICES

Setting up the office space for the new Family Law Early Intervention Unit at Parramatta in a short timeframe, included negotiating with the Department of Attorney General and Justice to modify the space to suit a new style of operating for our legal services. We worked with staff to design and build a form of accommodation that encourages communication and provides a sense of belonging to staff.

Environmental management

PRIORITY 3: INTEGRATED SERVICES

We set a target to appraise 10% of records at off-site storage for destruction.

Since the roll-out of the records disposal program in March 2009, we had, by July 2010, reduced records storage from 121,000 boxes to 102,500 boxes.

This year, we appraised more than 12,000 boxes (11.75% of the total) and identified more than 10,000 boxes (10.07% of the total) for

How we reduced our environmental footprint this year		
Goal	Target	Achievement
Reduce electricity consumption	Reduce standalone printer numbers by 75%	Multifunction Device installation completed Reducing standalone printers to be completed by end 2011
Reduce paper purchasing by 10% (main WRAPP* goal)	A minimum of 85% of all copy paper by 2014 to contain recycled content At least one recycled content option to be included as part of each publication quotation	Reduced white paper purchasing by 5.5%
NABERS** Building Energy Rating for Central Sydney office	A minimum 4-star rating under the Minimum Energy Performance Standards Scheme, and/or a minimum 4-star rating under the Water Efficiency Labelling and Standards Scheme, or Smart Approved WaterMark products and services (for outdoor use) by 2014	Purchased dishwashers with minimum 4.5 star ratings and microwaves with 2 stars
Green electricity purchasing	6% by 2009 (NSW Govt Target)	Increased from 10% to 15% from 2010 to 2011
Increase E10 fuel consumption	20% from 2007	Increased from 28% to 63% in 2010-2011
Increase vehicle Environmental Performance Rating (EPR)	12/20 by 2009-2010 (NSW Govt Target)	Increased green score from 13.2/20 in 2009-2010 to 13.73/20 in 2010-2011
Carbon neutrality	Carbon neutral operations by 2020 (NSW Govt Target)	All of the above in progress State Property Authority is incorporating new green clauses into all new negotiated leases

destruction. This represents a further annual saving of \$38,800 in storage costs.

* *Government Waste Reduction and Purchasing Policy.*

** *National Australian Built Environmental Rating System rates the operational environmental performance of buildings.*

Year ahead

Relocate Nowra and Wagga Wagga regional offices so that they can offer more services to our clients.

Install accessible toilets for people with a disability on three more floors in Central Sydney.

Develop a new WRAPP Plan for 2011-2013 with updated targets.

Appraise 5% of the remaining records collection in off-site storage.

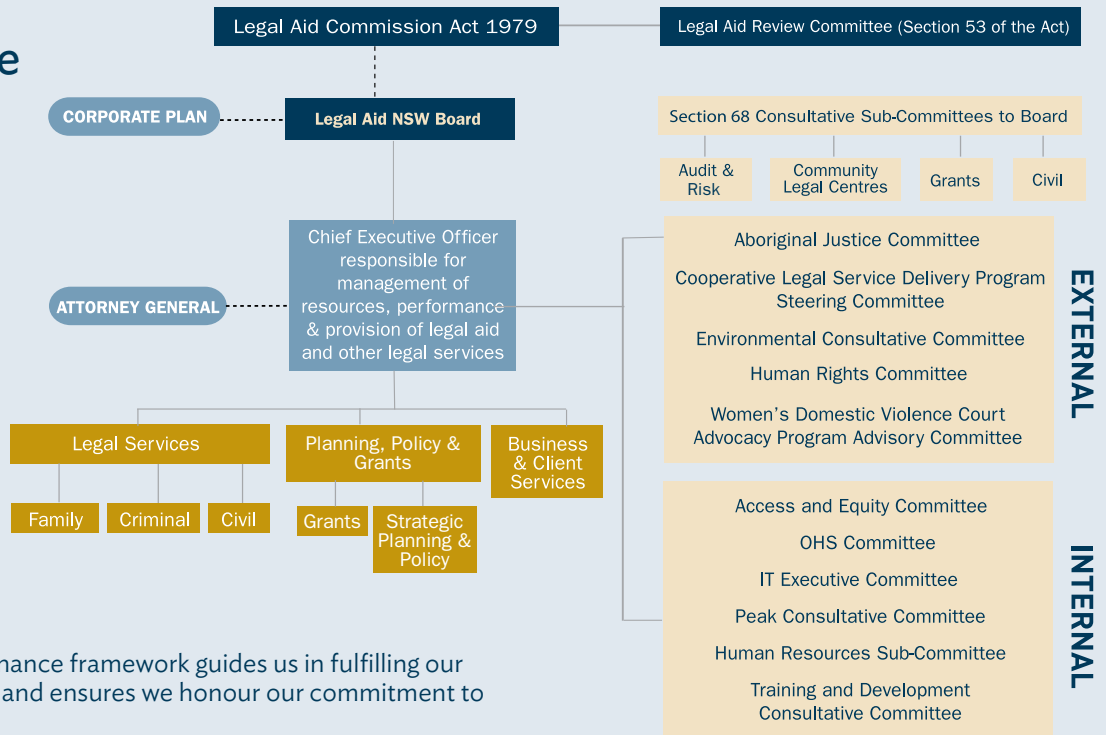
Key challenge

Responding to the growth and evolution of our services and ensuring that staff have the office facilities they need to provide effective assistance to clients. The challenge will be to achieve as much as possible as economically as possible.

SECTION 4 Governance

Achieving our goals in an effective and ethical manner

Corporate Governance Framework



Our corporate governance framework guides us in fulfilling our legislative objectives and ensures we honour our commitment to the community.

Legal Aid NSW continues to monitor and review its organisational structure (see page 60) to make sure that it is most effective to meet future aims and directions.

Major achievements

The Board oversaw three key operational reviews and changes to fee scales as well as the implementation of the National Partnership Agreement on Legal Assistance Services (page 56)

Reformed the senior management structure (pages 61)

Developed a new Legal Aid NSW Plan 2011-2013 (page 61)

Developed a five-year civil law strategic plan – the practice's first long-term plan (page 61)

In this section

Board achievements	56
Board members	57
Executive Directors	58
Organisational chart	60
Governance framework	61
Legislative compliance	63
Privacy	64
Public accountability	65

Legal Aid NSW Board

A Board with 10 members determines our broad policies and strategic priorities.

The Board of Legal Aid NSW consists of nine part-time members including the Chair, and one full-time member, who is the Chief Executive Officer of Legal Aid NSW. They bring a diversity of skills and perspectives to their role.

Part-time Board members are appointed by the NSW Attorney General for a maximum of three years.

Major achievements

The Board welcomed the Attorney General, the Hon Greg Smith SC, to the first Board meeting following the State election, at which he spoke about the new Government's priorities for the justice system.

The Board also oversaw the implementation of changes to the executive structure, and the implementation of the National Partnership Agreement on Legal Assistance Services.

Much of the Board's attention was devoted to provision of quality services, with Board members providing strategic oversight of the implementation of recommendations arising from the Advocates and Senior Advocates Review, changes to criminal law fee scales for the complex criminal trials and criminal appellate matters panels, and the review of the Family Dispute Resolution Service.

The Board approved a number of policy amendments that are aligned with the Corporate Plan priorities of social inclusion and access to justice. These included:

- amendments to the Children's Court policy, following amendments to the *Education Act 1990*, to enable representation in compulsory schooling order matters in the Children's Court;

- revised policy and guidelines on public interest human rights matters;
- amendments to criminal and civil law policies so that legal aid is available for preventative detention and prohibited contact order matters when a Supreme Court order has been made under s 26PA of the *Terrorism (Police Powers) Act 2002 (NSW)*;
- amendments to the criminal law policy, to make legal aid available for applications to revoke or vary detention or extended supervision orders under the *Crimes (Serious Sex Offenders) Act 2006*; and
- changes to family law policy, to support the involvement of Legal Aid NSW in pilots of alternative dispute resolution in care and protection matters, as recommended by the Special Commission of Inquiry into Child Protection Services.

There were no emergency decisions required during the year.

Board members' fees

Part-time Board members are entitled to be paid fees for their work in attending meetings, reading background papers, sitting on committees and representing Legal Aid NSW at meetings with other organisations. The rates of remuneration are \$3,370 per annum for members and

\$28,080 p.a. for the Chair. The Chair of the Audit and Risk Committee is also paid an additional \$2,527 p.a. for chairing this committee. No fees are paid to members who are salaried Government employees or who elect to forego payment.

Committees

The Board is advised on specific matters by a number of committees. These include the Audit and Risk Committee, which advises on budgetary and internal audit matters. Details of these committees are included in Appendix 13.

In 2010–2011 Barbara Ramjan joined the Community Legal Centres Sub-Committee that was chaired by Rev Harry Herbert. Maria Girdler was a member of the Civil Law Sub-Committee, the Community Legal Centres Sub-Committee and the Women's Domestic Violence Court Advocacy Program Advisory Committee. Andrea Durbach chaired the Civil Law Sub-Committee whilst Ian McClintock was a member of the Grants Committee, chaired by Mary Macken.

Year ahead

Ensure that legal aid services are aligned with changes to laws, procedures and services introduced by the new State Government.



Board members

HON PETER COLLINS AM RFD QC BA LLB (SYD)

Appointed by the Attorney General as Chair. Peter was a member of the New South Wales Legislative Assembly for more than 22 years, during which time he held the senior portfolios of Attorney General, Health, and Treasury (and three other Ministries) after which he was Leader of the Opposition.

While at Sydney University Law School, he was a Professional Assistant with the Commonwealth Attorney-General's Department and later, after admission to the NSW Bar, became a founding member of Edmund Barton Chambers where he practised for three years before entering Parliament.

He has also served as a Navy Reserve Lawyer since 1992, twice as Fleet Legal Officer, and in 2007 served in Baghdad, Iraq, leading an Australian Defence Force legal team.

He serves on several boards in the public, non-government and private sectors. (6)

ALAN KIRKLAND BA LLB MBA (EXEC)

Appointed by the Attorney General as Chief Executive Officer in 2008 (see page 58 for biography). (6)

PHILIP BICKERSTAFF MCOM

Phillip retired from the NSW Public Sector in 2005 after 37 years, 29 of those with NSW Treasury. He was appointed to the Board in 2005 and chairs the Board's Audit and Risk Committee. He is also a member of the Board of the Festival Development Corporation, Ryde Family Support Service and Fairfield Community Resource Centre. (6)

ANDREA DURBACH BA LLB, DIP LAW (SAB, USYD)

Andrea is Associate Professor at the Faculty of Law, UNSW and Director of the Australian Human Rights Centre. Previously, she was Director of the Public Interest Advocacy Centre and Coordinator of the Public Interest Law Clearing House. She is also Chair of the Legal Aid NSW Human Rights Committee and member of

the Advisory Council of Jurists of the Asia Pacific Forum of National Human Rights Institutions. (6)

JOHN BORDON BA LLB (SYD) LLM (UNSW)

John is nominated by Unions NSW. In the past he has held a number of positions on the staff of Legal Aid NSW. Currently he is a senior member of the Consumer Trader and Tenancy Tribunal. He has also served on a number of other bodies including the Serious Offenders Review Council and the Immigration Review Tribunal. (5)

IAN McCLINTOCK SC BA LLB (UNSW)

Nominated by the NSW Bar Association, Ian practises as a barrister principally in criminal law. Ian was involved in the first years of establishing Redfern Legal Centre. He worked as a Legal Aid lawyer in the 1980s, in the Attorney General's Department in the Criminal Law Review Division before returning to Legal Aid and then going to the bar. He is a founding member of Forbes Chambers which specialises in criminal law. (6)

(Alternate: Phillip Boulten SC)

REV HARRY HERBERT BA BD STM DIP. LEGAL STUDIES

Appointed by the Attorney General to represent consumer and community welfare, Harry is Executive Director of UnitingCare NSW, ACT. He also chairs the NSW Responsible Gambling Fund and is Co-Chair of the AGL Customer Council, and is a member of the Boarding House Expert Advisory Group. He is the longest serving member on the Board. (6)

MARIA GIRDLER BA LLB (UNSW)

Nominated by Community Legal Centres NSW and appointed by the Attorney General to represent bodies that provide community legal services, Maria is the Manager of Macquarie Legal Centre, and has held this role for 13 years. Before that she worked at Macarthur Legal Centre for two years.

Maria has held various roles at the Anti-Discrimination Board, the Human Rights Commission, the Department of the Prime Minister and Cabinet and a number of State and Federal government departments. (5)

(Alternate: Patrick O'Callaghan)

MARY MACKEN MA LLM (SYD) FAICD

Nominated by the Law Society of NSW, Mary is the Immediate Past President of the Law Society of NSW and a practising solicitor in New South Wales, England and Wales.

Mary initially specialised in the commercial property field. Since then, her roles have included Manager of Legal Services, Landcom and Corporate Counsel, State Transit Authority (Sydney Buses). Mary is a member of the Women Lawyers Association of NSW, the Australian Lawyers Alliance and the City of Sydney Law Society. (6)

BARBARA RAMJAN BA (HONS) (SYD); GRADDIPCRIM (SYD); BTEACH (UWS); MHL (SYD)

Appointed by the Attorney General, Barbara is the newest Board member and attended her first meeting shortly after her appointment in October 2010.

She has appeared as a Guardian ad Litem in the Children's Court and Administrative Decisions Tribunal, as well as filling this role in many other courts and tribunals. Barbara is a member of the Children's Court Advisory Committee, providing advice to the Attorney General and the Minister for Community Services on the workings of the Court. (4)

(Numbers indicate meetings attended in 2010–2011).

Meetings of the Board

Six meetings were held in 2010–2011.

Finance and budget matters took up approximately 30% of the Board's time; strategic matters about policy, planning, law reform, 30% and governance matters such as risk assessment and advice on operational matters, 40%.

Left: Board members standing L to R: Philip Bickerstaff, Maria Girdler, Ian McClintock, Reverend Harry Herbert; seated L to R: Alan Kirkland (CEO), Mary Macken, Peter Collins (Chair), Andrea Durbach and Barbara Ramjan. Absent: John Bordon.

4 Governance

Executive directors



ALAN KIRKLAND

BA LLB MBA (Exec)
Chief Executive Officer
(SES Level 6)
Budget Total: \$227.2M
Staff (FTE) 880.28
Total Actual: 972

Prior to being appointed as CEO in July 2008, Alan was the Executive Director of the Australian Law Reform Commission; Director, Community Access, with the Department of Ageing, Disability and Home Care (NSW); and Director of the NSW Council of Social Service.

Alan has been a member of the boards of a range of non-government organisations and has also held statutory appointments to bodies including the Social Security Appeals Tribunal (Cth), the Administrative Decisions Tribunal (NSW) and the Sustainability Advisory Council (NSW).

Alan's Performance Statement and membership on current boards and committees appear in Appendix 1.

This year Alan has reformed the senior management structure at Legal Aid NSW and led the expansion of legal aid services in line with the priorities set out in the National Partnership Agreement on Legal Assistance Services.



PATRICIA O'FARRELL

LLB
Deputy Chief Executive Officer, Operations
(SES Level 4)
Budget Total: \$57.0M
Staff (FTE) 761.64
Total Actual: 847

Patricia took up her position in March 2011. The new position of Deputy Chief Executive Officer, Operations replaces the former Deputy Chief Executive Officer positions.

Patricia commenced work as a lawyer in private practice in 1993.

Since 2004, Patricia has worked as a lawyer and as a senior executive in the public sector in New South Wales, Western Australia and the Commonwealth.

Prior to joining Legal Aid NSW, Patricia was an Assistant Secretary, and Director of the Legal Services Branch in the Commonwealth Department of Health and Ageing.



RICHARD FUNSTON

BCom LLB EMPA
Accredited Criminal Law Specialist
Executive Director
Grants and Community Partnerships
(SES Level 2)
Budget Total: \$114.3M
Staff (FTE): 100.89
Total Actual: 109

Richard's earlier experience includes eight years with Victoria Legal Aid and four years as Principal Solicitor of the Inner City Legal Centre in New South Wales.

During his 14 years with Legal Aid NSW, Richard has held leadership roles across the organisation.

Richard has worked closely with private lawyers – hearing their concerns and coming up with solutions to their problems.

The Community Partnerships area has consolidated into a strong client focussed, front line service delivery area of excellence.



CLARE HAMILTON

BBus (Accounting) CPA
Director, Corporate Finance
(Senior Officer Grade 2)
Budget Total: \$3.3M
Staff (FTE): 18.3
Total Actual: 20

Clare joined Legal Aid NSW in 2008 as Director, Corporate Finance.

Clare's experience over 26 years includes senior finance roles in New South Wales government agencies ranging from Botanic Gardens Trust to Juvenile Justice and Education and Training. Clare developed a new budget framework and significantly changed financial reporting structures to simplify management reporting.



ANNMARIE LUMSDEN

BA LLB Dip Bus EMPA
Accredited Criminal Law Specialist
Executive Director
Strategic Policy, Planning and Management Reporting
(SES Level 2)
Budget Total: \$0.8M
Staff (FTE): 22
Total Actual: 23

Annmarie was appointed to this new position, established as part of the restructure, in June 2011 after serving as Director Grants from June 2009.

In her 13 years at Legal Aid NSW, she has held a number of senior roles.

Her earlier experience includes seven years at the Legal Aid Office ACT, as well as working in private practice and government.

Annmarie's key achievement as Director Grants was consolidating the implementation of our grants management system. Annmarie also completed her Executive Masters in Public Administration, and undertook an analysis of cost drivers of criminal law expenditure.

Our senior management team is diverse and highly experienced, each director contributing to the strength of our organisation and helping to achieve our goals.



BRIAN SANDLAND

BCom LLB PSM
Executive Director Legal Services Criminal Law (SES Level 2)
Budget Total: \$29.1M
Staff (FTE): 278.82
Total Actual: 314

Brian has worked in private practice and then in Legal Aid NSW for 31 years, firstly in civil law for four years and then criminal law for the last 27 years. He has held senior management roles in regional offices and Central Sydney and been Director of the Criminal Law Division since 2003. Brian has been working on meeting demand for legal services as a result of justice sector reforms including the expansion of the Drug Court in the Hunter region and the transfer to New South Wales of a large number of people charged with people smuggling offences.



KYLIE BECKHOUSE

BA LLB
Accredited Family Law Specialist
Executive Director Legal Services Family Law (Senior Officer Grade 2)
Budget Total: \$16.1M
Staff (FTE): 201.12
Total Actual: 227

Kylie was appointed to head our family law practice in May 2009. Before then she held senior management roles throughout Legal Aid NSW, including in Central Sydney, Liverpool, Parramatta, Blacktown and Child Support Service. Her earlier experience includes seven years in private practice. She is an accredited specialist in family law. Kylie's main achievement this year was forming the Early Intervention Unit and subsequent expansion of outreach and duty court services.



WAYNE GALE

BA (Computing) MCom (Accounting)
Executive Director, Information Technology Services and Records (Senior Officer Grade 2)
Budget Total: \$3.3M
Staff (FTE): 32.25
Total Actual: 33

Wayne was appointed to his position in January 2007. During 2010-2011 his role expanded to include responsibility for records management. Wayne's career in information technology spans 25 years including senior roles both in the private sector providing information technology services and solutions to government, and more recently working directly in the government sector. Wayne's key achievement was developing our Information and Communications Technology Strategic Plan 2011-2013, outlining initiatives and focus areas over the next three years that will support and enable Legal Aid NSW to consistently deliver on its targets.



MONIQUE HITTER

BSW Dip Law
Executive Director Legal Services Civil Law (Senior Officer Grade 1)
Budget Total: \$11.9M
Staff (FTE): 168.81
Total Actual: 185

Monique has worked as a lawyer since 1997 in both the government and private sector. Monique developed the model for the Cooperative Legal Services Delivery Program and managed its pilot in 2004. It has now been implemented in many regions across New South Wales. Monique is currently a Director of the Public Interest Law Clearing House. Monique has been the Director of the Civil Law Division since July 2007. This year Monique expanded the Government Law Program and civil law outreach services, with a particular emphasis on early intervention and community education. Monique also assumed responsibility for the Client Assessment and Referrals team.

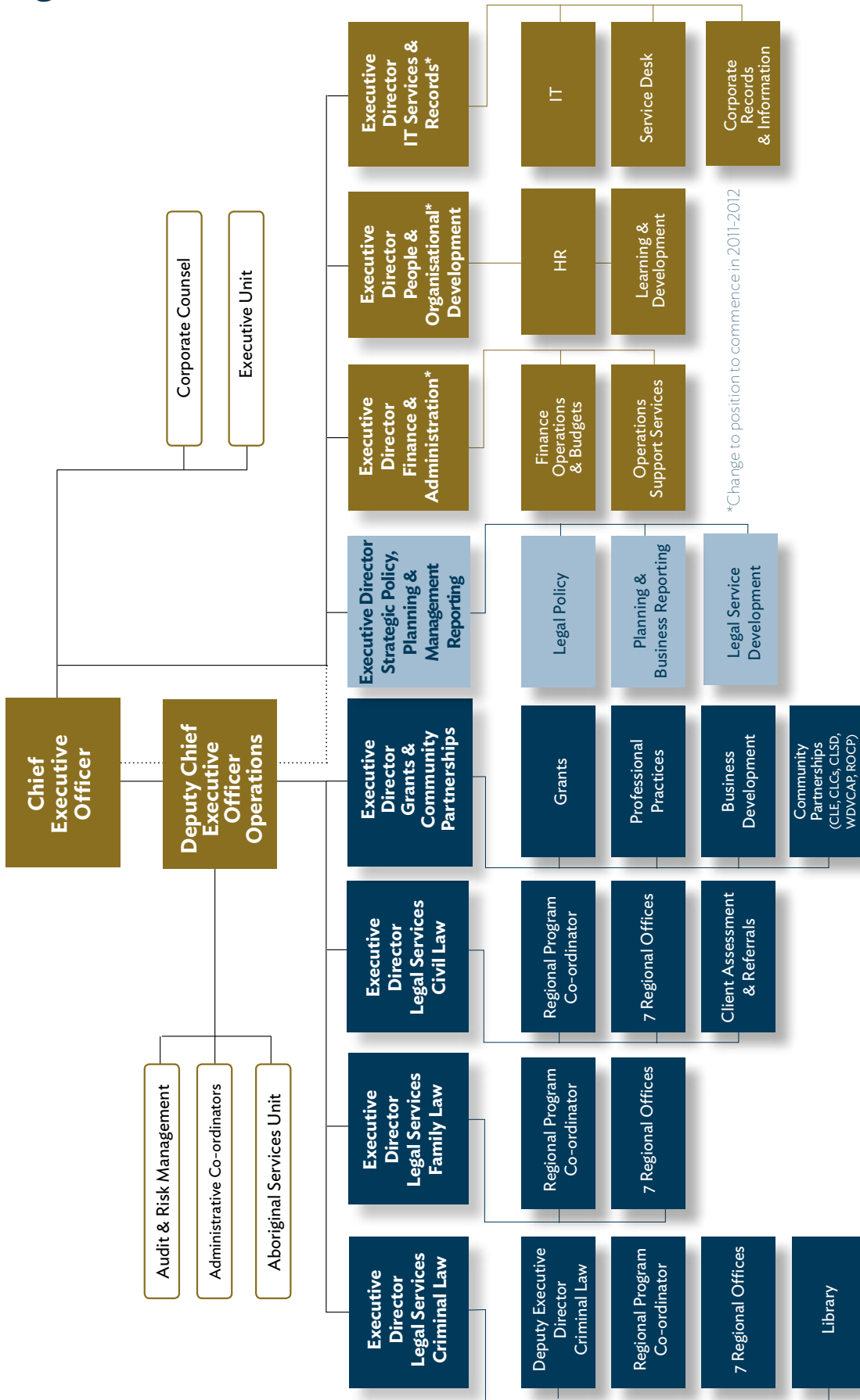


VICKI LEAVER

BA Dip Ed
Executive Director People and Organisational Development (Senior Officer Grade 2)
Budget Total: \$1.6M
Staff (FTE): 18.97
Total Actual: 21

Vicki was appointed with effect from 4 July 2011, after the role of Director, Human Resources Management was replaced with an Executive Director, People and Organisational Development. The new position has a stronger focus on staff development and staff health and wellbeing. Vicki commenced her career as a primary teacher. Prior to joining Legal Aid NSW, Vicki held senior roles at RailCorp and the Department of Health.

Organisation Chart 2011



Governance framework

The Legal Aid Commission of NSW is established under the *Legal Aid Commission Act 1979* to improve access to justice for socially and economically disadvantaged members of our community. It is an independent statutory body.

The Office of the Legal Aid Commission, a Division of the Government Service, provides personnel services to the Legal Aid Commission of NSW at cost. The Legal Aid Commission of NSW does not employ staff directly.

A Memorandum of Understanding between the two organisations nominates their respective responsibilities.

Collectively the Legal Aid Commission of NSW and the Office of the Legal Aid Commission are referred to as Legal Aid NSW.

Our governance structure ensures that the business objectives of Legal Aid NSW are met in an ethical and effective manner.

Legal Aid NSW has a Board that is responsible for establishing broad policies and strategic plans for Legal Aid NSW. The Chief Executive Officer is a member of the Board. Board members appear on page 57.

The daily management of Legal Aid NSW is overseen by the CEO, with assistance from the Deputy CEO Operations and eight Executive Directors.

The CEO has a performance agreement with the Attorney General (see Appendix 1). The Deputy CEO Operations and Executive Directors (Senior Executive Service) have performance agreements with the CEO.

Our work is supported by a range of plans and policies to establish procedural requirements, standards and priorities. These include our Corporate Plan, Code of Conduct, legal aid guidelines and means tests, Corruption and

Fraud Prevention Plan, Business Continuity Plan and divisional plans.

Review of senior management

A review of the executive management structure commenced in September 2010 and was partially implemented by June 2011. Based on the review the CEO made the following key changes to the senior management structure:

- introducing a single Deputy CEO, Operations, to replace the two Deputy CEOs;
- placing all client service delivery functions—including the legal practice, grants of aid to private lawyers, and community partnerships—under the Deputy CEO Operations;
- creating a new Executive Director, Strategic Policy, Planning and Management Reporting to bring a greater focus on strategic policy work, data analysis and management reporting; and
- replacing the role of Director, Human Resources Management with an Executive Director, People and Organisational Development with a stronger focus on staff development and staff health and wellbeing.

The total number of SES and Senior Officer positions remained the same. The organisational chart shows the new senior management structure.

The restructure has increased the focus on key aspects of our work.

The review also recommended changes to regional office reporting arrangements. From next year reporting for these offices will be distributed equally between the Executive Directors of Criminal Law, Family Law and Civil Law.

Corporate planning

The current Corporate Plan expires on 30 June 2011 and will be replaced with a Legal Aid NSW

Plan 2011–2013 for the next two years. In developing the new plan, Legal Aid NSW embarked upon a comprehensive consultative process through an online survey of staff and private lawyers and face-to-face interviews with several key stakeholders. Key partners were also invited to send written comments. The results of the staff online survey were published on the intranet.

Two staff workshops were conducted to ensure appropriate representation from diverse areas across the organisation and to allow valuable input into the future direction of Legal Aid NSW. Executive planning workshops to develop the new plan reviewed performance against the current Corporate Plan, ensuring that areas requiring attention and improvement were incorporated into the new plan. The workshops also considered stakeholder, private lawyer and staff feedback. Feedback on the draft plan was invited from a further staff workshop.

The input of staff had a strong influence over the new Plan. It is reflected in a major area of focus—supporting our people—which includes commitments to improve the health and wellbeing of staff, address workload issues, promote occupational health and safety across work locations and improve support for our inhouse legal practice.

The plan also continues our commitment to access to justice, through our contribution to law reform, and continuing to expand access to advice and minor assistance services.

Our work in the area of excellence in legal services will include improving training for lawyers and reviewing our processes for selecting and monitoring panel lawyers.

Governance framework cont

Finally, the plan commits us to continuing our work in linking services—both within Legal Aid NSW and with external services. The new Legal Aid NSW Plan will be presented to the Board in August 2011.

This year the civil law practice developed its first major strategic plan for the next five years, which is now being implemented by Central Sydney and regional office teams.

Ethical behaviour

In providing legal services to our clients we are placed in a position of trust. Accordingly we have established our corporate values as:

- Integrity – acting ethically at all times;
- Professionalism – providing high quality services;
- Efficiency – using resources responsibly;
- Equity – ensuring equal access to services.

These values are emphasised in our Corporate Plan, Code of Conduct, induction training, and policies and procedures.

In addition, all our lawyers are bound by professional practice standards, comply with mandatory continuing professional development requirements and have available a range of skills development training courses.

Financial performance

Legal Aid NSW has a strong financial focus and the Finance Branch has worked hard to develop robust budgets and clear, concise reporting to internal and external stakeholders. Detailed monthly financial reports are prepared for the Audit and Risk Committee and the Board. A commentary including detailed analysis is also provided. The Director, Corporate Finance provides expert advice at the Audit and Risk Committee and the Board meetings.

Risk management and internal audits

Legal Aid NSW regularly conducts a risk assessment of its activities covering both strategic and operational risks. The current risk assessment was prepared in April 2011 by O'Connor Marsden.

The risk assessment has been used to prepare the Internal Audit Plan for 2011-2012. The Internal Audit Plan also includes provision for additional audits should circumstances change during the course of the year. The preparation of the risk assessment is based

upon a methodology recognising inherent risk and control effectiveness.

Each audit has a stated objective and scope of activity. All audit recommendations to improve controls require a management response detailing the action that will be taken to implement the recommendations, the designated responsible officer and an identified completion date for implementation.

Presentation of the audit plan and regular reports on the progress of audits and the implementation

Report from the Board Audit and Risk Committee 2010-2011

The primary objective of the Board Audit and Risk Committee is to advise the Board, including the Chief Executive Officer, concerning financial reporting practices, business ethics, policies and practices, accounting policies and internal controls.

Accordingly, the Committee oversees a range of activities including the financial performance of Legal Aid NSW and the internal audit function.

During the year, the Committee comprised three members. Two members (Phil Bickerstaff and John Bordon) were independent members from the Board of Legal Aid NSW and one member (Kylie Beckhouse) was a non-independent executive member. The Chief Executive Officer, the Deputy Chief Executive Officer Operations and Chief Audit Executive, and a senior representative from the Finance Branch also attend each meeting. Representatives from the Audit Office attended some meetings.

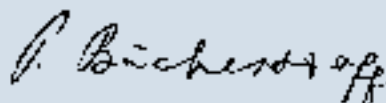
The Committee met on eleven occasions in 2010-11 and reviewed a range of matters including:

- Monthly financial results
- Internal Audit Plan for 2010-2011
- End of Year Financial Statements
- Updates on Internal Audits and the implementation of recommendations
- Board papers with financial implications

The following internal audits were completed during the year:

- Granting of Legal Aid-Policy Conformance
- Performance audit on Duty Services
- Regional Offices - major controls
- Vendor Maintenance
- Back-up and Disaster Recovery

A number of audits are currently in progress, including Information Security, OHS and First Aid and a Post Implementation Assessment of CASES.



Philip Bickerstaff M Comm
Independent Chair
9 October 2011

of audit recommendations are included on the agenda of the Audit and Risk Committee.

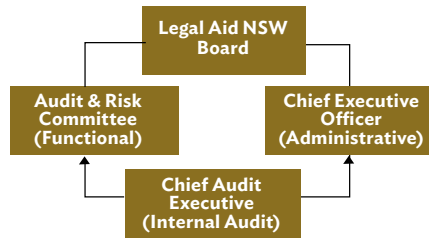
During 2010-2011, Deloitte Touche Tohmatsu and the Internal Audit Bureau were the internal auditors for Legal Aid NSW.

Audit and Risk Committee—reporting lines

Whilst risk management and internal controls are overseen by the Audit and Risk Committee, primary responsibility for managing risk and internal controls rests with line managers, who are required to ensure that an effective control environment operates within their area of responsibility.

Business continuity

Legal Aid NSW has a Business Continuity Management Plan that is initiated when a risk event occurs



that results in the inability of Legal Aid NSW to continue to provide services from a regional office or a metropolitan office – including Central Sydney.

The Plan addresses a range of actions that are required to manage the situation including a recovery management team to oversee the recovery process.

Our Information Technology disaster recovery site provides an alternative site to host business systems and is tested on a regular basis.

Fraud

Legal Aid NSW is committed to conducting business with honesty and transparency. Our Corruption and Fraud Prevention Plan outlines the approach adopted to prevent fraud and other corrupt behaviour.

The Plan addresses a number of controls, including responsibility structure, risk assessment, reporting systems, investigation standards and conduct and disciplinary standards.

The Plan complements other related documents such as the Code of Conduct and Protected Disclosure Policy.

Year ahead

Implement a new Legal Aid NSW Plan that will guide our work for the next two years.

Key challenge

Ensuring that all our staff are fully informed about the new Legal Aid NSW Plan 2011-2013 so that actions in the plan are implemented and priorities achieved.

Internal Audit and Risk Management Statement for Legal Aid NSW 2010-2011

I, Richard Funston, am of the opinion that Legal Aid NSW has internal audit and risk management processes in place that are, in all material respects, compliant with the core requirements set out in Treasury Circular NSW TC 09/08 Internal Audit and Risk Management Policy.

I, Richard Funston, am of the opinion that the Audit and Risk Committee for Legal Aid NSW is constituted and operates in accordance with the independence and governance requirements of Treasury Circular NSW TC 09-0.

The Chair and Members of the Audit and Risk Committee are:

- Phil Bickerstaff, Independent Chair (3 year appointment)
- John Bordon, Independent Member (Board designate)
- Kylie Beckhouse, Non-Independent Member (4 year appointment)

I, Richard Funston declare that this Internal Audit and Risk Management Statement is made on behalf of the following controlled entity: Office of the Legal Aid Commission of NSW.

Legal Aid NSW has outsourced internal audit services for reasons of economy, given the relatively small size of Legal Aid NSW, access to specialist expertise and because it subjects our systems to best practice review standards. These processes provide a level of assurance that enables the senior management of Legal Aid NSW to understand, manage and satisfactorily control risk exposures.

Richard Funston
Acting Chief Executive Officer

Legislative compliance

Significant cases and legislative amendments

There were two significant cases relating to the provision of legal aid this year.

Palenzuela v Palje [2010] NSWSC 836 (10 Aug 2010) confirmed that, pursuant to s47(3) of the *Legal Aid Commission Act 1979*, the unsuccessful legally aided defendant was only liable for adverse costs incurred during the period when she was not a legally assisted person.

4 Governance

In *Celermajer Holdings Pty Ltd v Kopas* [2011] NSWSC 619 (22 June 2011), the NSW Supreme Court confirmed that s 42 of the *Legal Aid Commission Act 1979* requires the court to make an order as to costs in respect of a legally assisted person as if he or she were not a legally assisted person. It confirmed the decision in *Houry v Hiar* [2006] NSWCA 47, where Giles JA, with whom Beazley and Bryson JJA agreed, noted that s 42 not only contemplates but also requires that the Court “make an order against a party for costs for which, by s 47, the party was not liable”.

The Legal Aid Commission Regulation 2011 was introduced and is due to commence on 1 September 2011. The Regulation reproduces the current regulation which is due to expire on 31 August 2011 and allows for the term of appointment to a lawyers panel to be up to five years.

Protected disclosures

The Protected Disclosure Policy details the reporting procedures for making a protected disclosure, receiving disclosures, notifying authorities, assessment and investigation of disclosures.

It is in the public interest for employees to be able to make appropriate disclosures about any instances of corruption, fraud, maladministration or serious and substantial waste of public monies without fearing that this will lead to reprisals.

In 2010–2011, Legal Aid NSW did not receive any notifications under the Protected Disclosure Policy.

Right to information

The *Government Information (Public Access) Act 2009* (“GIPA Act”) commenced from 1 July 2010 and replaced the *Freedom of Information Act 1989*.

The GIPA Act provides for a regime of open government information, encouraging the release of information without the need for formal applications.

Legal Aid NSW has implemented strategies and systems to comply with the GIPA Act, including guidelines for staff and authorisation of officers to deal with requests. We have also published on the Legal Aid NSW website:

- mandatory open access information about Legal Aid NSW, including a publications guide;
- information on how a person may access information under the GIPA Act; and
- an application form for use in formal applications.

During 2010–2011, Legal Aid NSW continued to provide information about legal aid and other matters, including policy documents available to the public, in most cases free of charge.

This being the first year of operation of the GIPA Act, we processed 16 informal applications and three formal applications. There was one application for review by the Office of the Information Commissioner. Full details of the applications are set out in Appendix 10.

Most of the requests continued to be from clients seeking access to material from their own case files and applicants for legal aid seeking to understand how applications were determined. These were generally provided by way of informal release free of charge.

Details are provided in Appendix 10.

Privacy

The *Privacy and Personal Information Protection Act 1998* (PIIP Act) and *Health Records and Information Privacy Act 2002* (HRIP Act) set out privacy standards for New South Wales public sector agencies.

The Privacy Code of Practice for Legal Aid NSW approved by the Attorney General in June 2000 modifies the application of the principles to permit Legal Aid NSW, when determining eligibility for legal aid of an applicant, to collect information about third parties associated with the applicant.

Legal Aid NSW adopted a Privacy Management Plan in 2001 and revised it in 2004. The Privacy Management Plan describes our policies and practices to ensure compliance with the Information Protection Principles in the PIIP Act and the Health Privacy Principles in the HRIP Act.

Part 5 of the PIIP Act provides that a person who is aggrieved by the conduct of a public sector agency is entitled to apply for an internal review of that conduct. No applications for internal review were received during 2010–2011.

Year ahead

Develop a new Privacy Management Plan to reflect changes in legislation and new electronic information systems and processes adopted by Legal Aid NSW.

Key challenge

Ensure that all staff are fully aware of their obligations under the GIPA Act, and enable both clients and the general public to make full use of their right to access Government information.

Public accountability

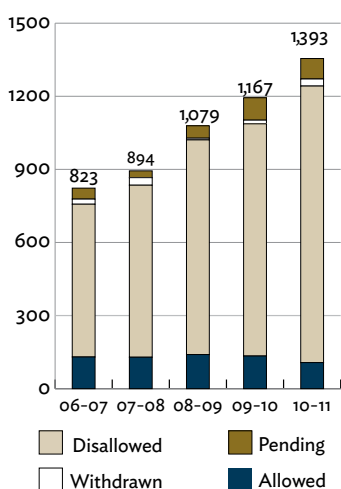
We are accountable to the public through an appeals system that guarantees procedural fairness and an open and efficient complaints process.

Appealing decisions

Six independent Legal Aid Review Committees (LARC) determine appeals that relate to legal aid applications and grants of legal aid. Membership of these six committees can be found in Appendix 13.

This year, the review committees allowed appeals in 134 of 1,393 matters submitted, compared with 107 appeals allowed out of 1,167 submitted last year. See table above for details.

APPEALS AND OUTCOMES 5 YEAR TREND



Appeals allowed over five years

There has been a substantial increase in the number of appeals over the last five years (from 823 in 2006-2007 to 1393 in 2010-2011). The percentage of appeals 'allowed' has decreased over that period (from 15.8% in 2006-2007 to 9.6% in 2010-2011).

APPEALS AND OUTCOMES 1 JULY 2010 TO 30 JUNE 2011

Law type	Allowed	Disallowed	Pending	Withdrawn	Total appeals	Appeals allowed (%)
Family	113	840	42	20	1019	11.09
Criminal	14	143	21	3	188	7.45
Civil	7	152	21	6	186	3.76
Total	134	1135	84	29	1,393	9.62

TOTAL COMPLAINTS

Nature of complaint	2010-2011
Eligibility	49
Fees issues/wrongful claim fees/overcharging	6
Legal Aid NSW staff or administration issues	17
Private lawyers	21
Systems or processes	10
Quality of legal service	122
Other	20
Total	245

TIME TAKEN TO RESOLVE COMPLAINTS

Time taken	No of complaints
Less than 21 days	152
4 to 6 weeks	36
More than 6 weeks	57
Total	245

The increase in total appeals for this financial year was mainly due to a marked increase in family law and criminal appeals, up 17% and 30% respectively from the previous year. The increase can also be attributed in part to the inclusion of appeals in matters in which there is no right of appeal. These were not included in previous years. Despite these increases in total appeals, the percentage of appeals allowed has stayed relatively close to the previous year's result, noting in particular, a slight decrease for criminal and civil matters.

Information about appealing can be found in the Get Legal Help section of the Legal Aid NSW website.

Complaints handling

Receiving and responding to complaints in an open, willing and professional manner is an essential part of our mission to provide high quality services.

Legal Aid NSW received 245 complaints in 2010-2011, half of which were about quality of legal service.

The timely resolution of complaints is a vital part of best practice complaint handling. In 2010-2011, the majority of our complaints (62%) were resolved within 21 days.

Year ahead

Develop a training kit on Legal Aid NSW policies for LARC members to support them in their decision-making.

Key challenge

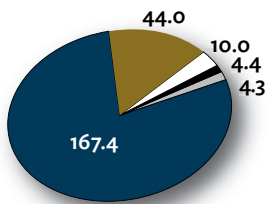
Managing an increased volume of appeals and ensuring consistency with the appeals process through training and by streamlining the administration of the review committees.

SECTION 5

Financial summary

Meeting increased demand for services through strong financial management

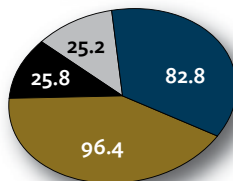
WHERE OUR MONEY CAME FROM (\$M)



- State Appropriation*
- Public Purpose Fund
- Other Grants
- Interest
- Other

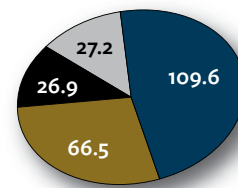
**Includes Commonwealth National Partnership Agreement funding*

HOW WE SPENT OUR MONEY (\$M)



- Salaries
- External legal services
- Grants and subsidies
- Other

HOW WE SPENT OUR MONEY BY PROGRAM AREA (\$M)



- Criminal law
- Family law
- Civil law
- Community programs

The successful operation of Legal Aid NSW depends upon strong financial performance. This year, we improved our position to allocate resources more flexibly in response to changing demand and costs.

Key outcomes

- Total revenue of \$230.1 M
- Total expenses of \$230.2 M
- Net equity of \$35.8 M
- Deficit of \$0.6 M

In this section

Financial overview	67
Financial performance	68
Financial statements	69

Financial overview

Funding

Legal Aid NSW receives its income mainly from NSW Government, Commonwealth Government (via NSW Treasury), the Public Purpose Fund, interest and client contributions.

Total income (excluding movement in impairment on receivables) for 2010-2011 was \$230.1 million and expenditure was \$230.2 million.

The 2011-2012 State Budget includes additional funding to assist Legal Aid NSW in providing specialist lawyers to mediate child protection matters (\$1.8 million) and also to provide legal services to victims of sexual assault (\$1.12 million). A further \$1.1 million has been allocated for the Work and Development Order (WDO) Regional Support Scheme to expand the WDO program throughout New South Wales.

Commonwealth funding increased by \$10 million annually.

From 1 July 2010 a new funding agreement with the Commonwealth under the National Partnership program commenced. Funding is based upon the achievement of outputs with pre-determined levels of performance. There was a funding increase of over \$10 million annually for the term of the agreement.

On 30 June 2011 the net equity for Legal Aid NSW was \$35.8 million.

Key developments

There was an operating deficit of \$0.6 million, which is a small improvement on the budgeted deficit and a further improvement on the previous year's deficit of \$2.6 million.

Payments of \$96.4 million were made to private legal practitioners, who provide legal aid services to our clients in partnership with Legal Aid NSW. These payments include disbursements for other professional services.

Expenditure on Community Partnerships increased from \$24.9 million to \$26.9 million.

Improving the way we work

We continued to review and streamline budgeting and reporting processes, and upgraded our finance system. We also developed a simplified process for costing Employee Related expenses and refined our asset recording practices.

Key achievement

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

We finalised a budget framework building on the successful work in the Employee Related budget area from last year. We also developed new management reporting to improve Executive decision-making.

Year ahead

Implement a new Chart of Accounts supported by a new module in the finance system.

Key challenge

Successful implementation of the significant change project in the finance system is a key challenge.

Working towards the government's Corporate Services reform agenda and increased central government agency requirements remains a key challenge for all corporate services areas.

Credit card certification

In accordance with Treasurer's Direction 205.01, it is certified that credit card usage by Legal Aid NSW officers has been in accordance with the appropriate government policies, Premier's Memoranda and Treasurer's Directions, and meets best practice guidelines issued by Treasury.

Financial performance

The financial result for Legal Aid NSW was a deficit of \$0.6 million which compares closely to the budgeted deficit of \$0.9 million.

Income

In 2010-2011 the State Government provided \$167.4 million (\$152.9 million in 2009-2010), the Public Purpose Fund \$44.0 million (\$43.1 million in 2009-2010). Grants and Contributions from the State and Commonwealth totalled \$10.0 million (\$9.8 million in 2009-2010).

Of the funds provided by the State Government, \$3.6 million (\$3.0 million in 2009-2010) was from the State Asset Acquisition Program to fund improvements to office accommodation and a number of information technology projects.

Expenses

Our major expenses were:

- employee related expenses of \$82.8 million (\$77.9 million in 2009-2010), representing an increase of 6.3%; and
- payments to private lawyers of \$96.4 million (\$92.6 million in 2009-2010) for services provided to clients, representing 41.9% of total expenses.

Budget outline 2011-2012

Operating Statement (\$M)	
Revenue (including government contributions)	241.1
Expenditure	241.8
Net Cost of Services	0.9
Balance Sheet (\$M)	
Current Assets	81.6
Non Current Assets	16.6
Total Assets	98.2
Current Liabilities	59.7
Non Current Liabilities	3.6
Total Liabilities	63.3
Net Assets	34.9
Equity	34.9

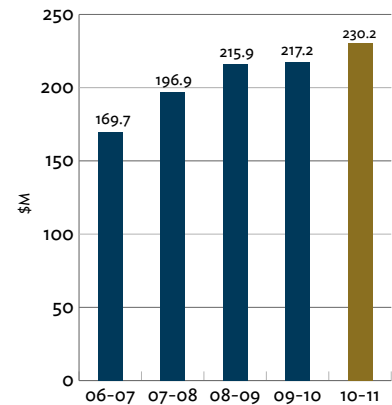
Total expenses for Legal Aid NSW are estimated at \$241.8 million in 2011-2012, an increase of 11.3% on the 2010-2011 budget. This expenditure will be supported by additional funding including:

- \$1.8 million (for a total of \$2.19 million) to provide specialist lawyers to mediate child protection matters as part of a trial of alternative dispute resolution procedures at Bidura Children’s Court.
- \$1.12 million to provide legal services to victims of sexual assault who are seeking to prevent their counselling records being used as evidence in sexual assault matters.
- \$0.24 million to employ lawyers to represent defendants at the new drug court in the Hunter region.
- \$1.1 million for the Work and Development Order (WDO) Regional Support Scheme to expand the WDO program throughout New South Wales.
- \$0.7 million to continue the National Partnership on Homelessness initiative.

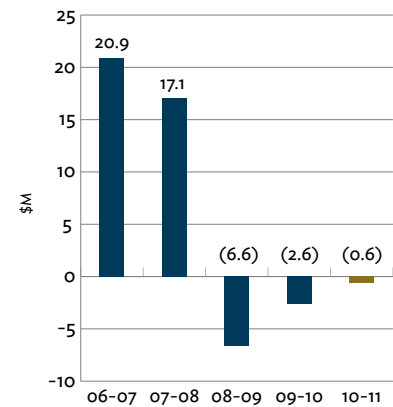
Total expenses and surplus (deficit)

The two graphs below show movements in our total expenses and surplus/(deficit) over the past five years.

TOTAL EXPENSES (\$M)
5 YEAR TREND



SURPLUS/DEFICIT (\$M)
5 YEAR TREND



Note: A financial glossary appears on page 160.

In this section

The Legal Aid Commission of NSW (Legal Aid NSW) economic entity consists of three separate reporting entities; being the Legal Aid Commission (a statutory corporation), the Office of the Legal Aid Commission (a Government Department), and the Legal Aid Commission Temporary Staff Division (a Division of the Government Service).

The Office of the Legal Aid Commission provides personnel services to the Legal Aid Commission (statutory corporation).

The Legal Aid Commission Temporary Staff Division was not used during 2010–2011 or 2009–2010.

Statement by Members of the Board	70
Independent Auditor’s Report	71
Statement of Comprehensive Income	73
Statement of Financial Position	74
Statement of Changes In Equity	75
Statement of Cash Flows	76
Service Group Statements	77
Summary of Compliance	79

Notes to the financial statements for the year ended 30 June 2011

1(a)–(o) summary of significant accounting policies	80
2 Expenses	84
3 Revenue	85
4 Loss on disposal	87
5 Other gains/(losses)	87
6 Appropriations	88
7 Individually significant items	88
8 Acceptance by the crown entity of employee entitlements and other liabilities	88
9 Transfer payments	88
10 Service groups/activities of Legal Aid NSW	88
11 Current assets – cash and cash equivalents	89
12 Current/non-current assets – receivables	89
13 Non-current assets—plant and equipment	90
14 Intangible assets	90
15 Current liabilities – payables	91
16 Current/non-current liabilities— provisions	91
17 Non-current liability— other	92
18 Superannuation fund information	92
19 Commitments for expenditure	98
20 Contingent liabilities and contingent assets	99
21 Budget review	99
22 Reconciliation of cash flows from operating activities to net cost of services	100
23 Trust funds	100
24 Financial instruments	101
25 After balance date events	104

Note: A financial glossary appears on page 160.

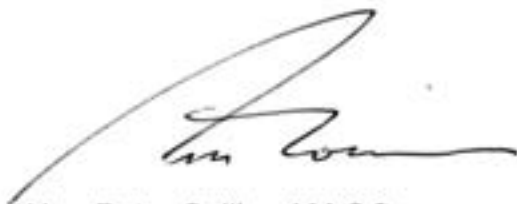
Statement by members of the Board

LEGAL AID COMMISSION OF NEW SOUTH WALES

Statement by Members of the Board

Pursuant to Section 41C(1B) of the *Public Finance and Audit Act 1983*, and in accordance with a resolution of the Board of the Legal Aid Commission of NSW, we declare on behalf of the Legal Aid Commission of NSW that in our opinion:

1. The financial statements have been prepared in accordance with the requirements of the *Public Finance and Audit Act 1983* and Regulation, Financial Reporting Directions published in the Code for Budget Dependent Government Sector Agencies or issued by the Treasurer, and applicable Australian Accounting Standards (which include Australian Accounting Interpretations).
2. The accompanying financial statements exhibit a true and fair view of the financial position of the Legal Aid Commission of NSW as at 30 June 2011 and transactions for the year then ended.
3. There are no circumstances that render any particulars included in the financial statements to be misleading or inaccurate.



Hon Peter Collins AM QC
Chair



Richard Funston
Acting Chief Executive Officer

Independent auditor's report



GPO BOX 12
Sydney NSW 2001

INDEPENDENT AUDITOR'S REPORT

Legal Aid Commission of New South Wales and controlled entities

To Members of the New South Wales Parliament

I have audited the accompanying financial statements of Legal Aid Commission of New South Wales (the Commission) and the Office of the Legal Aid Commission (Controlled entity), which comprise the statements of financial position as at 30 June 2011, the statements of comprehensive income, statements of changes in equity and statements of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information of the Commission and the consolidated entity. The consolidated entity comprises the Commission and the entities it controlled at the year's end or from time to time during the financial year.

Opinion

In my opinion, the financial statements:

- give a true and fair view of the financial position of the Commission and the consolidated entity as at 30 June 2011, and of its financial performance for the year then ended in accordance with Australian Accounting Standards
- are in accordance with section 41B of the *Public Finance and Audit Act 1983* (the PF&A Act) and the Public Finance and Audit Regulation 2010.

My opinion should be read in conjunction with the rest of this report.

The Board's Responsibility for the Financial Statements

The members of the Board are responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the PF&A Act and for such internal control as the members of the Board determine is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I conducted my audit in accordance with Australian Auditing Standards. Those standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by members of the Board, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

5 Financial statements

Independent auditor's report

My opinion does not provide assurance:

- about the future viability of the Commission or consolidated entity
- that it has carried out its activities effectively, efficiently and economically
- about the effectiveness of its internal control
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.

Independence

In conducting my audit, I have complied with the independence requirements of the Australian Auditing Standards and other relevant ethical pronouncements. The PF&A Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their role by the possibility of losing clients or income.



Jack Kheir
Director, Financial Audit Services

14 October 2011
SYDNEY

Statement of Comprehensive Income for the year ended 30 June 2011

	Notes	Consolidated			Parent	
		Actual 2011 \$'000	Budget 2011 \$'000	Actual 2010 \$'000	Actual 2011 \$'000	Actual 2010 \$'000
Expenses excluding losses						
Operating expenses						
Employee related	2(a)	82,756	82,592	77,903	156	186
Personnel services	2(a)	-	-	-	82,233	82,608
Other operating expenses	2(b)	19,924	19,965	18,726	19,924	18,726
Depreciation and amortisation	2(c)	4,991	4,500	4,346	4,991	4,346
Grants and subsidies	2(d)	25,798	22,332	23,596	25,798	23,596
Finance costs	2(e)	314	-	90	314	90
Other expenses	2(f)	96,432	97,853	92,557	96,432	92,557
Total Expenses excluding losses		230,215	227,242	217,218	229,848	222,109
Revenue						
Sale of goods and services	3(a)	3,811	4,371	3,944	3,811	3,944
Investment revenue	3(b)	4,448	3,178	3,382	4,448	3,382
Grants and contributions	3(c)	54,044	51,284	52,917	54,044	52,917
Other revenue	3(d)	411	510	1,916	411	1,916
Total Revenue		62,714	59,343	62,159	62,714	62,159
Gain/(Loss) on Disposal	4	(93)	-	(18)	(93)	(18)
Other Gains / (Losses)	5	(357)	(200)	(471)	(357)	(471)
Net Cost of Services	22	167,951	168,099	155,548	167,584	160,439
Government Contributions						
Recurrent appropriation	6(a)	163,766	163,599	149,900	163,766	149,900
Capital appropriation	6(b)	3,600	3,600	3,039	3,600	3,039
Total Government Contributions		167,366	167,199	152,939	167,366	152,939
SURPLUS/(DEFICIT) FOR THE YEAR		(585)	(900)	(2,609)	(218)	(7,500)
Other Comprehensive Income						
Net increase/(decrease) in property, plant & equipment asset revaluation reserve		-	-	-	-	-
Net change in the asset revaluation reserve arising from a change in the restoration liability		-	-	-	-	-
Superannuation actuarial gains/(losses)	18	367	-	(4,891)	-	-
Other comprehensive income for the year		367	-	(4,891)	-	-
TOTAL COMPREHENSIVE INCOME FOR THE YEAR		(218)	(900)	(7,500)	(218)	(7,500)

The accompanying notes form part of these financial statements.

5 Financial statements

Statement of Financial Position as at 30 June 2011

	Notes	Consolidated			Parent	
		Actual 2011 \$'000	Budget 2011 \$'000	Actual 2010 \$'000	Actual 2011 \$'000	Actual 2010 \$'000
ASSETS						
Current Assets						
Cash and cash equivalents	11	75,605	77,310	76,691	75,605	76,691
Receivables	12	5,384	4,742	4,742	5,384	4,742
Total Current Assets		80,989	82,052	81,433	80,989	81,433
Non-Current Assets						
Receivables	12	2,092	1,935	1,935	2,092	1,935
Plant and equipment	13	9,587	11,983	10,319	9,587	10,319
Intangible assets	14	5,185	3,397	5,211	5,185	5,211
Total Non-Current Assets		16,864	17,315	17,465	16,864	17,465
Total Assets		97,853	99,367	98,898	97,853	98,898
LIABILITIES						
Current Liabilities						
Payables	15	19,650	19,802	19,454	19,650	19,454
Provisions	16	38,067	40,821	39,800	38,067	39,800
Total Current Liabilities		57,717	60,623	59,254	57,717	59,254
Non-Current Liabilities						
Provisions	16	4,334	3,618	3,618	4,334	3,618
Other	17	20	26	26	20	26
Total Liabilities		62,071	64,267	62,898	62,071	62,898
Net Assets		35,782	35,100	36,000	35,782	36,000
EQUITY						
Accumulated Funds		35,782	35,100	36,000	35,782	36,000
Total Equity		35,782	35,100	36,000	35,782	36,000

The accompanying notes form part of these financial statements.

Statement of Changes in Equity for the year ended 30 June 2011

Notes	Consolidated				Parent			
	Accumulated Funds \$'000	Asset Revaluation Surplus \$'000	Other Reserves \$'000	Total \$'000	Accumulated Funds \$'000	Asset Revaluation Surplus \$'000	Other Reserves \$'000	Total \$'000
Balance at 1 July 2010	36,000	-	-	36,000	36,000	-	-	36,000
Changes in accounting policy	-	-	-	-	-	-	-	-
Correction of errors	-	-	-	-	-	-	-	-
Restated total equity at 1 July 2010	36,000	-	-	36,000	36,000	-	-	36,000
Surplus/(deficit) for the year	(585)	-	-	(585)	(218)	-	-	(218)
Net increase/(decrease) in plant and equipment	-	-	-	-	-	-	-	-
Changes in restoration liability	-	-	-	-	-	-	-	-
Other comprehensive income:								
Superannuation actuarial gains/(losses)	18	367	-	367	-	-	-	-
Total other comprehensive income		367	-	367	-	-	-	-
Total comprehensive income for the year		(218)	-	(218)	(218)	-	-	(218)
Balance at 30 June 2011	35,782	-	-	35,782	35,782	-	-	35,782
Balance at 1 July 2009	43,500	-	-	43,500	43,500	-	-	43,500
Changes in accounting policy	-	-	-	-	-	-	-	-
Correction of errors	-	-	-	-	-	-	-	-
Restated total equity at 1 July 2009	43,500	-	-	43,500	43,500	-	-	43,500
Surplus/(deficit) for the year	(2,609)	-	-	(2,609)	(7,500)	-	-	(7,500)
Other comprehensive income:								
Net increase/(decrease) in plant and equipment	-	-	-	-	-	-	-	-
Changes in restoration liability	-	-	-	-	-	-	-	-
Other comprehensive income:								
Superannuation actuarial (losses)/gains	18	(4,891)	-	(4,891)	-	-	-	-
Total other comprehensive income		(4,891)	-	(4,891)	-	-	-	-
Total comprehensive income for the year		(7,500)	-	(7,500)	(7,500)	-	-	(7,500)
Balance at 30 June 2010	36,000	-	-	36,000	36,000	-	-	36,000

The accompanying notes form part of these financial statements.

5 Financial statements

Statement of Cash Flows for the year ended 30 June 2011

	Notes	Consolidated		Parent		
		Actual 2011 \$'000	Budget 2011 \$'000	Actual 2010 \$'000	Actual 2011 \$'000	Actual 2010 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES						
Payments						
Employee related		(83,322)	(81,223)	(77,768)	(156)	(186)
Grants and subsidies		(25,797)	(22,332)	(23,601)	(25,797)	(23,601)
Personnel services		-	-	-	(83,166)	(77,582)
Other		(131,350)	(130,442)	(128,375)	(131,350)	(128,375)
Total Payments		(240,469)	(233,997)	(229,744)	(240,469)	(229,744)
Receipts						
Sale of goods and services		3,272	4,171	4,330	3,272	4,330
Interest received		4,306	3,178	3,238	4,306	3,238
Other		68,753	64,418	67,014	68,753	67,014
Total Receipts		76,331	71,767	74,582	76,331	74,582
Cash Flows from Government						
Recurrent appropriation		163,766	163,599	149,972	163,766	149,972
Capital appropriation		3,600	3,600	3,039	3,600	3,039
Net Cash Flows from Government		167,366	167,199	153,011	167,366	153,011
NET CASH FLOWS FROM OPERATING ACTIVITIES	22	3,228	4,969	(2,151)	3,228	(2,151)
CASH FLOWS FROM INVESTING ACTIVITIES						
Proceeds from sale of plant and equipment		2	-	20	2	20
Purchases of plant and equipment		(4,316)	(4,350)	(3,153)	(4,316)	(3,153)
NET CASH FLOWS FROM INVESTING ACTIVITIES		(4,314)	(4,350)	(3,133)	(4,314)	(3,133)
NET INCREASE/(DECREASE) IN CASH		(1,086)	619	(5,284)	(1,086)	(5,284)
Opening cash and cash equivalents		76,691	76,691	81,975	76,691	81,975
CLOSING CASH AND CASH EQUIVALENTS	11	75,605	77,310	76,691	75,605	76,691

The accompanying notes form part of these financial statements.

Service Group Statements for the year ended 30 June 2011

(The Service Group Statement applies to both Parent and Consolidated Entities)

SUPPLEMENTARY FINANCIAL STATEMENTS

AGENCY EXPENSES AND REVENUES	Service Group 1* Criminal Law Services		Service Group 2* Civil Law Services		Service Group 3* Family Law Services		Service Group 4* Community Partnerships		Not Attributable		Total	
	2011 \$'000's	2010 \$'000's	2011 \$'000's	2010 \$'000's	2011 \$'000's	2010 \$'000's	2011 \$'000's	2010 \$'000's	2011 \$'000's	2010 \$'000's	2011 \$'000's	2010 \$'000's
Expenses excluding losses												
Operating expenses	41,514	40,123	15,750	13,658	24,260	23,142	1,232	980	-	-	82,756	77,903
Employee related/personnel services	9,411	9,101	3,882	3,490	6,184	5,822	447	313	-	-	19,924	18,726
Other operating expenses	2,403	2,119	888	609	1,680	1,601	20	17	-	-	4,991	4,346
Depreciation and amortisation	394	-	140	-	45	-	25,219	23,596	-	-	25,798	23,596
Grants and subsidies	159	43	68	16	87	31	-	-	-	-	314	90
Finance costs	55,763	51,805	6,427	5,240	34,242	35,512	-	-	-	-	96,432	92,557
Other expenses												
Total Expenses excluding losses	109,644	103,191	27,155	23,013	66,498	66,108	26,918	24,906	-	-	230,215	217,218
Revenue												
Sale of goods and services	1,472	1,415	1,154	1,357	1,185	1,172	-	-	-	-	3,811	3,944
Investment revenue	2,959	2,209	687	519	802	654	-	-	-	-	4,448	3,382
Grants and contributions	31,667	31,405	7,413	7,891	2,343	2,502	12,621	11,119	-	-	54,044	52,917
Other revenue	125	975	230	243	56	696	-	2	-	-	411	1,916
Total Revenue	36,223	36,004	9,484	10,010	4,386	5,024	12,621	11,121	-	-	62,714	62,159
Gain/(loss) on disposal	(45)	(9)	(16)	(2)	(31)	(7)	(1)	-	-	-	(93)	(18)
Other gains/(losses)	(333)	(268)	19	39	(43)	(242)	-	-	-	-	(357)	(471)
Net Cost of Services	73,799	67,464	17,668	12,966	62,186	61,333	14,298	13,785	-	-	167,951	155,548
Government Contributions**	-	-	-	-	-	-	-	-	167,366	152,939	167,366	152,939
SURPLUS / (DEFICIT) FOR THE YEAR	(73,799)	(67,464)	(17,668)	(12,966)	(62,186)	(61,333)	(14,298)	(13,785)	167,366	152,939	(585)	(2,609)
Other Comprehensive Income Increase / (decrease) in asset revaluation reserve												
Other - actuarial gains/(losses)	184	(2,519)	70	(857)	108	(1,453)	5	(62)	-	-	367	(4,891)
Total Other Comprehensive Income	184	(2,519)	70	(857)	108	(1,453)	5	(62)	-	-	367	(4,891)
TOTAL COMPREHENSIVE INCOME	(73,615)	(69,983)	(17,598)	(13,823)	(62,078)	(62,786)	(14,293)	(13,847)	167,366	152,939	(218)	(7,500)

* The name and purpose of each Service Group is summarised in Note 10.

** Appropriations are made on an agency basis and not to individual Service Groups. Consequently, government contributions must be included in the 'Not Attributable' column.

Service Group Statements for the year ended 30 June 2011

SUPPLEMENTARY FINANCIAL STATEMENTS

(The Service Group Statement applies to both Parent and Consolidated Entities)

AGENCY ASSETS AND LIABILITIES	Service Group 1* Criminal Law Services		Service Group 2* Civil Law Services		Service Group 3* Family Law Services		Service Group 4* Community Partnerships		Not Attributable		Total	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
Current Assets												
Cash and cash equivalents	36,159	36,094	8,657	6,936	30,469	32,815	320	846			75,605	76,691
Receivables	2,830	2,360	1,285	1,087	1,269	1,294	-	1			5,384	4,742
Total Current Assets	38,989	38,454	9,942	8,023	31,738	34,109	320	847	-	-	80,989	81,433
Non-Current Assets												
Receivables	1,099	963	500	444	493	528	-	0			2,092	1,935
Plant and equipment	4,809	5,315	1,825	1,809	2,810	3,065	143	130			9,587	10,319
Intangible assets	2,601	2,684	987	914	1,520	1,548	77	65			5,185	5,211
Total Non-Current Assets	8,509	8,962	3,312	3,167	4,823	5,141	220	195	-	-	16,864	17,465
TOTAL ASSETS	47,498	47,416	13,254	11,190	36,561	39,250	540	1,042	-	-	97,853	98,898
Current Liabilities												
Payables	10,529	10,389	2,572	2,302	6,383	6,630	166	133			19,650	19,454
Provisions	19,096	20,498	7,245	6,978	11,159	11,823	567	501			38,067	39,800
Total Current Liabilities	29,625	30,887	9,817	9,280	17,542	18,453	733	634	-	-	57,717	59,254
Non-Current Liabilities												
Provisions	2,174	1,863	825	634	1,271	1,075	64	46			4,334	3,618
Other	10	13	4	5	6	8	0	0			20	26
Total Non-Current Liabilities	2,184	1,876	829	639	1,277	1,083	64	46	-	-	4,354	3,644
TOTAL LIABILITIES	31,809	32,763	10,646	9,919	18,819	19,536	797	680	-	-	62,071	62,898
NET ASSETS	15,689	14,653	2,608	1,271	17,742	19,714	(257)	362	-	-	35,782	36,000

* The name and purpose of each Service Group is summarised in Note 10.

SUPPLEMENTARY FINANCIAL STATEMENTS

Summary of Compliance with Financial Directives

(The Summary of Compliance with Financial Directives applies to both Parent and Consolidated Entities)

	2011						2010					
	Recurrent Appropriation \$'000	Expenditure/ Net Claim on Consolidated Fund \$'000	Capital Appropriation \$'000	Expenditure/ Net Claim on Consolidated Fund \$'000	Recurrent Appropriation \$'000	Expenditure/ Net Claim on Consolidated Fund \$'000	Capital Appropriation \$'000	Expenditure/ Net Claim on Consolidated Fund \$'000	Recurrent Appropriation \$'000	Expenditure/ Net Claim on Consolidated Fund \$'000	Capital Appropriation \$'000	Expenditure/ Net Claim on Consolidated Fund \$'000
ORIGINAL BUDGET APPROPRIATION/ EXPENDITURE												
Appropriation Act	153,596	152,388	3,600	3,600	143,497	143,497	3,600	143,497	3,600	3,600	3,039	3,039
Additional appropriations	-	-	-	-	-	-	-	-	-	-	-	-
S21A PF&AA - special appropriation	-	-	-	-	-	-	-	-	-	-	-	-
S24 PF&AA - transfers of functions between departments	-	-	-	-	-	-	-	-	-	-	-	-
S26 PF&AA - Commonwealth specific purpose payments	10,003	10,003	-	-	6,331	6,331	-	6,331	-	-	-	-
	163,599	162,391	3,600	3,600	149,828	149,828	3,600	149,828	3,600	3,600	3,039	3,039
OTHER APPROPRIATIONS/ EXPENDITURE												
Treasurer's Advance	975	975	-	-	-	-	-	-	-	-	-	-
Section 22 - expenditure for certain works and services	-	-	-	-	-	-	-	-	-	-	-	-
Transfers to / from another agency (s28 of the Appropriation Act)	400	400	-	-	145	145	-	72	-	-	-	-
	1,375	1,375	-	-	145	145	-	72	-	-	-	-
Total Appropriations/Expenditure Net Claim on Consolidated Fund (includes transfer payments)	164,974	163,766	3,600	3,600	149,973	149,973	3,600	149,900	3,600	149,900	3,039	3,039
Amount drawn down against Appropriation		163,766		3,600		149,972		149,972		149,972		3,039
Liability to Consolidated Fund		-		-		(72)		(72)		(72)		-

Note: The Summary of Compliance is based on the assumption that Consolidated Fund moneys are spent first (except where otherwise identified or prescribed).

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting Entity

The Legal Aid Commission of NSW, as a reporting entity, comprises all entities under its control, namely, the Office of the Legal Aid Commission (OLAC) and Legal Aid Commission Temporary Staff Division. Transactions relating to the Legal Aid Commission Trust Account are not included in the financial statements of the Legal Aid Commission of NSW, as the Legal Aid Commission of NSW does not control or use these funds for the achievement of its objectives.

In the process of preparing the consolidated financial statements for the economic entity consisting of the controlling and controlled entities, namely, OLAC and Legal Aid Commission Temporary Staff Division, all inter-entity transactions and balances have been eliminated.

The Legal Aid Commission of NSW is a NSW statutory authority. The Legal Aid Commission of NSW is a not-for-profit entity (as profit is not its principal objective) and it has no cash generating units. The reporting entity is consolidated as part of the NSW Total State Sector Accounts.

The consolidated financial statements for the year ended 30 June 2011 was authorised for issue by the Chair and the Chief Executive Officer on 13 October 2011.

(b) Basis of Preparation

The Legal Aid Commission of NSW's financial statements are general purpose financial statements which have been prepared in accordance with:

- applicable Australian Accounting Standards (which include Australian Accounting Interpretations)
- the requirements of the *Public Finance and Audit Act 1983* and Regulation; and
- the Financial Reporting Directions published in the Financial Reporting Code for Budget Dependent General Government Sector Agencies or issued by the Treasurer.

Plant and equipment and intangible assets are measured at fair value. Other financial statement items are prepared in accordance with the historical cost convention.

Judgements, key assumptions and estimations management has made are disclosed in the relevant notes to the financial statements.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(c) Statement of Compliance

The consolidated and parent entity financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

(d) Administered Activities

The Legal Aid Commission of NSW does not administer or control any activities on behalf of the Crown Entity.

(e) Insurance

The Legal Aid Commission of NSW's insurance activities are conducted through the NSW Treasury Managed Fund Scheme of self insurance for Government agencies. The expense (premium) is determined by the Fund Manager based on past experience.

(f) Accounting for the Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where:

- the amount of GST incurred by the Legal Aid Commission of NSW as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of the cost of acquisition of an asset or as part of an item of expense, and
- receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which is recoverable from, or payable to, the Australian Taxation Office are classified as operating cash flows.

(g) Income Recognition

Income is measured at the fair value of the consideration or contribution received or receivable. Additional comments regarding the accounting policies for the recognition of income are discussed below.

(i) Parliamentary Appropriations and Contributions

Parliamentary appropriations and contributions from other bodies (including grants and donations) are generally recognised as revenue when the agency obtains control over the assets comprising the appropriations/contributions. Control over appropriations and contributions is normally obtained upon the receipt of cash.

An exception to the above is when appropriations are unspent at year-end. In this case, the authority to spend the money lapses and generally the unspent amount must be repaid to the Consolidated Fund in the following financial year. As a result, unspent appropriations are now accounted for as liabilities rather than revenue. The Legal Aid Commission of NSW had no liability to the Consolidated Fund as at 30 June 2011 (\$0.072m in 2010).

(ii) Rendering of Services

Revenue is recognised when the service is provided or by reference to the stage of completion (based on labour hours incurred to date).

(iii) Investment Revenue

Interest revenue is recognised using the effective interest method as set out in *AASB 139 Financial Instruments: Recognition and Measurement*.

(h) Assets

(i) Acquisition of Assets

The cost method of accounting is used for the initial recording of all acquisitions of assets controlled by the Legal Aid Commission of NSW. Cost is the amount of

Notes to the Financial Statements for the year ended 30 June 2011

cash or cash equivalents paid or the fair value of the other consideration given to acquire the asset at the time of its acquisition or construction or, where applicable, the amount attributed to that asset when initially recognised in accordance with the requirements of other Australian Accounting Standards.

Fair value is the amount for which an asset could be exchanged between knowledgeable, willing parties in an arm's length transaction.

Where payment for an asset is deferred beyond normal credit terms, its cost is the cash price equivalent i.e. deferred payment amount is effectively discounted at an asset-specific rate.

(ii) Capitalisation Thresholds

Plant and equipment and intangible assets costing \$5,000 and above individually (or forming part of a network costing more than \$5,000) are capitalised.

(iii) Revaluation of Plant and Equipment

Physical non-current assets are valued in accordance with the "Valuation of Physical Non-Current Assets at Fair Value" Policy and Guidelines Paper (TPP 07-1). This policy adopts fair value in accordance with AASB 116 *Property, Plant and Equipment*.

The Legal Aid Commission of NSW's plant and equipment are non-specialised assets with short useful lives and are measured at depreciated historical cost, as a surrogate for fair value.

(iv) Impairment of Plant and Equipment

As a not-for-profit entity with no cash generating units, the Legal Aid Commission of NSW is effectively exempted from AASB 136 *Impairment of Assets* and impairment testing. This is because AASB 136 modifies the recoverable amount test to the higher of fair value less costs to sell and depreciated replacement cost. This means that, for an asset already measured at fair value, impairment can only arise if selling costs are material. Selling costs are regarded as immaterial.

(v) Depreciation of Plant and Equipment

Depreciation is provided for on a straight line basis for all depreciable assets so as to write off the depreciable amount of each asset as it is consumed over its useful life to the Legal Aid Commission of NSW. Leasehold improvements are amortised over the unexpired period of the lease or estimated useful life whichever is the lesser. Refer Notes 2(c) and 13.

Applicable depreciation rates for each class of depreciable assets are listed below:

	%
Computer Equipment	25
Computer Replacement Projects	25
Office Equipment	15
Leasehold Improvements (includes Furniture and Fittings)	10

Or the term
of lease, which-
ever is the lesser

(vi) Restoration Costs

The estimated cost of dismantling and removing an asset and restoring the site is included in the cost of an asset, to the extent it is recognised as a liability.

(vii) Maintenance

Day-to-day servicing costs or maintenance are charged as expenses as incurred, except where they relate to the replacement of a part or component of an asset, in which case the costs are capitalised and depreciated.

(viii) Leased Assets

The Legal Aid Commission of NSW does not have any finance leases for its leased assets. Operating lease payments are charged to the Statement of Comprehensive Income in the periods in which they are incurred. Refer to Note 19(c).

(ix) Intangible Assets

The Legal Aid Commission of NSW recognises intangible assets only if it is probable that future economic benefits will flow to the Legal Aid Commission of NSW and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost.

All research costs are expensed. Development costs are only capitalised when certain criteria are met.

The useful lives of intangible assets are assessed to be finite. As there is no active market for the Legal Aid Commission of NSW's intangible assets, the assets are carried at cost less any accumulated amortisation. The Legal Aid Commission of NSW's intangible assets are amortised using the straight line method over a period of 4 years. Refer Note 2(c) and 14.

Intangible assets are tested for impairment where an indicator of impairment exists. If the recoverable amount is less than its carrying amount the carrying amount is reduced to recoverable amount and the reduction is recognised as an impairment loss.

(x) Receivables

Receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. These financial assets are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method, less an allowance for any impairment of receivables. Any changes are recognised in the surplus / (deficit) for the year when impaired, derecognised or through the amortisation process.

Short-term receivables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(xi) Impairment of financial assets

An allowance for impairment is established for the Legal Aid Commission of NSW's receivables where there is objective evidence that the Legal Aid Commission of NSW will not be able to collect all amounts due.

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

The amount of any impairment loss is recognised in the surplus / (deficit) for the year. Any reversals of impairment losses are reversed through the surplus / (deficit) for the year where there is objective evidence.

The actuarial firm *Finity Consulting Pty Limited* were engaged to undertake the calculation of the impairment of the "Sales of Goods and Services" component of Receivables for 2010-11.

(xii) Trust Funds

The Legal Aid Commission of NSW receives monies in a trustee capacity for trusts as set out in Note 23. As the Legal Aid Commission of NSW performs a custodial role in respect of these monies, and because the monies cannot be used for the achievement of the Legal Aid Commission of NSW's own objectives, they are not brought to account in the financial statements.

(xiii) Other Assets

Other Assets are recognised on a cost basis.

(i) Liabilities

(i) Payables

These amounts represent liabilities for goods and services provided to the agency and other amounts. Payables are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(ii) Accrual of Estimated Legal Expenses

The Legal Aid Commission of NSW accrues the estimated net cost of work in progress by external legal practitioners who have not submitted claims to the Legal Aid Commission of NSW at balance date. The estimation is based on all files finalised in the past which are analysed to determine an average cost of the matter type, average period for finalisation and payment profile. By comparing the payments expected to have been made on each file at balance date with the average for that matter type, a value of the work in progress for which claims have not been submitted is estimated and accrued.

The actuarial firm *Finity Consulting Pty Limited* were engaged to undertake the calculation of the accrual of estimated legal expenses and legal commitments for 2010-2011.

(iii) Employee Benefits, Personnel Services and Other Provisions

(a) Salaries and Wages, Annual Leave, Sick Leave and On-Costs

Liabilities for salaries and wages (including non-monetary benefits), annual leave and paid sick leave are recognised and measured in respect of employees' services up to the reporting date at undiscounted amounts based on the amounts expected to be paid when the liabilities are settled.

Long-term annual leave that is not expected to be taken within twelve months is measured at present value in accordance with AASB 119 *Employee Benefits*.

Unused non-vesting sick leave does not give rise to a liability as it is not considered probable that sick leave taken in the future will be greater than the entitlements accrued in the future.

The outstanding amounts of payroll tax, fringe benefits tax and workers' compensation insurance premiums which are consequential to employment are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised.

(b) Long Service Leave and Superannuation

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. For 2010-11 long service leave has been calculated using shorthand method techniques, which is to apply an appropriate valuation factor to the aggregate accrued long service leave entitlements. The valuation factor for long service payments assumes a discount rate of 5.25% (2009-2010: 5.1%) and long term salary inflation rate of 4% (2009-2010: 4%) per annum.

The superannuation position of the Legal Aid Commission of NSW is calculated based on economic assumptions determined by the independent actuary, *William Mercer Ltd*, as advised by the SAS Trustee Corporation (STC). All Fund assets are invested by STC at arm's length through independent fund managers. Any variation between the Legal Aid Commission of NSW's gross superannuation liability and employer reserve account balance is recognised in the Statement of Financial Position as an unfunded liability or prepaid contribution. Refer Notes 2(a), 7 & 18.

Actuarial gains and losses are recognised immediately in other comprehensive income in the year in which they occur.

(c) Personnel Services

To enable the Legal Aid Commission of NSW to carry out its functions, all personnel service requirements are provided by OLAC which is a special purpose service entity that is a Division of the Government of New South Wales. The personnel service is charged at cost and a management agreement for the payment of these services was signed in 2006-07.

Notes to the Financial Statements for the year ended 30 June 2011

(iv) Other Provisions

Other provisions exist when: the entity has a present legal or constructive obligation as a result of a past event; it is probable that an outflow of resources will be required to settle the obligation; and a reliable estimate can be made of the amount of the obligation.

If the effect of the time value of money is material, provisions are discounted at 4.88%, which reflects the current market assessments of the time value of money and the risks specific to the liability.

(j) Equity and reserves

(i) Asset Revaluation Reserve

The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets. This accords with the agency's policy on the revaluation of plant and equipment as discussed in note 1(h)(iii).

(ii) Accumulated Funds

The category accumulated funds includes all current and prior period retained funds.

(iii) Reserve Accounts

Separate reserve accounts are recognised in the financial statements only if such accounts are required by specific legislation or Australian Accounting Standards (eg asset revaluation reserve and foreign currency translation reserve).

(k) Equity transfers

Equity transfers are recognised at fair value, except for intangibles. Where an intangible has been recognised at (amortised) cost by the transferor because there is no active market, the agency recognises the asset at the transferor's carrying amount. Where the transferor is prohibited from recognising internally generated intangibles, the agency does not recognise the asset.

(l) Budgeted amounts

The budgeted amounts are drawn from the budgets as formulated at the beginning of the financial year and with any adjustments for the effects of additional appropriations, s 21A, s 24 and/or s 26 of the *Public Finance and Audit Act 1983*.

The budgeted amounts in the Statement of Comprehensive Income and the Statement of Cash Flows are generally based on the amounts disclosed in the NSW Budget Papers (as adjusted above). However, in the Statement of Financial Position, the amounts vary from the Budget Papers, as the opening balances of the budgeted amounts are based on carried forward actual amounts i.e. per the audited financial statements (rather than carried forward estimates).

(m) Comparative Information - general

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is disclosed in respect of the previous period for all amounts reported in the financial statements.

(n) Change in accounting estimate - Leasehold Improvement depreciation

In 2010-11 the interpretation of the Asset Policy for the Legal Aid Commission of NSW was amended to recognise "life of the lease" as being the current lease end date, which may be the original lease end date, or the end date of the current lease option.

The change in accounting estimate increases the 2010-11 deficit for the year by \$0.510m from \$0.075m to \$0.585m.

(o) New Australian Accounting Standards issued but not effective

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2011 reporting periods. The following new Accounting Standards and Interpretations have not yet been adopted and are not yet effective:

- AASB 9 (Dec 2010) and AASB 2010-7 regarding financial instruments
- AASB 124 and AASB 2009-12 regarding related party transactions
- AASB 2009-14 regarding amendments to Interpretation - Prepayments of a Minimum Funding Requirement
- AASB 1053 and AASB 2010-2 regarding differential reporting
- AASB 2010-4 regarding annual improvements
- AASB 2010-5 regarding editorial corrections
- AASB 2010-6 regarding disclosures on transfers of financial assets
- AASB 2010-8 regarding deferred tax: recovery of underlying assets
- AASB 2010-9 regarding severe hyperinflation and removal of fixed dates for first time adopters
- AASB 2010-10 regarding removal of fixed dates for first time adopters
- AASB 1054 Australian Additional Disclosures
- AASB 2011-1 regarding the Trans Tasman Convergence project
- AASB 2011-2 regarding the Trans Tasman Convergence project - RDR
- AASB 2011-3 regarding orderly adoption of changes to the ABS GFS Manual

It is considered that the impact of these new Standards and Interpretations in future periods will have no material impact on the financial statements of the Legal Aid Commission of NSW.

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
2. EXPENSES				
(a) Employee related expenses and personnel services				
Employee related expenses				
Salaries and wages (including recreation leave)	70,785	65,574	-	-
Superannuation - defined benefit plans*	112	402	-	-
Superannuation - defined contribution plans	5,163	4,818	-	-
Long service leave	1,671	2,325	-	-
Workers' compensation insurance	461	278	-	-
Payroll tax and fringe benefits tax	4,408	4,320	-	-
Agency staff costs	156	186	156	186
Total	82,756	77,903	156	186
The Legal Aid Commission of NSW does not employ staff that are directly involved in day-to-day servicing or maintenance. Employee expenses of \$0.239m were capitalised to fixed assets in 2010-2011 (2009-2010: \$0.173m).				
* Refer Note 18. Superannuation actuarial gains of \$0.367m (2009-2010: actuarial losses of \$4.891m) are recognised in the 'Statement of Changes in Equity'. Total superannuation expense, including actuarial gains recognised in the 'Statement of Comprehensive Income' is \$4.908m (2009-2010: \$10.111m).				
Personnel services				
Personnel services provided by the Office of the Legal Aid Commission	-	-	82,233	82,608
Total	-	-	82,233	82,608
(b) Other operating expenses				
Other operating expenses include the following:				
Operating lease rental expense - minimum lease payments	7,885	7,778	7,885	7,778
Telephone	431	397	431	397
Library resources	801	769	801	769
Consultants	502	397	502	397
Contractors	449	86	449	86
Stationery, stores and provisions	498	502	498	502
Computer running costs	2,325	2,444	2,325	2,444
Printing	555	610	555	610
Records management	667	729	667	729
Travel	981	779	981	779
Interpreters' fees (non-case)	466	391	466	391
Postage	477	487	477	487
Cleaning	341	277	341	277
Practicing certificates	279	257	279	257
Electricity and gas	400	349	400	349
Insurance	80	88	80	88
Auditor's remuneration - audit or review of financial reports	133	123	133	123
Internal audit and audit of Trust Account	109	131	109	131
Courier and freight	72	58	72	58
Maintenance	511	458	511	458
Other	1,962	1,616	1,962	1,616
Total	19,924	18,726	19,924	18,726

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
(c) Depreciation and amortisation expenses				
Depreciation				
Leasehold Improvements	1,918	1,457	1,918	1,457
Plant and Equipment	1,110	1,082	1,110	1,082
Total	3,028	2,539	3,028	2,539
Amortisation				
Software	1,963	1,807	1,963	1,807
Total	1,963	1,807	1,963	1,807
Total	4,991	4,346	4,991	4,346

Refer Notes 1(h)(v), 1(h)(ix), 13 & 14.

(d) Grants and subsidies				
Domestic Violence Court Assistance Program	6,807	6,609	6,807	6,609
Community Legal Centres	18,104	16,769	18,104	16,769
Cooperative Legal Service Delivery Program	238	209	238	209
Law and Justice Foundation	252	-	252	-
ALS Field Officer Training	265	-	265	-
Legal Pathways Project Funding	30	-	30	-
Refuge Processing Project	25	-	25	-
Other	77	9	77	9
Total	25,798	23,596	25,798	23,596

Grants to Community Legal Centres are funded by way of specific Commonwealth and discretionary State funds.

(e) Finance costs				
Unwinding of discount rate	314	90	314	90
Total	314	90	314	90

(f) Other expenses				
Solicitor services provided by private practitioners	66,939	64,753	66,939	64,753
Barrister services provided by private practitioners	16,510	15,371	16,510	15,371
Disbursements	12,983	12,433	12,983	12,433
Total	96,432	92,557	96,432	92,557

Includes an estimate of the net cost of work in progress by external legal practitioners who have provided services but not submitted an invoice to Legal Aid Commission of NSW at the end of the reporting period.

3. REVENUE

(a) Sale of goods and services				
Rendering of services				
Family Law	1,185	1,173	1,185	1,173
Criminal Law	1,472	1,415	1,472	1,415
Civil Law	1,154	1,356	1,154	1,356
Total	3,811	3,944	3,811	3,944

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
(b) Investment revenue				
Interest on outstanding accounts	65	97	65	97
Interest on cash assets	4,383	3,285	4,383	3,285
Total	4,448	3,382	4,448	3,382
Refer to Notes 1(g)(iii) & 24(b)				
(c) Grants and contributions				
Law Society Public Purpose Fund ¹	43,972	43,109	43,972	43,109
Commonwealth Government Community Partnerships base grants ²	7,095	5,848	7,095	5,848
Other grants and contributions ³	2,977	3,960	2,977	3,960
Total	54,044	52,917	54,044	52,917
¹ This fund provided a grant of \$39.148m (\$38.227m in 2009–2010) to provide legal aid services in State matters.				
Other specific grants from this fund include:				
• Environmental Defenders Office	1,602	1,563	1,602	1,563
• Public Interest Advocacy Centre	1,189	1,160	1,189	1,160
• Children's Court Assistance Scheme	247	241	247	241
• Homeless Persons	546	533	546	533
• Older Persons Legal Service	630	615	630	615
• Financial Hardship and Mortgage Stress	-	520	-	520
• Intellectual Disability Service Improvement	250	250	250	250
• Aboriginal Legal Access Program	360	-	360	-
Total	4,824	4,882	4,824	4,882

²\$6.831m in Community Partnerships base grants plus additional one off Community Partnerships funding of \$0.264m, totalling \$7.095m (2009–2010: \$5.848m), received from the Commonwealth Government were earmarked for distribution to various Community Legal Centres. The amount of the grant to individual Community Legal Centres is determined by the Commonwealth.

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
3 Other Grants and contributions include:				
• Part of the Commonwealth Government Community Partnerships base grants used to meet administrative costs	106	105	106	105
• Commonwealth Government special purposes funds for refugee matters under separate contract *	-	253	-	253
• State Department of Juvenile Justice for the Juvenile Justice Visiting Legal Service	184	179	184	179
• State Attorney General's Department Youth Drug Court	114	112	114	112
• State Attorney General's Department - Video Conferencing Facilities	215	286	215	286
• Commonwealth Government special funding for expensive criminal cases	1,731	2,206	1,731	2,206
• State Attorney General's Department Compulsory Drug Treatment Correction Centre	107	107	107	107
• State Attorney General's Department for Joined Up Justice Project	264	120	264	120
• Homelessness Action Plan	150	-	150	-
• Care & Protection "Keep Them Safe" Action Plan	84	-	84	-
• Elsa Dixon Aboriginal Employment Program	-	53	-	53
• Aboriginal Employment Strategies	-	81	-	81
• Mortgage Stress Handbook	-	140	-	140
• Community Legal Education - Civil Law	-	82	-	82
• Family Resource Centres Training, Mentoring, Support & Pilot Projects	-	150	-	150
• Consumer Credit Casework Manual	-	70	-	70
• Other	22	16	22	16
Total	2,977	3,960	2,977	3,960
* Monies received under separate contract for refugee matters of \$0.202m have been reclassified in 2010-2011 as <i>Other Revenue</i> .				
(d) Other revenue				
Miscellaneous	411	1,916	411	1,916
Total	411	1,916	411	1,916
4. LOSS ON DISPOSAL				
Loss on disposal of plant and equipment				
Proceeds from disposal	2	20	2	20
Less: Written down value of assets disposed	95	38	95	38
Total	(93)	(18)	(93)	(18)
5. OTHER GAINS / (LOSSES)				
Impairment gain/(loss) on receivables	(357)	(579)	(357)	(579)
Gain/(loss) on make good provision	-	108	-	108
Total	(357)	(471)	(357)	(471)

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
6. APPROPRIATIONS				
(a) Recurrent Appropriations				
Total recurrent drawdowns from Treasury (per Summary of Compliance)	163,766	149,972	163,766	149,972
Less: Liability to Consolidated Fund (per Summary of Compliance)	-	72	-	72
Total	163,766	149,900	163,766	149,900
Comprising:				
Recurrent appropriations (per Statement of Comprehensive Income)	163,766	149,900	163,766	149,900
Total	163,766	149,900	163,766	149,900
(b) Capital Appropriations				
Total capital drawdowns from Treasury (per Summary of Compliance)	3,600	3,039	3,600	3,039
Total	3,600	3,039	3,600	3,039
Comprising:				
Capital appropriations (per Statement of Comprehensive Income)	3,600	3,039	3,600	3,039
Total	3,600	3,039	3,600	3,039

7. INDIVIDUALLY SIGNIFICANT ITEMS

The financial position of the Legal Aid Commission of NSW for the State Authorities Superannuation schemes shows a net liability of \$15.242m at 30 June 2011 (2009-2010: \$17.295m), resulting in \$1.686m being taken up as a reduction to the superannuation expense for the year (2009-2010: \$1.355m). In 2010-2011, superannuation actuarial gains of \$0.367m are recognised outside of profit or loss in the 'Statement of Changes in Equity' (2009-2010: actuarial losses of \$4.891m).

State Authorities Superannuation schemes surplus/(deficit) for the year	1,686	1,355	-	-
State Authorities Superannuation schemes gain/(deficit) - Statement of Changes to Equity	367	(4,891)	-	-
Total	2,053	(3,536)	-	-

8. ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE ENTITLEMENTS AND OTHER LIABILITIES

There are no liabilities and/or expenses that have been assumed by the Crown Entity or other government agencies.

9. TRANSFER PAYMENTS

The Legal Aid Commission of NSW did not have any transfer payments in 2010-2011 (nil in 2009-2010).

10. SERVICE GROUPS/ACTIVITIES OF LEGAL AID NSW

Service Group 1 - Criminal Law Services

This service group covers the provision of legal assistance and counsel to those facing criminal charges.

Notes to the Financial Statements for the year ended 30 June 2011

Service Group 2 - Civil Law Services

This service group covers the provision of law services to clients who require advice on matters such as housing, consumer and human rights law, with a strong emphasis on protection of legal rights in disadvantaged communities.

Service Group 3 - Family Law Services

This service group covers the provision of assistance to families in domestic or statutory disputes in areas such as divorce and parenting arrangements and cases of child abuse and/or neglect.

Service Group 4 - Community Partnerships

This service group covers funding of community organisations for specific purposes, in particular to provide specialised assistance for women and children seeking legal protection from domestic violence.

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
11. CURRENT ASSETS - CASH AND CASH EQUIVALENTS				
Cash at bank and on hand	3,246	2,832	3,246	2,832
Short term deposits	72,359	73,859	72,359	73,859
Total Cash	75,605	76,691	75,605	76,691

For the purposes of the Statement of Cash Flows, cash and cash equivalents include cash on hand, cash at bank and short term deposits.

Cash and cash equivalent assets recognised in the Statement of Financial Position are reconciled at the end of the financial year to the Statement of Cash Flows as follows:

Cash and cash equivalents (per Statement of Financial Position)	75,605	76,691	75,605	76,691
Closing cash and cash equivalents (per Statement of Cash Flows)	75,605	76,691	75,605	76,691

Refer Note 24 for details regarding credit risk, liquidity risk and market risk arising from financial instruments.

The Legal Aid Commission of NSW has a business credit card facility of \$0.014m (2009-2010: \$0.019m), which is the total of the credit limit for all issued credit cards. The balance in this facility is cleared monthly.

12. CURRENT/NON-CURRENT ASSETS - RECEIVABLES

Current

Sale of goods and services	1,743	1,414	1,743	1,414
Less: Allowance for impairment	493	218	493	218
	1,250	1,196	1,250	1,196
Other debtors	490	372	490	372
GST recoverable from Australian Taxation Office	2,960	2,671	2,960	2,671
Prepayments	684	503	684	503
Total Current	5,384	4,742	5,384	4,742

Non-Current

Sale of goods and services	2,600	2,767	2,600	2,767
Less: Allowance for impairment	508	832	508	832

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
Total Non-Current	2,092	1,935	2,092	1,935
Movement in the allowance for impairment				
Balance at 1 July	1,050	992	1,050	992
Amounts written off during the year	(407)	(521)	(407)	(521)
Amounts recovered during the year	(56)	(5)	(56)	(5)
Increase/(decrease) in allowance	414	584	414	584
Balance at 30 June	1,001	1,050	1,001	1,050

Details regarding credit risk, liquidity risk and market risk, including financial assets that are either past due or impaired, are disclosed in Note 24.

Receivables from the sale of goods and services (both current and non-current) in the amount of \$2.172m (2009-2010: \$2.468m) are secured by way of caveat.

13. NON-CURRENT ASSETS - PLANT AND EQUIPMENT

At 1 July - fair value

Gross Carrying Amount	23,300	26,261	23,300	26,261
Less: Accumulated depreciation and impairment	12,981	17,560	12,981	17,560
Net Carrying Amount at Fair Value	10,319	8,701	10,319	8,701

At 30 June - fair value

Gross Carrying Amount	25,001	23,300	25,001	23,300
Less: Accumulated depreciation and impairment	15,414	12,981	15,414	12,981
Net Carrying Amount at Fair Value	9,587	10,319	9,587	10,319

Reconciliation

A reconciliation of the carrying amounts of plant and equipment at the beginning and end of the current reporting period is set out below.

Net carrying amount at start of year	10,319	8,701	10,319	8,701
Additions	2,391	4,195	2,391	4,195
Disposals	(95)	(38)	(95)	(38)
Depreciation expense	(3,028)	(2,539)	(3,028)	(2,539)
Net carrying amount at end of year	9,587	10,319	9,587	10,319

Refer Notes 1(h) & 2(c).

14. INTANGIBLE ASSETS

At 1 July - fair value

Gross Carrying Amount	8,022	10,357	8,022	10,357
Less: Accumulated depreciation and impairment	2,811	4,099	2,811	4,099
Net Carrying Amount at Fair Value	5,211	6,258	5,211	6,258

At 30 June - fair value

Gross Carrying Amount	9,959	8,022	9,959	8,022
Less: Accumulated depreciation and impairment	4,774	2,811	4,774	2,811
Net Carrying Amount at Fair Value	5,185	5,211	5,185	5,211

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
<i>Reconciliation</i>				
A reconciliation of the carrying amounts of intangible assets at the beginning and end of the current reporting period is set out below.				
Net carrying amount at start of year	5,211	6,258	5,211	6,258
Additions (from internal development)	1,624	359	1,624	359
Additions (acquired separately)	313	401	313	401
Disposals	-	-	-	-
Amortisation (recognised in "depreciation and amortisation")	(1,963)	(1,807)	(1,963)	(1,807)
Net carrying amount at end of year	5,185	5,211	5,185	5,211

Refer Notes 1(h) & 2(c).

15. CURRENT LIABILITIES - PAYABLES

Accrued salaries, wages and on-costs	1,824	1,444	-	-
Office of the Legal Aid Commission - accrued salaries, wages and on-costs	-	-	1,824	1,444
Creditors - Legal	531	230	531	230
Creditors - Administrative	2,617	2,397	2,617	2,397
Liability to Consolidated Fund	-	72	-	72
Accrual of estimated legal expenses ¹	14,678	15,311	14,678	15,311
Total	19,650	19,454	19,650	19,454

¹Being accrual of the estimated net cost of work in progress by external legal practitioners who have not submitted claims to the Legal Aid Commission of NSW at the end of the reporting period. Refer to Notes 1(i)(ii) & 2(f).

16. CURRENT/NON-CURRENT LIABILITIES - PROVISIONS

Current

Employee benefits and related on-costs				
Provision for recreation leave to be taken within 12 months	6,018	5,700	-	-
Provision for recreation leave to be taken after 12 months	988	803	-	-
Provision for long service leave to be taken within 12 months	1,460	2,569	-	-
Provision for long service leave to be taken after 12 months	11,180	10,345	-	-
Provision for related on-costs	3,179	3,088	-	-
Superannuation Liability (Refer Note 18)	15,242	17,295	-	-
Payable to the Office of the Legal Aid Commission - Superannuation	-	-	15,242	17,295
Office of the Legal Aid Commission - provision for personnel services	-	-	22,825	22,505
Total Current	38,067	39,800	38,067	39,800

Non-Current

Employee benefits and related on-costs				
Provision for long service leave	1,421	972	-	-
Provision for related on-costs	250	297	-	-
Office of the Legal Aid Commission - provision for personnel services	-	-	1,671	1,269
	1,671	1,269	1,671	1,269

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
Other Provisions				
Restoration costs ¹	2,663	2,349	2,663	2,349
	2,663	2,349	2,663	2,349

¹Refers to the present value of estimated cost of make good obligations (in accordance with AASB 137) that will arise when existing office accommodation leases expire. The provision is adjusted annually for unwinding and changes in discount rates. Any cost variations in make good expenses at the time of implementation will be recognised in the Statement of Comprehensive Income.

Total Provisions	4,334	3,618	4,334	3,618
------------------	--------------	--------------	--------------	--------------

Aggregate employee benefits and related on-costs

Provisions - current	38,067	39,800	-	-
Provisions - non-current	1,671	1,269	-	-
Accrued salaries, wages and on-costs (Note 15)	1,824	1,444	-	-
	41,562	42,513	-	-

Movements in provisions (other than employee benefits)

Carrying amount at start of financial year	2,349	2,245	2,349	2,245
Additional provisions recognised	-	123	-	123
Amounts used	-	1	-	1
Unused amounts reversed	-	108	-	108
Unwinding / change in the discount rate	314	90	314	90
Carrying amount at end of financial year	2,663	2,349	2,663	2,349

17. NON-CURRENT LIABILITY - OTHER

Lease Incentive Liability	20	26	20	26
Total Non Current Liability - Other	20	26	20	26

18. SUPERANNUATION FUND INFORMATION

The Pooled Fund holds in trust the investments of the closed NSW public sector superannuation schemes:

- State Authorities Superannuation Scheme (SASS)
- State Superannuation Scheme (SSS).
- Police Superannuation Scheme (PSS).
- State Authorities Non-contributory Superannuation Scheme (SANCS)

These schemes are all defined benefit schemes - at least a component of the final benefit is derived from a multiple of member salary and years of membership. All the schemes are closed to new members.

The calculation of SSS, SASS and SANCS liabilities was performed by the Actuary, William Mercer Ltd and is based on the requirements of AASB 119.

Notes to the Financial Statements for the year ended 30 June 2011

Fund assets	30 June 2011	30 June 2010
The percentage invested in each asset class at the balance sheet dates:		
Australian equities	33.4%	31.0%
Overseas equities	29.5%	26.8%
Australian fixed interest securities	5.7%	6.1%
Overseas fixed interest securities	3.1%	4.3%
Property	9.9%	9.5%
Cash	5.1%	9.6%
Other	13.3%	12.7%

Fair value of Fund assets

All Fund assets are invested by STC at arm's length through independent fund managers.

Expected rate of return on assets

The expected return on assets assumption is determined by weighting the expected long-term return for each asset class by the target allocation of assets to each class. The returns used for each class are net of investment tax and investment fees.

Valuation method and principal actuarial assumptions at the balance sheet date

(i) Valuation Method

The Projected Unit Credit (PUC) valuation method was used to determine the present value of the defined benefit obligations and the related current service costs. This method sees each period of service as giving rise to an additional unit of benefit entitlement and measures each unit separately to build up the final obligation.

(ii) Economic Assumptions

Salary increase rate (excluding promotional increases)	3.50%	3.50%
Rate of CPI increase	2.50%	2.50%
Expected rate of return on assets	8.60%	8.60%
Discount rate	5.28%	5.17%

(iii) Demographic Assumptions

The demographic assumptions at 30 June 2011 are those used in the 2009 triennial actuarial valuation. The triennial review report is available from the NSW Treasury website.

Contribution recommendations

	SASS Multiple of member contributions	SANCS % member salary	SSS Multiple of member contributions
Recommended contribution rates for the year ending:			
30 June 2011	1.90	2.50	1.60
30 June 2010	1.90	2.50	1.60

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

Funding method

Contribution rates are set after discussions between the employer, STC and NSW Treasury.

Economic assumptions

The economic assumptions adopted for the 2009 actuarial review of the Fund are:

Weighted - Average Assumptions	30 June 2011
Expected rate of return on Fund assets backing current pension liabilities	8.30%
Expected rate of return on Fund assets backing other liabilities	7.30%
Expected salary increase rate	4.00%
Expected rate of CPI increase	2.50%

Nature of Asset/Liability

If a surplus exists in the employer's interest in the Fund, the employer may be able to take advantage of it in the form of a reduction in the required contribution rate, depending on the advice of the Fund's actuary.

Where a deficiency exists, the employer is responsible for any difference between the employer's share of Fund assets and the defined benefit obligation.

Refer to Notes 1(i)(iii)(b), 2(a) & 7

The position of the superannuation funds at 30 June 2011 is as follows:

	SASS	SANCS	SSS	
Members Numbers				
Contributors	79	112	33	
Deferred benefits	-	-	8	
Pensioners	-	-	40	
Pensions fully commuted	-	-	13	
	SASS	SANCS	SSS	Total
	\$'000	\$'000	\$'000	\$'000
Superannuation Position for AASB 119 purposes				
Accrued liability	23,696	5,508	57,842	87,046
Estimated reserve account balance	(23,333)	(5,496)	(42,975)	(71,804)
	363	12	14,867	15,242
Future Service Liability ¹	(4,863)	(1,649)	(2,399)	(8,911)
Surplus in excess of recovery available from schemes	-	-	-	-
Net (asset) / liability to be recognised in the Statement of Financial Position	363	12	14,867	15,242

¹The Future Service Liability (FSL) does not have to be recognised by an employer. It is only used to determine if an asset ceiling limit should be imposed (AASB 119, para 58). Under AASB 119, any prepaid superannuation asset recognised cannot exceed the total of any unrecognised past service cost and the present value of any economic benefits that may be available in the form of refunds from the plan or reductions in future contributions to the plan. Where the "surplus in excess of recovery" is zero, no asset ceiling limit is imposed.

Notes to the Financial Statements for the year ended 30 June 2011

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Reconciliation of the present value of the defined benefit obligation				
<i>Present value of partly funded defined benefit obligations at beginning of the year</i>	22,313	5,303	56,158	83,774
Current service cost	886	233	397	1,516
Interest cost	1,109	262	2,870	4,241
Contributions by Fund participants	449	-	438	887
Actuarial (gains)/losses	377	(118)	(305)	(46)
Benefits paid	(1,438)	(172)	(1,716)	(3,326)
<i>Present value of partly funded defined benefit obligations at end of the year</i>	23,696	5,508	57,842	87,046
Reconciliation of the fair value of Fund assets				
<i>Fair value of Fund assets at beginning of the year</i>	21,437	4,988	40,054	66,479
Expected return on fund assets	1,806	420	3,419	5,645
Actuarial gains/(losses)	172	(1)	150	321
Employer contributions	907	261	630	1,798
Contributions by Fund participants	449	-	438	887
Benefits paid	(1,438)	(172)	(1,716)	(3,326)
<i>Fair value of Fund assets at end of the year</i>	23,333	5,496	42,975	71,804
Reconciliation of the assets and liabilities recognised in the Statement of Financial Position				
Present value of partly funded defined benefit obligation at end of year	23,696	5,508	57,842	87,046
Fair value of Fund assets at end of year	(23,333)	(5,496)	(42,975)	(71,804)
<i>Subtotal</i>	363	12	14,867	15,242
Unrecognised past service cost	-	-	-	-
Unrecognised gain / (loss)	-	-	-	-
Adjustment for limitation on net asset	-	-	-	-
<i>Net Liability/(Asset) recognised in the Statement of Financial Position at end of year</i>	363	12	14,867	15,242
Expense recognised in the Statement of Comprehensive Income				
Components Recognised in the Statement of Comprehensive Income				
Current service cost	886	233	397	1,516
Interest cost	1,109	262	2,870	4,241
Expected return on Fund assets (net of expenses)	(1,806)	(420)	(3,419)	(5,645)
Actuarial losses/(gains) recognised in year	-	-	-	-
Past service cost	-	-	-	-
Movement in adjustment for limitation on net asset	-	-	-	-
Curtailment or settlement losses/ (gains)	-	-	-	-
Expense /(income) recognised	189	75	(152)	112
Amounts recognised in Other Comprehensive Income				
Actuarial (gains)/losses	205	(117)	(455)	(367)
Adjustment for limit on net asset	-	-	-	-
	205	(117)	(455)	(367)

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Cumulative amount recognised in Other Comprehensive Income				
Cumulative actuarial losses				18,174
				<u>18,174</u>
Actual return on Fund assets	1,835	419	3,383	5,637
Historical information				
Present value of defined benefit obligation	23,696	5,508	57,842	87,046
Fair value of Fund assets	(23,333)	(5,496)	(42,975)	(71,804)
(Surplus) / Deficit in Fund	363	12	14,867	15,242
Experience adjustments - Fund liabilities	377	(118)	(305)	(46)
Experience adjustments - Fund assets	(172)	1	(150)	(321)
Expected contributions				
Expected employer contributions to be paid in the next reporting period	854	254	701	1,809

Funding arrangements for employer contributions

Surplus / deficit

The following is a summary of the 30 June 2011 financial position of the Fund calculated in accordance with AAS 25 "Financial Reporting by Superannuation Plans":

Accrued benefits	22,291	5,048	40,216	67,555
Net market value of Fund assets	(23,333)	(5,496)	(42,975)	(71,804)
<i>Net (surplus) / deficit</i>	<u>(1,042)</u>	<u>(448)</u>	<u>(2,759)</u>	<u>(4,249)</u>

The position of the superannuation funds at 30 June 2010 was as follows:

	SASS	SANCS	SSS	Total
	\$'000	\$'000	\$'000	\$'000
Members Numbers				
Contributors	81	116	35	
Deferred benefits	-	-	8	
Pensioners	-	-	38	
Pensions fully commuted	-	-	13	
Superannuation Position for AASB 119 purposes				
Accrued liability	22,313	5,303	56,158	83,774
Estimated reserve account balance	(21,437)	(4,988)	(40,054)	(66,479)
	876	315	16,104	17,295
Future Service Liability ¹	(5,179)	(1,809)	(2,941)	(9,929)
Surplus in excess of recovery available from schemes	-	-	-	-
Net (asset) / liability to be recognised in the Statement of Financial Position	876	315	16,104	17,295

¹The Future Service Liability (FSL) does not have to be recognised by an employer. It is only used to determine if an asset ceiling limit should be imposed (AASB 119, para 58). Under AASB 119, any prepaid superannuation asset recognised cannot exceed the total of any unrecognised past service cost and the present value of any economic benefits that may be available in the form of refunds from the plan or reductions in future contributions to the plan. Where the "surplus in excess of recovery" is zero, no asset ceiling limit is imposed.

Notes to the Financial Statements for the year ended 30 June 2011

SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
----------------	-----------------	---------------	-----------------

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Reconciliation of the present value of the defined benefit obligation				
<i>Present value of partly funded defined benefit obligations at beginning of the year</i>	18,953	4,661	51,055	74,669
Current service cost	805	220	474	1,499
Interest cost	1,029	252	2,822	4,103
Contributions by fund participants	420	-	391	811
Actuarial (gains) / losses	1,741	446	3,447	5,634
Benefits paid	(635)	(276)	(2,031)	(2,942)
<i>Present value of partly funded defined benefit obligations at end of the year</i>	22,313	5,303	56,158	83,774
Reconciliation of the fair value of fund assets				
<i>Fair value of Fund assets at beginning of the year</i>	18,525	4,593	37,792	60,910
Expected return on fund assets	1,581	392	3,227	5,200
Actuarial gains / (losses)	693	24	26	743
Employer contributions	853	255	649	1,757
Contributions by fund participants	420	-	391	811
Benefits paid	(635)	(276)	(2,031)	(2,942)
<i>Fair value of Fund assets at end of the year</i>	21,437	4,988	40,054	66,479
Reconciliation of the assets and liabilities recognised in the Statement of Financial Position				
Present value of partly funded defined benefit obligations at end of year	22,313	5,303	56,158	83,774
Fair value of fund assets at end of year	(21,437)	(4,988)	(40,054)	(66,479)
<i>Subtotal</i>	876	315	16,104	17,295
Unrecognised past service cost	-	-	-	-
Unrecognised gain / (loss)	-	-	-	-
Adjustment for limitation on net asset	-	-	-	-
<i>Net (asset) / liability recognised in the Statement of Financial Position at end of year</i>	876	315	16,104	17,295
Expense recognised in the Statement of Comprehensive Income				
Components Recognised in the Statement of Comprehensive Income				
Current service cost	805	220	474	1,499
Interest cost	1,029	252	2,822	4,103
Expected return on Fund assets (net of expenses)	(1,581)	(392)	(3,227)	(5,200)
Actuarial losses (gains) recognised in year	Consolidated	-	Parent	-
Movement in adjustment for limitation on net asset	2011-	2010-	2011-	2010-
Past service cost	\$'000	\$'000	\$'000	\$'000
Curtailement or settlement losses/(gains)	-	-	-	-
Expense/(income) recognised	253	80	69	402
Amounts recognised in Other Comprehensive Income				
Actuarial losses/(gains)	1,048	422	3,421	4,891
Adjustment for limit on net asset	-	-	-	-
	1,048	422	3,421	4,891

Notes to the Financial Statements for the year ended 30 June 2011

	Consolidated		Parent	
	2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000
Cumulative amount recognised in Other Comprehensive Income				
Cumulative actuarial losses				18,541
				<u>18,541</u>
Actual return on Fund assets	1,745	416	3,453	5,614
Historical information				
Present value of defined benefit obligation	22,313	5,303	56,158	83,774
Fair value of Fund assets	(21,437)	(4,988)	(40,054)	(66,479)
(Surplus) / Deficit in Fund	876	315	16,104	17,295
Experience adjustments - Fund liabilities	1,741	446	3,447	5,634
Experience adjustments - Fund assets	(693)	(24)	(26)	(743)
Expected contributions				
Expected employer contributions	798	252	626	1,676
Funding arrangements for employer contributions				
<i>Surplus / deficit</i>				
The following is a summary of the 30 June 2010 financial position of the Fund calculated in accordance with AAS 25 "Financial Reporting by Superannuation Plans":				
Accrued benefits	20,811	4,790	37,942	63,543
Net market value of Fund assets	(21,437)	(4,988)	(40,054)	(66,479)
<i>Net (surplus) / deficit</i>	<u>(626)</u>	<u>(198)</u>	<u>(2,112)</u>	<u>(2,936)</u>

The superannuation expense recognised in the Statement of Comprehensive Income is included in the line item 'employee related expenses'. Superannuation actuarial gains of \$0.367m (2009-2010: actuarial losses of \$4.891m) are separately identified in the 'Statement of Comprehensive Income'.

The cumulative amount of actuarial losses recognised in the 'Statement of Comprehensive Income' since 1 July 2004 is \$18.174m (2009-2010: \$18.541m).

Before 1 July 2004 and the adoption of AEIFRS, it is not practical to determine the cumulative actuarial gains/losses as if the new policy had always been applied, given that the actuarial gains and losses were not separately identified and accumulated, and the superannuation expense was calculated on a different basis.

19. COMMITMENTS FOR EXPENDITURE

(a) Capital Commitments

Aggregate capital expenditure contracted for at balance date and not provided for:

Not later than one year	890	470	890	470
Total (including GST)	<u>890</u>	<u>470</u>	<u>890</u>	<u>470</u>

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

(b) Other Expenditure Commitments

Aggregate other expenditure contracted for at balance date and not provided for:

Not later than one year

Outstanding purchase orders	495	80	495	80
Estimated future commitment of external legal services ¹	45,754	41,643	45,754	41,643

Later than one year and not later than 5 years

Estimated future commitment of external legal services ¹	21,280	19,204	21,280	19,204
---	--------	--------	--------	--------

Total (including GST)

67,529	60,927	67,529	60,927
--------	--------	--------	--------

¹Represents the estimated future commitment for external legal services provided for both in-house and assigned grants of aid. The future internal cost of cases conducted by the in-house practice of the Legal Aid Commission of NSW has been excluded because the amount of the liability cannot be reliably measured.

(c) Operating Lease Commitments

Future non-cancellable operating lease rentals not provided for and payable:

	Consolidated		Parent	
	2011	2010	2011	2010
	\$'000	\$'000	\$'000	\$'000
Not later than one year	9,028	8,624	9,028	8,624
Later than one year and not later than 5 years	9,139	13,600	9,139	13,600
Later than 5 years	560	4,338	560	4,338

Total (including GST)

18,727	26,562	18,727	26,562
--------	--------	--------	--------

The operating lease commitments above relate to the rental of office accommodation and motor vehicles. Lease periods range from 1–7 years. Rental accommodation is indexed by either CPI, market or fixed annual increments.

The total commitments in (a), (b) and (c) above include input tax credits of \$7.922m (2009-2010: \$7.997m) that are expected to be recoverable from the Australian Taxation Office.

20. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

At the date of this report, there is current litigation involving the Legal Aid Commission of NSW from which a liability may arise to the value of \$62,095 (2009-2010: \$16,000). Of this liability, \$54,095 is subject to reimbursement from the insurer of the Legal Aid Commission of NSW.

21. BUDGET REVIEW

Statement of Comprehensive Income

Net Cost of Services

The actual Net Cost of Services was lower than budget by \$0.2m or less than 1%. This consisted of higher than budget revenues in Grants and Contributions, which were expended as additional Grants and Subsidies payments, and higher than budgeted Investment Revenue.

Expenditure was higher than budget by \$3.0m mainly due to additional Grants and Subsidies payments of \$3.5m, partially offset by lower than budget expenditure for Other Expenses (Assigned Legal Expenses) of \$1.4m.

Statement of Financial Position

Current Assets

Current Assets are \$1.1m lower than budget mainly due to a

Notes to the Financial Statements for the year ended 30 June 2011

Statement of Cash Flows

Cash Flows from Operating Activities

Cash payments exceeded budget by \$6.5m mainly due to Employee Related (\$2.1m) and Grants & Subsidies (\$3.5m).

The additional Grants and Subsidies payments were funded from additional Receipts, in Other Receipts.

22 RECONCILIATION OF CASH FLOWS FROM OPERATING ACTIVITIES TO NET COST OF SERVICES

Reconciliation of cash flows from operating activities to the net cost of services as reported in the Statement of Comprehensive Income

Net cash used on operating activities	(3,228)	2,151	(3,228)	2,151
Cash Flows from Government / Appropriations	167,366	152,939	167,366	152,939
Depreciation and amortisation	4,991	4,346	4,991	4,346
Recognition of assets funded by government	-	(1,681)	-	(1,681)
(Increase) / decrease in allowance for impairment	49	(58)	49	(58)
Increase / (decrease) in provisions	(1,127)	5,093	(1,127)	5,093
Increase / (decrease) in other liabilities ²	(6)	26	(6)	26
Actuarial gains/(losses) on superannuation	367	(4,891)	-	-
(Increase) / decrease in prepayments and other assets	(750)	1,985	(750)	1,985
(Decrease) / increase in creditors	196	(4,380)	196	(4,380)
Loss on disposal of plant and equipment	93	18	93	18
Net cost of services	167,951	155,548	167,584	160,439

23 TRUST FUNDS

The Legal Aid Commission of NSW administers, but does not control the funds in the following trust:

Legal Aid Commission Trust Account¹

Cash balance at the beginning of the financial year	959	1,418	959	1,418
Add: Receipts	2,342	4,389	2,342	4,389
Less: Expenditure	2,211	4,848	2,211	4,848
Cash balance at the end of the financial year	1,090	959	1,090	959

As the Legal Aid Commission of NSW performs only a custodial role in respect of trust monies, and because the monies cannot be used for the achievement of its objectives; that is, the definition criteria for assets is not met, trust funds are not brought to account in the financial statements, but are shown in the notes for information purposes. Refer to Note 1(h)(xii).

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

¹Pursuant to Section 64A of the *Legal Aid Commission Act 1979*, a Legal Aid Commission Trust Account is maintained for verdict and settlement moneys held on behalf of legally aided persons represented by Commission in-house practitioners. The Legal Aid Commission of NSW may recover some costs upon finalisation of these matters.

24 FINANCIAL INSTRUMENTS

The principal financial instruments of the Legal Aid Commission of NSW are outlined below. These financial instruments arise directly from the operations of the Legal Aid Commission of NSW or are required to finance the operations of the Legal Aid Commission of NSW. The Legal Aid Commission of NSW does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes.

The main risks arising from financial instruments for the Legal Aid Commission of NSW are outlined below, together with the objectives of the Legal Aid Commission of NSW, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout these financial statements.

The Board Audit and Risk Committee has overall responsibility for the establishment and oversight of risk management and reviews and agrees policies for managing each of these risks. Risk management policies are established to identify and analyse the risks faced by the Legal Aid Commission of NSW, to set risk limits and controls and to monitor risks. Compliance with policies is reviewed by the Internal Auditors on a continuous basis.

(a) Financial Instrument Categories

Note	Category	Carrying Amount 2011 \$'000	Carrying Amount 2010 \$'000
------	----------	-----------------------------	-----------------------------

Financial Assets

Class:

Cash & Cash equivalents	11	n/a	75,605	76,691
Receivables ¹	12	Receivables (at amortised cost)	3,834	3,504

Financial Liabilities

Class:

Payables ²	15	Financial Liabilities	18,078	17,772
-----------------------	----	-----------------------	--------	--------

¹Excludes statutory receivables and prepayments (i.e. not within scope of AASB 7)

²Excludes statutory payables and unearned revenue (i.e. not within scope of AASB7)

Total \$'000	Past due but not impaired 1,2 \$'000	Considered impaired 1,2 \$'000
--------------	--------------------------------------	--------------------------------

(b) Credit risk

Credit risk arises when there is the possibility of the debtors of the Legal Aid Commission of NSW defaulting on their contractual obligations, resulting in a financial loss to the Legal Aid Commission of NSW. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance or impairment).

Notes to the Financial Statements for the year ended 30 June 2011

Credit risk arises from the financial assets of the Legal Aid Commission of NSW, including cash, receivables and authority deposits. The Legal Aid Commission of NSW has secured a portion of its receivables by way of caveat. The Legal Aid Commission of NSW has not granted any financial guarantees.

Credit risk associated with the financial assets of the Legal Aid Commission of NSW, other than receivables, is managed through the selection of counterparties and establishment of minimum credit rating standards. Authority deposits held with NSW TCorp are guaranteed by the State.

Cash

Cash comprises cash on hand and the Legal Aid Commission of NSW funds that are held in advance accounts, the general operating bank account and deposits at call and short term with TCorp. Interest is earned on the daily balances of the bank accounts and deposits at call and short term with TCorp. Refer Note 11. The average rate of interest earned on bank accounts was 4.56% (2009-2010: 3.51%).

Receivables

All receivables are recognised as amounts receivable at reporting date. Collectability of trade debts is reviewed on an ongoing basis. Procedures as established in the Treasurer's Directions are followed to recover outstanding amounts, including letters of demand. Debts which are known to be uncollectible are written off. An allowance for impairment is raised when there is objective evidence that the Legal Aid Commission of NSW will not be able to collect all amounts due. The credit risk is the carrying amount (net of any allowance for impairment). The carrying amount approximates fair value. Interest is charged on overdue trade debtors' accounts under section 71A of the *Legal Aid Commission Act 1979* as amended and applicable interest rates were as follows:

- Overdue debt (*Section 71A of Legal Aid Commission Act*) - 4.5% (half of Local Court rate)
- Local Court judgements (*Section 101 of Civil Procedure Act 2005*) - 9%
- Family Court judgements (*Section 117B of Family Law Act*) - 8%.

Based on past experience, debtors that are not past due (2011: \$0.264m; 2010:\$0.102m) and not less than 1 month past due (2011:\$0.978m; 2010:\$0.775m) are not considered impaired and together these represent 20.24% of the total debtors (2010: 17.01%).

The only financial assets that are past due or impaired are "Sales of Goods and Services" in the "Receivables" category of the Statement of Financial Position.

2011

< 3 months overdue	191	176	15
3 months - 6 months overdue	224	94	130
> 6 months overdue	2,742	708	2,034

2010

< 3 months overdue	238	138	100
3 months - 6 months overdue	287	102	185

Consolidated		Parent	
2011 \$'000	2010 \$'000	2011 \$'000	2010 \$'000

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

> 6 months overdue	2,525	535	1,990
--------------------	-------	-----	-------

Carrying Amount	\$'000			
	-1% Profit	Equity	1% Profit	Equity
75,605	(756)	(756)	756	756
3,834	(38)	(38)	38	38
18,078	(181)	(181)	181	181
76,691	(767)	(767)	767	767
3,504	(35)	(35)	35	35
17,772	(178)	(178)	178	178

In this section

Statement by the Chief Executive Officer	106
Independent Auditor's Report	107
Statement of Comprehensive Income	109
Statement of Financial Position	110
Statement of Changes In Equity	111
Statement of Cash Flows	112

Notes to the Financial Statements for the year ended 30 June 2011

Notes 1(a) – 1(i) Summary of significant accounting policies	113
2 Expenses	115
3 Revenue	115
4 Individually significant items	115
5 Acceptance by the crown entity of employee entitlements and other liabilities	116
6 Transfer payments	116
7 Programs/activities of the Office	116
8 Current/non-current assets – receivables	116
9 Current liabilities – payables	116
10 Current/non-current liabilities – provisions	116
11 Superannuation fund information	117
12 Reconciliation of cash flows from operating activities to net cost of services	124
13 Contingent liabilities and contingent assets	124
14 Commitments for expenditure	125
15 Financial instruments	125
16 After balance date events	127

Other information

1 Payment performance	128
2 Annual reporting legislation requirements	128

Statement by the Chief Executive Officer

OFFICE OF THE LEGAL AID COMMISSION

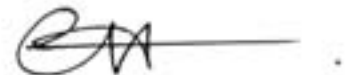
Statement by the Chief Executive Officer

Pursuant to Section 41F(1B) of the *Public Finance and Audit Act 1983*, we declare on behalf of the Office of the Legal Aid Commission that in our opinion:

1. The statements have been prepared in accordance with the provisions of the *Public Finance and Audit Act 1983* and Regulation, applicable Australian Accounting Standards, (which include Australian Accounting Interpretations), and specific directions issued by the Treasurer.
2. The accompanying financial statements exhibit a true and fair view of the financial position of the Office of the Legal Aid Commission as at 30 June 2011 and transactions of the year then ended.
3. There are no circumstances that render any particulars included in the financial statements to be misleading or inaccurate.



Richard Funston
Acting Chief Executive Officer



Clare Hamilton
Chief Finance Officer

Independent auditor's report



GPO BOX 12
Sydney NSW 2001

INDEPENDENT AUDITOR'S REPORT

Office of the Legal Aid Commission of New South Wales

To Members of the New South Wales Parliament

I have audited the accompanying financial statements of the Office of the Legal Aid Commission (the Office), which comprise the statement of financial position as at 30 June 2011, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information.

Opinion

In my opinion, the financial statements:

- give a true and fair view of the financial position of the Office as at 30 June 2011, and of its financial performance for the year then ended in accordance with Australian Accounting Standards
- are in accordance with section 41B of the *Public Finance and Audit Act 1983* (the PF&A Act) and the Public Finance and Audit Regulation 2010.

My opinion should be read in conjunction with the rest of this report.

The Chief Executive Officer's Responsibility for the Financial Statements

The Chief Executive Officer is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards and the PF&A Act and for such internal control as the Chief Executive Officer determines is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I conducted my audit in accordance with Australian Auditing Standards. Those standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Chief Executive Officer, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

5 Financial statements

Independent auditor's report

My opinion does not provide assurance:

- about the future viability of the Office
- that it has carried out its activities effectively, efficiently and economically
- about the effectiveness of its internal control
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about any other information which may have been hyperlinked to/from the financial statements.

Independence

In conducting my audit, I have complied with the independence requirements of the Australian Auditing Standards and other relevant ethical pronouncements. The PF&A Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their role by the possibility of losing clients or income.



Jack Kheir
Director, Financial Audit Services

14 October 2011
SYDNEY

Statement of Comprehensive Income for the year ended 30 June 2011

	Notes	Actual 2011 \$'000	Actual 2010 \$'000
Revenue			
Personnel services	3	82,472	82,781
Total Revenue		<u>82,472</u>	<u>82,781</u>
Less:			
Expenses			
Employee related	2	82,839	77,890
Total Expenses		<u>82,839</u>	<u>77,890</u>
SURPLUS/ (DEFICIT) FOR THE YEAR		<u>(367)</u>	<u>4,891</u>
Other Comprehensive Income			
Superannuation actuarial gains/(losses)	11	367	(4,891)
Other Comprehensive Income for the year		<u>367</u>	<u>(4,891)</u>
TOTAL COMPREHENSIVE INCOME FOR THE YEAR		<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

5 Financial statements

Statement of Financial Position as at 30 June 2011

	Notes	Actual 2011 \$'000	Actual 2010 \$'000
ASSETS			
Current Assets			
Receivables	8	40,506	41,244
Total Current Assets		<u>40,506</u>	<u>41,244</u>
Non-Current Assets			
Receivables	8	1,056	1,269
Total Non-Current Assets		<u>1,056</u>	<u>1,269</u>
Total Assets		<u>41,562</u>	<u>42,513</u>
LIABILITIES			
Current Liabilities			
Payables	9	1,824	1,444
Provisions	10	38,067	39,800
Total Current Liabilities		<u>39,891</u>	<u>41,244</u>
Non-Current Liabilities			
Provisions	10	1,671	1,269
Total Non-Current Liabilities		<u>1,671</u>	<u>1,269</u>
Total Liabilities		<u>41,562</u>	<u>42,513</u>
Net Assets		<u>-</u>	<u>-</u>
EQUITY			
Accumulated Funds		<u>-</u>	<u>-</u>
Total Equity		<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

Statement of Changes in Equity for the year ended 30 June 2011

	Notes	Accumulated Funds \$'000	Asset Revaluation Surplus \$'000	Other Reserves \$'000	Total \$'000
Balance at 1 July 2010		-	-	-	-
Changes in accounting policy		-	-	-	-
Correction of errors		-	-	-	-
Restated total equity at 1 July 2010		-	-	-	-
Surplus/(deficit) for the year		(367)	-	-	(367)
Other comprehensive income:					
Net increase/(decrease) in plant and equipment		-	-	-	-
Changes in restoration liability		-	-	-	-
Other comprehensive income:					
Superannuation actuarial gains/(losses)	11	367	-	-	367
Total other comprehensive income		367	-	-	367
Total comprehensive income for the year		-	-	-	-
Balance at 30 June 2011		-	-	-	-
Balance at 1 July 2009		-	-	-	-
Changes in accounting policy		-	-	-	-
Correction of errors		-	-	-	-
Restated total equity at 1 July 2009		-	-	-	-
Surplus/(deficit) for the year		4,891	-	-	4,891
Other comprehensive income:					
Net increase/(decrease) in plant and equipment		-	-	-	-
Changes in restoration liability		-	-	-	-
Other comprehensive income:					
Superannuation actuarial (losses)/gains	11	(4,891)	-	-	(4,891)
Total other comprehensive income		(4,891)	-	-	(4,891)
Total comprehensive income for the year		-	-	-	-
Balance at 30 June 2010		-	-	-	-

The accompanying notes form part of these financial statements.

5 Financial statements

Statement of Cash Flows for the year ended 30 June 2011

	Notes	Actual 2011 \$'000	Actual 2010 \$'000
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Employee related		<u>(83,166)</u>	<u>(77,582)</u>
Total Payments		<u>(83,166)</u>	<u>(77,582)</u>
Receipts			
Legal Aid Commission - personnel services		<u>83,166</u>	<u>77,582</u>
Total Receipts		<u>83,166</u>	<u>77,582</u>
NET CASH FLOWS FROM OPERATING ACTIVITIES	12	<u>-</u>	<u>-</u>
NET INCREASE IN CASH			
Opening cash and cash equivalents		<u>-</u>	<u>-</u>
CLOSING CASH AND CASH EQUIVALENTS		<u>-</u>	<u>-</u>

The accompanying notes form part of these financial statements.

Notes to the Financial Statements for the year ended 30 June 2011

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Reporting entity

The Office of the Legal Aid Commission (the Office) is a Division of the Government Service, established pursuant to Part 1 of Schedule 1 to the *Public Sector Employment and Management Act 2002*. It is a not-for-profit entity as profit is not its principal objective. It is consolidated as part of the Legal Aid Commission of New South Wales Accounts. It is domiciled in Australia and its principal office is at 323 Castlereagh Street, Haymarket, Sydney.

The Office's objective is to provide personnel services to the Legal Aid Commission of New South Wales, the parent entity, at cost.

The financial statements were authorised for issue by the Chief Executive Officer on 13 October 2011.

(b) Basis of preparation

The Office's financial statements are prepared in accordance with the requirements of applicable Australian Accounting Standards (which include Australian Accounting Interpretations), the *Public Finance and Audit Act 1983 and Regulation*, and specific directions issued by the Treasurer.

The financial statements are prepared in accordance with the historical cost convention and the financial statements do not take into account changing money values or current valuations.

The accrual basis of accounting has been adopted in the preparation of the financial statements, except for cash flow information.

Judgements, key assumptions and estimates are disclosed in the relevant notes to the financial statements.

All amounts are rounded to the nearest one thousand dollars and are expressed in Australian currency.

(c) Statement of Compliance

The financial statements and notes comply with Australian Accounting Standards, which include Australian Accounting Interpretations.

(d) Revenue

Revenue is measured at the fair value of the consideration received or receivable. Revenue from the rendering of personnel services is recognised when the service is provided and only to the extent that the associated recoverable expenses are recognised.

(e) Receivables

Receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in the active market. Receivables are recognised initially at fair value, usually based on transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method, less an allowance for any impairment of receivables. Any changes are recognised in the surplus/ (deficit) for the year when impaired, derecognised or through the amortisation process.

Short-term receivables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

An allowance for impairment is established where there is objective evidence that a receivable may not be collectable. The amount of any impairment loss is recognised in the surplus/ (deficit) for the year.

(f) Payables

Payables include accrued wages, salaries, and related on costs (such as payroll tax, fringe benefits tax and workers' compensation insurance) where there is certainty as to the amount and timing of settlement.

Payables are recognised initially at fair value, usually based on the transaction cost or face value. Subsequent measurement is at amortised cost using the effective interest method.

Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

(g) Employee benefit provisions and expenses

Liabilities for salaries and wages (including non-monetary benefits), annual leave and paid sick leave are recognised and measured in respect of employees' services up to the reporting date at undiscounted amounts based on the amounts expected to be paid when the liabilities are settled.

The outstanding amounts of payroll tax, fringe benefits tax and workers' compensation insurance premiums which are consequential to employment are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised.

Superannuation and leave liabilities are recognised as expenses and provisions when the obligations arise, which is usually through the rendering of service by employees.

Long-term annual leave (i.e. that is not expected to be taken within twelve months) is measured at present value in accordance with AASB 119 *Employee Benefits*.

Long service leave is measured at present value in accordance with AASB 119 *Employee Benefits*. For 2010/11 long service leave has been calculated using shorthand method techniques, which is to apply an appropriate valuation factor to the aggregate accrued long service leave entitlements. The valuation factor for long service payments assumes a discount rate of 5.25% (2009-2010: 5.1%) and long term salary inflation rate of 4% (2009-2010: 4%).

The Office of Legal Aid Commission's superannuation position is calculated based on economic assumptions determined by the independent actuary, *William Mercer Ltd*, as advised by the SAS Trustee Corporation (STC). All Fund assets are invested by STC at arm's length through independent fund managers. Any variation between the Office's gross superannuation liability and employer reserve account balance is recognised in the Statement of Financial Position as an unfunded liability or prepaid contribution. Refer Notes 2, 10 & 11.

(h) Comparative Information

Except when an Australian Accounting Standard permits or requires otherwise, comparative information is disclosed in respect of the previous period for all amounts reported in the financial statements.

(i) New Australian Accounting Standards issued but not effective

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2011 reporting periods. The following new Accounting Standards and Interpretations have not yet been adopted and are not yet effective:

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

- AASB 9 (Dec 2010) and AASB 2010-7 regarding financial instruments
- AASB 124 and AASB 2009-12 regarding related party transactions
- AASB 2009-14 regarding amendments to Interpretation - Prepayments of a Minimum Funding Requirement
- AASB 1053 and AASB 2010-2 regarding differential reporting
- AASB 2010-4 regarding annual improvements
- AASB 2010-5 regarding editorial corrections
- AASB 2010-6 regarding disclosures on transfers of financial assets
- AASB 2010-8 regarding deferred tax: recovery of underlying assets
- AASB 2010-9 regarding severe hyperinflation and removal of fixed dates for first time adopters
- AASB 2010-10 regarding removal of fixed dates for first time adopters
- AASB 1054 Australian Additional Disclosures
- AASB 2011-1 regarding the Trans Tasman Convergence project
- AASB 2011-2 regarding the Trans Tasman Convergence project - RDR
- AASB 2011-3 regarding orderly adoption of changes to the ABS GFS Manual

It is considered that the impact of these new Standards and Interpretations in future periods will have no material impact on the financial statements of the Legal Aid Commission of NSW.

Notes to the Financial Statements for the year ended 30 June 2011

	2011 \$'000	2010 \$'000
2. EXPENSES		
Employee related expenses		
Salaries and wages (including recreation leave)	71,024	65,747
Superannuation - defined benefit plans*	112	402
Superannuation - defined contribution plans	5,163	4,818
Long service leave	1,671	2,325
Workers' compensation insurance	461	278
Payroll tax and fringe benefits tax	4,408	4,320
Total	82,839	77,890

The Office does not employ staff that are directly involved in day-to-day servicing or maintenance.

Audit fees of \$2,000 (2009-2010: \$1,920) are paid on the Office's behalf by the Parent entity, the Legal Aid Commission of New South Wales.

*Refer Note 11. Superannuation actuarial gains of \$0.367m (2009-2010: actuarial losses of \$4.891m) are recognised in the 'Statement of Changes in Equity'. Total superannuation expense, including actuarial gains recognised in the 'Statement of Comprehensive Income' is \$4.908m (2009-2010: \$10.111m).

3. REVENUE

Rendering of services		
Personnel services revenue	82,472	82,781
Total	82,472	82,781

The Office provides personnel services to the Legal Aid Commission of NSW in terms of the Public Sector Employment and Management Act 2002 (PSEMA) and the Public Sector Employment Legislation Amendment Act 2006 (PSELLA) at cost.

4. INDIVIDUALLY SIGNIFICANT ITEMS

The financial position of the Legal Aid Commission of NSW for the State Authorities Superannuation schemes shows a net liability of \$15.242m at 30 June 2011 (2009-2010: \$17.295m), resulting in \$1.686m being taken up as a reduction to the superannuation expense for the year (2009-2010: \$1.355m). In 2010-11, superannuation actuarial gains of \$0.367m are recognised outside of profit or loss in the 'Statement of Changes in Equity' (2009-2010: actuarial losses of \$4.891m).

State Authorities Superannuation schemes surplus/(deficit)	1,686	1,355
State Authorities Superannuation schemes surplus/(deficit) - Statement of Changes to Equity	367	(4,891)
Total	2,053	(3,536)

Refer Notes 2, 10, 11.

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

5. ACCEPTANCE BY THE CROWN ENTITY OF EMPLOYEE ENTITLEMENTS AND OTHER LIABILITIES

There are no liabilities and/or expenses that have been assumed by the Crown Entity or other government agencies.

6 TRANSFER PAYMENTS

The Office did not have any transfer payments in 2010-11 (2009-2010: nil).

7. PROGRAMS/ACTIVITIES OF THE OFFICE

The Office provides personnel services to the Legal Aid Commission of NSW so that the Commission may deliver legal services to eligible persons under Commonwealth law and State legislation and undertake community legal education and provide advice to the socially and economically disadvantaged.

	2011 \$'000	2010 \$'000
8. CURRENT/NON-CURRENT ASSETS - RECEIVABLES		
Current		
Legal Aid Commission - accrued salaries, wages and on-costs ¹	1,824	1,444
Legal Aid Commission - provision for employee benefits ¹	23,440	22,505
Receivable from Legal Aid Commission of NSW - Superannuation liability	15,242	17,295
Total Current	40,506	41,244
Non- Current		
Legal Aid Commission - provision for employee benefits ¹	1,056	1,269
Total Non-Current	1,056	1,269

¹All expenses incurred by the Office in providing personnel services to the Legal Aid Commission of NSW are recovered from the Commission as they are incurred at cost. Current and non-current employee benefits are measured in accordance with AASB 119 and include recreation leave, long service leave, superannuation and related on-costs. Refer Note 10.

9. CURRENT LIABILITIES - PAYABLES

Current		
Accrued salaries, wages and on-costs	1,824	1,444
Total Current	1,824	1,444

10. CURRENT/NON CURRENT LIABILITIES - PROVISIONS

Current

Total Current	38,067	39,800
----------------------	---------------	---------------

Notes to the Financial Statements for the year ended 30 June 2011

	2011 \$'000	2010 \$'000
Non-Current		
Employee benefits and related on-costs		
Provision for long service leave	1,421	972
Provision for related on-costs	250	297
Total Non-Current	1,671	1,269
Aggregate employee benefits and related on-costs		
Provisions - current	38,067	39,800
Provisions - non-current	1,671	1,269
Accrued salaries, wages and on-costs (Note 9)	1,824	1,444
	41,562	42,513

11. SUPERANNUATION FUND INFORMATION

The Pooled Fund holds in trust the investments of the closed NSW public sector superannuation schemes:

- State Authorities Superannuation Scheme (SASS)
- State Superannuation Scheme (SSS).
- Police Superannuation Scheme (PSS).
- State Authorities Non-contributory Superannuation Scheme (SANCS)

These schemes are all defined benefit schemes - at least a component of the final benefit is derived from a multiple of member salary and years of membership. All the schemes are closed to new members.

The calculation of SSS, SASS and SANCS liabilities was performed by the Actuary, *William Mercer Ltd* and is based on the requirements of AASB 119.

	30 June 2011	30 June 2010
Fund assets		
The percentage invested in each asset class at the balance sheet dates:		
Australian equities	33.4%	31.0%
Overseas equities	29.5%	26.8%
Australian fixed interest securities	5.7%	6.1%
Overseas fixed interest securities	3.1%	4.3%
Property	9.9%	9.5%
Cash	5.1%	9.6%
Other	13.3%	12.7%

Fair value of Fund assets

All Fund assets are invested by STC at arm's length through independent fund managers.

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

Expected rate of return on assets

The expected return on assets assumption is determined by weighting the expected long-term return for each asset class by the target allocation of assets to each class. The returns used for each class are net of investment tax and investment fees.

Valuation method and principal actuarial assumptions at the balance sheet date

(i) Valuation Method

The Projected Unit Credit (PUC) valuation method was used to determine the present value of the defined benefit obligations and the related current service costs. This method sees each period of service as giving rise to an additional unit of benefit entitlement and measures each unit separately to build up the final obligation.

	30 June 2011	30 June 2010
(ii) Economic Assumptions		
Salary increase rate (excluding promotional increases)	3.50%	3.50%
Rate of CPI increase	2.50%	2.50%
Expected rate of return on assets	8.60%	8.60%
Discount rate	5.28%	5.17%

(iii) Demographic Assumptions

The demographic assumptions at 30 June 2011 are those used in the 2009 triennial actuarial valuation. The triennial review report is available from the NSW Treasury website.

Contribution recommendations

	SASS Multiple of member contributions	SANCS % member salary	SSS Multiple of member contributions
Recommended contribution rates for the year ending:			
30 June 2011	1.90	2.50	1.60
30 June 2010	1.90	2.50	1.60

Notes to the Financial Statements for the year ended 30 June 2011

Funding method

Contribution rates are set after discussions between the employer, STC and NSW Treasury.

Economic assumptions

The economic assumptions adopted for the 2009 actuarial review of the Fund are:

Weighted - Average Assumptions

	30 June 2011
Expected rate of return on Fund assets backing current pension liabilities	8.30%
Expected rate of return on Fund assets backing other liabilities	7.30%
Expected salary increase rate	4.00%
Expected rate of CPI increase	2.50%

Nature of Asset / Liability

If a surplus exists in the employer's interest in the Fund, the employer may be able to take advantage of it in the form of a reduction in the required contribution rate, depending on the advice of the Fund's actuary.

Where a deficiency exists, the employer is responsible for any difference between the employer's share of Fund assets and the defined benefit obligation.

Refer to Notes 1(g), 2 & 4

The position of the superannuation funds at 30 June 2011 is as follows:

	SASS	SANCS	SSS	
Members Numbers				
Contributors	79	112	33	
Deferred benefits	-	-	8	
Pensioners	-	-	40	
Pensions fully commuted	-	-	13	
	SASS	SANCS	SSS	Total
	\$'000	\$'000	\$'000	\$'000
Superannuation Position for AASB 119 purposes				
Accrued liability	23,696	5,508	57,842	87,046
Estimated reserve account balance	(23,333)	(5,496)	(42,975)	(71,804)
	363	12	14,867	15,242
Future Service Liability¹	(4,863)	(1,649)	(2,399)	(8,911)
Surplus in excess of recovery available from schemes	-	-	-	-
Net (asset) / liability to be recognised in the Statement of Financial Position.	363	12	14,867	15,242

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

¹The Future Service Liability (FSL) does not have to be recognised by an employer. It is only used to determine if an asset ceiling limit should be imposed (AASB 119, para 58). Under AASB 119, any prepaid superannuation asset recognised cannot exceed the total of any unrecognised past service cost and the present value of any economic benefits that may be available in the form of refunds from the plan or reductions in future contributions to the plan. Where the "surplus in excess of recovery" is zero, no asset ceiling limit is imposed.

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Reconciliation of the present value of the defined benefit obligation				
<i>Present value of partly funded defined benefit obligations at beginning of the year</i>	22,313	5,303	56,158	83,774
Current service cost	886	233	397	1,516
Interest cost	1,109	262	2,870	4,241
Contributions by Fund participants	449	-	438	887
Actuarial (gains)/losses	377	(118)	(305)	(46)
Benefits paid	(1,438)	(172)	(1,716)	(3,326)
<i>Present value of partly funded defined benefit obligations at end of the year</i>	23,696	5,508	57,842	87,046
Reconciliation of the fair value of Fund assets				
<i>Fair value of Fund assets at beginning of the year</i>	21,437	4,988	40,054	66,479
Expected return on fund assets	1,806	420	3,419	5,645
Actuarial gains/(losses)	172	(1)	150	321
Employer contributions	907	261	630	1,798
Contributions by Fund participants	449	-	438	887
Benefits paid	(1,438)	(172)	(1,716)	(3,326)
<i>Fair value of Fund assets at end of the year</i>	23,333	5,496	42,975	71,804
Reconciliation of the assets and liabilities recognised in the Statement of Financial Position				
Present value of partly funded defined benefit obligation at end of year	23,696	5,508	57,842	87,046
Fair value of Fund assets at end of year	(23,333)	(5,496)	(42,975)	(71,804)
<i>Subtotal</i>	363	12	14,867	15,242
Unrecognised past service cost	-	-	-	-
Unrecognised gain / (loss)	-	-	-	-
Adjustment for limitation on net asset	-	-	-	-
<i>Net Liability/(Asset) recognised in Statement of Financial Position at end of year</i>	363	12	14,867	15,242

Notes to the Financial Statements for the year ended 30 June 2011

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Expense recognised in the Statement of Comprehensive Income				
Components Recognised in the Statement of Comprehensive Income				
Current service cost	886	233	397	1,516
Interest cost	1,109	262	2,870	4,241
Expected return on Fund assets (net of expenses)	(1,806)	(420)	(3,419)	(5,645)
Actuarial losses/(gains) recognised in year	-	-	-	-
Past service cost	-	-	-	-
Movement in adjustment for limitation on net asset	-	-	-	-
Curtailment or settlement losses/ (gains)	-	-	-	-
Expense /(income) recognised	189	75	(152)	112
Amounts recognised in Other Comprehensive Income				
Actuarial (gains)/losses	205	(117)	(455)	(367)
Adjustment for limit on net asset	-	-	-	-
	205	(117)	(455)	(367)
Cumulative amount recognised in Other Comprehensive Income				
Cumulative actuarial losses				(18,174)
				(18,174)
Actual return on Fund assets	1,835	419	3,383	5,637
Historical information				
Present value of defined benefit obligation	23,696	5,508	57,842	87,046
Fair value of Fund assets	(23,333)	(5,496)	(42,975)	(71,804)
(Surplus) / Deficit in Fund	363	12	14,867	15,242
Experience adjustments - Fund liabilities	377	(118)	(305)	(46)
Experience adjustments - Fund assets	(172)	1	(150)	(321)
Expected contributions				
Expected employer contributions to be paid in the next reporting period	854	254	701	1,809
Funding arrangements for employer contributions				
<i>Surplus / deficit</i>				
The following is a summary of the 30 June 2011 financial position of the Fund calculated in accordance with AAS 25 "Financial Reporting by Superannuation Plans":				
Accrued benefits	22,291	5,048	40,216	67,555
Net market value of Fund assets	(23,333)	(5,496)	(42,975)	(71,804)
<i>Net (surplus) / deficit</i>	(1,042)	(448)	(2,759)	(4,249)

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	SASS	SANCS	SSS	
The position of the superannuation funds at 30 June 2010 was as follows:				
Members Numbers				
Contributors	81	116	35	
Deferred benefits	-	-	8	
Pensioners	-	-	38	
Pensions fully commuted	-	-	13	
	SASS	SANCS	SSS	Total
	\$'000	\$'000	\$'000	\$'000
Superannuation Position for AASB 119 purposes				
Accrued liability	22,313	5,303	56,158	83,774
Estimated reserve account balance	(21,437)	(4,988)	(40,054)	(66,479)
	876	315	16,104	17,295
Future Service Liability ¹	(5,179)	(1,809)	(2,941)	(9,929)
Surplus in excess of recovery available from schemes	-	-	-	-
Net (asset) / liability to be recognised in the Statement of Financial Position	876	315	16,104	17,295

¹The Future Service Liability (FSL) does not have to be recognised by an employer. It is only used to determine if an asset ceiling limit should be imposed (AASB 119, para 58). Under AASB 119, any prepaid superannuation asset recognised cannot exceed the total of any unrecognised past service cost and the present value of any economic benefits that may be available in the form of refunds from the plan or reductions in future contributions to the plan. Where the "surplus in excess of recovery" is zero, no asset ceiling limit is imposed.

Reconciliation of the present value of the defined benefit obligation

<i>Present value of partly funded defined benefit obligations at beginning of the year</i>	18,953	4,661	51,055	74,669
Current service cost	805	220	474	1,499
Interest cost	1,029	252	2,822	4,103
Contributions by fund participants	420	-	391	811
Actuarial (gains) / losses	1,741	446	3,447	5,634
Benefits paid	(635)	(276)	(2,031)	(2,942)
<i>Present value of partly funded defined benefit obligations at end of the year</i>	22,313	5,303	56,158	83,774

Notes to the Financial Statements for the year ended 30 June 2011

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Reconciliation of the fair value of fund assets				
<i>Fair value of Fund assets at beginning of the year</i>	18,525	4,593	37,792	60,910
Expected return on fund assets	1,581	392	3,227	5,200
Actuarial gains / (losses)	693	24	26	743
Employer contributions	853	255	649	1,757
Contributions by fund participants	420	-	391	811
Benefits paid	(635)	(276)	(2,031)	(2,942)
<i>Fair value of Fund assets at end of the year</i>	<u>21,437</u>	<u>4,988</u>	<u>40,054</u>	<u>66,479</u>

Reconciliation of the assets and liabilities recognised in the Statement of Financial Position

Present value of partly funded defined benefit obligations at end of year	22,313	5,303	56,158	83,774
Fair value of fund assets at end of year	(21,437)	(4,988)	(40,054)	(66,479)
<i>Subtotal</i>	<u>876</u>	<u>315</u>	<u>16,104</u>	<u>17,295</u>
Unrecognised past service cost	-	-	-	-
Unrecognised gain / (loss)	-	-	-	-
Adjustment for limitation on net asset	-	-	-	-
<i>Net (asset)/liability recognised in Statement of Financial Position at end of year</i>	<u>876</u>	<u>315</u>	<u>16,104</u>	<u>17,295</u>

Expense recognised in the Statement of Comprehensive Income

Components Recognised in the Statement of Comprehensive Income

Current service cost	805	220	474	1,499
Interest cost	1,029	252	2,822	4,103
Expected return on Fund assets (net of expenses)	(1,581)	(392)	(3,227)	(5,200)
Actuarial losses (gains) recognised in year	-	-	-	-
Movement in adjustment for limitation on net asset	-	-	-	-
Past service cost	-	-	-	-
Curtailement or settlement losses/(gains)	-	-	-	-
Expense/(income) recognised	<u>253</u>	<u>80</u>	<u>69</u>	<u>402</u>
Amounts recognised in Other Comprehensive Income	1,048	422	3,421	4,891
Actuarial losses/(gains)	-	-	-	-
Adjustment for limit on net asset	<u>1,048</u>	<u>422</u>	<u>3,421</u>	<u>4,891</u>

Cumulative amount recognised in Other Comprehensive Income

Cumulative actuarial losses			(18,541)	
			<u>(18,541)</u>	

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	SASS \$'000	SANCS \$'000	SSS \$'000	Total \$'000
Actual return on Fund assets Historical information	1,745	416	3,453	5,614
Present value of defined benefit obligation	22,313	5,303	56,158	83,774
Fair value of Fund assets	(21,437)	(4,988)	(40,054)	(66,479)
(Surplus) / Deficit in Fund	876	315	16,104	17,295
Experience adjustments - Fund liabilities	1,741	446	3,447	5,634
Experience adjustments - Fund assets	(693)	(24)	(26)	(743)
Expected contributions				
Expected employer contributions	798	252	626	1,676

Funding arrangements for employer contributions

Surplus / deficit

The following is a summary of the 30 June 2010 financial position of the Fund calculated in accordance with AAS 25 "Financial Reporting by Superannuation Plans":

Accrued benefits	20,811	4,790	37,942	63,543
Net market value of Fund assets	(21,437)	(4,988)	(40,054)	(66,479)
Net (surplus) / deficit	(626)	(198)	(2,112)	(2,936)

The superannuation expense recognised in the Statement of Comprehensive Income is included in the line item 'employee related expenses'. Superannuation actuarial gains of \$0.367m (2009-2010: actuarial losses of \$4.891m) are separately identified in the 'Statement of Comprehensive Income'.

The cumulative amount of actuarial losses recognised in the 'Statement of Comprehensive Income' since 1 July 2004 is \$18.174m (2009-2010: \$18.541m).

Before 1 July 2004 and the adoption of AEIFRS, it is not practical to determine the cumulative actuarial gains/losses as if the new policy had always been applied, given that the actuarial gains and losses were not separately identified and accumulated, and the superannuation expense was calculated on a different basis.

2011 \$'000	2010 \$'000
----------------	----------------

12 RECONCILIATION OF CASH FLOWS FROM OPERATING ACTIVITIES TO NET COST OF SERVICES

Reconciliation of cash flows from operating activities to the net cost of services as reported in the Statement of Comprehensive Income:

Net cash from operating activities	-	-
Increase / (decrease) in provisions	(1,331)	4,989
(Increase) / decrease in prepayments and other assets	951	(5,033)
(Decrease) / increase in creditors	380	44
Net cost of services	-	-

13. CONTINGENT LIABILITIES AND CONTINGENT ASSETS

The Office has no contingent liabilities or assets at 30 June 2011 (2009-2010: nil).

Notes to the Financial Statements for the year ended 30 June 2011

14. COMMITMENTS FOR EXPENDITURE

The Office did not have any expenditure commitments in 2010-2011 (2009-2010: nil).

15. FINANCIAL INSTRUMENTS

The Office's principal financial instruments are outlined below. These financial instruments arise directly from the Office's operations or are required to finance the Office's operations. The Office does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes.

(a) Financial Instrument Categories	Note	Category	Carrying Amount 2011 \$'000	Carrying Amount 2010 \$'000
Financial Assets				
Class:				
Receivables ¹	8	Receivables (at amortised cost)	1,824	1,444
Financial Liabilities				
Class:				
Payables ²	9	Financial Liabilities measured at amortised cost	1,824	1,444

¹Excludes statutory receivables and prepayments (ie. not within scope of AASB 7)

²Excludes statutory payables and unearned revenue (ie. not within scope of AASB7)

(b) Credit Risk

Credit risk arises when there is the possibility of the Office's debtors defaulting on their contractual obligations, resulting in a financial loss to the Office. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance or impairment).

(c) Liquidity risk

Liquidity risk is the risk that the Office will be unable to meet its payment obligations when they fall due. The Office's exposure to liquidity risk is deemed insignificant based on prior periods' data and current assessment of risk.

5 Financial statements

Notes to the Financial Statements for the year ended 30 June 2011

	2011 \$'000	2010 \$'000
--	----------------	----------------

The liabilities are recognised for amounts due to be paid in the future for goods and services received, whether or not invoiced. Amounts owing to suppliers (which are unsecured) are settled in accordance with the policy set out in Treasurer's Direction 219.01. If trade terms are not specified, payment is made within 14 days from the date of the receipt of the invoice. The Office did not incur any penalty interest for late payment of claims.

The table below summarises the maturity profile of the Office's financial liabilities, together with the interest rate exposure.

Maturity analysis and interest rate exposure of financial liabilities:

Payables:

Weighted Average Effective Interest Rate		
Nominal Amount ¹	1,824	1,444
Fixed Interest Rate	-	-
Variable Interest Rate	-	-
Non-interest bearing	-	-
Maturity Dates < 1 year	1,824	1,444
Maturity Dates 1-5 years	-	-
Maturity Dates > 5 years	-	-

¹The amounts disclosed are the contractual undiscounted cash flows of each class of financial liabilities and therefore will not reconcile to the 'Statement of Financial Position'.

(d) Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. The Office's exposure to market risk is minimal. The Office has no exposure to foreign currency risk and does not enter into commodity contracts.

Notes to the Financial Statements for the year ended 30 June 2011

Interest rate risk

The Office does not account for any fixed rate financial instruments at fair value through profit or loss or as available-for-sale. Therefore, for these financial instruments, a change in interest rates would not affect profit or loss or equity. A reasonably possible change of +/- 1% is used, consistent with current trends in interest rates. The basis will be reviewed annually and amended where there is a structural change in the level of interest rate volatility. The Office's exposure to interest rate risk is set out below.

		\$'000			
	Carrying Amount	-1% Profit	Equity	1% Profit	Equity
2011					
<i>Financial assets</i>					
Receivables	1,824	(18)	(18)	18	18
<i>Financial liabilities</i>					
Payables	1,824	(18)	(18)	18	18
2010					
<i>Financial assets</i>					
Receivables	1,444	(14)	(14)	14	14
<i>Financial liabilities</i>					
Payables	1,444	(14)	(14)	14	14

16. AFTER BALANCE DATE EVENTS

No events have occurred subsequent to the reporting date, which will materially affect the financial statements.

END OF AUDITED FINANCIAL STATEMENTS

5 Financial statements

Other information

1. PAYMENT PERFORMANCE

(a) Payments to Creditors

Legal Aid NSW processed 97.97% of invoices received within 30 days during 2010-2011 compared to 95.40% in 2009-2010.

Period	2011 Invoices	2011 %	2010 Invoices	2010 %
Within 30 days	122,261	97.97	115,542	95.40
Over 30 days	2,532	2.03	5,577	4.60
Total	124,793	100.00	121,119	100.00

Accounts paid within 30 days by quarter is as follows:

Quarter	Target %	Achieved %	Amount paid within 30 days \$'000	Total amount paid \$'000
September	100.0	98.38	33,802	34,358
December	100.0	98.36	32,330	32,867
March	100.0	97.63	27,275	27,936
June	100.0	97.03	37,167	38,306

(b) Ageing of creditors

Creditors aged analysis at the end of each quarter is as follows:

Quarter	Current (ie within due date) \$'000	Less than 30 days overdue \$'000	Between 30 and 60 days overdue \$'000	Between 60 and 90 days overdue \$'000	More than 90 days overdue \$'000
September	224	-	-	-	-
December	547	102	-	-	1
March	603	-	-	-	1
June	528	-	1	2	-

2. ANNUAL REPORTING LEGISLATION REQUIREMENTS

The following information, not disclosed elsewhere in these accounts and reports, is required to be disclosed under annual reporting legislation.

The *Legal Aid Commission Act 1979* prescribes the method by which Legal Aid NSW is to administer its finances. The Act provides for the establishment of a Legal Aid Fund for legal and administrative payments, and the maintenance of a separate account for monies received for and on behalf of legally assisted persons represented by private practitioners and those represented by Legal Aid NSW solicitors.

Overseas Visits

Staff member	Annmarie Lumsden, Mary Whitehead
Date of travel	2 March 2011
Return date	5 March 2011
Destination	New Zealand
Reason	Attendance at the National Legal Aid Grants and National Statistics Working Group

Consultants

Engagements equal to or more than \$50,000

Australian Institute of Criminology	63	Evaluation of the Care & Protection Dispute Resolution Model
Herne Gray and Associates Pty Ltd	62	Review into the partiality of the assignment of legal work
Total	<u>125</u>	

Engagements Less than \$50,000

Category	\$'000	Number of Assignments
Management Services	154	10
Organisational Review	115	6
Finance and Accounting	81	3
Information Technology	23	2
Training	4	2
Total	<u>377</u>	<u>23</u>
Total Consultants	<u>502</u>	

Refer to Note 2(b) in the Financial Report.

5 Financial statements

Other information

Charitable and Deductible Gift Recipient Institution

Legal Aid NSW is a Charitable Institution and a Deductible Gift Recipient institution under the Income Tax Assessment Act 1997. Gifts to Legal Aid NSW of monies or property with a value of \$2, or more, may be claimed by the donor as a tax deduction.

Unclaimed Monies

Pursuant to Section 14 of the *Public Finance and Audit Act 1983*, all unclaimed monies are forwarded to the Treasury for credit to the Consolidated Fund and are available for refund from that account. No unclaimed amounts have been held in the accounts of Legal Aid NSW.

Risk Management

Legal Aid NSW maintains insurance policies for motor vehicles, workers compensation, miscellaneous property and public liability with the NSW Treasury Managed Fund.

The 2010-2011 deposit premium for worker's compensation insurance decreased by 4.7% to \$376,860 (2009-2010 \$395,640) whilst the deposit premium for motor vehicles increased by 16% to \$32,100 in 2010-2011.

Motor Vehicle Claims

The number of motor vehicle claims in 2010-2011 was 15 (28 in 2009-2010) which incurred a net cost of \$59,270 (\$71,908 in 2009-2010). The average number of vehicles in the Legal Aid NSW fleet in 2010-2011 was 50 (49 in 2009-2010) which results in an average claim cost per vehicle of \$1,185 compared to \$1,468 in 2009-2010.

The reduction in the number of claims and net cost in 2010-2011 reflects the make good of 19 vehicles in 2009-2010 which had reached the end of their lease term.

Worker's Compensation

The number of accepted claims (including claims accepted under provisional liability) decreased from 32 in 2009-2010 to 22 in 2010-2011.

The cost incurred to 30 June, 2011 of new claims reported in 2010-2011 was \$236,840 compared to \$242,728 for 2009-2010 which represents a decrease of \$5,888 or 2.4%.

There was an increase in psychological injuries from 5 in 2009-2010 to 7 in the current reporting period at a cost of \$175,153 or 74% of the total claims cost.

The remaining claims comprised 5 fall/slip and 10 body stress which amounted to \$61,687 compared to \$113,419 for the same period last year.

The number of full time equivalent (FTE) (on average) staff for this financial year is 880.28, an increase of 52.48 from 827.8 in 2009-2010. This equates to an average claim cost of \$269.05 per staff member compared to \$293.22 in 2009-2010.

Investment Performance

Legal Aid NSW is authorised under section 65 of The Legal Aid Commission Act 1979 to invest funds that are not immediately required. The avenues of investment are restricted to any securities approved by the Treasurer on the recommendation of the Minister.

During 2010/11 Legal Aid NSW invested its available funds in the NSW Treasury Corporation's 11am Call Account as well their Fixed Term Deposit facility.

The average yield for the 11am Call account was 4.62% (3.62% in 2009-10).

The average yield from Fixed Term deposits was 4.75% (3.71% in 2009-10).

Legal Aid NSW provides for its daily expenditure needs via an on-call bank account. Legal Aid NSW's current banker is the Westpac Banking Corporation, (WBC). The average yield obtained from this account was 4.63% (3.51% in 2009-10).

Income of \$4.383m was derived from the investment of Legal Aid NSW funds during 2010-11 compared to \$3.285m in 2009-10. The variation was due to increased interest rates.

In this section

Appendix 1	CEO's performance statement and committee membership	132
Appendix 2	Human resources information	133
Appendix 3	EEO groups	134
Appendix 4	Learning and development	135
Appendix 5	Women's Domestic Violence Court Advocacy Program funding	137
Appendix 6	Community Legal Centres Program	138
Appendix 7	Legal practice operational statistics	139
Appendix 8	Law reform submissions	143
Appendix 9	Publications and resources	144
Appendix 10	Right to information [<i>Government Information (Public Access) Act 2009</i>]	145
Appendix 11	Disability Action Plan	147
Appendix 12	Multicultural Action Plan	148
Appendix 13	Significant committees	149
Appendix 14	Working with other organisations	153
Appendix 15	Policies in brief	156
Glossary		159
Index		161
Five year performance: key trends		164

CEO's performance statement

This year Alan Kirkland as the Chief Executive Officer has led Legal Aid NSW through significant service expansion.

Key achievements of Legal Aid NSW in 2010–2011 include:

- establishing a Family Law Early Intervention Unit to bring together court duty services, outreach services and community legal education for those clients seeking initial legal assistance (page 21);
- developing new services models to divert people from the criminal justice system, through improved advice, minor assistance and referrals (pages 21, 33);
- expanding the Regional Outreach Clinic Program to deliver legal services to people in rural and remote communities (page 40);
- securing funding for a new Community Legal Centre on the mid-North Coast (page 35);
- establishing an alternative dispute resolution pilot project in the care and protection jurisdiction (page 21);
- establishing a family dispute resolution traineeship program to train 10 lawyers from culturally and linguistically diverse backgrounds who will work with Legal Aid NSW to improve access to family dispute resolution services (page 29);
- undertaking research to identify the highest service users across all practice areas of Legal Aid NSW to form an evidence base to improve services to clients with complex needs (page 14);
- negotiating a strategic research partnership with the NSW Law and Justice Foundation (page 43);
- expanding the Domestic Violence Practitioners Scheme at an additional 15 Local Courts in NSW to provide legal services to women and children experiencing domestic violence (page 34);
- developing a new website for Legal Aid NSW (page 52); and
- supporting initiatives to improve the mental health and well being of Legal Aid NSW staff (pages 46, 49)

CEO's membership on key committees

Internal Legal Aid NSW committees

Aboriginal Justice Committee
Access and Equity Committee
Domestic and Family Violence Committee
Peak Consultative Committee

External boards and committees

Australian Legal Assistance Forum
Department of Attorney General and Justice — Justice Executive
LawAccess NSW Board
Law Week Board
Legal Information Access Centre Advisory Board
NSW Legal Assistance Forum
National Legal Aid (Chair until February 2011)
National Legal Assistance Advisory Board (Chair)
Prime Minister's Council on Homelessness
Public Interest Advocacy Centre Board

Human resources information

Appendix 2

Central Sydney/Regional FTE staff as at 30 June 2011

Central Sydney	507.25
Regional offices	373.03
Total Staff FTE	880.28

FTE staff as at 30 June 2011

CEO/SES	6
Legal officers	437.95
Legal and admin support staff	436.33
Total staff FTE	880.28

Number of actual staff by employment type

Employment Type	2007-2008	2008-2009	2009-2010	2010-2011
Permanent Full Time	566	594	583	584
Permanent Part Time	112	123	141	154
Temporary Full Time	123	135	135	167
Temporary Part Time	45	54	45	61
Contract SES	6	5	5	6
Non - SES	0	0	0	0
Casual	0	1	0	0
Other	0	0	0	0
Total	852	912	909	972

Number of actual staff by work area

3 year comparison

	2008-2009	2009-2010	2010-2011
Legal officers	431	435	481
Administrative staff	481	474	491
Total	912	909	972

Number of executive positions

3 year comparison

SES Grade	2008-2009		2009-2010		2010-2011	
	Male	Female	Male	Female	Male	Female
Level 6*	1	0	1	0	1	
Level 4	2	0	2	0	1	1
Level 2	2	0	2	0	2	1
Total	5	0	5	0	4	2

*Alan Kirkland, CEO Legal Aid NSW, Annual Remuneration: \$295,000.00

EEO groups

Number of actual staff in different EEO groups

	2008-2009	2009-2010	2010-2011
Men	232	234	241
Women	680	675	731
Aboriginal people	30	38	41
People from racial, ethnic, ethno-religious minority groups	184	191	194
People whose first language is not English	125	130	148
People with a disability	46	41	52
People with a disability requiring a work-related adjustment	12	13	20
Total	912	909	972

Parliamentary annual report tables

A. Trends in the representation of EEO groups

% of total staff

EEO Group	Benchmark or target (%)	2008	2009	2010	2011
Women	50	74	74	75	76
Aboriginal people	2.6	3.0	3.3	4.0	5
People from racial, ethnic, ethno-religious minority groups	19	15	13	14.0	20
People with a disability	12	5	5	4.0	6
People with a disability requiring a work-related adjustment	7	1.4	1.2	1.3	3

B. Trends in the distribution of EEO group

Distribution index

EEO Group	Benchmark or target	2008	2009	2010	2011
Women	100	84	84	86	87
Aboriginal people and Torres Strait Islanders	100	83	79	80	82
People whose first language is not English	100	100	100	101	100
People with a disability	100	95	97	102	96
People with a disability requiring work-related adjustment	100	N/A	N/A	N/A	N/A

Notes:

- Staff numbers as at 30 June 2011.
- Excludes casual staff.
- A Distribution Index of 100 indicates that the centre of the distribution of the EEO group across salary levels is equivalent to that of other staff. Values less than 100 mean that the EEO group tends to be more concentrated at lower salary levels than is the case for other staff. The more pronounced this tendency is, the lower the index will be. In some cases the index may be more than 100, indicating that the EEO group is less concentrated at lower salary levels. The Distribution Index is automatically calculated by the software provided by ODEOPE.
- The Distribution Index is not calculated where EEO group or non-EEO group numbers are less than 20.
- Percentage of Aboriginal staff on page 47 is based on FTE staff.

Learning and development

Courses conducted 1 July 2010 to 30 June 2011

Appendix 4

Course title	Sessions	Attendance		
		Staff	External	Total
Internal training programs (most sessions attract MCLE points)				
Aboriginal Cultural Awareness Training	10	53	29	82
Aboriginal Staff Network Meeting/Job Seeking Skills Workshop	1	16	0	16
African Cultural Awareness Training, Coffs Harbour	1	9	4	13
Care and Protection for Grants Officers and Solicitors	1	10	0	10
Care and Protection Training	1	38	2	40
Caring for Elderly Parents or Family Members	1	35	0	35
Child Support for Grants Officers	1	14	0	14
Court Visit	6	60	8	68
Cross Cultural Communication & Using Interpreters	1	18	1	19
Demystifying Drugs & Alcohol	3	11	8	19
Demystifying Mental Illness	2	11	8	19
Diploma of Management	4	38	12	50
Disability Confidence for HR Professionals & Managers	1	7	0	7
District Court Sentencing Workshops	3	17	0	17
Family Law Early Intervention Facilitation Workshop	1	4	2	6
Family Law Training - Grants staff	3	36	0	36
FDRP Development and Supervision	1	10	54	64
FDRP Training Development Day	1	3	41	44
FDRS Staff Development Activity	1	17	21	38
General Employment Law Principle and Termination of Employment	1	30	9	39
Government Information (Public Access) Act Information Session	1	91	5	96
Grants Crime Training	1	41	0	41
Handling Difficult Calls	3	15	0	15
Individual Planning	1	38	0	38
Interpersonal Skills for Customer Service and Complaint Handling	2	7	3	16
Job Seeking Skills	1	9	1	10
Law Access Visit	2	34	1	35
Law For Non Lawyers	3	24	4	28
Library Training	4	50	0	50
Managers Workshop	2	193	2	195
Managing Aggressive & Violent Behaviour	2	10	7	17
Managing Psychological Injury	2	16	1	17
Media Skills	2	12	0	12
Merit Selection & Recruitment	1	6	0	6
Presentation Skills	1	5	1	6
Records Management in Legal Aid NSW (TRIM)	3	28	0	28
Resolving Workplace Conflict	3	24	3	27
Safety Leadership Executive Briefing	1	11	0	11
Social Networking Technology	2	17	2	19
Successfully Managing Stress	1	8	0	8
Team Building for a Respectful Workplace	2	23	0	23
Working Effectively with Refugee Survivors	1	8	6	14
Writing for Legal Aid	3	35	1	36
Total	88	1,142	236	1,384

Course title	Sessions	Attendance		
		Staff	External	Total
Induction				
Civil Law Induction	1	17	0	17
Corporate Induction	5	89	3	92
Policy & Planning Induction	1	4	0	4
Criminal Law Induction	2	21	2	23
Family Law Induction	1	7	0	7
Total	10	138	5	143
Internal legal seminars and conferences				
Care and Protection Conference 2010	1	98	121	219
Civil Law Conference 2010	1	101	14	115
Civil Law Division Forum	1	57	0	57
Criminal Legal Managers Conference	1	26	0	26
Criminal Law Conference 2011	1	277	163	440
Family In-house Conference 2010	1	169	0	169
Family Law Conference 2010	1	169	0	170
Immigration Law Day	1	25	37	62
Seminars	37	687	169	856
Total	45	1,609	619	2,228
Women's Domestic Violence Court Advocacy Program				
WDVCAS June Worker Forum	1	4	94	98
Core Training (3 days)	1	0	22	22
Specialist Domestic Violence Practitioner Training	1	0	74	74
Core Training	3	0	49	49
Seconded Worker Training	7	0	93	93
Network Training	3	0	68	68
Total	16	4	400	404
IT Training				
ATLAS/ CASES / LawDocs / Office 2007	59	612	0	612
Online learning				
MCLE	45	141	32	173
General	15	164	22	186
Induction	8	285	0	285
Total	68	590	54	644
External training (ie. not connected with Legal Aid NSW)				
Civil Law		33	0	33
Family Law		19	0	19
Criminal Law		35	0	35
General		117	0	117
Total		204	0	204

Women's Domestic Violence Court Advocacy Program funding

Appendix 5

As part of the program, we provided funding to 28 Women's Domestic Violence Court Advocacy Services (WDVCASs).

WDVCAS	Service provider	Total payments (\$)
Blue Mountains	Elizabeth Evatt Community Legal Centre	175,792
Burwood	Burwood Community Legal Centre	221,985
Central Coast	Central Coast Domestic Violence Court Advocacy Service	293,803
Central West	Central Tablelands Housing Association	172,734
Far South Coast	Southern Women's Group	174,985
Far West	Far West Community Legal Centre Inc	174,529
Hunter	Hunter Women's Domestic Violence Court Services Inc	364,963
Hunter Valley	Carrie's Place Women's and Children's Services Inc	247,320
Illawarra	Wollongong Women's Centre	286,838
Macarthur	Macarthur Legal Centre	251,547
Macquarie	Macquarie Legal Centre	268,478
Mid-North Coast	Mid-North Coast Women's Domestic Violence Court Advocacy Inc	218,660
New England	The Women's Shelter Armidale Inc	181,892
North Coast	Warrina Women's and Children's Refuge Co-operative Society Ltd	304,757
North West*	Moree Women's Domestic Violence Court Assistance Inc	13,495
North West	Moree Family Support Inc	148,440
North West Sydney	Hawkesbury Nepean Community Legal Centre	276,325
Northern Rivers	Northern Rivers Community Legal Centre	319,129
Northern Sydney	Centacare Broken Bay	258,144
Riverina	Kulkuna Cottage Women's Refuge Ltd	163,284
South Coast	YWCA Ltd	181,169
South Eastern	Molonglo Women's and Children's Services	170,572
South West Sydney	South West Sydney Legal Centre Inc	352,522
Southern	Women's Centre Albury-Wodonga Inc	158,169
Southern Sydney	Sutherland Shire Family Services Inc	352,441
Sydney	Redfern Legal Centre Inc	395,283
Wagga Wagga	Wagga Wagga Family Support Services Inc	196,744
Western**	Western Women's Domestic Violence Court Advocacy Service Inc	175,649
Western	Dubbo Emergency Accommodation Project Inc	121,845
Western Sydney	Penrith Women's Health Centre Inc	315,796
WDVCAP Network Inc	Peak body for Women's Domestic Violence Court Advocacy Services	33,334
Total		6,970,622

* a new service provider was engaged from 1 Feb 2011.

** a new service provider was engaged from 2 August 2010.

Community Legal Centres Program

We provided funding to 36 Community Legal Centres across NSW.

Community Legal Centre	Commonwealth funding (\$)	State funding (\$)	Public Purpose funding (\$)	Total payments (\$)
Central Coast Community Legal Centre	223,940	16,872	167,941	408,753
Community Legal Centres NSW		303,244	110,000	413,244
Consumer Credit Legal Centre NSW	208,528	386,356	46,662	641,546
Court Support Scheme	33,024	5,992	5,656	44,672
Domestic Violence Advocacy Service		420,048	-	420,048
Elizabeth Evatt Community Legal Service	128,284	170,920	61,500	360,704
Environmental Defender's Office (NSW)	93,928	183,680	1,602,076	1,879,684
Far West Community Legal Centre	249,136		66,624	315,760
Hawkesbury/Nepean Community Legal Centre	216,372	122,728	111,500	450,600
HIV/AIDS Legal Centre	127,732	82,212	133,250	343,194
Hume Riverina Community Legal Service			74,826	74,826
Hunter Community Legal Centre	488,874	245,104	19,869	753,847
Illawarra Legal Centre	430,872	193,228	105,191	729,291
Immigration Advice & Rights Centre	97,680	232,884	-	330,564
Inner City Legal Centre	178,282	155,240	61,500	395,022
Intellectual Disability Rights Service			203,930	203,930
Kingsford Legal Centre	256,508	124,844	-	381,352
Macarthur Legal Centre	297,892	190,508	105,191	593,591
Macquarie Legal Centre	241,462	265,504	220,763	727,729
Marrickville Legal Centre	251,216	276,320	-	527,536
Mid North Coast Community Legal Centre	200,000	110,000	-	310,000
Mt Druitt & Area Community Legal Centre	195,992	16,848	47,663	260,503
NSW Disability Discrimination Legal Centre	283,968	37,544	71,750	393,262
North & North West Community Legal Service	274,748	16,936	102,500	394,184
Northern Rivers Community Legal Centre	301,628	48,444	152,500	502,572
Public Interest Advocacy Centre	114,212	117,832	1,189,000	1,421,044
Redfern Legal Centre	156,288	241,164	-	397,452
Refugee Advice & Casework Service			102,500	102,500
Shoalcoast Community Legal Centre	303,232	217,136	50,000	570,368
South West Sydney Legal Centre	252,140	227,596	-	479,736
Tenants' Union of NSW		117,548	-	192,632
The Aged-care Rights Service	103,784	2,396	210,924	317,104
Welfare Rights Centre	227,336	118,656	-	345,992
Western NSW Community Legal Centre	355,218	48,716	102,500	506,434
Wirringa Baiya Aboriginal Women's Legal Centre		450,600	102,500	553,100
Women's Legal Services NSW	971,987	311,200	-	1,283,187
National Children's & Youth Law Centre (NCYLC)*	26,750		-	26,750
Grants for interpreter services		51,122	-	51,122
Total	7,366,097	5,509,422	5,228,316	18,103,835

* The NCYLC is not amongst the 36 CLCs that are generally funded through the CLC Program managed by Legal Aid NSW. NCYLC funding is generally managed by the Community Legal Services Program Branch in the Commonwealth Attorney-General's Department. A project grant was made to NCYLC by Legal Aid NSW this year as part of the CLC/Legal Aid NSW partnership program.

Legal practice operational statistics

Appendix 7

Legal Aid NSW totals	2008-09	2009-10	% change from previous year	2010-11	% change from previous year
Case Matters					
Applications Received	53,786	50,061	-6.9%	48,337	-3.4%
Applications Refused	9,677	9,316	-3.7%	8,962	-3.8%
In-house Grants	20,213	13,788	-31.8%	12,795	-7.2%
Assigned Grants	25,992	27,648	6.4%	26,073	-5.7%
Total Case Grants¹	46,205	41,436	-10.3%	38,868	-6.2%
Grant Rate					
Applications Determined	55,882	50,752	-9.2%	47,830	-5.8%
Applications Undetermined @ year end	1,861	1,292	-30.6%	1,871	44.8%
Grants Finalised	42,792	43,422	1.5%	35,412	-18.4%
Current Grants on Hand @ year end	43,571	41,635	-4.4%	47,960	15.2%
Duty Services					
In-house Duty Services	99,775	103,099	3.3%	103,630	0.5%
Assigned Duty Services	67,418	65,283	-3.2%	64,377	-1.4%
Total Duty Services	167,193	168,382	0.7%	168,007	-0.2%
Other Services					
Advice	80,953	84,884	4.9%	85,239	0.4%
Minor assistance	7,810	8,782	12.4%	12,076	37.5%
Information	475,667	497,872	4.7%	514,060	3.3%
Total Other Services	564,430	591,538	4.8%	611,375	3.4%
Total Client Services	777,828	801,356	3.0%	818,250	2.1%

Criminal Law

Case Matters					
Applications Received	30,275	26,994	-10.8%	27,431	1.6%
Applications Refused	2,755	3,086	12.0%	3,080	-0.2%
In-house Grants	15,473	9,789	-36.7%	9,313	-4.9%
Assigned Grants	14,058	14,388	2.3%	14,629	1.7%
Total Case Grants¹	29,531	24,177	-18.1%	23,942	-1.0%
Grant Rate					
Applications Determined	32,286	27,263	-15.6%	27,022	-0.9%
Applications Undetermined @ year end	643	419	-34.8%	886	111.5%
Grants Finalised	29,786	26,238	-11.9%	22,728	-13.4%
Current Grants on Hand @ year end	20,038	17,982	-10.3%	19,614	9.1%
Duty Services					
In-house Duty Services	89,184	94,735	6.2%	96,519	1.9%
Assigned Duty Services	51,933	49,738	-4.2%	53,791	8.1%
Total Duty Services	141,117	144,473	2.4%	150,310	4.0%
Other Services					
Advice	30,489	34,690	13.8%	31,711	-8.6%
Minor assistance	267	170	-36.3%	249	46.5%
Information	173,995	204,990	17.8%	219,232	6.9%
Total Other Services	204,751	239,850	17.1%	251,192	4.7%
Total Client Services	375,399	408,500	8.8%	425,444	4.1%

1. Because of a significant change to the counting of case grants which took effect from 1 July 2009, case figures for 2009-10 should not be compared directly with those for earlier years.

Family Law	2008-09	2009-10	% change from previous year	2010-11	% change from previous year
Case Matters					
Applications Received	20,470	20,078	-1.9%	18,077	-10.0%
Applications Refused	5,512	4,957	-10.1%	4,774	-3.7%
In-house Grants	3,263	2,802	-14.1%	2,489	-11.2%
Assigned Grants	11,435	12,730	11.3%	10,752	-15.5%
Total Case Grants¹	14,698	15,532	5.7%	13,241	-14.8%
Grant Rate	72.7%	75.8%	4.3%	73.5%	-3.0%
Applications Determined	20,210	20,489	1.4%	18,015	-12.1%
Applications Undetermined @ year end	1,076	728	-32.3%	781	7.3%
Grants Finalised	11,394	15,598	36.9%	11,133	-28.6%
Current Grants on Hand @ year end	20,833	20,778	-0.3%	25,252	21.5%
Duty Services					
In-house Duty Services	3,423	3,168	-7.4%	3,693	16.6%
Assigned Duty Services	2,708	1,757	-35.1%	1,705	-3.0%
Total Duty Services	6,131	4,925	-19.7%	5,398	9.6%
Other Services					
Advice	27,493	28,263	2.8%	28,987	2.6%
Minor assistance	3,662	4,493	22.7%	6,161	37.1%
Information	133,874	128,761	-3.8%	127,041	-1.3%
Total Other Services	165,029	161,517	-2.1%	162,189	0.4%
Total Client Services	185,858	181,974	-2.1%	180,828	-0.6%

Civil Law

Case Matters					
Applications Received	3,041	2,989	-1.7%	2,829	-5.4%
Applications Refused	1,410	1,273	-9.7%	1,108	-13.0%
In-house Grants	1,477	1,197	-19.0%	993	-17.0%
Assigned Grants	499	530	6.2%	692	30.6%
Total Case Grants¹	1,976	1,727	-12.6%	1,685	-2.4%
Grant Rate	58.4%	57.6%	-1.4%	60.3%	4.8%
Applications Determined	3,386	3,000	-11.4%	2,793	-6.9%
Applications Undetermined @ year end	142	145	2.1%	204	40.7%
Grants Finalised	1,612	1,586	-1.6%	1,551	-2.2%
Current Grants on Hand @ year end	2,700	2,875	6.5%	3,094	7.6%
Duty Services					
In-house Duty Services	7,168	5,196	-27.5%	3,418	-34.2%
Assigned Duty Services	12,777	13,788	7.9%	8,881	-35.6%
Total Duty Services	19,945	18,984	-4.8%	12,299	-35.2%
Other Services					
Advice	22,971	21,931	-4.5%	24,541	11.9%
Minor assistance	3,881	4,119	6.1%	5,666	37.6%
Information	167,798	164,121	-2.2%	167,787	2.2%
Total Other Services	194,650	190,171	-2.3%	197,994	4.1%
Total Client Services	216,571	210,882	-2.6%	211,978	0.5%

1. Because of a significant change to the counting of case grants which took effect from 1 July 2009, case figures for 2009-10 should not be compared directly with those for earlier years.

Legal practice operational statistics

Appendix 7

In-house and private lawyers allocation of legal work

	In-House lawyer	In-House lawyer%	Private lawyer	Private lawyer%	Total
Family law					
Duty Services	3,693	68.4%	1,705	31.6%	5,398
Grants of Legal Aid	2,489	18.8%	10,752	81.2%	13,241
Total	6,182	33.2%	12,457	66.8%	18,639

Criminal law					
Duty Services	96,519	64.2%	53,791	35.8%	150,310
Grants of Legal Aid	9,313	38.9%	14,629	61.1%	23,942
Total	105,832	60.7%	68,420	39.3%	174,252

Civil law					
Duty Services	3,418	27.8%	8,881	72.2%	12,299
Grants of Legal Aid	993	58.9%	692	41.1%	1,685
Total	4,411	31.5%	9,573	68.5%	13,984

Legal Aid NSW total					
Duty Services	103,630	61.7%	64,377	38.3%	168,007
Grants of Legal Aid	12,795	32.9%	26,073	67.1%	38,868
Total	116,425	56.3%	90,450	43.7%	206,875

Family dispute resolution family law	2008-09	2009-10	% change from previous year	2010-11	% change from previous year
Number of conferences	2,294	2,574	12.2%	2,486	-3.4%
Agreements reached	1,942	2,079	7.1%	2,000	-3.8%
Agreement rate	84.7%	80.8%	-4.6%	80.5%	-0.4%

Community legal education²

Criminal Law	297	242	-18.5%	424	75.2%
Family Law	443	759	71.3%	933	22.9%
Civil Law	328	424	29.3%	791	86.6%
Total	1,068	1,425	33.4%	2,148	50.7%

² Note: the tables at pages 141 and 142 do not include these services.

Commonwealth and State allocation of Legal Aid NSW services

	State matter	State matter %	Commonwealth matter	Commonwealth matter %	Total
Family law					
Grants	4,450	33.6%	8,791	66.4%	13,241
Duty Services	2,818	52.2%	2,580	47.8%	5,398
Advice	2,886	10.0%	26,101	90.0%	28,987
Minor assistance	462	7.5%	5,699	92.5%	6,161
Information Services	16,629	13.1%	110,412	86.9%	127,041
Total	27,245	15.1%	153,583	84.9%	180,828

Criminal law

Grants	23,207	96.9%	735	3.1%	23,942
Duty Services	146,219	97.3%	4,091	2.7%	150,310
Advice	31,010	97.8%	701	2.2%	31,711
Minor assistance	249	100.0%	-	0.0%	249
Information Services	208,279	95.0%	10,953	5.0%	219,232
Total	408,964	96.1%	16,480	3.9%	425,444

Civil law

Grants	1,189	70.6%	496	29.4%	1,685
Duty Services	12,293	100.0%	6	0.0%	12,299
Advice	17,375	70.8%	7,166	29.2%	24,541
Minor assistance	3,999	70.6%	1,667	29.4%	5,666
Information Services	123,608	73.7%	44,179	26.3%	167,787
Total	158,464	74.8%	53,514	25.2%	211,978

Legal Aid NSW total

Grants	28,846	74.2%	10,022	25.8%	38,868
Duty Services	161,330	96.0%	6,677	4.0%	168,007
Advice	51,271	60.1%	33,968	39.9%	85,239
Minor assistance	4,710	39.0%	7,366	61.0%	12,076
Information Services	348,516	67.8%	165,544	32.2%	514,060
Total	594,673	72.7%	223,577	27.3%	818,250

Law reform submissions

Appendix 8

In 2010–2011, Legal Aid NSW made 36 submissions to a variety of law reform bodies on a wide range of issues affecting our clients and the functions of Legal Aid NSW.

Submissions to the Attorney General of New South Wales

- Response to planned changes to the forum sentencing program (September 2010)
- Response to proposal to legislate for the use of family victim impact statements in homicide cases (June 2011)
- Submission on proposed amendments to *Children and Young Persons (Care and Protection) Act 1998* and the *Children and Young Persons (Care and Protection) Regulation 2000* in relation to the confidentiality of court ordered ADR (April 2011)

Submission to the Australian Law Reform Commission

- Submission on Family Violence: Improving Legal Frameworks (July 2010)

Submission to the Better Regulation Office and Department of Attorney General and Justice

- Submission on Review of the Debt Recovery Process (December 2010)

Submission to the Chief Magistrate of the Local Court of NSW

- Submission on Practice Note 2 of 2011 Domestic and Personal Violence proceedings (May 2011)

Submissions to the Children's Court of NSW

- Submission on contact guidelines for Magistrates (August 2010)
- Submission on proposed amendment to section 90 of *Children and Young Persons (Care and Protection) Act 1998* (February 2011)
- Submission on draft assessment order application (May 2011)
- Submission on statute law revision amendments to the *Children and Young Persons (Care and Protection) Act 1998* (May 2011)

Submissions to the Department of Attorney General and Justice

- Submission on the *Foreign Evidence Amendment Act 2010* (Cth) Application to proceedings under New South Wales law (September 2010)
- Submission on Bail Bill 2010 (October 2010)
- Submission on Criminal Procedure Amendment (Sexual Assault Communications Privilege) Bill 2010 (November 2010)
- Submission on *Crimes (Sentencing Procedure) Amendment Bill 2010* (November 2010)
- Submission on pre-trial diversion of offenders program (Cedar Cottage) (January 2011)
- Submission on monitoring detainee-lawyer communications under the *Terrorism (Police Powers) Act 2002* (February 2011)
- Submission on the proposal for new offences of death or previous bodily harm by negligent act or omission (March 2011)
- Submission on the reform of judicial review in NSW (April 2011)

Submission to the Family Court of Australia

- Submission on Family Violence: Best practice principles (May 2011)

Submission to the NSW Department of Human Services

- Submission on the review of impairment tables for Disability Support Pension (October 2010)

Submission to NSW Fair Trading

- Submission on the consultation draft of the Residential Tenancies Regulation 2010 (October 2010)

Submissions to the NSW Law Reform Commission

- Submission on people with cognitive and mental health impairments in the criminal justice system (July 2010)
- Submission on penalty notices (November 2010)
- Submission on young people with cognitive and mental health impairments in the criminal justice system (March 2011)

Submissions to the NSW Sentencing Council

- Submission on proposal to introduce standard non-parole periods for dangerous driving offences (September 2010)
- Submission on sentencing serious violent offenders (June 2011)

Submission to the Standing Committee of Attorneys-General

- Submission on harmonisation of criminal appeals legislation (November 2010)

Contributions to submissions by National Legal Aid

- Submissions to Attorney-General's Department
 - Forced and Servile Marriage – Discussion Paper (February 2011)
 - Children's Contact Services – Consultation Paper (May 2011)
- Submissions to the Australian Law Reform Commission
 - Family Violence and Commonwealth Laws: Immigration Law (ALRC Issues Paper No.37) (May 2011)
- Submissions to Commonwealth Treasury
 - Green Paper on National Credit Reform (August 2010)
 - Reforming Flood Insurance: Clearing the Waters discussion paper (May 2011)
- Submission to the Senate Standing Committee on Legal and Constitutional Affairs
 - Inquiry into the Civil Dispute Resolution Bill (October 2010)
 - Senate Inquiry into the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011 (January 2011)
 - Family Violence and Commonwealth Laws: Social Security Law (ALRC Issues Paper No.39) (May 2011)
 - Family Violence and Commonwealth Laws: Child Support and Family Assistance (ALRC Issues Paper No.38) (June 2011)

Publications and resources

Appendix 9

We produce over 60 publications in 30 languages. Some of these are available in almost 30 other languages. In 2010-2011, we distributed 647,800 free publications to members of the community and other agencies.

Key for 2010-2011

- + New publications
- * New languages
- ^ Updated to comply with new laws, and part

About Legal Aid NSW

Client service charter
Do you have a legal problem? (also in Arabic, *Bengali, *Burmese, Traditional Chinese, Simplified Chinese, Croatian, *Farsi, Greek, Hindi, *Indonesian, Italian, Khmer, Korean, Laotian, Macedonian, Serbian, Spanish, Tamil, Turkish, Vietnamese; large print version)
Questions to ask your lawyer (also in *Arabic, *Simplified Chinese, *Greek, *Italian, *Vietnamese)
How to make a complaint
Children's Legal Service
^Mental Health Advocacy Service (also in Arabic, Traditional Chinese, Farsi, Korean, Spanish, Turkish, Vietnamese)
Child Support Service (also in Arabic, Simplified Chinese, Traditional Chinese, Farsi, Korean, Spanish, Turkish, Vietnamese)
Legal help for veterans and dependants
^Welcome to Legal Aid audio CD and ^translated fact sheets (^Amharic, ^Arabic, ^Dari/Farsi, ^Dinka, ^Pushto, ^Somali, ^Swahili, ^Tigrinya)
Prisoners Legal Service

Money, Debt and Fines

^Are you being squeezed for debt?
Turning the Tide: storms, floods, insurance and you (booklet and factsheet)
^Are you having problems with your home mortgage? (also in Arabic, Traditional Chinese, Farsi, Korean, Spanish, Turkish, Vietnamese)
^Mortgage stress handbook (2nd ed)
^Are you having problems with fines? (also in Arabic, Traditional Chinese, Farsi, Korean, Spanish, Turkish, Vietnamese)
^Fined out booklet (3rd ed)
+National Bulk Debt Project

Young people

^Get street smart (legal rights in public spaces)
^Youth Drug and Alcohol Court Program Super Cuz CD (a Koori superhero fights for justice)

HOW TO ORDER

Use our online ordering system:
www.legalaid.nsw.gov.au/pubsonline
Email: publications@legalaid.nsw.gov.au or phone our Publications Unit on 9219 5028.

Domestic violence

Are you experiencing domestic violence? (also in Arabic, Simplified Chinese, Vietnamese)
^Apprehended Violence Orders: for applicants (also in Arabic, Traditional Chinese, Vietnamese)
Is someone making an AVO against you? (also in Arabic, Traditional Chinese, Vietnamese)
Domestic violence offences: for defendants (also in Arabic, Traditional Chinese, Vietnamese)
^Advice about domestic violence and help at court (also in Arabic, Traditional Chinese, Simplified Chinese, Farsi, Indonesian, Korean, Spanish, Tagalog, Thai, Turkish, Vietnamese); ^Aboriginal version
So you want the violence to stop – wallet card; generic and Aboriginal versions

Government and Rights

Discrimination toolkit
+Have you been involuntarily admitted to a hospital?
^Connecting human rights to everyday people
+Appealing to the Social Security Appeals Tribunal
+Disability Support Pension (also in Arabic, Simplified Chinese, Farsi, Turkish, Vietnamese)

Families, Relationships and Children

What happens when your relationship ends? (also in Arabic, Traditional Chinese, Farsi, Korean, Spanish, Turkish, Vietnamese)
De facto relationships and family law
Working out what's best for my children – (also in Arabic, Traditional Chinese, Farsi, Korean, Spanish, Turkish, Vietnamese)
My ex-partner has taken our children without my permission... what can I do? (also in Arabic, Traditional Chinese, Vietnamese)
My ex-partner isn't following the court orders about our children. What can I do?

Courts, Police and Crime

Going to court for defendants (also in Arabic, Traditional Chinese, Vietnamese)
Applying for Supreme Court bail (also in Arabic, Traditional Chinese, Vietnamese)
^Police powers, your rights and responsibilities – (also in Arabic, Traditional Chinese, Vietnamese)
Character references (also in *Arabic, *Traditional Chinese, *Vietnamese)
Reviewing Local Court decisions
^Appealing Local Court decisions
^Understanding bail (also in Arabic,

Traditional Chinese, Vietnamese)
Facing a committal
^Breaching parole

Traffic and driving

Pleading guilty to a drink driving charge (also in Arabic, Traditional Chinese, Vietnamese)
+Drugs, driving and you (also in Arabic, Simplified Chinese, Vietnamese)
^Have you crashed your car? (property damage)

Aboriginal

+Need any legal help?
+Legal help with mental health matters
+What happens when your relationship ends?
Caring for kids in Aboriginal families
+Are you having problems with fines?
+Got a problem with child support?
So you want the violence to stop. Getting an Apprehended Violence Order Super Cuz CD (a Koori superhero fights for justice)

Older people

^Are you experiencing violence or abuse? (also in Arabic, Traditional Chinese, Greek, Italian, Vietnamese)
^Helping your family financially? (also in Arabic, Traditional Chinese, Greek, Italian, Vietnamese)
Changing your accommodation arrangements?
^Moving in with the family? (also in Arabic, Traditional Chinese, Greek, Italian, Vietnamese)
^Who will decide for you if you can't decide for yourself? (also in Arabic, Traditional Chinese, Greek, Italian, Vietnamese)
Are you a grandparent?
Audio CD package – five CDs on legal issues for older people
+Why make a will? (also in Arabic, Traditional Chinese, Greek, Italian, Vietnamese)
+Speaking for myself
+They want me to leave

Posters and cards

So you want the violence to stop; (also in Aboriginal version)
Legal Aid NSW poster
Who's who in the Local Court
Youth hotline
Legal issues for older people
Youth hotline wallet card

Other

Bookmarks – online publications orders;
+Aboriginal resources, means test calculator

Right to information

Appendix 10

Statistical information about formal access applications under the *Government Information (Public Access) Act 2009*

Table A: Number of applications by type of applicant and outcome*

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Media	0	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	0	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Members of the public (application by legal representative)	0	0	0	0	0	0	0	0
Members of the public (other)	1	1	0	0	0	0	0	1

*More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

Table B: Number of applications by type of application and outcome

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Personal information applications*	1	1	0	0	0	0	0	1
Access applications (other than personal information applications)	0	0	0	0	0	0	0	0
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0

*A personal information application is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

Table C: Invalid applications

Reason for invalidity	No of applications
Application does not comply with formal requirements (section 41 of the Act)	
Application is for excluded information of the agency (section 43 of the Act)	
Application contravenes restraint order (section 110 of the Act)	
Total number of invalid applications received	0
Invalid applications that subsequently became valid applications	0

6 Appendices

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 to the GIPA Act

Number of times consideration used*

Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	0
Documents affecting law enforcement and public safety	1
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0

* More than one public interest consideration may apply in relation to a particular access application and, if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E.

Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of the GIPA Act

Number of occasions when application not successful

Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	1
Business interests of agencies and other persons	1
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

Table F: Timeliness

Number of applications

Decided within the statutory timeframe (20 days plus any extensions)	3
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	0
Total	3

Table G: Number of applications reviewed under Part 5 of the GIPA Act (by type of review and outcome)

Decision varied

Decision upheld

Total

Internal review	n/a	n/a	0
Review by Information Commissioner*	Not known pending review	Not known pending review	1
Internal review following recommendation under section 93 of the GIPA Act	n/a	n/a	0
Review by the Administrative Decisions Tribunal	n/a	n/a	0
Total	Not known pending review	Not known pending review	1

*The Information Commissioner does not have the authority to vary decisions, but can make recommendations to the original decision-maker.

Table H: Applications for review under Part 5 of the GIPA Act (by type of applicant)

Number of applications for review

Applications by access applicants	1
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0

Disability Action Plan

Appendix 11

This is the final year of the current Disability Action Plan. A new plan will be developed for 2011-2013.

Legal Aid NSW is a Universal Service, defined under the Guidelines for disability action planning by NSW Government agencies. A universal service is a mainstream service accessed by large numbers of people with a disability. We are required to achieve five main outcomes, specified by Ageing, Disability and Home Care.

A summary of key performance highlights from the Disability Action Plan against these outcomes are:

Disability Action Plan 2010-2011

Outcomes	What we achieved
<p>1. Identify and remove barriers to services or people with a disability</p>	<ul style="list-style-type: none"> • Delivered more training to improve disability confidence in client support staff, to support clients with a disability. • Undertook over 400 client surveys to obtain information that will assist in the development of social exclusion indicators. • Improved services to clients with intellectual disability and mental health problems by developing a pilot in the Shoalhaven area to make the services of the Client Assessment & Referrals Service available to private lawyers acting for legally aided clients. • Updated the Legal Aid advice form to include information on disability. • Continued to promote successful client outcomes for people with a disability in the Legal Aid NSW newsletter. • Provided all managers with <i>A Manager's Guide: Disability in the Workplace</i>. • Provided a wide range of training and community legal education to 65 staff.
<p>2. Provide information and services in a range of accessible formats</p>	<ul style="list-style-type: none"> • Provided information in a range of accessible formats including large print and CDs. • Updated the Legal Aid application form in consultation with Vision Australia. An e-text version is on the internet and people using assistive technology such as screen readers can now complete the form online. • Produced a new Disability Support Pension Brochure to help people understand the qualifying criteria for DSP. • Incorporated accessibility information into the new website and in plain English. Introductory information about legal aid will be available in audio files in several languages.
<p>3. Make buildings and facilities physically accessible to people with disabilities</p>	<ul style="list-style-type: none"> • Undertook modifications at the Central Sydney office to install accessible toilets on four floors. • Developed specifications for fit out of the new training centre including several enhanced facilities for people with a disability.
<p>4. Assist people with a disability to take part in public consultations and to apply for and participate in government advisory boards and committees</p>	<ul style="list-style-type: none"> • Delivered community legal education to community workers working with people who have mental health issues. • Delivered 25 community legal education events for people with a disability and those with mental health issues.
<p>5. Increase employment participation and retention of people with a disability in the NSW public sector</p>	<ul style="list-style-type: none"> • Provided a mentoring and job placement opportunities for two people with a disability referred by external organisations. • Mental Health and Wellbeing Group developed new initiatives aimed at improving psychological injury management. It is currently preparing recommendations to introduce programs and activities aimed at achieving that result.

Multicultural Action Plan

A summary of key performance highlights from the Multicultural Action Plan.

Multicultural Action Plan 2010-2011

Outcomes	What we achieved
1. Responsiveness	<ul style="list-style-type: none"> Established a pilot that examined interpreter usage and costs in Community Legal Centres and provided funding for interpreter costs. Delivered 41 community legal education sessions to newly arrived migrants. Developed legal theatre scripts to assist in delivering community legal education to targeted, emerging communities. Developed new standard equity questions for inclusion in applications from private solicitors wishing to undertake legal aid work. Developed a culturally appropriate model for family dispute resolution through the establishment of cadetships for 10 lawyers from multicultural backgrounds.
2. Effective community engagement	<ul style="list-style-type: none"> Published key brochures in a range of languages for emerging communities. Participated in several community events across NSW, providing legal information and education to improve access to justice. Undertook a review of systems for reporting usage of the Community Languages Allowance Scheme.
3. Leadership	<ul style="list-style-type: none"> Monitored the implementation of the Multicultural Action Plan through the Access and Equity Committee. Promoted and raised awareness of access and equity issues for staff, clients and stakeholders through the work of the Access and Equity Committee, intranet, CEO's messages and quarterly newsletter. Provided a submission on <i>Family Violence: Improving legal frameworks to the Australian Law Reform Commission</i>
4. Cultural competence	<ul style="list-style-type: none"> Delivered several training sessions on <i>Cross Cultural Communication and Using Interpreters</i>. Reviewed the effectiveness of staff induction training on diversity and inclusive practices. Investigated scholarship programs for people from emerging or established communities to undertake justice related studies and identified a suitable program for emerging communities in New South Wales.

Significant committees

Appendix 13

Committees played an important role in helping us achieve our goals and deliver excellent outcomes to clients.

LEGAL AID REVIEW COMMITTEES

Legal Aid Review Committees are independent committees established under the *Legal Aid Commission Act 1979* (NSW) to ensure our clients have fair and equitable access to legal aid services. Six committees determine appeals relating to determinations of legal aid applications.

Committee membership as at 30 June 2011

Legal Aid Review Committee No. 1

Mr B Row - Chairperson, Minister's Nominee
(alternates Ms R Graham and Mr P Anet)
Ms P Wright, Bar Association/Law Society Nominee
(alternates Ms R Everett and Mr P Blacket SC)
Dr T Boyd-Caine, Community Member (alternate Mr J Terry)
Meetings held: 15 and 1 teleconference

Legal Aid Review Committee No. 2

Mr P Robinson - Chairperson, Minister's Nominee
(alternates Mr D Norris and Ms B Baker)
Mr W Terracini SC, Bar Association/Law Society Nominee
(alternates Mr P Menzies and Magistrate Buscombe)
Mr D Kelly, Community Member (alternate Dr W Porges)
Meetings held: 15 and 2 teleconferences

Legal Aid Review Committee No. 3

Mr K Garling - Chairperson, Minister's Nominee
(alternates Ms S Gordon and Ms Emma Bayley)
Mr J McCarthy QC, Bar Association/Law Society Nominee

(alternates Ms G Daley and Ms A Healey)
Ms T Heness - Community Member (alternate Mr D Kelly)
Meetings held: 12

Family Law Legal Aid Review Committee No. 1

Ms J Townsend - Chairperson, Minister's Nominee
(alternates Ms A Tomlin and Ms J Stevens)
Mr J Berry - Bar Association/Law Society Nominee
(alternates Mr R Schonell and Mr C Dunn)
Mr D Sword - Community Member (alternate Ms M Tunica)
Meetings held: 8 and 1 teleconference

Family Law Legal Aid Review Committee No. 2

Ms A Walsh - Chairperson, Minister's Nominee
(alternates Mr J McDonnell and Ms C Miller)
Mr J Dowd - Bar Association/Law Society Nominee
(alternates Mr J Levy and Ms M Nagle)
Ms M Faithfull, Community Member (alternate Ms M Good)
Meetings held: 8 and 1 teleconference

Family Law Legal Aid Review Committee No. 3

Ms C Drummy - Chairperson, Minister's Nominee
(alternates Ms C Samuels and Mr P Guterres)
Mr M Whelan - Bar Association/Law Society Nominee
(alternates Mr P Lewis and Ms K Rafton)
Dr S van der Mye, Community Member (alternate Ms K Gauthier)
Meetings held: 6 and 2 teleconferences

BOARD COMMITTEES

Section 68 of the *Legal Aid Commission Act 1979* enables Legal Aid NSW to establish special consultative committees in order to advise the Board in the exercise of its functions under the Act.

In 2009-2010, a range of committees made recommendations to the Board in matters relating to our operations.

Audit and Risk Committee (ARC)

Advised the Board about financial reporting practices, business ethics, policies and practices, accounting policies, and management and internal controls.

It is responsible for overseeing the financial performance of Legal Aid NSW and the internal audit function. A report of the ARC is provided on page 62.

The members were:

	Meetings attended
Phillip Bickerstaff Chair & Board member	11
John Bordon, Board member	8
Kylie Beckhouse Non Independent, Executive Director Family Law	11
In attendance: Alan Kirkland, CEO & Board member	11
Clare Hamilton, Executive Director Corporate Finance	11
Russell Cox, Deputy CEO, Business & Client Services (until Dec 2010)	6
Patricia O'Farrell, Deputy CEO, Operations & Chief Audit Executive (from March 2011)	4
David Lunn, Management Accountant, Legal Aid NSW	2
Peter Coulogeorgiou, Audit Office	2
Steve Black, Audit Office	1

Meetings held: 11

Civil Law Sub-Committee

Provided advice to the Civil law Division and to the Board about civil law matters.

The members were:

- Andrea Durbach, Board member (Chair)
- Maria Girdler, Board member
- Amanda Tibbey, NSW Bar Association
- Mark Hodges, Law Society of NSW
- Monique Hitter, Legal Aid NSW
- Annmarie Lumsden, Legal Aid NSW
- Tim Smith, Legal Aid NSW
- Aideen McGarrigle, Legal Aid NSW

Meetings held: 3

Community Legal Centres (CLCs) Sub-Committee

Advised the Board on funding for CLCs.

The members were:

- Rev Harry Herbert, Board member (Chair)
- Maria Girdler, Board member
- Barbara Ramjan, Board member
- Helen Campbell, Chairperson of CLCNSW (2010)
- Anna Cody, Chairperson of CLCNSW (2011)
- Alastair McEwin, Director of CLCNSW
- Patrick O’Callaghan, Alternate Board member
- Legal Aid NSW staff members assisting the sub-committee include:
- Richard Funston, Executive Director Legal Services, Grants and Community Partnerships
- Bronwyn McCutcheon, Manager CLC Program
- Jane Cipants, Project and Policy Officer, CLC Program
- Timika Williams, CLC Project Officer

Meetings held: 4

Grants Sub-Committee

Made recommendations to the Board in relation to work of the Grants Division.

The members were:

- Mary Macken, Law Society of NSW (Chair)
- Ian McClintock SC, NSW Bar Association
- Richard Funston, Executive Director Grants & Community Partnerships

Annmarie Lumsden, Director, Grants

Meetings held: 2

ADVISORY COMMITTEES

Aboriginal Justice Committee

Advised the CEO on Aboriginal justice initiatives, service delivery, employment strategies, and building partnerships with external agencies.

The members were:

Legal Aid NSW

- Scott Hawkins, Director, Aboriginal Services, (Chair)
- Alan Kirkland, CEO, Legal Aid NSW
- Patricia O’Farrell, Deputy CEO, Legal Aid NSW
- Richard Funston, Executive Director Grants & Community Partnerships
- Kylie Beckhouse, Executive Director, Family Law
- Brian Sandland, Executive Director, Criminal Law
- Annmarie Lumsden, Executive Director Grants, Strategic Policy, Planning & Management
- Monique Hitter, Director, Civil Law Division, Legal Aid NSW
- Jenny Lovric, CLSD Program Manager
- Janelle Clarke, Aboriginal Services Unit, Legal Aid NSW
- Lottie Ceissman, Aboriginal Services Unit, Legal Aid NSW

External partners

- Gerry Moore, Chief Executive Officer, Aboriginal Legal Service NSW/ACT
- John McKenzie, Principal Solicitor, Aboriginal Legal Service NSW/ACT
- Melissa Shorter, Aboriginal Staff Network Representative, Legal Aid NSW
- Rachael Martin, Principal Legal Officer, Wirringa Baiya
- Zachary Armytage, Aboriginal Legal Access Program Coordinator, Community Legal Centres NSW

Meetings held: 4

Children’s Court Assistance Scheme (CCAS) Advisory Group

Advised Legal Aid NSW on the operation of the Children’s Court Assistance Schemes and policy/guidelines issues.

The members were:

- Leah Cruickshank, Coordinator of Parramatta and Bidura CCASs and Aboriginal Coordinator for the Program
 - Stan Small, CCAS worker at Parramatta and Bidura CCASs
 - Sharon Callaghan, Coordinator of Port Kembla CCAS
 - Tracey Young, Coordinator of Wyong and Woy Woy CCASs
 - Barbara Simpson, Coordinator of Campbelltown CCAS
 - Lisette Daniels, Coordinator of Broadmeadow and Maitland CCASs (to April 2011)
 - Jason Holland, Coordinator of Broadmeadow and Maitland CCASs (from May 2011)
 - Timika Williams, CLC Project Officer, Legal Aid NSW
 - Bronwyn McCutcheon, Manager, Community Legal Centres Program
- Meetings held: 4*

Cooperative Legal Service Delivery (CLSD) Program Steering Committee

Provided guidance to the CLSD Program Unit.

The members were:

- Jenny Lovric (Chair), CLSD Program Unit, Legal Aid NSW
- Louise Blazejowska, Manager Legal Services Development, Legal Aid NSW
- Kim Gabler, CLSD Program Coordinator, Legal Aid NSW (to August 2010)
- Kirsten Cameron, A/G CLSD Program Coordinator, Legal Aid NSW (August 2010 – December 2011)
- Glenn Sofinowski, A/G CLSD Program Coordinator, Legal Aid NSW (from February 2011)
- Christine Johnson, Legal Aid NSW
- Grant Arbuthnot, Tenant’s Union NSW
- Ken Beilby, Tenant’s Union NSW
- Raymond Brazil, Aboriginal Legal Service (NSW/ACT) Limited
- John McKenzie, Aboriginal Legal Service (NSW/ACT) Limited
- Judith Levitan, NSW Legal Assistance Forum
- Jane Kenny, Law & Justice Foundation of NSW (from June 2010)
- Anne Cregan, Blake Dawson

Significant committees

Appendix 13

Amelia Davis, Blake Dawson
(to December 2010)
Heidi Fairhall, Blake Dawson
(from January 2011)
Mia Zahra, LawAccess NSW
John Pinnock, Public Interest Law
Clearing House
Kylie Nicholls, Court Services,
Department of Attorney General and
Justice
Angela Pollard, Northern Rivers
Community Legal Centre
Alastair McEwin, Community Legal
Centres NSW
Vicki Geraghty, Financial Counsellors
Association of NSW (to April 2011)
Jim Connolly, Financial Counsellors
Association of NSW (from April 2011)
Nerida Harvey, Law Society of NSW
Sue Walden, Legal Information Access
Centre, State Library of NSW
Catherine Bryant, Legal Information
Access Centre, State Library of NSW
Meetings held: 4

Environmental Consultative Committee

**Advised Legal Aid NSW on public
interest environmental law matters
and made recommendations on
whether grants of aid should be
made.**

The members were:

Professor David Farrier, University of
Wollongong (Chair)
Dr Alan Jones, Australian Museum
Nicola Franklin, University of Sydney
Dr Andrew Kelly, University of
Wollongong (alternate member)
Associate Professor Paul Adam,
University of NSW (alternate
member)
Professor Ben Boer, University of
Sydney (alternate member)
Thu-Ha Nguyen, Legal Aid NSW
Joshua Kulawiec, Legal Aid NSW

Meetings held: 4

Human Rights Committee

**Advised Legal Aid NSW on public
interest human rights matters and
made recommendations on whether
grants of legal aid should be made.
The committee considered 43
matters in 2010–2011 and funded 31.**

The members were:

Vedna Jivan, University of Technology
Sydney (Chair)
Nicole Watson, University of
Technology Sydney
Justine Nolan, University of NSW
Nicholas Poynder, Barrister (alternate
member)
Pauline Wright, Solicitor
Deborah Wilcox, Solicitor (alternate
member)
Paul Batley, Barrister
Alex Grosart, Legal Aid NSW
(Executive Officer to October 2010)
Lyn Payne (Executive Officer October
2010 to July 2011)

Meetings held: 11

Older Persons Legal and Education Program (OPLEP) Steering Committee

**Advised the Program on strategic
direction, new services, initiatives
and research.**

The members were:

Richard Funston, Legal Aid NSW
(Chair)
Russell Westacott, CEO, The Aged-
care Rights Service (TARS)
Tom Cowen, Principal Solicitor, Older
Persons Legal Service, TARS
Alastair McEwin, Director, Community
Legal Centres NSW
Sue Field, NSW Trustee and Guardian
Fellow in Elder Law, School of Law,
University of Western Sydney
Sue Walden, Legal Information Access
Centre, State Library of NSW
Jane Pritchard, Director, LawAccess
NSW
Julianne Evans, A/Director,
LawAccess NSW
Monique Hitter, Executive Director,
Civil Law, Legal Aid NSW
Lauren Finestone, Solicitor, Older
Persons Legal and Education Unit,
Legal Aid NSW
Bronwyn McCutcheon, Manager,
Community Legal Centres Program,
Legal Aid NSW
Ian Day, CEO, Council on the Ageing
NSW
Millie Ingram, Wyanga Aboriginal
Community Aged Care Program
Annmarie Elias, Senior Policy Adviser,
Office of the Hon Andrew Constance

MP, Minister for Ageing
Kate Finlayson, Media and
Community Information Officer,
Aboriginal Legal Service (NSW/ACT)
Zachary Armytage, ALAP Community
Development Worker, Community
Legal Centres NSW
Scott Hawkins, Director, Aboriginal
Services, Legal Aid NSW

Meetings held: 3

Women's Domestic Violence Court Advocacy Program (WDVCAP) Advisory Committee

**Advised the CEO on the
implementation, administration and
guidelines of the WDVCAP including
funding priorities.**

The members were:

Michelle Jones, Manager WDVCAP,
Legal Aid NSW
Bev Lazarou, Project Officer,
WDVCAP, Legal Aid NSW
Rachelle Johnston, Project Officer,
WDVCAP, Legal Aid NSW
Elly Raffo, WDVCAP Network Inc
Representative
Danielle Neves, WDVCAP Network
Inc Representative (Rural)
Kaleesha Morris, WDVCAP Network
Inc Representative (Aboriginal
Specialist Worker)
Tatya Hastie, WDVCAP Network
Inc Representative (CALD Specialist
Worker)
Maria Girdler, Legal Aid NSW Board
Representative
Robyn Auld, Senior Programs Officer,
Policy and Programs, NSW Police
Force
Christine Robinson, Coordinator,
Wirringa Baiya Aboriginal Women's
Centre
Samantha Chung, Policy Officer,
Multicultural Disability Advocacy
Association (from March 2010)
Alex Faraguna, Intellectual Disability
Rights Service Inc
Janet Loughman Principal Solicitor,
Women's Legal Services NSW (to
November 2011)
Helen Campbell, Executive Officer,
Women's Legal Services NSW (from
November 2010)
Kylie Nicholls, A/Assistant Director,

Court Services, NSW Attorney
General's Department

Meetings held: 4

INTERNAL COMMITTEES

Access and Equity Committee

Monitored the implementation of the Disability Action Plan and Multicultural Action Plan as well as identified matters for specific attention.

The members were:

Alan Kirkland, CEO (Chair)
Richard Funston, Executive Director,
Grants & Community Partnerships
Dora Dimos, Manager, Professional
Practices
Pam King, Manager, Planning &
Business Reporting
Jan Pittard, Senior Learning &
Development Consultant
Christine Johnson, Regional
Administrative Coordinator, Legal
Services
Rania Saab, Lawyer, Family Law
Bankstown
Vaughan Roles, Criminal Law Legal
Education Solicitor, Grants
Rouada El-Ayoubi, Lawyer, Family
Litigation
Matthew Greenaway, Regional
Program Coordinator, Criminal Law
David Norman, Lawyer, Mental Health
Advocacy Service, Legal Aid NSW
June Woolcott, Director Operational
Support

Meetings held: 2

Occupational Health and Safety (OH&S) Committee

In accordance with s18 of the Occupational Health and Safety Act 2000, the committee's role is to ensure the health, safety and welfare of people in the workplace. The OH&S Committee ensured representation and active review of OH&S issues.

Legal Aid NSW has met the targets required under the Working Together Strategy ensuring continuous improvement to our OH&S and injury management processes.

The members were:

Employer representatives

Russell Cox, Executive (until 31
December 2010)
Annmarie Lumsden (from 1 February
2011)
Jennifer Bulkeley, Human Resources
(until 30 June 2011)
Nohad Ghibely, Executive Officer
June Woolcott, Business & Client
Services
Christine Johnson, Executive
Robert Wheeler, Civil Law Division

Employee representatives

Shirl Acland, Metropolitan Region
(Chair)
Sevda Cranston, Metropolitan Region
(until 20 November 2010)
Amanda Zerbst, Metropolitan Region
Diganta Kumar, Metropolitan Region
Fiona Pace, Northern Region
Wendy Kilroy, Northern Region
Michael Brian, Northern Region
Laura Camac, Northern Region
Allyson Watson, Southern Region

Meetings held: 5

Peak Consultative Committee

Meets bi-monthly to discuss issues affecting Legal Aid NSW in accordance with the Premier's Consultative Arrangements.

The members were:

Legal Aid NSW

Alan Kirkland, CEO
Russell Cox, Deputy CEO, Business
and Client Services (until 31 December
2010)
Jennifer Bulkeley, Director Human
Resources
Nohad Ghibely, Senior HRM
Consultant

Public Service Association

Rae Cameron (from 1 October 2010)
Sue Emery (until 30 August 2010)
John Moratelli
Stephen Spencer (until 30 October
2010)
Thane Pearce (from 1 February 2011)

Meetings held: 5

OTHER INTERNAL COMMITTEES

ATLAS Consultative Committee
Civil Law Advice (Central Sydney)
Review Committee
Civil Law Fees Reference Group
Community Legal Education Steering
Committee
Domestic and Family Violence
Committee
Executive Meeting Group
E-Recruitment Working Party
Expensive Criminal Cases Committee
Family Dispute Resolution Reference
Group
Family Violence Specialist Network
Family Violence Consultative
Committee
Grants Civil Law Liaison Committee
Grants Division ATLAS Working
Group
Grants Family Law Meeting
Grants Issues Register Committee
Grants OHS Sub-Committee
Grants Professional Practices Branch
Meeting
Grants Senior Managers Meeting
Grants Team Leaders Meeting
Human Rights Sub-Committee
ICT Steering Committee
IT/Strategic Planning and Policy/
Grants Meeting
Learning Management System
Contributors Group
Learning and Development Executive
Committee
Legal Information and Referral Project
Reference Group
Library Consultation Committee
Legal Management Group Meeting
Means Test and Contribution Policy
Review – Project Reference Group
Mental Health and Wellbeing Group
Regional Rural and Remote Working
Group
Savings Implementation Plan
Committee
Service Desk Implementation
Committee
Social Inclusion Consultation
Committee
Start-Up Grants Committee
Systems Meeting Working Group
Telephone Working Group
Trial Efficiency Working Group

Working with other organisations

Appendix 14

Legal Aid NSW staff were members of over 130 inter-agency committees that contributed to improving access to justice for disadvantaged communities.

Legal Aid NSW staff were members of over 130 inter-agency committees that contributed to improving access to justice for disadvantaged communities.

NATIONAL LEGAL AID COMMITTEES

Child Support Network
Criminal Law Working Group
Consumer Law Working Group
Dispute Resolution Working Group
Family Law Working Group
Grants and National Statistics Working Group
Human Resources Working Group
National Legal Aid Directors

NSW LEGAL ASSISTANCE FORUM (NLAFF)

Availability of Lawyers for Disadvantaged People in Regional, Rural and Remote NSW
Domestic Violence Working Party
Employment Law Services Working Group
Prisoners Working Group
Training Reference Group

LAW SOCIETY OF NSW COMMITTEES

Criminal Law Committee
Elder Law and Succession Committee
Family Law Issues
Juvenile Justice Committee
Law Week Board
Law Week Planning Committee
Young Lawyers Family Law

ABORIGINAL FORUMS

Aboriginal Community Justice Groups, (Campbelltown and Mt Druitt and regional forums)
Aboriginal Family Planning Circle
Good Service Forum (multi-NSW Government agency)
Tharawal (Campbelltown) Local Aboriginal Land Council and Medical Service

CIVIL LAW COMMITTEES

Administrative Appeals Tribunal
Migration User Group
Administrative Appeals Tribunal users meetings for social security and veterans affairs
Asylum Seeker Interagency meetings
Australian Securities and Investments Commission Insurance Advisory Panel
Centrelink Homelessness Interagency
Client Reference Group for NSW, Department of Immigration & Citizenship
Consumer, Trader & Tenancy Tribunal's Tenancy Division Consultative Forums
Financial Ombudsman Service Board
Financial Ombudsman Service's General Insurance and Insurance Broking Advisory Committee
Housing Interagencies (Clarence Valley, Coffs Harbour, Kempsey)
Insurance Council of Australia
Consumer Reference Group
Mental Health Inquiries Monitoring Group
National Older Persons Legal Services Network

NSW Asylum Seeker and Refugee Forum, Department of Immigration & Citizenship
Older Persons Legal Education Program Steering Committee
Parks Legal Working Group
Planning for Later Life Interagency Forum
Possession List Users Group, Supreme Court
Public Interest Law Clearing House Board
Refugee Advice & Casework Service's Management Committee
Refugee Review Tribunal community consultations
Regional Homelessness Action Plan Committees (South East, Western Sydney, Riverina Murray, Western Riverina, North Coast, Illawarra)
Residential Parks Forum
Retirement Villages Advisory Council
Riverina Murray Homeless Operation Group
Riverina Youth Interagency
Shoalhaven Homelessness Interagency Committee
Tenancy Legal Working Party
Treasury Equity Release Working Group
University of NSW Law School (curriculum development)
Welfare Rights Centre Board
Women's Advisory Council, Corrective Services NSW
Work and Development Order Monitoring Committee

CRIMINAL LAW COMMITTEES

Bail Roundtable
 Children’s Court Assistance Scheme Advisory Committee
 Commonwealth Director of Public Prosecutions/Legal Aid NSW Liaison Meeting
 Court Referral of Eligible Defendants into Treatment (CREDIT), Department of Attorney General & Justice
 Intellectual Disability Rights Service/Legal Aid Steering Committee
 Local Courts Users Forums at various locations
 Magistrates Early Referral into Treatment Steering Committee (Downing Centre & Waverley)
 Pacific Islander Community Outreach Project (Campbelltown), Department of Justice and Attorney General
 Sexual Offences Working Party
 Trial Efficiencies Working Group

DOMESTIC VIOLENCE COMMITTEES

Apprehended Violence Orders Legal Issues Coordinating Committee (AVLICC), Department of Attorney General & Justice
 Better Court Support, Department of Attorney General & Justice
 Cross Agency Risk Assessment (CARAM), NSW Health
 Domestic Violence Liaison Committee (Bankstown, Lismore, Tamworth)
 Domestic Violence Court Intervention Model Program Management Group, Department of Attorney General & Justice
 Domestic Violence Senior Officer’s Group, Department of Premier and Cabinet

Family Law Domestic Violence Consultative Committee
 Family Violence Specialist Network
 Intersectoral Domestic and Family Violence Workforce Training (IDFVW), NSW Health
 Minimum Standards for Men’s Behaviour Group Programs Advisory Group
 NSW Standardised Domestic Violence Package, Department of Justice and Attorney General
 NSW Community Services, Staying Home, Leaving Violence Project
 Safe Relationships Advisory Meeting, Inner City Legal Centre

FAMILY LAW COMMITTEES

Anglicare Shoalhaven
 Australian Dispute Resolution Association (NSW)
 Ballina/Byron Family Centre
 Bankstown Community Advisory Committee
 Blacktown Community Interagency
 CatholicCare, Wollongong
 Child Support State Stakeholder Group
 Child Support Liaison Group
 Child Support National Stakeholder Engagement Group
 Children’s Court Advisory Committee
 Children’s Court Working Party
 Children’s Law News Editorial Board
 Commonwealth Ombudsman Child Support Issues Network
 Community Interagency Network (Blacktown, Wagga)
 Court Users Forums in various locations
 Expert Advisory Committee on ADR, Department of Justice & Attorney General
 Family Contact Centre Steering

Committee (Newcastle)
 Family Relationship Centres Legal Services Steering Committee
 Family Relationship Centres Community Reference Groups (Dubbo, Newcastle, Northern Rivers, Sydney South, Wagga Wagga, Wollongong)
 Family Pathways Groups (Coffs Harbour, Hunter, Illawarra, Lismore, Northern Rivers, Riverina, Ryde, Albury Wodonga)
 Family Contact Centre Steering Committee (Newcastle)
 Greater Sydney Families in Transition Network Group
 Griffith Neighbourhood Group
 Jean’s Place Refuge (management committee)
 Magellan Program, Family Court Steering Committee
 National Mediation Accreditation Committee
 Newcastle Interrelate
 Shoalcoast Legal Centre Management Committee
 South Coast Consultative Committee
 Tweed Shire Integrated Response to Domestic and Family Violence Committee
 Women in the Local Macarthur Area (women’s health service)
 Youth Connections, Housing NSW

GENERAL COMMITTEES

Human Resource and Training Working Group, Department of Attorney General and Justice

Human Resource Policy Sub-Committee, Department of Attorney General and Justice

Joined Up Justice Governance Committee

Joined Up Justice Project Team (Public Prosecutions and Legal Aid NSW)

Joint Outreach Initiative Network (JOIN), NSW & Commonwealth Ombudsman

Justice Executive, Department of Attorney General and Justice

Justice (Libraries) Consortium

Justice Sector Information Exchange Communication Committee, Department of Attorney General and Justice

Law Access (Board membership)

Learning and Development Managers Forum (across Public Sector)

Legal Information Access Centre Advisory Board

Legal Information and Referral Forum, Law & Justice Foundation of NSW

Mid Size Agencies OH&S and Injury Management Forum (MIDAS)

National Justice CEOs Group on Mental Illness and Cognitive Disability

Prime Minister's Council on Homelessness

Public Interest Advocacy Centre (Board membership)

Public Sector CHRIS User Group

State Program Managers/ Commonwealth Attorney General's Department Community Legal Services Program Meetings Group

Training Working Group, Department of Attorney General and Justice

Policies in brief

Legal Aid NSW has eligibility policies to ensure our services are fair and consistent and that we achieve our aim of targeting our services to the socially and economically disadvantaged. In deciding whether an applicant is eligible for legal aid, Legal Aid NSW may apply the following four tests which are summarised below.

1. Jurisdiction test

The jurisdiction test looks at whether legal aid is available in that jurisdiction and area of law. Legal aid is available for the following types of matters:

Family law: State

- Property settlement matters
- Adoption proceedings in exceptional circumstances
- Care and Protection matters
- Compulsory schooling order proceedings in the Children's Court

Family law: Commonwealth

- Parenting matters (separate representation for children also available)
- Matters relating to the location and/or recovery of a child
- Property settlement matters
- Spousal and de facto maintenance matters
- Child support and child maintenance matters
- Dissolution and nullity of marriage matters in limited circumstances
- International child abduction matters in limited circumstances
- Contempt of court and breach of court orders proceedings where the applicant for legal aid is the respondent in limited circumstances
- Proceedings in the Family Court concerning a special

medical procedure for a child

Civil law: State

- Matters where it is likely the applicant will lose his or her home
- Consumer protection matters
- Tenancy matters
- Matters involving loss of civil liberties, e.g. false imprisonment, malicious prosecution
- Preventative detention matters
- Discrimination matters before the Equal Opportunity Division of the Administrative Decisions Tribunal
- Matters under prohibited employment legislation (working with children)
- Trustee and guardianship matters
- Matters relating to the making or review of a Public Health order
- Coronial Inquest matters in limited circumstances
- Public interest environment matters
- Public interest human rights matters
- Proceedings concerning a special medical procedure in the Guardianship Tribunal

Civil law: State: Mental health

- Proceedings before the Mental Health Review Tribunal including Magistrate's inquiries
- Community Treatment Order matters
- Trustee and guardianship matters
- Appeals to the Mental Health Review Tribunal and Supreme Court
- Matters where the applicant is a forensic patient
- Matters under the *Mental Health (Forensic Provisions) Act 1990*

Appendix 15

- Protected estate order matters, including proceedings in the Administrative Decisions Tribunal
- Matters relating to dependency certificates and appeals under the Drug and Alcohol Treatment Act 2007 pilot program

Civil law: State: Applicants at special disadvantage

Legal aid is also available for a wider range of state civil law matters where the applicant is at 'special disadvantage'.

A person at special disadvantage is: a child or an applicant acting on behalf of a child; or a person who has substantial difficulty in dealing with the legal system by reason of a substantial psychiatric condition, developmental disability, intellectual impairment or a physical disability.

Civil law: Commonwealth Matters arising under a Commonwealth Act, limited to:

- A decision affecting the receipt or amount of a Commonwealth employee's compensation or a Commonwealth pension, benefit or allowance
- A decision or action by the Commonwealth in relation to a person that has a real prospect of affecting the person's capacity to continue in their usual occupation
- Discrimination matters
- Migration matters
- Consumer protection matters
- Proceeds of crime matters
- Extradition proceedings
- Public Interest Human Rights matters
- Certain appeals from decisions of the Veterans' Review Board; for example, those in relation to war-caused disability pension entitlement or assessment claims, and claims that relate to warlike or non-warlike service

Criminal law: Local Court matters

- Most matters commenced by a police court attendance notice, except for drink driving and related offences unless there is a real possibility of gaol or exceptional circumstances exist
- Most matters commenced other than by a police charge if there is a real possibility of gaol or exceptional circumstances exist
- Bail applications
- Applications for an annulment of conviction or sentence
- Matters where the applicant is contesting a forensic procedure application
- Some matters where the applicant is participating in a restorative justice program
- Committal proceedings
- Domestic violence proceedings
- Drug court matters

Criminal law: District, Supreme, Court of Criminal Appeal and High Court matters

- Indictable matters
- Appeals
- Bail applications
- Matters where the DPP has applied for an acquitted person to be retried
- Petitions for review of a conviction or sentence, inquiries into a conviction or sentence, and applications to a review panel to review a conviction or sentence
- Matters where a conviction is to be quashed following a free pardon or inquiry

- Matters where the applicant is the defendant in a prosecution in the Land and Environment Court under environmental protection legislation, in limited circumstances
- Preventative detention order matters
- Extended supervision order, continuing detention order and control order matters, including matters under the *Crimes (Serious Sex Offenders) Act 2006*

Criminal Law: Children's criminal matters

- Proceedings in the Children's Court including committals
- Trials and sentence matters in the District and Supreme Courts
- Appeals
- Matters where the child is participating in a restorative justice program
- Matters where the child is acting as an informant, in limited circumstances

Criminal Law: Prisoners matters

- Visiting justice proceedings
- Life re-sentencing applications
- Parole Board Review hearings
- Reviews of segregation directions

2. Means test

Legal Aid NSW applies a means test which looks at an applicant's income and assets to:

- assess whether that person is eligible to receive legal aid; and
- determine how much contribution an applicant will pay towards the cost of providing the service.

The means test consists of three sub-tests:

1. Income test

The income test is applied to the applicant's net assessable income, which is the applicant's gross assessable income less allowable deductions. Allowable deductions include income tax paid, housing costs, an allowance for dependants, child support and childcare costs. Applicants for legal aid receiving one of the eligible Centrelink income support payments at the maximum rate will satisfy the income part of the means test.

2. Assets test

The assets test is applied to the applicant's net assessable assets, which are the applicant's gross assessable assets less excluded assets. Examples of excluded assets are household furniture, clothing, work tools, lump sum payments, and home, motor vehicle and farm/business equity up to a certain value.

3. Ability to pay legal costs test

Legal Aid NSW also considers the applicant's ability to pay legal costs, having regard to his or her general assets and ability to realise or secure a loan. The application will be refused where the applicant's lifestyle, activities and/or interests suggest that s/he has access to sufficient means to be able to pay for legal costs.

Policies in brief

Contributions

If you are granted legal aid, you may be required to make an initial contribution based on income and assets. Certain cases are exempt. At the conclusion of the case or the legal aid grant, Legal Aid NSW may recover the total costs of a matter where the applicant has recovered a sum of money or other asset or there is a substantial improvement in financial circumstances.

The means test is applied to all matters, except:

- Legal advice and minor assistance services
- Family, care and protection and civil law duty matters
- Children in Children's Court matters
- Children in care matters
- Children participating in restorative justice programs
- Children represented by an independent children's lawyer after an order of the Family Court
- Children in Family Court proceedings concerning a special medical procedure
- First appearance bail applications in the Local Court
- Some Mental Health Advocacy Service matters
- *Veterans' Entitlements Act 1986* matters for ex-service personnel and their dependants (except for war service pension claims and appeals from the AAT)
- Disabled persons in matters before the Guardianship Tribunal
- Drug Court matters
- Drug and Alcohol Treatment Act 2007 matters (except for appeals)

3. Merit test

There are two merit tests: Merit Test A, used for all criminal and civil law matters and State family law matters, and Merit Test B, used for Commonwealth family law matters.

In State law matters, Legal Aid NSW considers whether it is reasonable in all the circumstances to grant legal aid taking into account, among other criteria, whether the applicant has reasonable prospects of success and whether providing legal assistance will benefit the applicant.

In Commonwealth family law matters, the applicant must satisfy the following three criteria:

- reasonable prospects of success test;
- prudent self-funding litigant test; and
- appropriateness of spending limited public legal aid funds test.

A merit test is applied to:

- Most non-criminal matters (civil, family, care and protection, administrative law and veterans' matters)
- Appeals in criminal matters
- Supreme Court bail matters
- Some matters associated with Children's Court proceedings (e.g. appeals from the Children's Court to the District Court).

A merit test is not applied to:

- Criminal law matters (except appeals and Supreme Court bail applications)
- Children in the Children's Court
- Disabled persons in matters before the Guardianship Tribunal
- Children represented by an independent children's lawyer after an order of the Family Court
- Most Mental Health Act 2007 matters.

4. Availability of funds test

Legal aid will only be granted if Legal Aid NSW determines that sufficient funds are available.

Contact: For further details about Legal Aid NSW policies, go to Policy Online at www.legalaid.nsw.gov.au or contact the Legal Policy Branch on 9219 5034.

June 2011

Glossary

Advice

Legal advice provided to a client by Legal Aid NSW lawyers and LawAccess NSW. Includes advice given over the telephone.

Applications approved/granted

Applications for legal aid that have been approved within this reporting period. Includes authorisations under s33 of the *Legal Aid Commission Act 1979*.

Barrister panel

A Specialist Barrister Panel was developed to provide advices to Legal Aid NSW on the merit of criminal appeals to the Court of Criminal Appeal (CCA) and the High Court; and prepare and conduct appeals before the Supreme Court, the CCA and the High Court.

Applications determined

Applications that have been approved or refused within the reporting period.

Applications received

Applications for legal aid received within this reporting period.

Applications refused

Applications for legal aid that have been refused within this reporting period.

Applications undetermined

Applications for legal aid where no determination has yet been made, including applications which are pending (e.g. while the client is asked to provide further material in order to determine the application).

Assigned

Refers to legal services performed by private lawyers.

ATLAS

The Legal Aid NSW grants management system.

CASES

The Legal Aid NSW case management system.

Casework

Civil, family, and criminal matters for which legal aid is granted. Does not include duty appearances.

Community legal education (CLE)

Information sessions about legal aid and the law given to the public, professional groups, community organisations and agencies.

Current applications on hand

Applications for legal aid which have been granted but not finalised by the end of the reporting period.

Dependant

A person who is financially dependent on the legal aid client, whether or not they reside with the legal aid client.

Determination date

In casework matters, the date when an application is approved or refused.

Disability Action Plan (DAP)

A plan of action by Legal Aid NSW to provide inclusive services to people with a disability.

Duty services

Legal advice and representation provided at a court or tribunal for some matters not requiring a grant of aid.

EEO

Equal Employment Opportunity.

Family dispute resolution (FDR)

A dispute resolution conference (mediation) facilitated by a neutral third party, that resolves disputes by consensus.

Family law conference

A meeting/mediation session between the people involved in a family law dispute, arranged by Legal Aid NSW.

FTE

Full-time equivalent. Represents the number of staff positions equating to 35 hours per week.

Grants of aid

See **Applications approved/granted**.

Information

General information services about the justice system or information about legal aid services provided by Legal Aid NSW staff and LawAccess NSW.

In-house

Refers to any legal or other service provided by employees of Legal Aid NSW.

Means test

Income and assets test used to determine eligibility for legal aid. Applies to both State and Commonwealth matters.

Merit test

Test used to determine the eligibility for aid. There are different merit tests for State and Commonwealth matters.

Minor assistance

Work done in advice sessions (eg. simple correspondence, phone call) but not where a formal legal aid application is submitted.

Multicultural Action Plan (MAP)

A plan showing the actions we are taking to enhance and promote multiculturalism within Legal Aid NSW.

Reporting period

From 1 July 2010 to 30 June 2011.

Social exclusion/inclusion

A situation in which some members of society do not feel part of society because of a range of factors, such as poverty and low income, unemployment, poor skills, isolation, poor health, family breakdown, crime, inadequate housing. Lack of access to reliable legal assistance can be a contributing factor in creating and maintaining social exclusion.

TRIM

Legal Aid NSW records management system.

Financial glossary

Public purpose fund

The Public Purpose Fund has been established under the *Legal Profession Act 2004*, (the Act). The fund is administered by the Law Society of NSW under the direction of its four trustees, three of whom are appointed by the Attorney General, and the fourth being the Director General of the Attorney General's Department. Payments from this fund may be made in respect of costs and expenses incurred by the Law Society, a Council (the Law Society Council or the Bar Council) and the Legal Services Commissioner in connection with the exercise of their functions under the Act.

Payments may also be made from the Fund for certain purposes, including the supplementation of the Legal Aid Fund, the Fidelity Fund and the Law Foundation Fund. Payments may also be made for legal education programs, law reform and improving access to legal information for the people of NSW.

Client contributions

In many cases Legal Aid NSW requires an initial contribution based on income and assets from a person granted legal aid. Certain cases are exempt.

At the conclusion of the case or the legal aid grant, Legal Aid NSW may recover the total costs of a matter where the applicant has recovered a sum of money or other asset or there is a substantial improvement in their financial circumstances.

Community programs

Legal Aid NSW provides funding for the Community Legal Centres Funding Program and the Women's Domestic Violence Court Advocacy Program (pages 35–8, 137–8).

Index

Note: Entries in bold are reported in accordance with the Annual Reports (Departments) Regulation 2010, Annual Reports (Statutory Bodies) Regulation 2010 and the Commonwealth, State, and Territory Disability Agreement.

A

'Aboriginal field officers 15, 44, 47
Aboriginal Justice Committee 15, 44
Aboriginal Land Council housing 18
Aboriginal Legal Access program 35, 36
Aboriginal Legal Service (NSW/ACT) 4, 15, 32, 39, 44
Aboriginal Medical Service of Western Sydney 44
Aboriginal people
 as clients 6, 15, 18, 24, 164
 as Family Law clients 22
 as staff 47, 134
 at risk of domestic violence 37
 committees 150, 153
 community partnerships 44
 cultural awareness training 48
 Koori men's legal workshop 27
 publications and resources for 144
Aboriginal Services Unit 15, 44
acceptance by the crown entity 88, 116
Access and Equity Committee 29, 152
access to justice priority 5, 7, 8-9, 12
accrual of estimated legal expenses 82
accumulated funds 83
acquisition of assets 80-1
administered activities 80
Administrative Appeals Tribunal 25
Advocacy Unit review 2, 49
after balance date events 104, 127
aged-care rights service 16
alternate dispute resolution services 22
amortisation 85
annual report
 awards 1
 format 1
 legislation requirements 128-30
 production costs back cover
appealing decisions 65
apprehended domestic violence orders 37
appropriations 88
asset revaluation reserve 83
assets 80-1
 acquisition of 80-1
 contingent 99, 124
 current 89-90, 99, 116
 financial 81-2, 101
 intangible 81, 90-1
 leased 81
 non-current 90
ATLAS grants management system 51
Attorney-General of New South Wales 2, 56, 61, 143
audio-visual links 53
audit 63
Audit and Risk Committee 56, 62-3, 149
Auditor-General of New South Wales 71-2, 107-8
Australian Accounting Standards 83, 113-14
Australian Law Reform Commission 143
Australian Legal Assistance Forum 43
Australian Securities and Investments Commission Insurance Advisory Committee 42
authority deposits 103
availability of funds test 158

B

Bail Act 1978: 28
basis of preparation 80, 113
Best for Kids 28
Better Partnerships Program 41
Better Regulation Office 143
Board 56-9, 70, 149-50
Broken Hill, new services in 22
budget review 99
Bureau of Crime Statistics and Research NSW 21, 51
business continuity plan 63
business hours back cover

C

capital commitments 98-9
capitalisation thresholds 81
career development program 47, 50
case management system 51
cash and cash equivalents 89, 102
cash flows statement 76, 100, 112
Celermajer Holdings Pty Ltd v Kopas [2011] 63-4
Central Sydney Law Advice Service 23-4
Centrelink cases 19, 25
Chair's report 2
changes in equity 75, 111
charitable and deductible gift recipient institution 130
Chief Executive Officer 3-4, 61, 132
Children (Criminal Proceedings) Act 1987: 20
children's legal services 3, 19
 assistance schemes 35
 child support cases 22
 committees 150
 duty lawyer services 10
 jurisdiction test 157
 law reform submissions 28
 policy changes 56
 submissions to Children's Court 143
civil law services 23-5
 by State or Commonwealth matters 142
 client profiles 23
 committees 150, 153
 from private lawyers 141
 operational statistics 140
client assessment and referral unit 26
client contributions 160
client satisfaction 14
client services 6, 10-11, 13-30
commitments for expenditure 98-9, 125
committees 42-4, 56, 132, 149-52
Commonwealth Attorney-General's Department 35
Commonwealth Crimes Unit 3, 21, 156
community legal centres 32, 35-6, 138, 150
community legal education 11, 27-8, 36, 141
 number of sessions 164
 performance measures 7
 public sessions 16-17
comparative information 113
complaints handling 65
compliance with financial directives 79-80, 113
comprehensive income statement 73, 99, 109
Compulsory Drug Treatment Correctional Centre at Parklea 42

conferences 48
consultants 129
Consumer Credit Legal Centre 41
Consumer Trader and Tenancy Tribunal 18
contingent assets and liabilities 99, 124
contributions 86-7
Cooperative Legal Services Delivery Program 32, 38, 150-1
corporate plan 3-5, 8-9, 61-2
Corrective Services NSW 27
corruption and fraud prevention plan 63
courses conducted 135-6
court fees 25, 51
Court of Criminal Appeal 19-20
credit card certification 67
Credit Law Toolkit 24, 41, 48
credit risk 101, 125
creditors, payment to 128
Crimes (Serious Sex Offenders) Act 2006: 2, 56
criminal law services 4
by jurisdiction 142
 client profiles 20
 committees 154
 fee scale package 32
 high service users 14
 highlights 19-23
 jurisdiction test 157
current assets 89-90, 99, 116
current liabilities 91, 116-17
custody notification service 39

D

deficit 68
Department of Attorney General and Justice 143
Department of Human Services NSW 143
depreciation 81, 83, 85
development, see training
Diploma in Management qualifications 48
Disability Action Plan 29, 47, 54, 147
disaster recovery site 53, 63
district court trials, increasing length of 51
Domestic and Family Violence Action Plan NSW 35
domestic violence 22, 25, 34, 41, 144, 154
Doran, Rebekah 13
Driving under the Influence of a Drug charges 19
Drug Courts 19-20
 for the Hunter 2, 3, 68
Drugs, Driving and You 19
duty lawyer services 10-11

E

early intervention services 3, 11, 21, 41, 54, 132
effectiveness testing 14
electronic service delivery 11, 27, 42
employee assistance program 36
employee benefits, provision for 82, 84, 92, 113, 115
employee relations, see staffing
energy management 54, 151
equal employment opportunity 47, 134
equity 83
e-recruitment 49
estimated legal expenses 82

6 Appendices

- ethical behaviour 62
 - Ethics and Professional Responsibilities* seminar 48
 - executive directors 58–9
 - executive performance statement** 132
 - Executive Masters in Public Administration 48
 - expenses 6, 66, 68, 84–5, 115
 - accrual of estimated legal expenses 82
 - analysis of 51
 - commitments for 98–9, 125
- F**
- fact file 6
 - Family Court of Australia 143
 - family law services 21–3, **see also** children's legal services
 - by jurisdiction 142
 - client profiles 21
 - committees 154
 - dispute resolution 2, 11, 141
 - domestic violence 22, 25, 34, 41, 144, 154
 - duty lawyer services 10
 - early intervention services 3, 11, 21, 41, 54, 132
 - family relationship centres 36
 - from private lawyers 141
 - jurisdiction test 156
 - legal aid review committees 149
 - mediators 3
 - operational statistics 139–40
 - publications and resources 144
 - Field Officer positions 4, 15, 44, 47
 - finance costs 85
 - financial assets 81–2, 101
 - financial glossary 160
 - financial instruments 101–4, 125–7
 - financial liabilities 101
 - financial management 5–6
 - Financial Ombudsman Service 42
 - financial performance 4, 62, 66–8
 - financial statements** 69–104, 105–27
 - Legal Aid Commission 69–104
 - Office of the Legal Aid Commission 105–27
 - Fined Out* 24
 - five year performance trends 164
 - forums 42–4
 - fraud control 63
 - freedom of information, **see** right to information
 - frequent users of legal aid services 14
 - full time equivalent staff, **see** staffing
 - funding sources 67
- G**
- goals, advice clinics in 24
 - gender balance in senior staff 47
 - glossary 159
 - goods and services tax accounting 80
 - governance 55–66
 - Government Information (Public Access) Act 2009*: 64, 145–6
 - government law section 3, 24
 - grants allocation guidelines 34
 - grants and statistics working group 43
 - grants division 32, 49, 50, 85–7, 150
 - grants online system 51
 - Greater Western Sydney Information and Referral Days 15, 44
 - GST accounting 80
 - guardianship tribunal 17
- H**
- Have You Been Involuntarily Admitted to Hospital?* 17
 - health and welfare 46
 - Health Records and Information Privacy Act 2002*: 64
 - highlights 5, 19–25
 - Hilzinger* case 20
 - holistic services 20, 26
 - homeless people 17–18, 20, 43
 - Human Resources Branch renamed 4, 46, 49
 - human resources information, **see** staffing
 - human rights committee 151
 - human rights group 42
 - Hunter Drug Court 2–3, 68
- I**
- ICT strategic plan 52
 - immigration cases 25
 - impairment of assets 81–2
 - 'incident only' reports 47
 - income 6, 66, 80
 - independent auditor's reports 71–2, 107–8
 - individual planning system 49
 - individually significant items 88, 115
 - Information Commissioner 64
 - information services 10
 - infrastructure 52
 - insurance** 80
 - intangible assets 81, 90–1
 - integrated services priority 5, 8–9, 12
 - Intellectual Disability Rights Service 30, 41
 - Intellectual Disability Service Improvement project 26, 30
 - intensive correction orders 20–1
 - interest rate risk 103–4, 126–7
 - internal audits 62–3
 - internal committees 152
 - internal training programs 135–6
 - internet use 36, 52, **see also** websites
 - interpreters and translators 29
 - investment performance 130
 - investment revenue 80, 86
- J**
- Joined Up Justice 52
 - jurisdiction test 156
 - justice executive group 43
 - Justicelink 52
- K**
- key legislation 6
 - Khoury v Hiar* [2006] 64
 - Kingsford Legal Centre 36, 42
 - Kirkland, Alan 56, 57–8, 58
 - CEO's report 3–4
 - committees 42–4
 - performance statement 132
 - Koori men's legal workshop 27
- L**
- Land Council State Conference NSW 44
 - Law and Justice Foundation of NSW survey 4, 24, 32, 43
 - Law for Community Workers workshops* 32, 39
 - Law for Non-Lawyers project* 39
 - law reform 28, 143
 - Law Reform Commission of NSW 28, 143
 - Law Society of NSW 153
 - LawAccess NSW 26, 32, 41
 - Learn About the Law* 39
 - learning and development, **see** training
 - learning management system 34, 48, 53
 - leased assets 81
 - leasehold improvements 83
 - leave provisions 82
 - legal advice services 10
 - Legal Aid Commission Act 1979*: 2, 6, 61
 - Legal Aid Commission Regulation 2011: 64
 - Legal Aid Commission trust account 100
 - Legal Aid NSW plan, **see** corporate plan
 - legal aid review committees 65, 149
 - Legal Assistance Forum NSW 4, 32, 42, 153
 - legal education working group 43
 - legal needs survey 43
 - Legal Pathways Project Pilot* 16
 - legal policy branch 28
 - legal practice operational statistics 139–42
 - legal representation services 11
 - legal support officers 49
 - legal theatre workshops 39
 - legislation** 6, 24–5, 63–4
 - legislative changes, responding to 24–5
 - legislative compliance 6, 63–4
 - letter of submission** inside cover
 - liabilities 82–3
 - contingent 99, 124
 - current 91, 116–17
 - financial 101
 - liquidity risk 103, 125
 - long service leave provisions 82
 - loss on disposal 87
- M**
- Magistrates Early Referral into Treatment program 20
 - maintenance 81
 - management 6, 45–54
 - market risk 103–4, 126
 - maturity analysis 103, 126
 - means test and contribution policy review 51
 - means testing 157–8
 - Mental Health Act 2007*: 11, 16–17
 - mental health and wellbeing working group 46
 - Mental Health Coordinating Council of NSW 41
 - Mental Health (Forensic Provisions) Act 1990*: 16, 20
 - mental health legal services 11, 16–17, 156
 - mentoring project officer 41
 - merit test 158
 - Migration Act 1958*: 30
 - Migration Review Tribunal 25
 - minor assistance services 10, 21, 24, 164
 - mortgage hardship service 24
 - Mortgage Stress Handbook* 24, 41
 - motor vehicle claims 130
 - Multicultural Action Plan** 29, 148
- N**
- National Australian Legal Assistance Advisory Board 44
 - National Bulk Debt project 24
 - National Children's and Youth Law Centre 36
 - National Disaster Insurance review 25
 - National Legal Aid 32, 52, 143, 153
 - National Partnership Agreement on Legal Assistance Services 2–3, 21, 43, 56, 67
 - advice clinics funded by 15, 40
 - National Partnership on Homelessness initiative 68
 - net cost of services 99
 - net equity 67

Network Executive Officer position 38
non-current assets 90
Northern Rivers Aboriginal communities 44
notes to the financial statements
 Legal Aid Commission 80–104
 Office of the Legal Aid Commission 113–27
Nowra Local Court Pilot project 19, 26

O
occupational health and safety 46, 152
Occupational Health and Safety Act 2000: 6
office enhancements 54
Office of the Director of Public Prosecutions 52
Office of the Information Commissioner 64
Office of the Legal Aid Commission 61
office systems 51
older people 16
 as clients 18
 committees 151
 legal and education program 16, 51
 publications and resources for 144
operating lease commitments 99
organisational flexibility priority 5, 8–9, 12
organisational structure 6, 60
outreach service, family law 21
overseas visits 129
overview 2–12

P
Palenzuela v Palje [2010] 63
panels 32
Parliamentary annual report tables 134
Parliamentary appropriations and contributions 80
Parramatta Family Court 22
Parramatta Justice Precinct inside cover, 11, 50
partnerships with other agencies 12, 31–44, 153–5
payables 82, 91, 113, 116
payment performance 128
peak consultative committee 152
Penalty Notice Scheme review 28
people, **see** staffing
People and Organisational Development
Division 46, 49
people smuggling charges 3, 19, 30
performance measures 6, 7, 132, 164, **see also**
financial performance
performance planning and review system 49
personnel services 82, 84
Planning Ahead Project 16
plant and equipment 81
policies in brief 156–8
policy reviews 48–9
Premier's Award for Leading Change 37, 37
Prime Minister's Council on Homelessness 43
priority client groups 15–18
prisoners' legal services 19, 157
**Privacy and Personal Information Protection Act
1998** 64
privacy issues 64
private lawyers 6, 32–4, 141
project management office 53
protected disclosure policy 64
provisions 91–2, 116–17
psychological injury management 46–7
public accountability 65
Public Finance and Audit Act 1983: 6
Public Interest Law Clearing Houses 42
Public Purpose Fund 4, 35, 68, 160
publications 11, 19, 24, 41, 144
Publications Online 52

R
receivables 81, 89–90, 102, 113, 116
reconciliation of cash flows 100, 124
records disposal program 54
recruitment 49
recurrent appropriations 88
regional outreach clinic program 3, 15, 40
regional partnerships 38–40
remuneration of Board members 56
rendering of services 80, 115
*Report into the Civil and Family Law Needs of
Aboriginal People* 15
reporting entity 80, 113
representation service standards 7
reserves 83
Residential Tenancies Act 1987: 18
resources 144
restoration costs 81
revaluation of plant and equipment 81
revenue 85–6, 113, 115
right to information 64, 145–6
risk management 62–3, 130
Rosson v Tesoriero [2011] 25
rural and regional outreach programs 35, 40

S
salaries and wages provisions 82
sale of goods and services 85
Senior Advocates, review of 2, 49
Senior Allocations Advocate 49
Senior Executive Service positions 47, 133
 performance agreements 61
 review of 4, 49, 61
service delivery targets 7
service desk 53
service group statements 77–8, 88–9
Shoalhaven Area pilot scheme 19, 26
social exclusion indicator survey 14, 51
social housing protection 18
social inclusion priority 5, 8–9, 12
social media use 36
social security cases 25
social workers 26
Solicitor Advocates 49
South Coast Correctional Centre 19
*Speaking for Myself: Planning for Later Life Decision
Making* 16
Special Commission of Inquiry into Child
Protection Services 56
specialist accreditation 6
specialist barrister panel 32, 132
specialist services 11
spot check audits 33
staffing
 by category 133–5
 employee relations 49
 fact file 6
 human resources information 133–5
 length of service 50
 **movement in wages, salaries and
allowances** 84, 91–2, 115–17
 reviews of 48–9
 trends in numbers 47
Standing Committee of Attorneys-General 143
state asset acquisition program 68
statements of cash flows 76, 100, 112
statements of changes in equity 75, 111
statements of compliance 80, 113

statements of comprehensive income 73, 99,
109
statements of financial position 74, 99, 110
Stay Healthy program 46
Stolen Wages claims 15
Stressdown Day 46
subsidies 85
summary of operations 10–11, 139–142
summary of significant accounting policies 80–3,
113–14
superannuation provisions 82, 92–8, 117–24
Supreme Court Bails 19
surplus 68
Sutherland Children's Court 19

T
technological change 52–3
temporary staff division 49
Terrorism (Police Powers) Act 2002: 56
*They Want Me to Leave: Staying in Your Home When
Your Partner Dies* 16
traffic and driving cases 144
training, **see also** community legal education
 for staff 17–18, 34, 48, 53, 135–6
 for WDVCS workers 38
transfer payments 88, 116
translators 29
tripartite service agreements 36
trust funds 82, 100
Trustee and Guardian Act 2009: 16

U
unclaimed monies 130

V
veterans' advocacy service 16
Veterans' Entitlements Act 1986: 16
visa cancellations 36

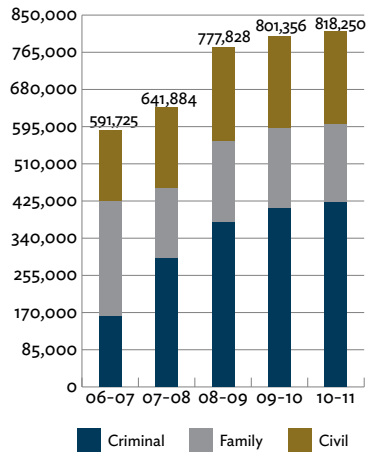
W
Wagga Wagga office 3
waste management 54
websites 11, 27, 42
What's the Law? Australian Law for New Arrivals 28
 'whole of office' planning day 52
Why Make a Will? 16
Wollongong office, Centrelink cases 19
women, as proportion of staff 134
Women's Domestic Violence Court Advocacy
Program 34, 37–8
 committees 151–2
 funding 137
 partnerships with 32
 training for 136
Work and Development Order Regional Support
scheme 67, 68
work related incidents 47
workers compensation 46–7, 130
working together strategy 46

Y
Young Offenders Act 1997: 11, 28
young people 11, 14, 144
youth hotline 11

Five year performance trends

There has been a steady increase in client services

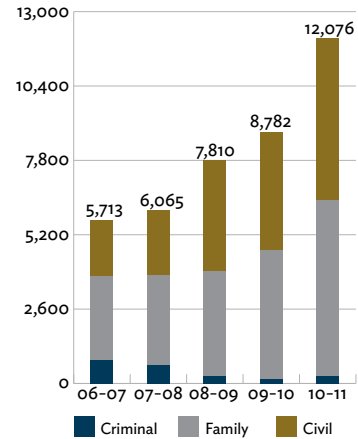
TOTAL CLIENT SERVICES BY LAW TYPE



Client services include legal advice, minor assistance, legal representation, duty services and information services (pages 10, 13-25). Community legal education sessions are excluded.

Minor assistance services have continued to grow significantly

MINOR ASSISTANCE SERVICES

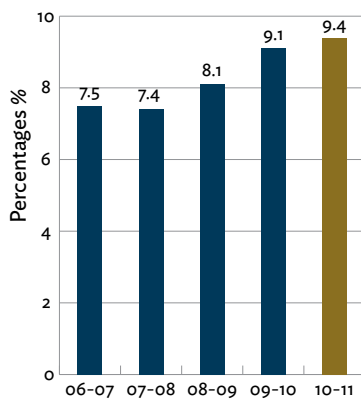


Work done in advice sessions, like letter writing and phone calls, helps people who cannot resolve their problem alone (pages 21, 23).

PRIORITY 1: SOCIAL INCLUSION

We have increased our services to Aboriginal clients

PERCENTAGE OF TOTAL CASE AND IN-HOUSE DUTY SERVICES PROVIDED TO ABORIGINAL CLIENTS

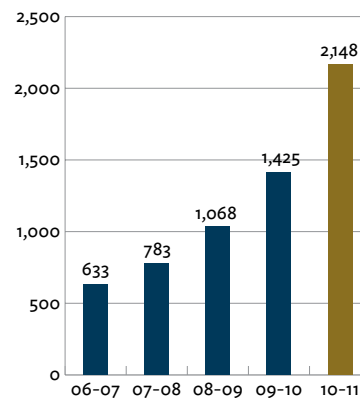


Services to Aboriginal people have increased over five years in all practice areas, with family law now having the largest percentage of Aboriginal clients at 12.7% (pages 15, 22).

PRIORITY 2: ACCESS TO JUSTICE

Community legal education sessions have increased significantly in five years

TOTAL COMMUNITY LEGAL EDUCATION SESSIONS

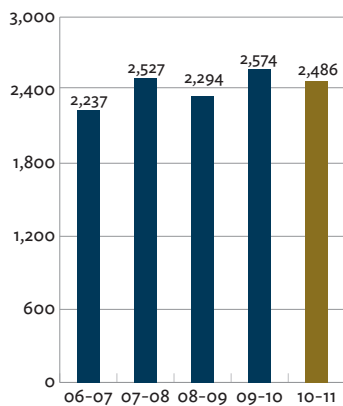


The significant increase in community legal education sessions is a combination of better reporting, coordination and more structured and strategic programs (page 27).

PRIORITY 2: ACCESS TO JUSTICE

Conferences have grown by 11.1% over five years.

TOTAL MEDIATION CONFERENCES IN FAMILY LAW

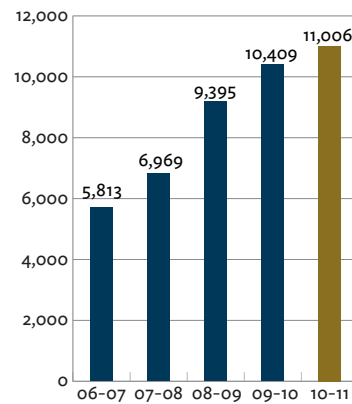


We continue to assist growing numbers of clients to resolve their family law disputes without going to court (page 21).

PRIORITY 2: ACCESS TO JUSTICE

A significant increase in AVL use since inception

AVL CONFERENCES HELD

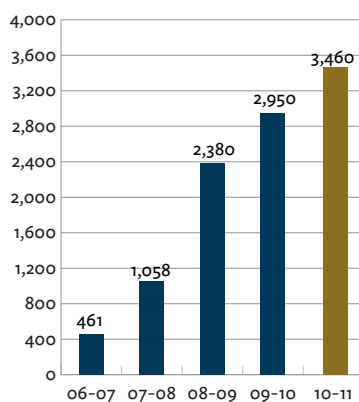


Legal Aid NSW staff use audio-visual link services to conduct interviews and bail applications (page 53).

PRIORITY 3: INTEGRATED SERVICES

There has been a substantial increase in lawyers on panels over five years

LAWYER APPOINTMENTS ON PANELS

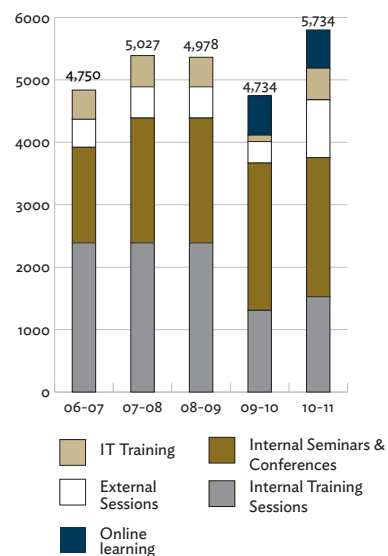


This substantial increase in the number of private lawyers on panels relates to the increases in panels and panel size (page 33).

PRIORITY 4: ORGANISATIONAL FLEXIBILITY

High participation in learning

COURSE ATTENDANCES



Access to the Learning Management System for private lawyers and other external partners has seen a 17% increase in course attendances. See page 48.

Legal Aid NSW offices

Call LawAccess NSW on 1300 888 529 for help over the phone, or your nearest Legal Aid office to arrange a free advice interview.

Central Sydney

323 Castlereagh St
SYDNEY NSW 2000
Tel: 9219 5000
TTY: 9219 5126

METROPOLITAN OFFICES

Bankstown

Level 8, Civic Tower
66–72 Rickard Rd
BANKSTOWN 2200
Tel: 9707 4555

Blacktown

Suite 36–37,
'Kildare Court', Level 2
13–17 Kildare Rd
BLACKTOWN 2148
Tel: 9621 4800

Burwood

Level 4, 74–76 Burwood Rd
BURWOOD 2134
Tel: 9747 6155

Campbelltown

Suite 1, Level 4,
171–179 Queen St
CAMPBELLTOWN 2560
Tel: 4628 2922

Fairfield

Suite 1, Level 2,
25 Smart St
FAIRFIELD 2165
Tel: 9727 3777

Liverpool

Level 4 Interdell Centre
47 Scott St
LIVERPOOL 2170
Tel: 9601 1200

Manly

Ground Floor
39 East Esplanade
MANLY 2095
Tel: 9977 1479

Parramatta

Civil & Family Law

Level 5, 91 Phillip St
PARRAMATTA 2150
Tel: 9891 1600

Criminal Law

Parramatta Justice Precinct
Level 1, 160 Marsden St
PARRAMATTA 2150
Tel: 8688 3800

Penrith

95 Henry St
PENRITH 2750
Tel: 4732 3077

Sutherland

Ground Floor,
3–5 Stapleton Ave
SUTHERLAND 2232
Tel: 9521 3733

REGIONAL OFFICES

Coffs Harbour

41 Little St
COFFS HARBOUR 2450
Tel: 6651 7899

Dubbo

64 Talbragar St
DUBBO 2830
Tel: 6885 4233

Gosford

Level 2, 37 William St
GOSFORD 2250
Tel: 4324 5611

Lismore

Suite 6, Level 4,
29 Molesworth St
LISMORE 2480
Tel: 6621 2082

Newcastle

Level 2, 51–55 Bolton St
NEWCASTLE 2300
Tel: 4929 5482

Nowra

Suite 1, Level 2,
55–57 Berry St
NOWRA 2541
Tel: 4422 4351

Orange

Suite 4, 95 Byng St
ORANGE 2800
Tel: 6362 8022

Tamworth

Level 1, 424–426 Peel St
TAMWORTH 2340
Tel: 6766 6322

Wagga Wagga

Ground Floor, Suite F,
Best Place, Morrow St
WAGGA WAGGA 2650
Tel: 6921 6588

Wollongong

Ground floor
73 Church St
WOLLONGONG 2500
Tel: 4228 8299

Office hours:

Central Sydney:
8.30am to 5.30pm

All other offices:
9.00am to 5.00pm



People who are hearing or speech impaired can communicate with us by calling the National Relay Service (NRS) on 133 677.