

# Annual Report 2023–24

Providing a legal safety net for people across NSW



# About Legal Aid NSW

We are the largest legal aid commission in Australia. In this report, we refer to ourselves as Legal Aid NSW.

Legal Aid NSW provides legal services across NSW with an emphasis on assistance for socially and economically disadvantaged people. We run a network of 25 offices and two satellite offices, and a statewide phone legal service. Our team at LawAccess NSW also provide a statewide information and referral service over the phone and on webchat.

We work with private lawyers who receive funding from Legal Aid NSW to represent legally aided clients. We also work closely with community legal centres, the Aboriginal Legal Service (NSW/ACT) Limited and pro bono legal services.

Legal Aid NSW strives to support clients and improve access to justice through initiatives such as the Cooperative Legal Service Delivery Program. We also administer funding for the state's 27 Women's Domestic Violence Court Advocacy Services and 32 community legal centres. We collaborate with other agencies providing social and support services to people experiencing disadvantage, helping us deliver integrated services to address clients' legal and non-legal needs.

Our Board establishes our broad policies and strategic priorities. The NSW Attorney General appoints Board members for terms of up to three years, and our Chair for a period of up to five years.

## About this report

This annual report reviews and reports on our activities and performance, including what we set out to do in our Legal Aid NSW Strategic Plan 2023–28. To learn more about our five-year strategic plan, see page 25. This report outlines the operational activities of our organisation, including joint initiatives. It reflects our commitment to effective corporate governance through openness and accountability. It provides an account of our revenue and how we have used public funds. The report also looks to the year ahead and comments on the challenges facing Legal Aid NSW. This is our 45th annual report. It is available online, along with previous reports, at [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au).

## Acknowledgement of Country

Legal Aid NSW, along with our team at LawAccess NSW, acknowledges Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land and waters. We acknowledge and pay respects to their Elders, past and present. In our work, we are committed to advocating for the rights of Aboriginal and Torres Strait Islander people and communities.

The Hon. Michael Daley, MP  
Attorney General  
52 Martin Place, Sydney NSW 2000

Dear Attorney,

In accordance with section 13 (1) of the *Legal Aid Commission Act 1979* (NSW) and section 7.13 of the *Government Sector Finance Act 2018* (NSW), I am pleased to submit the Legal Aid NSW annual report for the year ended 30 June 2024 to you for presentation to Parliament.

Yours sincerely,



**Monique Hitter**

Chief Executive Officer  
October 2024

# Contents

<b>About Legal Aid NSW</b>	<b>2</b>
About this report	2
Acknowledgement of Country	3
<b>Overview</b>	<b>6</b>
Chair's report	8
CEO's report	11
Charter	15
Our staff	16
Reports and attestations	17
<b>Strategy</b>	<b>24</b>
Our five-year strategic plan	25
Our 2023–24 performance highlights	27
Measuring our performance	33
How our key services tracked over the last five years	35
Year-on-year trends – a snapshot	36
<b>Operations and performance</b>	<b>38</b>
Our clients and services	39
Providing services to those who need them most	41
Aboriginal and Torres Strait Islander clients	44
Meeting the needs of diverse clients	49
Highlights from our practice areas	52
Community legal education	67
Private lawyers	70
National Legal Aid	74
Programs we administer	76
Creating accessible and efficient office spaces	81
Technology	83
<b>Management and accountability</b>	<b>85</b>
Key activities of the Board	86
Board members   1 July 2023 to 30 June 2024	88
Organisational structure – as at 30 June 2024	94

Senior Executive	95
Governance framework	101
Legislative compliance and fair processes	103
Complaints handling	105
Supporting our staff to provide outstanding customer service	106
Keeping staff healthy and safe at work	109
Workforce diversity and equity	110
Legal education and capability development	112
<b>Sustainability</b>	<b>114</b>
Environmental responsibility	115
Ensuring a fair supply chain	116
<b>Financial performance</b>	<b>118</b>
Financial overview	119
Financial results	121
Audited financial statements	123
<b>Appendices</b>	<b>157</b>
Appendix 1 Human resources information	157
Appendix 2 Workforce diversity groups	158
Appendix 3 Women's Domestic Violence Court Advocacy Program funding	159
Appendix 4 Community Legal Centres Program funding	161
Appendix 5 Legal practice operational statistics	163
Appendix 6 Law reform submissions	168
Appendix 7 Right to information	169
Appendix 8 Report on diverse clients including multicultural and disability-related matters	172
Appendix 9 Private law firm expenditure	174
Appendix 10 Appealing decisions about legal aid	175
<b>Index</b>	<b>178</b>
<b>Offices</b>	<b>183</b>

# Overview

Legal Aid NSW is an independent statutory body established under the *Legal Aid Commission Act 1979* (NSW) reporting to the NSW Attorney General, Michael Daley, MP.



Legal Aid NSW CEO Monique Hitter, NSW Attorney General Michael Daley, MP and Legal Aid NSW Executive Director Criminal Law Robert Hoyles.

## **Vision**

A justice system that delivers fair outcomes for people experiencing disadvantage.

## **Purpose**

To use the law and our expertise to inform and represent our clients, and advocate for social justice.

## **Outcomes**

The Legal Aid NSW Strategic Plan 2023–28 sets out four priorities for our work over the period covered in this report and the following four years. These priorities cover our clients, our people, our processes and our justice system, and they were chosen as a result of extensive consultation with our staff.

Our priorities provide a framework to ensure that we are an organisation that champions our staff and their wellbeing while delivering on our commitment to provide the best possible services to our clients.

## Chair's report



I acknowledge the Traditional Owners and Custodians of the land on which we live and work and I pay my respects to Elders both past and present.

It is my privilege to chair the Board of Legal Aid NSW, and I am pleased to introduce the Legal Aid NSW 2023–24 Annual Report.

This report details the excellent work of Legal Aid NSW during the year. The Board is impressed with the outstanding results achieved in improving services, supporting staff and achieving positive changes in the justice system.

Legal Aid NSW is a values-based organisation committed to justice and fairness. This commitment includes providing free legal services to all people in NSW through the LawAccess contact centre, community legal education, self-help material and duty lawyer services at all Local Courts. While Legal Aid NSW is proud of the high number of services we provide, we are always working on ways to better ensure that the most disadvantaged members of our community are aware of and can access our services.

Legal Aid NSW funds are carefully managed. The Legal Aid Board establishes strict policies in relation to granting legal aid. The policies include means tests, generally a merit test and may refer to conditions to be applied to a grant of aid. These policies are aimed at assisting socially and economically disadvantaged people. In 2023–24 Legal Aid NSW granted aid in 50,650 matters. Of these grants, 32,005 were for criminal matters, 15,154 for family law matters, and 3,491 for civil law matters.

Legal Aid NSW has a well-deserved reputation for excellence thanks to the wonderful work of our staff. A testament to the quality of their work is that 86% of our clients say they would recommend Legal Aid NSW to others.

Legal Aid NSW is supported by a large number of barristers and solicitors who undertake cases for Legal Aid NSW clients at below-market rates. Legal Aid NSW depends on this partnership with the private profession to deliver legal services, and I thank these practitioners for their commitment to the cause of justice and high-quality work. We are acutely aware that remuneration for this work needs to be fair and sustainable in order to maintain our crucial partnership with the private profession. In 2023–24, the Board increased the private lawyer fee scale for Commonwealth criminal law matters to the same rate paid for state matters. The Board also increased the private practitioner fees in family law matters. The impact of these decisions on the Legal Aid NSW budget will be closely monitored. We anticipate that a new National Legal Assistance Partnership Agreement will commence in July 2025. We are working closely with the Commonwealth government to ensure the new agreement allows us to maintain our partnership with the private profession in the delivery of quality legal services to clients of Legal Aid NSW.



Legal Aid NSW is part of a broader legal assistance sector. I acknowledge the crucial work of our NSW legal assistance sector partners, the Aboriginal Legal Service (NSW/ACT) Limited and 32 community legal centres across NSW.

Legal aid is an essential service for a just society. The primary sources of funding for Legal Aid NSW are the state and federal governments. I acknowledge the Hon. Michael Daley MP, NSW Attorney General, and the Hon. Mark Dreyfus KC MP, Attorney-General of Australia, for their ongoing strong support.

This year was the first year of the Legal Aid Strategic Plan for 2023–2028, and on 30 April 2024, the Board established an evaluation and learning framework to help ensure that the plan delivers the outcomes sought. This framework provides rigour in implementing the initiatives in the strategic plan and will assist the Board in evaluating the outcomes.

On 29 August 2023, the Board endorsed the report on Legal Aid NSW's Project Respect – Building a Fair, Respectful and Inclusive Workplace. The key actions recommended have been included in the strategic plan. A Diversity, Equity and Inclusion Board, chaired by the CEO, has also been established to oversee work in this area.

The Legal Aid NSW Board took note of the decision in *Kozarov v Victoria* [2022] HCA 12 that considered the obligations of employers to mitigate the risk of psychiatric injury from vicarious trauma experienced at work and considered the relevance of that case to the work undertaken at Legal Aid NSW. The Board commissioned a report on actions taken by Legal Aid NSW in managing the health and wellbeing of staff. We are confident we have a strong overarching framework for managing this risk, which we will continue to monitor and develop.

Almost a quarter of Legal Aid clients are Aboriginal or Torres Strait Islander. It is a matter of deep concern for the Legal Aid NSW Board that Aboriginal people are incarcerated in NSW at 13 times the rate of non-Indigenous people. The Board is committed to action on closing this gap.

The Board supports the Uluru Statement from the Heart. On 29 August 2023, the Board supported the proposed Voice to Parliament. The Board considered that providing Aboriginal and Torres Strait Islander people with a constitutionally recognised Voice to make representations would help in developing solutions for Closing the Gap and advance the cause of reconciliation.

Legal Aid NSW is an active contributor to law reform processes. Our law reform contributions are always informed by our casework experience. We are proud of the contributions we make to policy and law reform discussions, articulating the impact particular policies and laws can have on the most disadvantaged groups in our community. The Board is grateful to the work of the Legal Aid Strategic Law Reform Unit and all our business units for their expert advice and submissions.

Actions to reduce both domestic violence and elder abuse are priorities for the Board. On 20 February 2024, the Board approved the Legal Aid NSW Domestic Violence and Elder Abuse Strategy 2024–2025. The strategy focuses on providing high-quality targeted services and equipping our workforce to deliver these services.

The Board approved the Legal Aid NSW Strategic Law Reform Agenda 2024–2025, which is directed at improving conditions and outcomes in the mental health space and improving the NSW social housing system.

During the year, a communication channel was established between all Australian Legal Aid Boards through the respective Chairs. This channel will enable the sharing of information and ideas that may be of common interest.

In August 2023, the Board acknowledged Alexandra Rumore, Senior Solicitor, Disaster Response Legal Service, who won the Anthea Kerr Award at the Premier’s Award Ceremony. The Board has taken a keen interest in the important work of the Disaster Response Legal Service, and we are so pleased that Alexandra’s work has received this recognition.

Thank you to my colleagues on the Board and the members of the Audit and Risk Committee (ARC) for your support and your dedication to Legal Aid NSW. The members of the Board and the ARC bring exceptional qualifications, knowledge and experience to their respective roles.

In September 2023, Anna Cody resigned from the Board following her appointment as the Sex Discrimination Commissioner. Anna served on the Board with distinction for eight years. I thank Anna for her contribution to the Board and wish her well.

On behalf of the Board, I acknowledge the outstanding leadership of Monique Hitter and her Executive, and I thank them for their support. The material they provide to the Board is of the highest standard. It is clear to the Board that Monique and her Executive are committed to client service and to supporting their staff in seeking to ensure Legal Aid NSW is the best it can be.



**Craig Smith**

Chair, Legal Aid NSW

## CEO's report

I acknowledge and pay my respects to the Traditional Owners and Custodians on whose land we live and work.

It is my pleasure to present Legal Aid NSW's annual report for 2023–24.



### Cultural competence and diversity at Legal Aid NSW

We are proud of the work we have done this year to continue building cultural competence and diversity across Legal Aid NSW. The new Respectful Workplace Support Team has commenced and is finalising the implementation of our anti-racism and anti-discrimination policies. The new team will implement new procedures for handling complaints and grievances following recommendations from our Project Respect report. We have finalised our new Cultural Competency and Diversity Framework and have begun implementation. Significant work has been completed on our Disability Inclusion Action Plan and our Aboriginal Employment and Career Development Strategy, and we look forward to launching and implementing this work in 2024–25. The diversity and inclusion program of work is a key priority for the Legal Aid NSW Executive.

### Staff wellbeing

Staff wellbeing has continued to be a strong focus for the Legal Aid NSW Executive this year. We have delivered training to key leaders across the organisation to develop an understanding of psychosocial risk, rolled out onsite Employee Assistance Programs, delivered training in preventing and recognising vicarious trauma and run training sessions for mental health first aid officers and wellbeing champions, including Aboriginal and Torres Strait Islander mental health and first aid officers. Staff wellbeing is an ongoing priority for 2024–25.

### Digital transformation and corporate strategy

The Digital Transformation Team is collaborating on projects with a wide range of teams across the organisation. This work includes Project Delta, which will transform the grants management system, put clients at the centre of the process and make our systems smoother for in-house staff and private practitioners. We are transforming our HR systems and processes, which will include improving our recruitment and onboarding processes and pathways for staff career development. We are engaged in a program to improve our information and communication technology (ICT) systems and ensure staff have access to the best tools possible to deliver services to our clients. We are committed to continuing to modernise and improve our corporate service functions and this will continue to be a priority in the coming year. The Law Access Team is developing an artificial intelligence (AI) tool to more effectively provide legal information to the public, which will reduce hold times and improve the customer experience.

## **Review of the National Legal Assistance Partnership (NLAP) and private practitioner fees**

The independent review of the National Legal Assistance Partnership (NLAP) was released in May this year. We welcomed the report and its acknowledgment of significant underfunding across the legal assistance sector.

We look forward to continuing to work with both the state and Commonwealth governments to ensure urgently needed investment is made across the legal assistance sector nationally. We have identified a number of key areas where we see investment as most urgent, including the expansion of family and civil law grants and increasing private practitioner fees. We welcomed the NSW Government's 2024 budget announcement, allowing Legal Aid NSW to maintain the increase in private practitioner fees provided in July 2023 for another four years. We will continue to work with the government to ensure a strong ongoing partnership with the private profession.

## **Closing the Gap**

Legal Aid NSW has continued its ongoing commitment to addressing the National Agreement on Closing the Gap by including Closing the Gap (CTG) in the Strategic Plan 2023–2028, and through the identification of projects and initiatives that address CTG's socio-economic targets and outcomes. The CTG Project Board and Working Group are currently overseeing projects including the Aboriginal Women on Remand Project, the enhancement of the Aboriginal Field Officer Program, the redevelopment of the Aboriginal Client Services Strategy, and reviewing and updating the Best Practice Standards for Representing Aboriginal Clients to ensure we continue to provide culturally safe and high-quality services to our Aboriginal and Torres Strait Islander clients.

## **National Legal Aid initiatives**

Over the last year, Legal Aid NSW has continued to play a leading role in the delivery of two National Legal Aid initiatives: the Defence and Veterans Legal Service (DAVLS) and the Your Story Disability Legal Support service. These services ran in parallel with the Disability Royal Commission and the Royal Commission into Defence and Veteran Suicide. These services (delivered by Legal Aid NSW in collaboration with legal aid commissions across Australia) supported people in making submissions to the royal commissions and resolving legal problems. DAVLS and Your Story each delivered about 7,000 free legal services.

Legal Aid NSW, along with National Legal Aid, continues to advocate for the creation of national services that enable legal aid commissions to deliver cohesive and specialised support to disadvantaged groups across Australia.

## **Legal Assistance for Families: Partnership Agreement**

The Legal Assistance for Families Partnership Agreement (LAFPA) is an agreement between Legal Aid NSW, the Aboriginal Legal Service (NSW/ACT) Limited and the Department of Communities and Justice. Legal Aid NSW has led this new way of working where all families,

particularly Aboriginal families, are guided toward early legal advice if there is a risk of a child being removed from their care. When families access quality, culturally safe legal advice before court, the results can be extraordinary. Under this landmark agreement, more than 900 families in NSW have been referred to receive early legal advice to help prevent their children being taken into care.

### **Strategic law reform work**

Last year, we saw an increase in the amount of law reform work in which we are engaged. The Strategic Law Reform Unit works closely with practitioners to contribute to current law reform by both proactively engaging and providing input when requested. We bring a unique perspective to law reform as our work in this area is always informed by our casework. Examples this year have included urgent engagement on the Bail and Crimes Amendment Bill 2024 and the Law Enforcement (Powers and Responsibilities) and Other Legislation Amendment (Knife Crime) Bill 2024. Across all practice areas, the amount of law reform activity has increased significantly, and I acknowledge the work of the Strategic Law Reform Unit alongside practice area solicitors who engage with law reform work over and above their day-to-day legal practice.

### **Year ahead**

We have renewed our commitment to Closing the Gap in 2024–25. We will explore opportunities to continue our work by building relationships and partnering with Aboriginal Community-Controlled Organisations, incorporating data sovereignty principles into our work, and continuing to implement culturally appropriate and best practice service delivery for Aboriginal people and communities across the state.

We are pleased to be establishing two new services targeting priority client groups. We are establishing a multidisciplinary legal service in the Family Law Division, focused on children and young people who have experienced out-of-home care, and an accessible, trauma-informed legal support service for people with disabilities and their families and carers, assisting with issues such as the National Disability Insurance Scheme (NDIS) and access to healthcare in prisons.

We will enhance services in Moree by conducting close consultations with the community to respond to service gaps, which will include opening a shopfront satellite office with permanent Aboriginal staff.

We will continue the implementation of the strategic plan, focusing on wellbeing, cultural competence and diversity, and digital transformation.

### **Our staff**

While this report highlights some of our priorities and major achievements, this work is only possible due to the dedication, hard work and resilience of all of our 1,772 staff across the organisation. Our lawyers achieve outstanding results in courts, tribunals and alternative

dispute resolution forums across NSW every day. This work would not be possible without the support of our allied professionals and the myriad of teams across Legal Aid NSW who ensure our systems run smoothly, our people are supported, and our clients receive the highest quality legal services. Without all your expertise, diligence and teamwork, the achievements we celebrate would not be possible. I thank you for your commitment to Legal Aid NSW and our clients.

### Thank you

I would also like to thank private practitioners on our panels, without whom we could not deliver the services we do across the state. In 2023–24, we delivered 561,064 services across NSW – an increase of nearly 10 percent on the previous year. Private practitioners provided 87,843 duty services and worked on 28,667 cases. We thank you and acknowledge the important work you do.

We are part of a broader legal assistance sector. I acknowledge the hard work and dedication of our legal assistance sector partners, the Aboriginal Legal Service (NSW/ACT) Limited and community legal centres across NSW.

Long-standing and highly valued Board member Anna Cody resigned in September 2023, having been appointed Australian Sex Discrimination Commissioner. We congratulate Anna on her appointment and thank her for her eight years of service on the Legal Aid NSW Board.

I thank the Legal Aid NSW Board for their invaluable stewardship, expertise and guidance over the past year. I look forward to the coming year, building on our successes and focusing on opportunities that lie ahead.

Finally, I would like to thank the Legal Aid NSW Executive and executive officers and assistants for their dedication to supporting our organisation, the talent and skill they bring to their roles, and the strong collegiate support they provide to me and each other on a daily basis.



**Monique Hitter**

CEO, Legal Aid NSW

# Charter

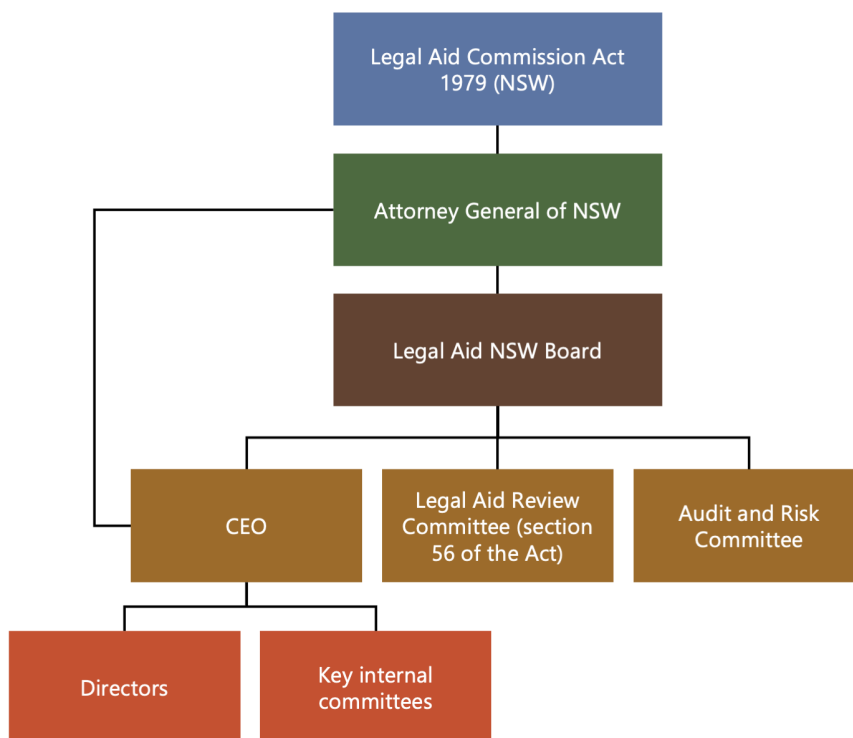
The Legal Aid Commission of NSW was established under the *Legal Aid Commission Act 1979 (NSW)* as an independent statutory body with a mandate to provide effective, efficient and economical legal services that are available and accessible to disadvantaged people in NSW.

Legal Aid NSW has a Board that is responsible for establishing its broad policies and strategic plans.

Daily management and operations are overseen by the CEO, who reports to the NSW Attorney General. The 21 senior executive staff listed on pages 95–100 assist the CEO. The CEO is also a member of the Board.

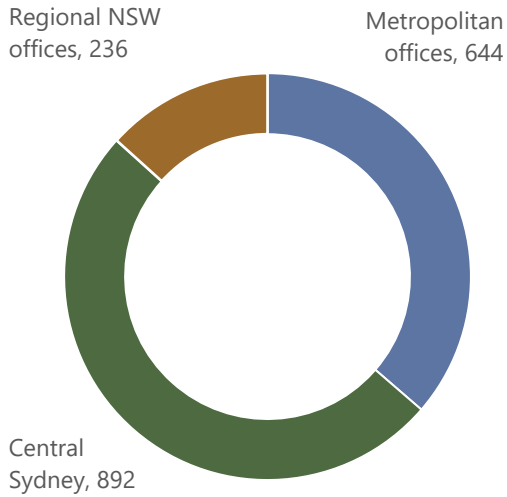
Our work is supported by a range of plans and policies that establish procedural requirements, standards and priorities, as well as compliance with the *Legal Aid Commission Act 1979 (NSW)*.

## Our controlled entities and subsidiaries

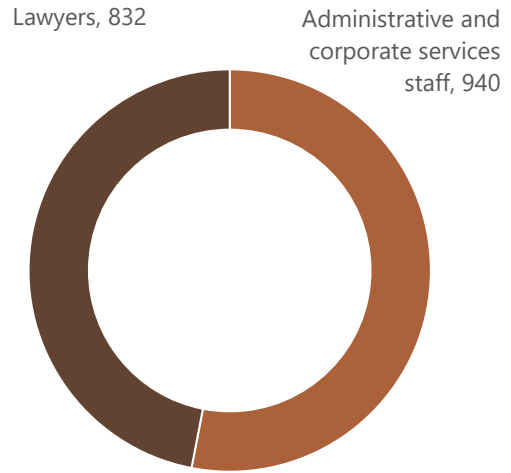


# Our staff

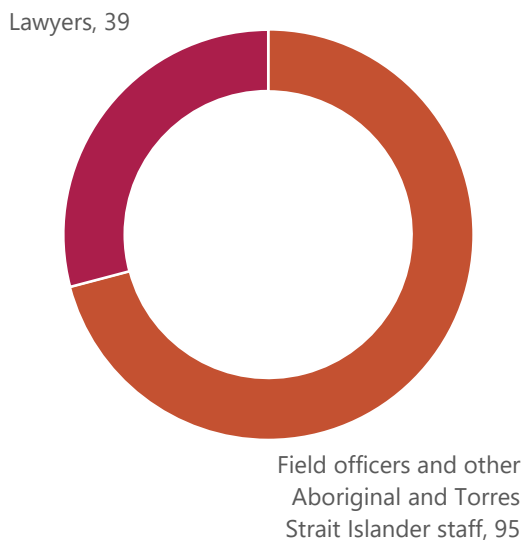
## Staff locations



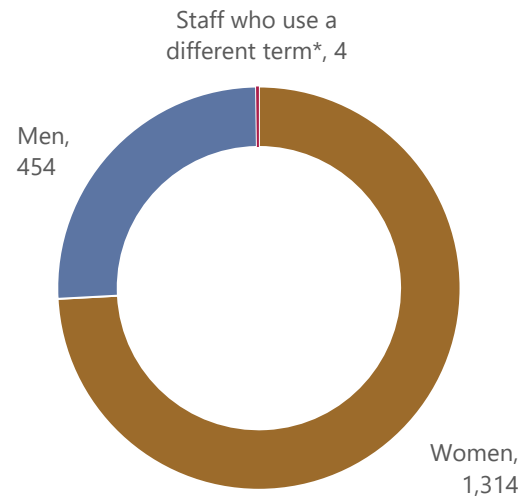
## Staff profile



## Aboriginal and Torres Strait Islander staff



## Gender distribution



**Total staff: 1,772**

\*We will be reviewing the way we ask employees about their gender identity or gender expression, including their pronouns, to ensure we promote a positive workplace culture of inclusion and safety where diversity is valued.



# Reports and attestations

## Report from the Audit and Risk Committee 2023–24

The objective of the Audit and Risk Committee (ARC) is to provide independent assistance to the CEO and Board by monitoring, reviewing and providing advice about our governance processes, risk management and control frameworks, and external accountability obligations.

The committee comprised the following independent members in 2023–24:

- Michael Coleman – Chair
- Peter Whitehead – Committee Member
- Leah Fricke – Committee Member, and
- Nicola Davis – Committee Member.

The CEO; Director, Legal Service & In-house Counsel (who is also the Chief Audit Executive); Executive Director, Digital Transformation; Director, Finance; Senior Internal Auditor and representatives from the NSW Audit Office attend each meeting. The committee also invites other key Executive staff and external service providers to attend as necessary.

The committee met on eight occasions in 2023–24 and assisted with a range of operational matters.

- Monitoring year one of the Legal Aid NSW Strategic Plan 2023–2028.
- Reviewing the Strategic Plan Evaluation and Learning Framework.
- Monitoring the organisation’s financial position, trends, variations, carry forwards and budget compliance.
- Monitoring compliance with circulars, guidelines and policies from the NSW Treasury, Department of Customer Service (cybersecurity) and Independent Commission Against Corruption (fraud and corruption), and sector-wide performance reports of the NSW Audit Office as applicable.
- Administering the external examination, law practice declaration and trust money.
- Auditing the Legal Aid NSW trust account.
- Completing the engagement closing report and end of financial year reports.
- Completing the NSW Audit Office’s management letter and Annual Engagement Plan to audit financial statements for the year ending 30 June 2024.
- Producing statutory financial statements for the year ended 30 June 2024.
- Compiling the financial acquittal reports for the Australian Government grant funding relating to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and the Royal Commission into Defence and Veteran Suicide.

- Certification of internal controls.
- Appointment and annual assessment of the performance of ARC members.
- Recording Board resolutions concerning financial impacts, policy changes and the introduction of initiatives.
- Review of and compliance with administrative arrangements under the ARC charter, internal audit charter, internal audit manual and ARC reporting cycle.
- Review of the internal audit function.
- Audit plan for 2023–24 and monitoring of internal and external audits, including reporting recommendations.
- Monitoring of internal audit budget.
- People Matter Employee Survey results, including summary and action planning.
- Review of Risk Management Framework including risk reporting framework.
- Enterprise risk maturity assessment and updating of enterprise risk framework and strategic risks.
- Business continuity and service disruption planning.
- Reviewing how Legal Aid NSW manages risks arising from inappropriate, unsafe and/or unreasonable client behaviour.
- Review of crime, family and civil practice area strategic risk profiles.
- Review of the gifts and benefits policy.
- Review of the fraud and corruption control framework, public interest disclosures, complaints, investigations and disputes.
- Review of the legal compliance framework.
- Monitoring of Project Respect and the associated risk register.
- Review of work health and safety issues and policies, the strategic action plan and excess recreation leave balances.
- Review of the wellbeing project board plan and evaluation framework.
- Progressing our cyber security, including risk maturity assessment under the NSW cyber security policy and the essential eight.
- Monitoring of the PaTH project.
- Panel lawyer audits by the Legal Aid NSW Private Lawyer Quality Standards Unit.
- Reviewing the status of the implementation of ICT projects under the digital transformation project.
- Monitoring compliance with NSW Treasury's Outcome Budgeting Framework.

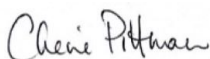
During the year 2023–24, we worked on 10 audits. Four audits were completed, with other audits in an advanced stage of completion but not counted this financial year. Audits at an advanced stage and approaching completion include a cybersecurity recertification audit by the ISO 27001 certifying agency and a review of our information security management system for conformance with ISO 27001 controls and compliance with the NSW Government’s cyber security policy. Completed audits covered:

- procurement processes and contract management
- work health and safety including handling vicarious trauma
- Centrelink access, and
- access to Transport for NSW (TfNSW) DRIVES.

**Performance audits completed**

Year	Total audits
2017–18	6
2018–19	5
2019–20	4
2020–21	9
2021–22	9
2022–23	9
2023–24	4

**Target for 2024–25: 7**



Cherie Pittman  
 Director, Legal Service & In-house Counsel  
 Chief Audit Executive  
 30 June 2024

## Internal Audit and Risk Management Attestation Statement for the 2023–24 Financial Year for Legal Aid NSW

I, Monique Hitter, am of the opinion that Legal Aid NSW has internal audit and risk management processes in operation that are, excluding the exemptions or transitional arrangements described below, compliant with the seven (7) Core Requirements set out in the [Internal Audit and Risk Management Policy for the General Government Sector](#), specifically:

Core Requirements	Status*
<b>Risk Management Framework</b>	
1.1 The accountable authority shall accept ultimate responsibility and accountability for risk management in the agency.	Compliant
1.2 The accountable authority shall establish and maintain a risk management framework that is appropriate for the agency. The accountable authority shall ensure the framework is consistent with AS ISO 31000:2018.	Compliant
<b>Internal Audit Function</b>	
2.1 The accountable authority shall establish and maintain an internal audit function that is appropriate for the agency and fit for purpose.	Compliant
2.2 The accountable authority shall ensure the internal audit function operates consistent with the International Standards for Professional Practice for Internal Auditing.	Compliant
2.3 The accountable authority shall ensure the agency has an Internal Audit Charter that is consistent with the content of the 'model charter'.	Compliant
<b>Audit and Risk Committee</b>	
3.1 The accountable authority shall establish and maintain efficient and effective arrangements for independent Audit and Risk Committee oversight to provide advice and guidance to the Accountable Authority on the agency's governance processes, risk management and control frameworks and its external accountability obligations.	Non-Compliant with respect to a) core requirement 3.1.16**, which provides a maximum term of five years for the Chair of the Audit and Risk Committee (ARC) and b) core requirement 3.1.14, which provides a maximum term of eight years for the members of the ARC.
3.2 The accountable authority shall ensure the Audit and Risk Committee has a charter that is consistent with the content of the 'model charter'.	Compliant

\*For each requirement, please specify whether compliant, non-compliant or in transition.

\*\*Core requirement 3.1.13 as per TPP 15-03.

### Membership

The independent chair and members of the Audit and Risk Committee are:

Independent Chair, Mr Michael Coleman, 29 June 2016 to 26 September 2025  
 Independent Member, Mr Peter Whitehead, 28 October 2014 to 28 October 2023  
 Independent Member, Ms Leah Fricke, 1 March 2022 to 28 February 2025  
 Independent Member, Ms Nicola Davis, 28 June 2023 to 28 June 2026



Monique Hitter  
Chief Executive Officer  
13 August 2024

### Departures from core requirements

I, Monique Hitter, advise that the internal audit and risk management processes for Legal Aid NSW depart from the following core requirements set out in the Internal Audit and Risk Management Policy for the General Government Sector.

The circumstances giving rise to these departures have been determined by the responsible minister, and Legal Aid NSW has implemented the following practicable alternative measures to meet the core requirements.

Departure	Reason for departure and description of practicable alternative measures implemented/being implemented
<b>Non-compliance</b>	
<p>3.1.16 of TPP 20-08</p> <p>"The chair of the ARC shall be appointed for one (1) term only for a period of at least three (3) years, with a maximum period of five (5) years. The term of appointment for the chair can be extended but any extension shall not cause the total term to exceed five (5) years as a chair of the ARC."</p> <p>Mr Michael Coleman is the chair of the ARC, and his maximum term of office of five years expired on 23 June 2021. He has been given three extensions: one in February 2021 to 2 September 2022, the second in November 2022 up to 28 October 2023, and the third in July 2023 up to 26 September 2025.</p>	<p>Legal Aid NSW maintains a practice where a Board member is the chair of the ARC. Legal Aid NSW's Audit and Risk Committee Charter provides that an exemption from TPP 20-08 3.1.16 should be sought to ensure alignment between Board appointments and appointments to the ARC.</p> <p>Mr Coleman has been reappointed to the Board in accordance with the <i>Legal Aid Commission Act 1979</i> for a term up to 26 September 2025.</p> <p>Mr Coleman is a highly respected member of the Board and has performed outstandingly as chair of the ARC. He has significant expertise and experience as a director and chairman in various organisations. His corporate experience in managing risk and finance would be very difficult to replicate. An exemption from the TPP 20-08 has been approved by the Attorney General to extend Mr Coleman as Chair of the ARC until the expiry of his Board appointment on 26 September 2025.</p>
<p>3.1.14 of TPP 20-08</p> <p>"Members can be reappointed or extended for further term(s) but the total period of continuous membership on the Committee shall not exceed eight (8)</p>	<p>Mr Whitehead was appointed a member of the ARC from 28 October 2014 to 28 October 2022. Mr Whitehead's maximum eight-year term expired on 28 October 2022. A ministerial exemption was obtained on 21 November 2022 for extension of his term to 28 October 2023.</p>

<p>years (inclusive of any term as chair of the Committee).”</p> <p>Mr Peter Whitehead is a member of the ARC whose maximum term of office, eight years, expired on 28 October 2022. He was given an extension in November 2022 to 28 October 2023.</p>	<p>Mr Whitehead is a lawyer and the former Public Trustee of NSW. Mr Whitehead was part of the original committee reviewing the role of audit within NSW Government. He has since chaired a number of audit and risk committees, including for the NSW Department of Premier and Cabinet, what was then the Attorney General’s Department, the NSW Crime Commission and the Judicial Commission of NSW. He currently works in the financial services industry.</p> <p>Mr Whitehead has been reappointed as a member for a term up to 28 October 2023.</p>
---	---

These processes, including the practicable alternative measures implemented, demonstrate that Legal Aid NSW has established and maintained frameworks, including systems, processes and procedures for appropriately managing audit and risk within Legal Aid NSW.



Monique Hitter  
 Chief Executive Officer  
 13 August 2024

**Cyber security annual attestation statement for the 2023–24 financial year for Legal Aid NSW**

I, Monique Hitter, CEO of Legal Aid NSW, am of the opinion that Legal Aid NSW has managed cyber security risks in a manner consistent with the mandatory requirements set out in the NSW Government Cyber Security Policy.

Governance is in place to manage the cyber security maturity and initiatives of Legal Aid NSW.

Risks to the information and systems of Legal Aid NSW have been assessed and continue to be reviewed and managed.

There exists a current cyber incident response plan for Legal Aid NSW which has been tested during the reporting period, in addition to creating a specific significant cyber incident response plan which has also been tested during the reporting period.

Legal Aid NSW has an ISO 27001 certified Information Security Management System (ISMS) in place for four offices across Legal Aid:

- 323 Castlereagh Street, Sydney New South Wales 2000 (Head Office).
- Level 1, 160 Marsden Street, Parramatta NSW 2150.

- Level 4, 128 Marsden Street, Parramatta NSW 2150.
- 73 Church Street, Wollongong NSW 2500.

Legal Aid NSW is doing the following to continuously improve the management of cyber security governance and resilience:

- maintaining a certified Information Security Management System (ISMS) that aligns to the ISO27001:2013 standard, with the objective of continual information security improvements whilst supporting security policies and objectives
- completed a multi-year Cyber Security Uplift Program in order to improve cyber security maturity at Legal Aid NSW which has ended as of July 2024
- developing a Cyber Security Strategy and a new roadmap for Legal Aid NSW's future Cyber Improvement Program, and
- managing all cyber security incidents and escalating incidents to Cyber Security NSW as required.

An independent audit of the ISO 27001 Legal Aid NSW Information Security Management System was undertaken during the reporting period by ISO-accredited auditors and found to be adequate.



Monique Hitter  
Chief Executive Officer  
17 October 2024

# Strategy

Our five-year strategic plan sets our direction as an organisation, and we develop yearly implementation plans that reflect our goals. 2023–24 was the first year in our 2023–28 strategic plan.



Disaster Response Legal Service solicitors Natalie Bechara (left) and Ayala Amber (right) with Head of Preparedness and Recovery at NSW Reconstruction Authority Joanna Quilty (centre), at the Windsor Recovery Centre following the April 2024 floods.



# Our five-year strategic plan

Our 2023–28 strategic plan sets our priorities as an organisation and guides everything we do. Our four priorities reflect our five-year focus on uplifting staff wellbeing while maintaining high-quality services for clients and advocating for a fair and effective justice system.

## Vision

A justice system that delivers fair outcomes for people experiencing disadvantage.

## Purpose

To use the law and our expertise to inform and represent our clients, and advocate for social justice.

## Our priorities

- Our clients: high quality, consistent services tailored to meet client and community needs.
- Our people: a diverse workforce that is safe, supported and valued.
- Our justice system: a fair and effective justice system.
- Our processes: systems and processes responsive to our needs.

## Our strategic initiatives

- 1. High quality, consistent services tailored to meet client and community needs**
  - 1.1. Strengthen service models that best serve our clients.
  - 1.2. Serve clients no matter where they live in NSW.
  - 1.3. Streamline client pathways for legal assistance.
  - 1.4. Deliver consistent, high-quality services through both in-house and private practitioners.
- 2. A diverse workforce that is safe, supported and valued**
  - 2.1. Prioritise staff safety, health and wellbeing.
  - 2.2. Embed an inclusive and respectful culture.
  - 2.3. Attract, retain, develop and reward a highly engaged workforce.
  - 2.4. Transform our recruitment.
- 3. A fair and effective justice system**
  - 3.1. Strengthen our partnerships to achieve better outcomes for our clients.
  - 3.2. Drive justice system reform and innovation.

3.3. Action Closing the Gap priority reforms.

3.4. Communicate and promote the value of our work.

**4. Systems and processes responsive to our needs**

4.1. Enhance business processes for our clients, our people and private practitioners.

4.2. Transform our digital technology to support our work.

4.3. Strengthen data governance.

4.4. Optimise data security and privacy.

## Our 2023–24 performance highlights

Our Strategic Plan 2023–28 is our road map for providing the best possible legal help to the people of NSW in the face of growing demand. Pursuing the priorities of our strategic plan led to some of our most exciting achievements in 2023–24.

### Priority 1: our clients

#### Helping the state through natural disasters

The Disaster Response Legal Service (DRLS) continued providing statewide legal assistance to disaster-impacted communities in 2023–24 as a result of 12 months of funding from the NSW Public Purpose Fund.

The DRLS provided 1,412 legal services to 767 people across 56 local government areas. It delivered 130 community legal education sessions, and LawAccess NSW staff answered 410 calls on the DRLS 1800 helpline.

Clients had experienced bushfires in late 2023, had faced significant flooding in the Hawkesbury, Illawarra and South Coast in April 2024, or required continuing assistance as a result of 2022 floods in the Northern Rivers and Central West. The team continued to coordinate the statewide legal assistance sector response through the NSW Disaster Legal Assistance Group, collaborating with community legal centres in Western Sydney, the Illawarra and the Northern Rivers to provide on-the-ground services.

#### Law reform and disaster preparedness

Informed by casework, the DRLS made submissions to eight consultations and inquiries on systemic issues arising from disasters in 2023–24. A comprehensive submission to the House of Representatives Standing Committee on Economics' inquiry into insurers' responses to the 2022 floods led to invitations to give evidence in Sydney, Lismore, Eugowra and Richmond.

The service also helped build disaster preparedness in NSW, with a media campaign on radio and television reaching up to 230,000 people. The campaign promoted the DRLS's insurance check-up self-help tools to promote future disaster readiness.

#### LAFPA hits 900 referrals

The Legal Assistance for Families: Partnership Agreement (LAFPA) aims to reduce the over-representation of Aboriginal children in out-of-home care through early intervention and alternative dispute resolution. As part of the program, the Department of Communities and Justice (DCJ) refers families to Legal Aid NSW and the Aboriginal Legal Service (NSW/ACT) Limited so lawyers can work alongside them proactively before children are removed.

In November 2023, LAFPA was rolled out across NSW, finalising a trial that had occurred at three sites between February and November 2023.

Since July 2023, we have seen an extraordinary increase in referrals – over 900 have been received in total, and we have been able to provide over 648 instances of advice, minor assistance, casework, duty service and grants of legal aid. This work has supported families to remain safely together, ensuring children and young people remain connected with family or are living with family, kin, or community.

#### **Early intervention model supports the agreement's success**

To support LAFPA's fourth objective, which gives precedence to alternative dispute resolution, the Family Dispute Resolution Service has implemented a legal-assisted mediation model to ensure family-led decision-making for vulnerable clients.

The process supports and empowers family members through legal representation, ensuring they are well-informed and actively involved in decision-making. Risks to children identified by DCJ are clearly articulated, facilitating open and transparent discussions and ensuring effective risk management.

Every matter mediated to date has resulted in positive outcomes for the families involved, and referrals are growing.

#### **Respect at Work Legal Service**

The Respect at Work Legal Service (RAWLS) expanded in 2023–24, providing 941 advice services to people who have experienced workplace sexual harassment or discrimination.

The team provides a statewide, trauma-informed service focused on supporting women, Aboriginal and culturally and linguistically diverse communities, people with a disability and young people. We provided 72 representation services, ensuring clients received over \$430,000 in settlements and a variety of other positive outcomes.

This year, we launched a community legal education partnership with the Department of Education to deliver WorkReady, an employment rights education program for years 9–11 students entering the workforce. We delivered 52 sessions to thousands of students and school staff and distributed copies of 'Get work ready', a custom booklet for young people that explains workplace rights and where to access support services.

The RAWLS Team delivered 136 community legal education (CLE) sessions to 5,120 people, as well as over 117 informal community engagement activities.

#### **Civil Law Blueprint implementation targets services to those most in need**

In 2023–24, we implemented phase one of the Civil Law Blueprint, adjusting our approach to civil law advice, representation and internal ways of working. The changes we have made reflect the Civil Law Division's new purpose statement: to improve the lives of people experiencing deep and persistent disadvantage or dislocation by using civil law to meet their fundamental needs. New extended legal assistance and early resolution assistance policies were approved by the Legal Aid NSW Board in February 2024 following a successful trial in five regional offices. The policies focus the time of our lawyers on a more targeted group of clients

and range of matters to ensure we can make the greatest impact for those who need us most – you can read more about the specific impacts of the policies on page 41.

We introduced early resolution assistance, a new service type to recognise the representation provided at the mediation or conciliation stage of certain civil law disputes, including employment disputes at the Fair Work Commission and discrimination disputes at the Australian Human Rights Commission.

The new policies were a key action under the Civil Law Blueprint, complementing earlier changes made to the triage of advice in May 2023. This allows our lawyers to focus on more time-intensive representation services, where they work with clients in an ongoing way to resolve their problems. We were able to grow our extended legal assistance services by 27.4 percent in 2023–24 while reducing advice sessions by just 11.4 percent.

To support the change, we provided comprehensive training for staff and introduced simplified file administration to support the change. We also expanded our allied professional workforce, uplifted professional development and improved internal communications.

## **Priority 2: our people**

### **Future First Nations lawyers participate in a groundbreaking employment program**

The Aboriginal Legal Career Pathways Program is a groundbreaking partnership between Legal Aid NSW, TAFE NSW, and Macquarie University, where participants complete a Certificate III and/or IV in Legal Services Administration and/or a Diploma in Paralegal Services at TAFE NSW while gaining work experience at Legal Aid NSW.

After completion of their TAFE NSW studies, participants can continue to a Juris Doctor degree at Macquarie University if they choose.

The program is designed to increase the number of Aboriginal people working in the law and address Aboriginal underrepresentation in the legal sector, with research suggesting that only 0.8 percent of solicitors in Australia identify as Aboriginal and/or Torres Strait Islander.

Since the commencement of the program, six participants have completed a Certificate III in Legal Services Administration, 17 have completed a Certificate IV in Legal Services Administration, and 12 have completed a Diploma of Paralegal Services. A further 23 participants are currently completing their studies at TAFE NSW. Those participants who have completed their diploma studies will be able to apply to enrol in the Juris Doctor degree at Macquarie University Law School commencing in early 2025.

### **Transforming our hiring approach**

We have updated recruitment processes, adopting a best-practice, forward-looking talent acquisition model. This model included recruiting talent acquisition business partners who focus on streamlining hiring processes and guidelines to attract excellent candidates.

## **New regional structure**

In 2024, the executive units of our three practice areas – civil, criminal and family law – were expanded to include newly created associate director roles. The new associate directors are specialist lawyers in their area of practice.

These roles reflect the growth of our services since regional oversight was last considered and are an important way we make sure we are adequately supporting every regional and metropolitan office across NSW – and, by extension, supporting our clients.

The new associate directors support solicitors in charge at Legal Aid NSW offices with issues related to administration, local stakeholders, and practice administration.

## **Priority 3: our justice system**

### **Fee-free birth certificate partnership expanded**

We first launched our birth certificate project in 2022–23, delivering 700 free birth certificates in partnership with the NSW Registry of Births, Deaths and Marriages.

This year, we expanded the program, making up to 1,000 free birth certificates available to people experiencing disadvantage, including those living in rural areas, domestic violence victim-survivors and Aboriginal and Torres Strait Islander people.

An estimated 500,000 Australians do not have a birth certificate, which can make it difficult for them to get a driver licence, access essential services, or solve every day legal issues such as resolving debt or securing safe housing.

The free certificates were distributed by the Legal Aid NSW Civil Law Service for Aboriginal Communities, by Legal Aid NSW Aboriginal field officers and at Cooperative Legal Service Delivery (CLSD) regional events.

### **Increased legal services for refugees**

In late 2023, the Commonwealth Government announced funding and reforms to speed up the processing of protection visa applications for asylum seekers, including an additional \$48 million in funding over two years for legal assistance nationally.

Legal Aid NSW, the Refugee Advice and Casework Service (RACS) and the Immigration Advice and Rights Centre (IARC) shared this additional funding to provide advice and representation for asylum-seekers in NSW appealing protection visa decisions in the Administrative Appeals Tribunal, its successor the Administrative Review Tribunal, and federal courts. This funding will enable an expansion of the Immigration Team and Refugee Service and support the delivery of more than 2,000 additional legal services to asylum-seekers dealing with complex appeals.

To support this work, we have embedded a human rights framework for migration matters in federal courts. The Board approved changes to the Civil Law Migration Policy to make legal aid available to clients appealing protection visa decisions in the AAT. This change includes appeals on character grounds and appeals of complex citizenship decisions involving refugees.

### **Community legal services receive Commonwealth funding**

The RACS and IARC are both community legal centres supported by our Community Legal Centres (CLC) Program – more information about this program is available on page 76.

The two centres were allocated \$9 million in funding in April and have been able to increase their support to clients appealing decisions about permanent protection visas made by the Department of Home Affairs and relevant tribunals.

### **Educating the profession on coercive control**

Coercive control reforms made ‘abusive behaviour towards current or former intimate partners’ an offence from 1 July 2024. To assist professionals involved in the delivery of legal services, Legal Aid NSW developed resources on what coercive control is, the circumstances in which charges can be laid, how it may be prosecuted in court and how to best represent and defend a person charged with the offence.

We produced a podcast series, an eLearning course and in-person and recorded presentations, which were promoted to Legal Aid NSW staff, Aboriginal Legal Service (NSW/ACT) Limited staff, private professionals and those in the community legal sector. We continue to monitor the introduction of the reform and provide feedback through the Coercive Control Statutory Monitoring Implementation and Evaluation Taskforce.

## **Priority 4: our processes**

### **Launching new client service standards**

In November 2023, we launched a set of new client service standards outlining what our clients can expect from Legal Aid NSW when they engage with us.

The standards were developed with input from both staff and clients, and they are applied to all public-facing roles. They affirm our commitment to delivering high-quality client services. The standards cover accessibility and cultural needs, timeliness of first contact and appointments, communication and referrals to other agencies.

[The client service standards webpage](#) outlines the standards in full and includes translations in community languages, a short video and frequently asked questions.

We developed a Client and Customer Service Skills eLearning module to help staff understand and apply the client service standards.

### **Launching our new client portal**

In March 2024, we launched the first iteration of our client portal – a secure, accessibility-tested, web-based one-stop shop where clients with a grant of legal aid can access their case information online. Hundreds of clients are already using the portal.

In the portal, clients can see information about their in-house lawyer, case, upcoming court dates and appointments. They can also view and update their personal details and security settings.

The launch marks an important step toward our strategic goals of streamlining pathways for legal assistance and delivering high-quality services and is an important part of our organisation's digital transformation. We plan to add new features to the portal in 2024–25 that allow clients to view and upload documents, access information about their grant of legal aid, book appointments, and communicate with staff. We also plan to make the portal available to clients working with one of our Legal Aid NSW-funded private lawyers.

### The year ahead

- We will work closely with DCJ and the ALS and explore opportunities to collaborate, share our expertise and improve service delivery planning. We will continue to work with our partners to respond to all LAFPA referrals in a timely manner.
- We will implement phase two of the Civil Law Blueprint, establishing a statewide work allocation process to ensure equal access to representation and developing a protocol for support, communication and workflows between specialist and generalist teams so we can deliver consistent services while protecting staff wellbeing, and establishing a monitoring framework to track our progress.
- We will further develop our client portal to improve timely and up-to-date communication with our clients.
- We will begin the process of replacing our ageing legal aid application system with a new platform, making it easier for people to access our help.
- We will implement the Legal Aid NSW Disability Inclusion Action Plan and Cultural Competence and Diversity Framework, making real improvements to how we provide services by becoming more responsive to and inclusive of the diverse experiences of our clients.



## Measuring our performance

We measure our performance against a range of key performance indicators to determine our effectiveness in promoting community awareness, ensuring accessibility of legal aid and upholding our service standards.

Key performance indicators	2021–22	2022–23	2023–24
<b>Community awareness of legal rights and responsibilities</b>			
Client satisfaction*	N/A	N/A	82%
Information services provided	86,873	143,819	163,517
Advice and minor assistance services provided	105,655	117,891	121,220
Number of publications distributed	299,055	420,598	431,452
<b>Accessibility of legal aid</b>			
Means test income limit as a % of the national minimum weekly wage	51.8%	55.4%	51.0%
Percentage of local court sittings served by duty solicitor schemes	100%	100%	100%
<b>Representation service standards</b>			
Percentage of satisfactory comprehensive in-house file reviews	98.3%	99.2%	99.2%
Number of Legal Aid NSW lawyers with specialist accreditation	64	64	59

\*We measure client satisfaction through surveys conducted every few years. The next survey will be conducted in 2025–26.

### Reporting against the National Legal Assistance Partnership

Legal aid commissions, Aboriginal and Torres Strait Islander legal services and community legal centres receive Commonwealth funding to improve access to justice for disadvantaged people under the National Legal Assistance Partnership (NLAP) 2020–2025.

As part of our responsibilities under this partnership, we reported the number of legal assistance services we provided. This data covered service types and law types, facilitated resolution processes and their outcomes, and the number and proportion of representation services we delivered to priority clients.

This year, as required by NLAP, we provided data about our services to the Australian Bureau of Statistics (ABS) for publication in its legal assistance services experimental data release. We will continue to work with the ABS and other legal assistance providers to improve the quality and value of the data in future releases.

### Independent review of the National Legal Assistance Partnership

The NLAP was subject to an independent review in 2023-24. We made our own comprehensive submission to the review and contributed to the National Legal Aid submission.

The report of the reviewer, Dr Warren Mundy, was published in May 2024 and made 39 recommendations to inform future funding arrangements when the current NLAP ends.

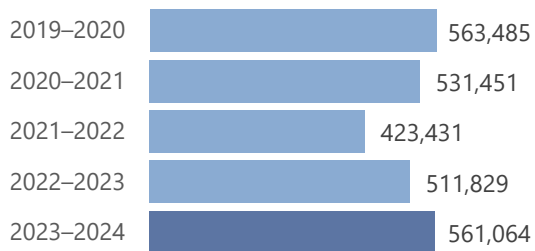
### Selected National Legal Assistance Partnership performance indicators, July 2023 to June 2024

Performance indicator	Percentage
Proportion of Legal Aid NSW Commonwealth representation services delivered to people experiencing financial disadvantage	99.2%
Proportion of facilitated resolution conferences held by Legal Aid NSW that resulted in either partial or full settlement*	72.6%

*\*Commonwealth conferences only. The combined total for NSW and Commonwealth conferences was also 72.6%.*

## How our key services tracked over the last five years

### Total client services



### Legal representation\*



### Legal advice services



### Duty services at courts and tribunals



### Family law mediations



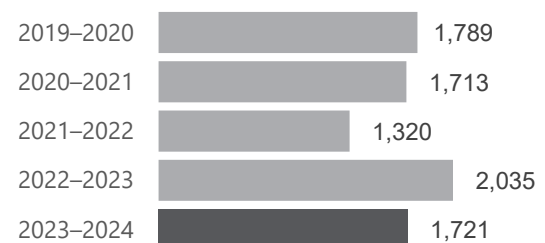
### Minor assistance services



### Representation services to Aboriginal and Torres Strait Islander clients



### Community legal education sessions



\*Legal Representation is the total of grants of aid, extended legal assistance and early resolution assistance.

## Year-on-year trends – a snapshot

### Legal advice and assistance



We provided **121,220** advice and minor assistance services



**2.8%** increase on the previous year

We offer free, targeted legal advice across many areas of law at our 25 offices and two satellite offices, and advice clinics, which are offered primarily over the telephone, covering the whole state. In some circumstances, our lawyers will also provide minor assistance by writing a letter or helping clients fill out court documents.

### Legal representation



We provided representation in **50,644** matters\*



**14.4%** increase on the previous year



Our in-house lawyers acted in 16,301 matters



we funded private lawyers to act in 34,343 matters

Legal Aid NSW represents eligible clients in criminal law, family law and civil law matters. In most cases, our legal representation services are means-tested, and most people who receive a grant of legal aid will be required to pay a contribution toward their grant of aid.

\*Legal representation includes grants of aid, extended legal assistance and early resolution assistance

### On-the-spot help in courts and tribunals



We provided **225,683** duty services



**9.6%** increase on the previous year



Of these services, **137,840** were provided by Legal Aid NSW lawyers



and we funded private lawyers to provide the remaining **87,843** services

We make duty lawyers available in courts and tribunals throughout NSW to provide free legal help and representation to eligible clients.

## Family dispute resolution



We held **3,307** conferences



**20.1%** increase on the previous year.

We helped parties reach an agreement in 72.6%\* of conferences.

Legal Aid NSW is the largest provider of legally assisted dispute resolution mediations in Australia. We provide family dispute resolution services to help separating families resolve disputes, such as parenting, adoption or property matters, early on in proceedings and without the need to go to court.

\*This includes family law conferences in both NSW and Commonwealth jurisdictions. The Commonwealth-only settlement rate was also 72.6%. The percentage of Commonwealth-only matters was 99.0%.

---

## Hotline for young people



We answered **15,606** calls to our hotline for young people



**6.5%** decrease on the previous year.

The Legal Aid NSW Youth Hotline provides legal advice, minor assistance and information to young people aged under 18. Lawyers are available from 9am until midnight on weekdays and 24 hours on weekends and public holidays.

---

## Resources and community legal education



We distributed **431,452** factsheets, brochures and other legal information publications



**2.6%** increase on the previous year.



Pages on our website that provide legal information for the public were viewed **2.81 million** times and had **1 million** unique visitors.\*



We provided 1,721 community legal education sessions



**15.4%** decrease on the previous year.

\*This includes visitors to our website's My Problem is About, LawPrompt, Representing Myself and Guided Pathways sections, as well as webpages that reproduce the content of our legal information publications and our Legal Words webpage.

# Operations and performance

Our key organisational goal is to provide legal help to clients with diverse needs who are experiencing disadvantage. Our three in-house practice areas work alongside private practitioners, sector stakeholders and teams with specialist skills to ensure the best possible outcomes.



Dubbo-based family lawyers Geraldyne Keen, Megan Raines and Hannah Higgins.

## Our clients and services

### Our clients\*



**24.4%**

Aboriginal and Torres Strait Islander people



**9.6%**

Born in non-English speaking countries



**3.9%**

Interpreter required



**35.1%**

Female



**11.5%**

Under 18



**84%**

Aged 18–60



**4.5%**

Over 60



**51.7%**

On Commonwealth benefits



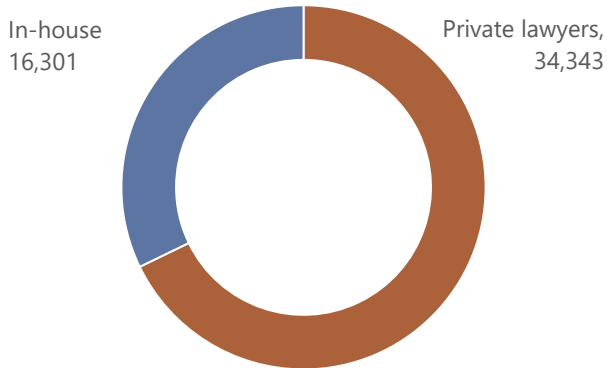
**35.8%**

Rural and regional  
(includes Newcastle and Wollongong)

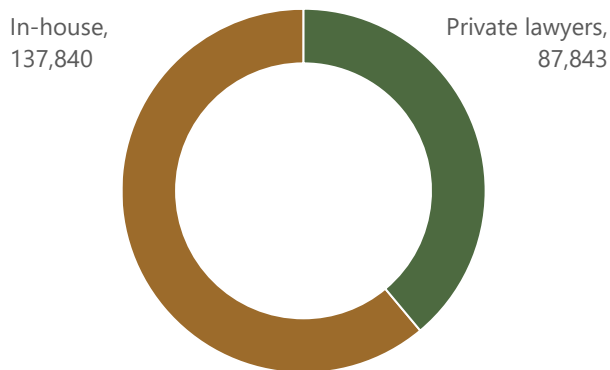
\*This page shows the percentage of legal representation services provided to each group of clients. Legal representation services consist of grants of aid, extended legal assistance and early resolution assistance.

## Services to clients

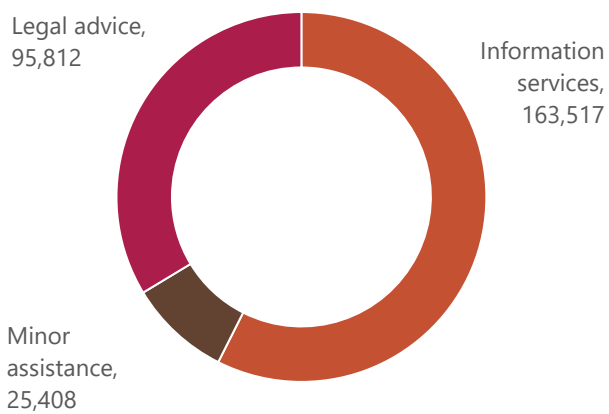
Total representation: 50,644



Total duty services: 225,683



Total other services: 284,737





## Providing services to those who need them most

We continually review and amend our eligibility policies to reflect changes in the legal system and ensure we target our limited resources to those most in need.

### Removing barriers for care and protection clients

We moved our early intervention care and protection work into early resolution assistance (ERA). ERA services are quick and low-cost and have streamlined application and administration processes for both clients and lawyers.

This change ensures that our vulnerable clients and their families can easily access early intervention care mediations for contact dispute mediations, pre- and post-filing adoption mediations and services under the early intervention mediation pilot.

### Expanding extended legal assistance to keep clients out of gaol

We expanded eligibility for extended legal assistance to allow us to help clients vary or remove a condition of a parole order or an intensive corrections order (ICO). Ensuring parole and ICO conditions are suitable is important, as clients end up in gaol if they do not follow them.

Making these changes connects with the work we are doing on our Closing the Gap pilot project, which aims to reduce the number of Aboriginal people who are in gaol for breaching ICOs.

### Amending our Family Law Property Policy in response to research

We made significant changes to the Family Law Property Policy, moving from a traditional approach to property, in which we assist those retaining their home, to an evidence-based approach that meets the needs of our most disadvantaged clients.

The policy recognises that those experiencing domestic violence or family violence, who live with a disability, or who are over 55 years of age are at high risk of falling into poverty post-separation. To achieve the best outcomes for these clients, we shifted to an approach that looks at the value of the 'pool of assets', which will be sold as part of the property proceedings; instead of focusing solely on homes. The changes allow us to promote women's economic security in a fairer and more realistic way.

### Changing our policies to reflect the Civil Law Blueprint

Following the launch of the Civil Law Blueprint, the Client Eligibility Unit worked closely with the Civil Law Division to adjust our policies to reflect the blueprint's priorities.

We introduced changes that target our eligibility policies to people experiencing deep and persistent disadvantage, using fundamental needs as a way of understanding a person's disadvantage and ongoing risk of disadvantage. You can read more about the policy changes we made to reflect the goals of the blueprint on page 28.

## **Improving transparency and consistency by developing a fee scale for experts**

We finalised a review of the expert fees paid across all areas of our work. We consulted widely with psychologists, neuropsychologists and psychiatrists who prepare reports for legally aided clients to understand their experiences working for us and the fees we pay.

We identified ways to increase consistency in fees paid across different jurisdictions and improve transparency about the fees available for experts in certain matters.

Next year, we will seek Board approval for the recommended changes to the fee scale and continue to advocate for additional funding so we can increase the fees paid to experts who work with us.

## **Modernising the language we use to describe disability in our eligibility policies**

We have changed how we describe disability in our 'at special disadvantage test', which is used to determine eligibility for legal aid in some Local Court criminal matters and apprehended violence order (AVO) matters.

The test had not been updated since the early 1980s, and the language used to describe disability was dated. The revised language of "mental health impairment" and "cognitive impairment" mirrors the language in the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW) and the final report of the disability royal commission.

## **Partnerships that deliver the best possible outcomes for our clients**

### **Fee increases for private lawyers working on state-based matters**

In 2023–24, we implemented another increase in fees paid to private lawyers helping clients with state-based criminal, family and civil law matters.

From 1 July 2023, the rate for solicitors increased from \$180 to \$195 per hour and fees for barristers increased by 8.3 percent. These were the last of four annual increases funded from an additional \$88 million allocated to Legal Aid NSW in 2019. In 2024, this funding was continued to allow for fees to remain at this level for a further four years.

### **Fee increases for private lawyers working in family law**

In May 2024, we made some changes to the fee scale for family law matters, providing additional hours for court-based mediation and other stages of the court process. These changes apply to lawyers who are acting for both the people involved in a separation and to independent children's lawyers (ICLs).

The changes acknowledged the work that is required of lawyers to ensure a successful mediation, the additional work required in acting for parties in property matters, and the work required by ICLs to meet with children.

### **Fee increases for private lawyers working on Commonwealth criminal cases**

In May 2024, we increased the rates payable to private lawyers working on all types of Commonwealth criminal law matters from \$150 to \$195 per hour, aligning them with the rates in state matters.

### **The year ahead**

- We will review our means test to better align our income and asset tests with the cost of living in 2025 and beyond.
- We will implement a new fee scale for expert fees that is consistent across different jurisdictions.
- We will continue to ensure our eligibility policies target those experiencing disadvantage.
- We will improve our systems and technology to make applying for, administering and providing legal aid quicker, simpler and more transparent.

### **Key challenge**

- Meeting emerging demand while simplifying access to and applications for legal aid.

## Aboriginal and Torres Strait Islander clients

Aboriginal and Torres Strait Islander people experience heightened levels of disadvantage and are one of the most over-represented groups in our justice system as a result.

The Aboriginal Client Services Strategy 2019–2023 and 2024–2028 commit us to delivering culturally appropriate services to Aboriginal and Torres Strait Islander people and communities and increasing the number of Aboriginal and Torres Strait Islander clients we support.

### Development of the Aboriginal Client Services Strategy 2024–2028

Building on learnings under our previous strategy, with a focus on the priority reforms within the National Agreement on Closing the Gap, the Aboriginal Services Branch has developed and launched the new Aboriginal Client Services Strategy 2024–2028 to replace the previous 2019–2023 strategy.

The new strategy is an overarching framework that guides Legal Aid NSW in the development of projects and programs that impact Aboriginal and Torres Strait Islander clients. It reshapes and embeds our commitment to centring Aboriginal and Torres Strait Islander clients within our service delivery. It intersects with the Legal Aid NSW Strategic Plan 2023–2028, the Best Practice Standards for Representing Aboriginal Clients and the Aboriginal Cultural Safety Framework.

The strategy aims to meaningfully adapt the way Legal Aid NSW services are delivered to Aboriginal and Torres Strait Islander people and communities.

### Aboriginal Field Officer Program

Aboriginal field officers (AFOs) increase access to justice for Aboriginal and Torres Strait Islander people by engaging with the community, attending community outreach with lawyers and offering community legal education. AFOs work with lawyers to support Aboriginal clients not only with their legal matters but their unmet underlying social needs.

The Aboriginal Field Officer Program is an integral way Legal Aid NSW ensures our services for Aboriginal and Torres Strait Islander clients are culturally appropriate and responsive. AFOs ensure that Aboriginal communities across the state understand how to access Legal Aid NSW services and that our service delivery is collaborative and holistic.

Over the past two years, Legal Aid NSW has invested in this program to ensure our services are tailored to meet the needs of our Aboriginal and Torres Strait Islander clients as part of our commitment to the National Agreement on Closing the Gap. In 2023–24, we made important improvements to the AFO program.

### **New coordinator role supports AFOs statewide**

An AFO coordinator role was created to provide guidance, support and mentoring to AFOs and to ensure the program is supported by best practice project and stakeholder management.

### **Increasing statewide AFO coverage**

We added new AFO roles in Broken Hill, Blacktown, Lismore, Wagga Wagga and the inner city Local Courts. We now have 14 of these roles across the state in both regional and metropolitan areas.

### **Co-design of AFO guidelines**

Our AFO guidelines were developed and endorsed in early 2024 to enhance understanding of the program. The guidelines are targeted at AFOs, solicitors in charge, lawyers and other internal staff to ensure that we deliver collaborative services to Aboriginal clients in a culturally appropriate and informed way.

The guidelines also provide helpful support for regional offices that may be onboarding a new AFO in an area where staff haven't worked with one before.

### **Best Practice Standards for Representing Aboriginal Clients**

We reviewed and updated the Best Practice Standards for Representing Aboriginal Clients in 2023–24 to reflect our ongoing commitment to providing trauma-informed, culturally appropriate, high-quality and adaptable services tailored to meet the needs of Aboriginal and Torres Strait Islander people.

The updated standards provide both in-house and private practitioners with practical information and guidance on topics that may directly impact their representation of Aboriginal and Torres Strait Islander peoples.

### **Aboriginal Women on Remand Pilot**

As part of our commitment to addressing the over-representation of Aboriginal women in the remand population, we developed the Aboriginal Women on Remand Pilot (AWRP), delivered by the Criminal Law Division.

The AWRP aims to fast-track Aboriginal women to an assessment for Supreme Court bail and provide a holistic model of service delivery and triage for Aboriginal women who are in custody waiting to appear before the court.

The AWRP team works closely with stakeholders and community organisations to reduce delays and resolve criminal law matters quickly, as well as to organise priority referrals to residential rehabilitation or other community support services where required.

## Ensuring fair police procedures for an Aboriginal client

### ***Mann v R [2023] NSWCCA 256***

Mr Mann was a 22-year-old Indigenous man with an intellectual impairment and a vulnerable person under the *Law Enforcement (Powers and Responsibilities) Act 2002* (NSW), known as LEPR, which sets out police powers in NSW.

On arrest, he was asked by the investigating detective to participate in a recorded interview. He sought advice from Aboriginal Legal Service (NSW/ACT) Limited who, on the client's instructions, advised the police that Mr Mann did not wish to participate. The detective then asked Mr Mann's mother, his nominated support person under LEPR, if he wished to be interviewed. His mother confirmed that he did not.

The detective nevertheless proceeded to conduct the interview. Of the 38 offences of which he was subsequently convicted at trial, 13 were solely on the basis of admissions Mr Mann made during this interview. The trial judge found that the interview and admissions were improperly obtained under s138 of the *Evidence Act 1995* (NSW). The trial judge admitted the interview into evidence despite the objections of Legal Aid NSW lawyers. In his view, the interview was of great importance to the Crown case and was highly reliable.

On appeal, the NSW Court of Criminal Appeal found that the evidence was improperly obtained and should have been excluded. The court said pressuring a vulnerable person into taking part in an interview was a significant departure from minimum standards of police conduct and 'substantially improper'. It further said that the fact that many of the offences could only be made out based on self-admissions did not justify admission, and the desirability of admitting the evidence did not outweigh the undesirability of admitting it in light of the manner in which it was obtained.

The court allowed the appeal, and Mr Mann was acquitted of 13 convictions. A re-trial was ordered on the remaining 20 counts to which he had pleaded not guilty.

## Expansion of the Aboriginal Women Leaving Custody Service

We successfully expanded the Aboriginal Women Leaving Custody (AWLC) Service to several regional correctional centres. The service is a partnership between our Family Law Service for Aboriginal Communities and Civil Law Service for Aboriginal Communities, which together expanded to the Mid North Coast Correctional Centre. Family law services also expanded to Clarence, Wellington, and Broken Hill.

The service addresses the unique challenges of Aboriginal women in custody as they reintegrate into society post-incarceration. It supports women in reconnecting with children and resuming parenting arrangements upon leaving custody, and it helps them save existing tenancies or access housing, among other legal issues.

### **Winha-nga-nha List**

The Family Law Division was involved in developing and implementing the Winha-nga-nha List, a dedicated court list for Aboriginal and Torres Strait Islander families launched at Dubbo Children's Court on 7 September 2023.

The list aims to improve engagement and self-determination through early conversations with families and is supported by earlier referrals for legal advice from the Department of Communities and Justice (DCJ) under the Legal Assistance for Families: Partnership Agreement (LAFPA).

Our commitment to this culturally safe process is underscored by our role in the Indigenous Care List Working Group, the establishment of a temporary Grade V position for implementation support, and the ongoing involvement of the Family Law Service for Aboriginal Communities (FamAC) team.

### **Family Law Service for Aboriginal Communities expands services**

The FamAC team now offers support at additional Federal and Family Court of Australia registries with Specialist Indigenous Lists (SILs). It provides primary duty services in Sydney, Newcastle, Port Macquarie, Coffs Harbour and Lismore with the assistance of Family Advocacy and Support Services (FASS). FamAC also provides ongoing legal representation to Aboriginal parents and children in the SILs.

FamAC offers both legal and non-legal support to Aboriginal people involved in parenting matters or seeking to keep children with kin and connected to their communities.

FamAC has three Aboriginal field officers and a specialist caseworker who can provide in-court support in the SILs and Winha-nga-nha List and provide support to Aboriginal people to access culturally appropriate services.

### **Supporting underserved communities on outreach**

The Civil Law Service for Aboriginal Communities (CLSAC) expanded its services to Wilcannia in 2023–24 in collaboration with the Broken Hill Legal Aid office, significantly improving access to legal assistance for Aboriginal people in Far-Western NSW. In 2023–24, we helped approximately 50 clients in Wilcannia, who totalled 7 percent of the local population.

We supported several clients who had been targeted by predatory sales of solar panels to Far-Western Aboriginal communities to reduce their debts and get refunds.

### **The year ahead**

- We will continue to implement the Aboriginal Client Strategy 2024–2028.
- We will further develop and enhance the Aboriginal Field Officer Program by training staff on our Aboriginal field officer guidelines.
- We will continue to support key Closing the Gap initiatives. We will create a standalone team to support clients who are part of the Walama List, support the expansion of circle sentencing, implement the Sacred Stories Program, continue to support the Aboriginal Women on Remand Program (AWRP) and support the expansion of the Sydney Drug Court.

### **Key challenge**

- Ensuring that Legal Aid NSW continues to make progress in implementing the National Agreement on Closing the Gap.



## Meeting the needs of diverse clients

Many of our services are targeted at people experiencing significant disadvantage.

Our diverse client base includes children, people with disability, people from culturally and linguistically diverse (CALD) communities and LGBTQIA+ people. We advocate for law and policy reform that protects disadvantaged clients in pursuit of a more just society.

### Fact file

- 9.6% of our casework services were provided to clients born in non-English speaking countries.
- We spent \$1,402,972.51 (excluding GST) on interpreting and translation services.
- We presented 208 community legal education events for culturally and linguistically diverse and newly arrived migrant audiences.

### Improving access for clients and staff with disability

In response to feedback from clients and staff and our experiences operating the Your Story Disability Legal Service, we began a program of disability inclusion work in 2023–24. We recruited two roles identified for people with lived experience of disability in our Client Services and HR teams to manage a program of work to ensure we are responding to the needs of our clients with disability.

The Legal Aid NSW Disability Inclusion Action Plan is undergoing development and will be ready for implementation in December 2024. To help us build the plan, we conducted 32 consultations with clients and community members with disability, disability organisations and staff. The final plan will guide us toward becoming more accessible and inclusive for clients and staff with lived experience of disability and mental ill-health.

We developed a Disability Inclusion Advisory Panel, which comprises eight external people with lived experience of disability and mental ill-health as well as knowledge or experience accessing legal assistance services. This panel has provided expert and impartial advice to Legal Aid NSW as we have developed the new Legal Aid NSW Disability Inclusion Action Plan and will continue to advise on its implementation, monitoring and review.

### Developing the Cultural Competence and Diversity Framework

We conducted extensive internal and external consultations in 2023–24 to inform the new Cultural Competence and Diversity Framework. The work was led by staff with culturally diverse lived experiences.

The framework provides guidance for staff to ensure our legal services are accessible to people of all cultural, ethnic and linguistic backgrounds and all religious backgrounds or beliefs. The framework is centred around four principles: equity, safety, competence and accountability.

The framework requires us to embed cultural competence in the daily work of all staff through training, reflection and ongoing practice. Later in 2024, we will implement the new framework, which will include training for frontline staff on how to work with interpreters.

### **Mother receives much-needed child support**

#### **Reynes & Dionett (2024)**

We acted for a woman who had been involved in an ongoing parenting and property case. She is not a permanent resident of Australia, is not eligible for Centrelink benefits, and is unable to work due to a disability. When proceedings commenced, she was the primary carer for her child, whose father had initially been ordered to pay spousal maintenance. She then made a further application for child support.

The child's father sought a reduction in child support, arguing it had not been considered when the court determined their original split of property and spousal support. Interim orders were made, reducing the amount of spousal support our client received.

Proceedings were delayed by our client's health, challenges in obtaining medical reports, and an unsuccessful mediation. The matter was finally heard in March 2024 – over six years after the reduction in child support was sought by the child's father. During the proceedings, our client's health had deteriorated, and she had been hospitalised. Her child had gone to live with their father.

The court acknowledged the difficulties of the proceedings for both parties but found that it was indisputable that our client had been "living a desperate life financially", given there was no social security safety net for her in Australia and she was unable to work.

The court was not satisfied that her child's father's spousal maintenance payments made his child support liability unfair. He was ordered to pay spousal maintenance for a further five years and remains liable for the child support that accrued while the matter was before the court.

### **Training for private lawyers on working with diverse clients**

In May 2024, we launched a training package for private lawyers new to working with legal aid clients called Understanding our Clients and Serving our Mob. The training is designed to

provide lawyers with foundational awareness and knowledge to aid understanding of our clients. It helps lawyers work more effectively with prisoners, children and young people, homeless people, older people, people experiencing domestic and family violence, people experiencing mental ill-health, people with a disability and culturally and linguistically diverse people, including refugees. The 'serving our mob' component focuses specifically on understanding our Aboriginal and Torres Strait Islander clients.

### Ensuring early intervention access to the NDIS for a teenager with disability

#### ***HVMQ v National Disability Insurance Agency (2024)***

We secured a life-changing result in the Administrative Appeals Tribunal for our client HVMQ, setting an important precedent for people who need access to the NDIS where another system exists that could partially meet their needs.

HVMQ is unable to use her bladder and bowel without assistive technology and the assistance of a person. The National Disability Insurance Agency (NDIA) argued that HVMQ was not eligible for support under the NDIS because she did not have a substantially reduced functional capacity in self-care and did not meet the early intervention requirements. A subsidy was available for the cost of catheters, and the argument was made that support was more appropriately funded for her under the health system.

Our NDIS Team put together detailed evidence from the client's mother, psychologist and nurse to describe the impact of her impairments and the supports that she could only access through the NDIS. The tribunal accepted our argument that HVMQ met the early intervention requirements. She now has access to supports to help her live her life as an active and social teenager.

## Highlights from our practice areas

We have three areas of legal practice: criminal law, family law and civil law. Each practice includes specialist services. Staff from different practice areas regularly collaborate to better serve clients with multiple legal needs and to apply a wide lens to law reform initiatives. Increasingly, our specialist services follow a multidisciplinary model.

### Criminal law

Our Criminal Law Division is the largest criminal defence practice in Australia. It provides legal information, advice, minor assistance, extended legal assistance, duty services, and representation in criminal courts at local, district, supreme and appellate courts, as well as the State Parole Authority and NSW Drug Court.

The practice provides community legal education throughout NSW and contributes to law reform initiatives. It is also responsible for many statewide specialist criminal law services, including the Children’s Legal Service, Prisoners Legal Service, High Risk Offender Unit, Indictable Appeals Unit, Walama Unit and the Commonwealth Crime Unit.

#### Fact file

Total staff: 339

Total expenditure on criminal law services: \$229.01m

Proportion of overall expenditure on criminal law services: 43.41%

### We provided 261,828 criminal law services to clients in 2023–24\*

Legal service type	In-house	Assigned	Total
Legal representation	11,210	20,791	32,001
Duty services	121,118	72,795	193,913
Legal advice	29,576	–	29,576
Minor assistance	6,338	–	6,338

\*Information services are not included in service counts in this section.

### Expansion of the Child Sexual Assault Evidence Program

Commencing as a pilot at Sydney and Newcastle District Courts in 2016, the Child Sexual Assault Evidence Program (CSOEP) assists children and young people who are victims or prosecution witnesses in some sexual offence proceedings. The program allows for the pre-recording of children’s evidence and the appointment of witness intermediaries to assist them.

NSW Parliament passed the Criminal Procedure Amendment (Child Sexual Offence Evidence) Bill 2023 in October, which made small changes to the existing program and expanded its operation to all NSW District Courts from 29 January 2024.

We updated the guidelines for submitting applications for grants of legal aid and extensions in CSOEP matters and created additional training resources for criminal law practitioners.

We have invested significant resources into the program. Over the next year, we will continue to monitor the impact of the expansion to ensure we are sufficiently resourced to contribute to its objectives.

### **Submissions on children's rights central to Operation Mantus**

In 2023, our lawyers were asked to participate in Operation Mantus, an important Law Enforcement Conduct Commission investigation into police practices when interviewing children and young people.

Our children's lawyers identified systemic issues and provided several case studies based on our experience running our Youth Hotline and representing children in court across the state.

Our submission was received as an exhibit to the investigation, and the Solicitor in Charge of our Children's Legal Service gave evidence at the commission's public hearings. We made additional recommendations for law and policy reform alongside the Aboriginal Legal Service (NSW/ACT) Limited (ALS), which were endorsed by counsel who assisted in the investigation.

The commission's December 2023 report made 19 recommendations, several of which arose directly from our evidence and submissions. These included a recommendation for legislative reform to ensure that children cannot be interviewed after a "change of mind" unless and until they have received further legal advice.

Our evidence and submissions were quoted at length in the report, and the commission remarked that "the work of the ALS and Legal Aid NSW in providing telephone advice to young persons in custody in police stations throughout the state is of fundamental importance to the fair and proper administration of criminal justice in NSW."

### **New process for Back Up Duty Scheme intake**

In February 2024, we implemented a new intake format for our Back Up Duty Scheme (BUDS). Private practitioners can now more easily apply to join BUDS, a service where private practitioners work alongside in-house lawyers, predominantly doing duty work. Meetings to determine eligibility are now held regularly instead of periodically every few years. This change streamlines our operations, builds relationships with new highly skilled private practitioners and ensures timely support for those in need.

### **Pilot advocates for clients seeking support with drugs and alcohol**

In January 2024, two alcohol and drug (AoD) project workers commenced with the Legal Aid NSW Criminal Law Division as part of the Information Referral and Rehabilitation Pilot, which will run for two years.

The AoD workers support in-house lawyers who are assisting clients in custody seeking support with alcohol or other drugs. They help with information and referral pathways, maintain up-to-date information on eligibility criteria and the availability of residential rehabilitation and community-based supports, and assist with intake assessments for these services.

The AoD workers have received over 200 referrals from in-house lawyers since the pilot began. They have been able to provide letters outlining the realistic options of clients in the AoD space, which have assisted lawyers in advocating for the best outcomes for clients.

The pilot has confirmed the limited availability of beds for those in need, particularly those coming straight from custody, and will continue to advocate for better outcomes for these clients.

### **Client supported to return home following drug charge ordeal**

Our Commonwealth Crimes Unit recently acted for an elderly Korean client whose luggage was searched when he arrived in Australia and found to have drugs concealed within it. He was the victim of a sophisticated scam targeting older people. Following his acquittal on a drug importation charge, the Department of Home Affairs advised that they would not assist him in returning to Korea. The client, who spoke no English, was released from court to the street without his required medication, with no accommodation and no money.

Legal Aid NSW staff rallied around the client, who was provided clothes, accommodation for the night and Korean food, which he had been craving after over a year in gaol. Staff helped him collect his medication and property from the gaol.

The following day, arrangements were made with the International Organization for Migration, which organised his return to Korea and accommodation for his remaining time in Australia.

### **Specialist team to support Sydney Drug Court expansion**

A new specialist Legal Aid NSW Sydney Drug Court Team now operates in the purpose-built interagency office located at the Downing Centre Court complex.

Having a designated team will improve our client service delivery by providing clients with greater access to legal representation. It will also strengthen our working relationships with other stakeholders, which is fundamental in a therapeutic jurisdiction.

Drug Court solicitors have provided training to in-house Legal Aid NSW solicitors to promote awareness of the new expansion and of the Drug Court, including at the recent 2024 Criminal Law Conference.

## The year ahead

- We will continue to educate the profession and update our processes to reflect the creation of coercive control as a standalone offence in NSW, changes to the 'show cause' provisions for some domestic violence offences, and changes that require bail determinations be made by registrars rather than magistrates.
- We will work with our colleagues in the family and civil law divisions to increase our presence as a key justice stakeholder representing the interests of children and young people. We will recruit for two new temporary roles, Senior Legal Project Officer – Children's Criminal Justice Issues and Children's Legal Project Officer – Coordination of Services, to help us improve our service delivery to children, respond to recent youth crime-related reforms, strengthen our partnerships and achieve better client outcomes.

## Family law

Legal Aid NSW is home to the largest family law practice in Australia. It provides legal information, advice and minor assistance, extended legal assistance, early resolution assistance, duty services, dispute resolution, case representation, and allied professional social support.

The division supports clients with care and protection and domestic violence law matters, provides community legal education throughout NSW and contributes to law reform initiatives.

Our specialist family law services include the Family Law Service for Aboriginal Communities, Early Intervention Unit, Domestic Violence Unit, Child Support Service, Appeals and Complex Litigation Unit and Family Dispute Resolution Unit. These services are available at our offices, by telephone and at outreach locations.

### Fact file

Total staff: 299

Total expenditure on family law services: \$116.99 m

Proportion of overall expenditure on family law services: 22.18%

### We provided 76,296 family law services to clients in 2023–24\*

Legal service type	In-house	Assigned	Total
Legal representation	2,295	12,857	15,152
Duty services	15,017	1,997	17,014
Legal advice	34,150	–	34,150
Minor assistance	9,980	–	9,980

\*Information services are not included in service counts in this section.

### Record numbers of mediations and increased property mediations

During the 2023–24 financial year, the Family Dispute Resolution (FDR) Service experienced a significant increase in referrals and managed a record 3,307 mediations – up 20.1 percent from the previous year. This total included 520 property mediations, a 40 percent rise from the previous year, with figures expected to rise further.

Currently, 25 percent of all FDR mediation requests are property-related, underscoring the success of the Commonwealth Property Mediation Pilot and amendments to eligibility guidelines to ensure vulnerable clients can access the process.



The rise also reflects growing confidence from both lawyers and clients, boosted by improvements to disclosure processes, two-session protocols, and increased lawyer preparation funding.

### Young child returned home

#### ***Reger & Hanney (2023)***

We represented a mother, Amelia\*, seeking the return of her infant daughter, who had been taken to the USA by Amelia's ex-husband.

Amelia's ex-husband had been violent, and she was concerned about her daughter's welfare. Amelia had filed an application under the Hague Convention, but there had been delays in processing it.

We filed an application in the Federal Circuit and Family Court of Australia seeking urgent interim parenting orders that could be registered and enforced in the USA and which would return Amelia's daughter to Australia. The application was successful, and Amelia's daughter was back with her within a month.

\*This client's name has been changed to protect her privacy.

### Surge in demand for specialist domestic violence services

The Legal Aid NSW Domestic Violence Unit (DVU) provides specialist services to clients impacted by domestic violence, supporting them with their legal and non-legal problems. This year, the DVU saw a surge in demand for specialist domestic violence services. Calls to the statewide DVU Hotline grew to over 15,370. DVU lawyers delivered over 10,370 duty lawyer services, 2,580 advice services, and 2,600 minor assistance services. Caseworkers, financial counsellors and mental health workers assisted over 325 clients impacted by domestic violence. We expect that demand for DVU services will continue to grow with the rollout of coercive control laws.

The DVU has been active in law and policy reform, community and legal education, and community engagement. The DVU has contributed to key law, policy and system design reforms, including those related to the new coercive control laws. It partnered with the Chief Magistrate's Office and DCJ to train stakeholders on the new Local Court Specialist Family Violence List. The DVU now provides duty lawyer services at two Specialist Family Violence List sites.

DVU has continued to provide crucial in-person services, including Family Advocacy and Support Services (FASS) duty lawyer services in regional and remote NSW. This year, its work was recognised in national media, including online, print, television and radio.

## Educating the profession on Family Law Act reforms

In 2023–24, major changes were made to the *Family Law Act 1975*. The Family Law Amendment Bill was passed in November 2023, and most changes came into effect on 6 May 2024.

The most important changes for Legal Aid NSW clients included:

- the removal of the presumption of equal shared parental responsibility
- a simplification and reframing of the factors considered by the court when determining a child’s best interests – including a focus on the safety of children and a standalone consideration of a child’s right to connect with their Aboriginal kinship and culture
- clarification of when a court can vary existing parenting orders
- amendments to the definition of family to be more inclusive of Aboriginal and Torres Strait Islander culture and traditions
- the introduction of a legislative requirement for independent children’s lawyers (ICLs) to meet with children – a standard practice for ICLs in NSW.

The Family Law Division conducted a series of webinars focusing on different aspects of the reforms for in-house staff and panel lawyers. Webinars featured speakers from the NSW Bar, judicial officers and Indigenous family liaison officers from the Federal Circuit and Family Court of Australia, and in-house staff from FamAC. The webinar series will continue in 2024–25.

## Making sure children’s voices are heard

### **Tandy & Padula (2024)**

We appeared as the ICL in a case where the court had to consider recent changes to the *Family Law Act (1975)* that require that an ICL meet with the child they are representing.

We acted for an eight-year-old in a parenting dispute with complex dynamics of coercive control. The child’s father had declined to make the child available to meet with us and said the child did not want to meet their lawyer. We sought orders that required him to facilitate a meeting.

The court considered this and ultimately found that it did have the power to require a parent to facilitate a meeting with their child’s ICL. The court placed minimal weight on the father’s evidence that the child did not want to meet their lawyer and emphasised that attending the meeting did not mean the child was required to express a view. It made orders on the terms proposed by the ICL requiring the meeting take to place.

### **Expanding social work and paralegal roles across the Family Law Division**

The Family Law Division expanded social work and paralegal roles following a successful trial of an interdisciplinary team approach from January 2021 to June 2022. The trial demonstrated improvements in litigation, team workload, work practices and staff wellbeing.

As a result, new positions have been created and are being recruited. A training program on interdisciplinary practice has been rolled out, and a community of practice for family law social work staff has been established.

### **Successful trial of remote preferred provider scheme in the Riverina**

The Family Law Division trialled the expansion of remote preferred provider scheme arrangements in the Riverina from November 2023 to June 2024.

The trial explored whether a roster of additional practitioners from outside of the local area would assist parents in receiving advice and representation earlier, improving experiences and outcomes. The scheme has been positively evaluated and achieved its objectives.

### **Standing up for a young person's wishes**

#### ***H v AC (2024)***

We acted on behalf of 17-year-old AC in *parens patriae* proceedings in the Supreme Court of NSW. AC had been diagnosed with cancer and did not wish to continue with treatment.

Along with her family, AC is a devout Christian. After several cycles of treatment, scans disclosed a 'spectacular' reduction in the size of her tumour. AC believed that she had been treated miraculously and declined further medical care.

The hospital applied to the court for a declaration that AC had the capacity to refuse the recommended treatment or, if the court found that she did not, an order authorising treatment.

The case raised complex moral issues around the circumstances in which a court should override the wishes of a young person. We argued on behalf of AC that her wishes should be determinative, that an order to treat her would be a breach of the Convention on the Rights of the Child and was not in her best interests.

The court ordered that AC receive treatment on the basis that medical evidence suggested she would die without it. The case created a legal precedent and was covered in the media.

## The year ahead

- We will partner with our colleagues in the Legal Aid NSW civil and criminal law divisions to ensure children and young people in out-of-home care or in contact with the criminal justice system can access legal advice and representation from experienced lawyers in a timely way.
- We will continue to deliver best practice duty lawyer services at the Bankstown and Liverpool local court specialist lists, deliver training and resources to key list stakeholders, and work collaboratively with the Chief Magistrate's Office and DCJ.
- We will deliver training, develop resources and provide legal and non-legal support to victim-survivors of domestic violence, particularly those experiencing coercive control. We will continue to work collaboratively to monitor the criminal justice response to the criminalisation of coercive control and the experience of victim-survivors.
- We will work with the Department of Social Security and Services Australia to identify better referral pathways for parents who could benefit from legal advice about child support, especially those who need proof of parentage to start a child support case.
- We will work closely with Aboriginal Community-Controlled Organisations to ensure family law and care and protection services for Aboriginal and Torres Strait Islander people are culturally safe and responsive to community needs. We will advocate for the expansion of culturally safe court models and law reform to better meet the cultural needs of Aboriginal and Torres Strait Islander people.
- The Family Dispute Resolution Service will trial a more culturally sensitive model for Indigenous List referrals, work toward building the Aboriginal mediator panel, provide cultural training to the existing mediator panel and work with stakeholders to provide improved dispute resolution services for Aboriginal families.

## Civil law

Our Civil Law Division is the largest publicly funded civil practice in Australia. We provide advice and representation for clients experiencing a wide range of civil legal issues involving fundamental needs such as safe and stable housing, income and entitlements, consumer protection, immigration, human rights, mental health, fines and coronial inquests. We provide civil law services in most offices, as well as by phone and at outreach locations throughout NSW. We also provide duty services at the Mental Health Review Tribunal and Youth Koori Court.

We have dedicated specialist services for Aboriginal and Torres Strait Islander communities, children involved in the care and criminal justice systems, refugees, prisoners, veterans, older people experiencing elder abuse, communities impacted by disasters and people who have experienced sexual harassment or discrimination in the workplace.

The Civil Law Division is undergoing significant transformation as a result of the Civil Law Blueprint, launched in 2023, which places greater focus on representation services for the most disadvantaged clients and communities in NSW. The blueprint sets our purpose “to improve the lives of people experiencing deep and persistent disadvantage or dislocation by using civil law to meet their fundamental needs”.

### Fact file

Total staff: 244

Total expenditure on civil law services: \$50.42m

Proportion of overall expenditure on civil law services: 9.56%

### We provided 59,423 civil law services to clients in 2023–24\*

Legal service type	In-house	Assigned	Total
Legal representation	2,796	695	3,491
Duty services	1,705	13,051	14,756
Legal advice	32,086	–	32,086
Minor assistance	9,090	–	9,090

\*Information services are not included in service counts in this section

### Civil Law Service for Aboriginal Communities turns 10

This year, the Legal Aid NSW Civil Law Service for Aboriginal Communities (CLSAC) celebrated 10 years of supporting Aboriginal clients and communities across NSW.

CLSAC is a team dedicated to the legal needs of Aboriginal clients, predominantly those living in regional and remote areas of NSW and Aboriginal women in custody.

In 2013–2014, CLSAC started out as two Legal Aid NSW pilots – the Money Counts and Aboriginal Women Leaving Custody (AWLC) projects. In 2014–15, permanent funding was secured for an ongoing service specifically supporting Aboriginal communities. The Money Counts and AWLC projects merged to form CLSAC.

The service continues to go from strength to strength, with an evaluation of CLSAC in 2018–2019 finding that “CLSAC operates a warm and compassionate legal service” which has strengths in its client focus, collaboration, consultation, cultural knowledge and campaigning through strategic advocacy.

CLSAC has staff based in the Sydney, Orange, Lismore and Wollongong Legal Aid NSW offices. Services they provide include regular outreach to Aboriginal communities and women’s correctional centres, telephone advice and financial counselling.

### **Win for veterans seeking reparations for abuse**

We successfully challenged a decision by the Defence Force Ombudsman (DFO) in the Federal Court, obtaining \$50,000 in reparations for our client and setting an important precedent.

Our client, a Defence Force veteran, was abused while serving and still has post-traumatic stress disorder more than 20 years later. His application to the DFO for reparations was refused. The DFO limited its assessment to whether physical injuries arose from the abuse and not the ongoing impact of the abuse on our client’s mental health.

In a judgment by consent, the DFO conceded that it was an error not to consider the impact of the abuse. The decision confirms that veterans can ask the Federal Court to review DFO’s recommendations and that writs of certiorari and mandamus can be issued under section 39B of the *Judiciary Act 1903* (Cth).

### **Advocacy to improve the Resilient Homes Program**

Following devastating floods in the NSW Northern Rivers in February and March 2022, the Resilient Homes Program (RHP) was established by the NSW Government to support communities to build more flood-resilient housing. The program offers voluntary buybacks, house retrofits, or house-raising to eligible homeowners.

Our Disaster Response Legal Service (DRLS) collaborated with the NSW Reconstruction Authority to create guidelines and a transparent appeal process for homeowners not prioritised for assistance, or who do not receive an outcome. Appeals focus on individual or exceptional circumstances, including homeowners who are elderly, have disabilities or medical conditions, have socio-economic vulnerabilities, are experiencing domestic or family abuse, or are at serious risk of homelessness.

The DRLS developed client-facing resources and delivered community legal education to raise awareness of the RHP and the availability of legal help. We identified evidentiary requirements for appeals and designed a template letter to streamline them.

The DRLS lodged 35 appeals in 2023–24, with 15 successful and 18 awaiting outcomes. We successfully secured over \$2 million in offers, with further offers pending. This assistance enables vulnerable people in flood-prone areas to rebuild their lives safely.

### **DRLS win helps family rebuild their home and lives**

The DRLS achieved a life-changing result for a family who lost their home in the 2022 Central West floods. Their insurance claim was denied, with the insurer relying on a hydrologist report, which concluded the property was flooded by creek water, which the policy did not cover. Our client argued that the damage was caused by stormwater run-off, which was covered.

We identified flaws in the hydrologist report and noted inconsistencies with the clients' eyewitness account, suggesting stormwater inundation. After an unsuccessful internal dispute resolution process, we lodged a complaint with the Australian Financial Complaints Authority (AFCA). The insurer then produced a supplementary hydrologist report, which also had inconsistencies.

We obtained additional evidence that challenged the hydrologist's conclusions, including the timing of creek floodwater entering the town and the water flow direction. The Council opined that the property was first inundated by overland rainwater.

The AFCA panel accepted our submissions, finding that the insurer had not established that the damage was caused by flood and that they must accept the claim, estimated at over \$600,000.

The approach of AFCA in considering challenges to expert reports is significant as many people lack flood cover due to unaffordable premiums and insurer's hydrologist reports are complex and costly to challenge.

### **Advocacy for two-tier appeal in the new Administrative Review Tribunal**

Throughout 2023–24, we contributed to the development of the Administrative Review Tribunal (ART), a new federal administrative review body replacing the Administrative Appeals Tribunal, to ensure the tribunal is fair, accessible and inclusive.

In conjunction with Victoria Legal Aid, we led National Legal Aid's engagement with the Commonwealth Government, advocating for improvements to the current administrative review system for social security, NDIS, child support and migration decisions. Most critically, working in partnership with Economic Justice Australia, we advocated to retain the current

two-tier independent merits review system for social security and family assistance matters. We drafted submissions, attended consultations with the Government's administrative review expert advisory group, and gave evidence to the Senate Legal and Constitutional Affairs References Committee.

The ART bills were passed in May 2024 with amendments that retain two tiers of merits review, ensuring more accessible review rights for people experiencing financial disadvantage seeking to challenge Centrelink decisions. The ART is expected to be operational by the end of 2024.

### Protecting the privacy of sexual assault victims

We formalised a referral pathway from the Office of the Director of Public Prosecutions to Legal Aid NSW for victims of sexual assault whose phones have been subpoenaed by the defence.

Previously, we had received these referrals on an ad-hoc basis and observed that the subpoenas they referenced amounted to a serious invasion of privacy, required the production of irrelevant material, and caused considerable distress.

One of the first referrals as part of our new pathway was of four complainants in *R v Lam (2023)*. Their subpoenas required that they share their phones so a full copy of the contents could be made. They were further asked to share copies of social media, email and SMS communications between themselves and 20 other people, including their spouses. We objected to the subpoenas, arguing the request was not legitimate as the communications were not relevant to the proceedings.

Her Honour agreed that some of these requests did not have a legitimate forensic purpose. She required the complainants to provide screenshots or downloads of specific relevant items, not their whole phone. She said that there is not a legitimate purpose to "seeking to compel the production of material for the purpose of checking that a subpoenaed party has complied with his or her legal obligation of compliance."

### Increased demand for help with housing problems

The Civil Law Division continues to experience increased demand for assistance with housing and tenancy problems. Our civil lawyers provided 53% more support with housing matters than in the previous year, according to statistics on in-house grants of aid, most commonly supporting clients who had lost their homes. We also provided 4,403 one-off advice sessions about housing problems such as eviction, barriers to social housing and repairs.

### DCJ Housing to stop chasing statute-barred debts

We achieved an important win that led to a major change in the Department of Communities and Justice – Housing's (DCJ) approach to debt recovery.



We represented a 38-year-old woman with disabilities who had moved out of her DCJ property in 2013 and fled interstate due to domestic violence. Our client was unaware that she owed DCJ \$6,987.11 due to orders they had sought from the NSW Civil and Administrative Tribunal (NCAT).

Ten years later, our client re-applied for social housing and was rejected on policy grounds, which required her to make six months of repayments toward the 2013 debt. At the time, DCJ's policy incorrectly characterised NCAT orders as court judgments that could be enforced for 12 years. We had been advocating for DCJ to change their approach for some time, as the policy was inconsistent with the law.

We successfully appealed the decision on the basis that the 2013 debt could no longer be enforced, as it had been more than six years since the client's last payment. The Housing Appeals Committee agreed, commenting that "the department cannot seek to impose a policy that is inconsistent with the current law."

We continued to advocate that DCJ change its policies, which have since been updated – securing a win not only for our client but for many people seeking social housing.

### The year ahead

- We will establish a civil law systemic advocacy group to provide recommendations on strategic litigation, systemic casework, law reform and advocacy. The group will lead systemic advocacy where there is no specialist team to do so and will include representatives from our Strategic Law Reform Unit as well as specialist and generalist civil lawyers.
- We will establish a new disability legal support service, bringing together lawyers and caseworkers to provide accessible, holistic and trauma-informed legal support to people with disability, their families and carers.
- We will deliver the Homeward Sisters Housing Project for Aboriginal women in custody in partnership with the DCJ and Homes NSW, dismantling legal barriers to stable housing and addressing systemic issues contributing to homelessness.
- We will establish a team to provide generalist civil advice and representation services to people in the central Sydney area, mirroring the approach in all other Legal Aid NSW offices and allowing statewide specialist teams based in central Sydney to focus on their area of expertise.
- We will implement a mental health back-up duty scheme to ensure greater transparency, equity and efficiency in the 10,000 proceedings each year in which we represent people subject to coercive orders before the Mental Health Review Tribunal.

### Key challenge

- Meeting the growing demand for civil legal assistance in the context of a cost of living and housing crisis. With more than one million people in NSW living in poverty, we will need to use the best available evidence to target our help to the people who need us the most and the matters where we can make the greatest impact.

## Community legal education

Legal Aid NSW provides targeted community legal education (CLE) for priority client groups and community professionals.

CLE events are delivered by staff across Legal Aid NSW. Our Community Legal Education Branch coordinates, manages and delivers CLE and related projects.

In 2023–24, we delivered 1,721 CLE sessions. We delivered 798 CLE events face to face including contributing to 178 stalls at events across NSW. We distributed thousands of educational resources.

We published nine Law for Community Workers podcast episodes in 2023–24, which were downloaded over 7,050 times. The most popular podcast covered 'Care and protection in NSW – what's new?' and had 470 downloads.

We hosted 215 online CLE events in 2023–24, including 22 Law for Community Workers webinars that reached 1,643 attendees. We uploaded 64 CLE videos to the Legal Aid NSW YouTube channel, which have been viewed 78,248 times – a 35 percent increase from the previous year. In 2023–24, the Legal Aid NSW YouTube channel gained 1,129 new subscribers, up 25 percent from the previous year.

One of the main ways community workers find out about our upcoming events and new podcasts is through our Law for Community Workers email alert. This year, we sent out 16 alerts to our 3,400 subscribers. Each alert highlighted special events like National Reconciliation Week, NAIDOC, Law Week, Homelessness Awareness Week, Youth Week and International Day of People with a Disability and contained links to our webinars, podcasts, publications and more. We also promoted webinars and events run by community legal centres and others in the sector.

### CLE sessions by area of law\*

Area of law	2021–22	2022–23	2023–24	Change from previous year
Criminal law	145	312	286	-8.3%
Family law	208	322	362	12.4 %
Civil law	967	1,401	1,073	-23.4 %
<b>Total</b>	<b>1,320</b>	<b>2,035</b>	<b>1,721</b>	<b>-15.4%</b>

\*CLE figures for 2021–22 have been revised following the identification of system issues that had previously resulted in undercounting.

## Law Week 2024 webinars

NSW Law Week is a program of community events and activities designed to help people understand their rights, the law, the legal system and the legal profession.

This year, we partnered with the State Library of NSW, Marrickville Legal Centre and other services to host a webinar series titled 'People in the law'. Three webinars showcased people with different roles in the legal profession, including lawyers from Legal Aid NSW and community legal centres, ombudsman staff, a magistrate and a barrister.

Providing insight into the roles of people who work within the law demystifies the legal profession and highlights the support organisations like Legal Aid NSW can provide to the community. We had 344 people register for our Law Week webinars, which were live-streamed on Facebook. Feedback from the community was very positive.

## Seniors diary and calendar

Our 'Legal topics for seniors diary' is our most popular publication and meets an identified need to provide legal information to older people in an accessible and usable format.

This year, we produced the diary and a calendar with funding support from the Department of Communities and Justice and the Law Society of NSW. We distributed 50,000 diaries and 20,000 calendars. Ten thousand of these diaries were distributed to seniors who attended the Sydney Seniors Festival Expo in March 2024.

## Legal words for interpreters

For the past nine years, we have delivered workshops for interpreters and bilingual workers to help them understand the tricky legal terminology they may encounter when assisting Legal Aid NSW clients, particularly at courts or tribunals. This year, we ran four workshops on criminal and family law words, both face-to-face and online, for a total of 153 interpreters.

## Youth Week Instagram Reels

We created three Instagram Reels targeting young people for Youth Week 2024, focusing on bills, fines and general legal help and assistance.

The videos were originally created as part of the 'How can Legal Aid help me?' animated series, which is hosted on our YouTube page and covers the different services Legal Aid NSW offers. By adapting the videos into the Instagram Reels format for Youth Week, we reached over 169,000 young people.

## Workshops for young people

We delivered 93 face-to-face CLE events in schools and youth services across NSW in 2023–24 to a total of 4,746 young people. The sessions helped young people build their legal life skills by enhancing their understanding of police powers, sexting and consent, discrimination and more.

## 'A place to call home' podcast series

'A place to call home' is a seven-episode podcast series that explores homelessness in Australia and the legal issues people experience when they are homeless or at risk of homelessness.

Topics covered include homelessness when leaving prison, for veterans and for older women. We also spoke to Rachel, a person with lived experience of homelessness. You can listen to the series through [Law for Community workers on Podbean](#) or wherever you get your podcasts.

## Facilitation masterclass

We partnered with community legal centres to deliver an interactive online facilitation masterclass on 6 May 2024, presented by experienced facilitators Ian Colley and Scott Lappan-Newton. Ian and Scott have both done extensive training work in the sector and spoke about running interactive and engaging community legal education in-person and online.

The session was attended by 58 participants, and we plan to run more sessions in 2024–25.

## Custody support person training

We delivered eight custody support person workshops to train community members to be support people for young people in police custody. The training was delivered face to face in Kurri Kurri, Muswellbrook, Maitland, Walgett, Coonamble, Dubbo and Wagga Wagga to 80 participants.

## The year ahead

- We will develop podcasts for prisoners on a variety of topics, including powers of attorney, visa cancellation and how Legal Aid NSW can help them.
- We will continue to grow our Law for Community Workers platforms and educate more community and health workers on how to spot legal issues and refer clients for legal help.
- We will launch a do-your-own divorce resource – a how-to guide to assist the public in navigating the divorce process.
- We will continue to deliver community legal education to young people through our legal life skills workshop and other tailored workshops in high schools across the state.

## Key challenge

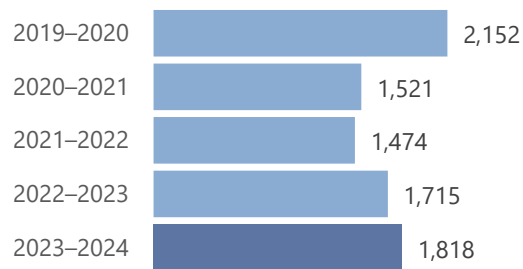
- Engaging our staff to assist in the delivery of community legal education, particularly our Law for Community Workers webinar series. We plan to meet regularly with staff from our practice areas so we can identify lawyers to deliver community legal education.

## Private lawyers

Legal Aid NSW works in partnership with private lawyers, who receive funding from us to represent legally aided clients in assigned matters.

To be appointed to one of the panels of practices assigned legal aid work under the *Legal Aid Commission Act 1979* (NSW), private law practices need to meet set criteria. This year, 67.5 percent of legal aid grants were assigned to private law practices, and private lawyers provided 38.9 percent of all Legal Aid NSW duty lawyer services. Further details appear in Appendix 5.

### Total individual panel members



### Number of law practices on Legal Aid NSW panels 2023–2024\*

#### General panels

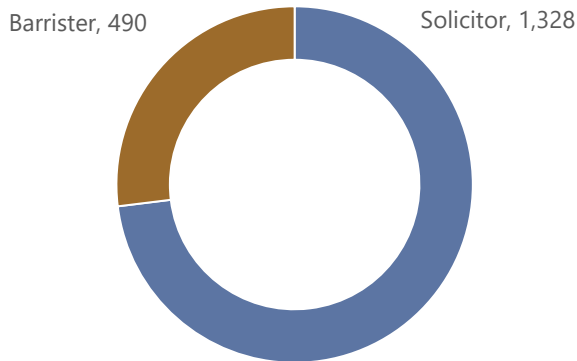
Panel	Total law practices
Civil Law Panel	380
Family Law Panel	731
Summary Criminal Law Panel	1,376

#### Specialist panels

Panel	Total law practices
Appellate Criminal Law Barrister Panel	83
Care and Protection Panel	153
Children’s Criminal Law Panel	479
Complex Criminal Law Barrister Panel	227
Domestic Violence Panel	633
Independent Children’s Lawyer Panel	136
Indictable Criminal Law Panel	730
Indictable Criminal Law Barrister Panel	436
Mental Health Panel	418

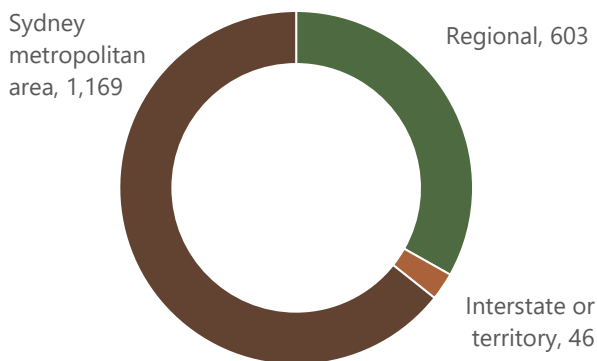
\*Some law practices are members of more than one panel. Figures include panel members whose memberships were active as at 30 June 2024.

## The lawyers who sit on our panels



## Where our private lawyers are located\*

\*Based on the panel member's primary office location



## Monitoring quality and supporting private lawyers

Private lawyers provide approximately half of all Legal Aid NSW services, with some regional and remote areas of NSW serviced exclusively by private lawyers.

Working with private lawyers, making it easy for them to provide services to our clients and ensuring clear and reasonable expectations are crucial to effective service delivery to Legal Aid NSW clients. We proactively monitor the quality of services our clients receive to ensure we are supporting private lawyers on our panels to provide excellent service.

In 2023–24, we continued implementing our Private Lawyer Quality Framework. We monitored the application process for our panels, undertook audits and complaints investigations and continued to engage with our stakeholders to identify areas for quality improvement.

We developed and launched a new mandatory training module for all new panel law practices called Understanding our Clients and Serving our Mob. The continuing professional development-accredited module provides foundational awareness and knowledge to help private lawyers understand and work more effectively with different client cohorts, including our Aboriginal and Torres Strait Islander clients.

## Private lawyer praised for providing a path forward for kids

### *Department of Communities and Justice (DCJ) and the Yarran Taylor Children (2024)*

One of our private lawyers appeared in an extremely difficult matter that considered appropriate parenting arrangements for four young Aboriginal children. The children were exposed to domestic violence and drug use while in the care of their parents. Under the care of DCJ, one of the children had changed households 26 times in 12 months. The court found that the medical and other needs of the children had not been met while in the care of DCJ.

Our private lawyer was the independent legal representative in a case that would determine the children's future living arrangements. She made submissions to the court on the children's history and her concerns about their care. The magistrate praised her work, which provided a fair and balanced view of the evidence and the options arising from it, ultimately providing a path forward for the court.

"[Her] submissions carefully and objectively assess the evidence and those parts of the evidence that would give cause for concern and those that may lead to the Court ultimately restoring the children," the magistrate said. "The Court is indebted to her for those submissions and the exemplary manner in which she represented the children."

## Regional visits

The Private Lawyer Quality Standards Unit conducts regular regional visits to speak with panel members, engage with stakeholders, gather feedback, and identify areas where panel members could benefit from training or support to meet service delivery needs. In 2023–24, the team visited the Far North Coast.

## Audits

In 2023–24, we audited 200 case files from 138 law practices. We spot-checked claims for in-person prison visits and compliance with training requirements for members of the Child Crime Panel.

### Total audits completed in 2023–24

Type of audit	Law practices and files
Quality audits	3 law practices (11 files)
File reviews	23 law practices (57 files)
Spot check audits	112 law practices (133 files)



## Complaints

Complaints are the main way we identify concerns about private lawyers. The complaints handling process is continually refined to ensure consistent and fair investigations and outcomes. We are committed to engaging with clients and stakeholders to ensure they are aware of our complaints process.

### Number of complaints received\*

Year	Total complaints
2021–22	311
2022–23	262
2023–24	422

\*Our previous annual reports shared complaints data by calendar year. We have updated these figures to follow standard reporting periods and align with other data.

## Outcomes

In 2023–24, a total of five law practices were removed from Legal Aid NSW panels due to serious breaches of the Legal Aid NSW Panel Service Agreement or our Quality Standards.

### The year ahead

- We will continue to engage with private lawyers and provide access to quality training.
- We will continue to engage with external and internal stakeholders to improve how we gather feedback and monitor the quality of services provided by private lawyers.
- We will continue our own monitoring practices, including audits and regional visits.
- We will continue to update and refine our audit and complaints handling processes.
- We will create a new grants management system with more efficient functionality for private practitioners.

### Key challenge

- Ensuring specialist panel requirements remain dynamic to respond to evolving quality concerns.

## National Legal Aid

National Legal Aid (NLA) represents the eight state and territory legal aid commissions in Australia, including Legal Aid NSW. We work with NLA to deliver three significant national services and projects that are funded by the Commonwealth Attorney-General's Department.

### Your Story Disability Legal Support

Your Story was set up in 2019 to support people to take part in the disability royal commission in a safe and informed way and to help people with disability and their families with their legal problems. Your Story closed on 30 June 2024.

In total, Your Story received over 13,000 calls and enquiries through its info line and provided over 8,000 legal services to more than 3,000 clients across Australia. Around 25 percent of Your Story services were provided to people with disability in closed and segregated settings, such as juvenile detention, prison, mental health facilities and group homes.

Your Story delivered over 1,000 inclusive community legal education activities and distributed over 200 accessible resources about disability rights and the royal commission. They provided legal information in written, captioned video, audio, tactile and Easy Read formats, and translations in Auslan and community languages.

Your Story was the first national service provided jointly by legal aid commissions and Aboriginal and Torres Strait Islander legal services in each state and territory. An independent evaluation of Your Story found that it provided high-quality legal services that were relevant, tailored, flexible and accessible. It was found to be highly effective at meeting the diverse needs of people with disability and to have provided services to a diverse range of clients, including clients in rural and remote communities.

### Defence and Veterans Legal Service (DAVLS)

DAVLS was set up in 2021 to provide independent and confidential support to defence personnel, veterans and their families to take part in the Royal Commission into Defence and Veteran Suicide. DAVLS also supports clients with veteran entitlement issues and other legal problems.

In 2023–24, DAVLS received over 2,232 calls and enquiries through its info line and provided 2,478 legal services to over 825 clients across Australia. DAVLS has become an important part of the defence and veteran community and has delivered over 100 community legal education activities, often in partnership with other services, at a broad range of locations across Australia.

An independent evaluation of DAVLS found that the service is highly valued by both clients and stakeholders, effective in providing legal services to support engagement with the royal

commission and that it delivers services that are independent, trauma-informed, culturally safe and nationally accessible.

The royal commission is due to release its final report to the Governor-General on 9 September 2024. DAVLS will wrap up its final work for clients and support the defence community in understanding the report before closing on 30 September 2024.

## **With You**

The Commonwealth Attorney-General's Department funded National Legal Aid to develop training on providing trauma-informed legal assistance services to people experiencing distress, poor mental health or suicidality. The 'With You' training project is now being led by Legal Aid NSW on behalf of National Legal Aid.

The 'With You' self-paced eLearning modules will be available early in the 2024–25 financial year. The training equips legal assistance staff with the knowledge and skills to adopt a trauma-informed and rights-based approach when working with clients experiencing mental ill-health, suicidality and distress. The content was developed using an extensive national co-design process that consulted over 500 people, including lawyers, allied professionals, the mental health sector and clients.

Complementing the eLearning, the 'With You' project has successfully piloted in-person trauma-informed training to lawyers, allied professionals and administration staff in Canberra, Brisbane and North Queensland. The training, co-facilitated by a lived experience educator, is the first of its kind and uniquely designed for the legal assistance sector.

The 'With You' Trauma-Informed Organisational Toolkit is also now available. This evidence-based resource provides over 40 examples of best practice trauma-informed approaches to service delivery and design, organisational culture, leadership and management.

To further disseminate these practices, the Trauma Informed Community of Practice for the Legal Assistance Sector has been established in collaboration with LawRight and Community Legal WA, providing an opportunity to share practices and build connections across the sector. Information and resources can be found on the [With You webpage](#) on the National Legal Aid website.

# Programs we administer

## Community legal centres

Legal Aid NSW administers funding on behalf of the NSW Government, Commonwealth Government and Public Purpose Fund for the Community Legal Centres (CLC) Program in NSW.

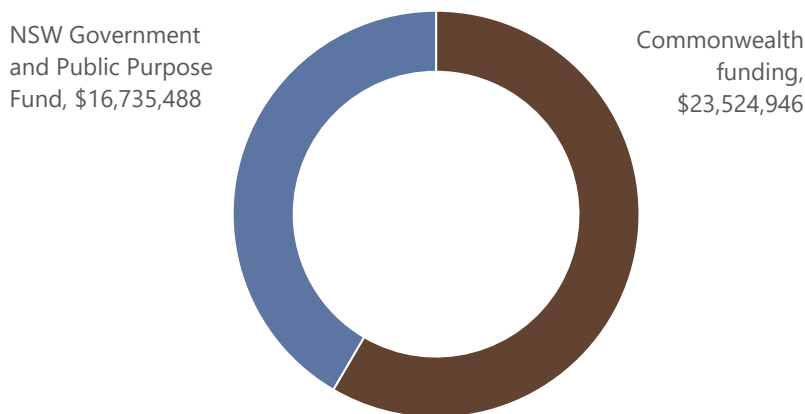
The CLC Program funds 32 generalist and specialist community legal centres and the state peak body Community Legal Centres NSW (CLCNSW). The CLC Program also funds the Aboriginal Legal Access Program, the Children’s Court Assistance Scheme and the Court Support Scheme, which provide complementary non-legal support services in courts and local communities.

CLCs are independent, non-government organisations that provide free legal services to the public, focusing on people facing social and financial disadvantage. In addition to funding available through the CLC Program, centres may also receive funding from various other government and non-government sources.

## Funding and services

This year, we administered \$40,260,434 of CLC Program grant funding to community legal centres and CLCNSW. This includes some one-off Commonwealth and state funding for disaster-related legal assistance and sector-wide projects. For further details regarding this funding, see Appendix 4.

## Funding by source



### Fact file

In 2023–24, CLCs funded through the CLC Program:

- assisted 34,807 people
- provided 41,433 legal advice services and performed 10,703 legal tasks for clients
- opened 3,856 representation services and closed 3,806 representation services, including 1,470 court and tribunal services
- provided 3,758 duty lawyer services
- delivered 866 community legal education activities and created 297 resources
- made 44,701 referrals, and
- provided 11,749 information services.\*

*\*Service and client data provided by national peak body, Community Legal Centres Australia.*

### Biennial survey highlights high client satisfaction

Satisfaction surveys of CLC clients are a requirement under the National Legal Assistance Partnership and provide an opportunity to understand service delivery outcomes from a client's perspective and examine whether the objectives of the program are being met.

The CLC Program commissioned CLCNSW to coordinate the delivery of the 2023 survey, and they reported the results in October. Just over 2,400 clients were surveyed, and 916 responses were collected.

- 99% of respondents stated that the CLC listened to their legal problem.
- 98% of respondents would recommend the service to other people.
- 97% of respondents said the centre helped them understand how to deal with their legal problem.
- 96% of respondents knew where to get help with any future legal problems.
- 79% of clients identified an improvement in their wellbeing.
- 82% identified reduced levels of stress.

### State funding enables Financial Abuse Service expansion

In September 2023, the NSW Government announced \$8.1 million in funding for a four-year expansion of the Financial Abuse Service at Redfern Legal Centre. The service has been operating since 2019 and provides free legal advice and support to people across NSW experiencing financial abuse, often by an intimate partner or ex-partner. The service assists with credit, debt, consumer law problems and family law financial matters.

The additional state funding has enabled the service to employ more solicitors, financial counsellors, social workers and other staff. The service is now able to assist victim-survivors on partner visas with tax and immigration law problems. It will continue to expand its scope over the next financial year.

### **One-off funding provides much-needed support**

Twenty-two community legal centres reported the positive outcomes of one-off state funding to support people experiencing or at risk of domestic, family and sexual violence.

This funding came to an end in June 2024 and supported centres to deliver frontline services focused on victim-survivors and their needs. Centres assisted clients to:

- escape 'sexually transmitted debt' (where the client has become liable for a partner's debt) by negotiating with creditors
- access victims' compensation
- navigate the process of getting an apprehended domestic violence order
- negotiate parenting plans and property settlements
- access a permanent visa
- broker social housing arrangements, and
- assert their employment rights.

### **The year ahead**

- We will work with peak body CLCNSW, the Children's Court Assistance Scheme and the Aboriginal Legal Access Program to support staff training projects and sector-wide events.
- We will work with the community legal sector, the Department of Communities and Justice and other stakeholders to implement the next National Legal Assistance Partnership.

### **Women's Domestic Violence Court Advocacy Program**

Legal Aid NSW administers funding for specialist domestic and family violence support services across the state through our Women's Domestic Violence Court Advocacy Program (WDVCAP) Unit.

The WDVCAP Unit administers state government funding for Women's Domestic Violence Court Advocacy Services (WDVCASs), the largest frontline service for women experiencing domestic and family violence in NSW. These services provide women with information, advocacy, safety planning, referrals, case management and support through the court process at all NSW local courts. In 2023–24, WDVCASs assisted 64,082 clients.

WDVCASs play a key role in the NSW Government's Safer Pathway program, including providing secretariat and victim liaison support for Safety Action Meetings (SAMs) across the

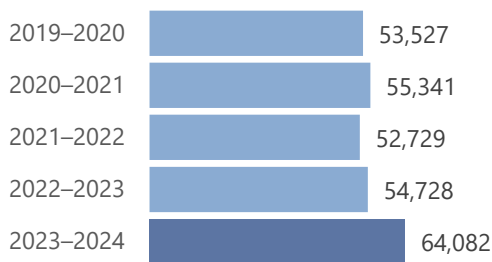
state. SAMs are local interagency meetings that aim to reduce the risk to victims at serious threat of injury or death due to domestic and family violence.

We also administer Commonwealth funding for the social support component of the Family Advocacy and Support Service (FASS), a national scheme of integrated legal and social support for families affected by domestic and family violence and going through the family law process. In 2023–24, FASS social support workers assisted 4,734 clients.

#### Fact file

- 13.5% of WDVCS clients identified as Aboriginal or Torres Strait Islander.
- 18.3% of WDVCS clients identified as being from a culturally diverse background.
- 6.1% of WDVCS clients identified as having a disability.

### Number of women supported by Women's Domestic Violence Court Advocacy Services



### Hearing support pilot receives positive evaluation

In April 2024, Dr Jane Wangmann and colleagues from the University of Technology, Sydney, delivered a positive evaluation of the WDVCS Hearing Support Pilot. The pilot commenced in November 2022 in 14 WDVCS locations covering 73 local courts and expanded to all other locations in November 2023 following a \$6.1 million investment from the NSW Government. In the first year of the pilot, over 3,000 women were supported across the state.

Pilot funding enabled WDVCSs to employ dedicated hearing support specialist workers to assist women in preparing for court hearings and attending court safely. Support could include arranging for women to attend a pre-hearing clinic with police, helping them to understand the court process, facilitating access to remote witness facilities or arranging supports on the day, such as transport and childcare.

Dr Wangmann's evaluation found that the pilot reduced the stress and trauma associated with the court process for victim-survivors, improved their engagement with the court process, assisted them in giving better quality evidence at defended hearings and helped them to obtain apprehended domestic violence orders with appropriate conditions. The evaluation

recommended that the pilot be funded to continue as a component of standard WDVCS service delivery.

### **The year ahead**

- We will administer over \$4 million in new funding from the NSW Government for WDVCSs to help them keep up with increasing demand. This funding was provided as part of the NSW Government's emergency domestic, family and sexual violence response package.
- We will work with NSW Police to continue our co-location pilot, which places specialist WDVCS staff at participating police stations to support women who are there to report or seek help with domestic and family violence.

### **Key challenge**

- Securing FASS funding from 1 July 2025. We will pursue this in collaboration with specialist teams within the Family Law Division and FASS providers across the state.



## Creating accessible and efficient office spaces

This year, we managed several detailed projects to make our facilities more efficient, productive and welcoming while ensuring that essential services continued without interruption.

### Creating new office spaces

#### Opening our new office in Broken Hill

In July 2023, we officially opened our new Broken Hill Office with a ribbon cutting attended by NSW Attorney General Michael Daley.

We have been operating in the region on a fly-in and fly-out basis since 2016, and we spent several years sharing an office with Lifeline before establishing the permanent 'shopfront' location. The new office houses eight staff including six solicitors.

#### Opening our new Campbelltown Office

The NSW Attorney General officially opened our new Campbelltown Office space in September 2023.

Legal Aid NSW has had an office in Campbelltown since 1988. The new space considered the current team of 40 and future expansion to service the local community. It includes updated facilities for client interviews, staff meetings and video conferencing.

### Expanding and enhancing existing offices

#### Creating space for new team members in Dubbo

We completed an expansion of our Dubbo office in April 2024, creating space for 10 new staff members to support the local community. The expansion also added a 14-seat Crestron meeting room, space for three new Legal and Client Support Officers, enhanced storage, and kitchen facilities.

#### Adding new furniture in Coffs Harbour

Modifications to the administration area at the Coffs Harbour Office have added 10 new workstations. Additional furniture was ordered for offices, interview rooms and the lunchroom.

#### Enhancing cultural connections in Central Sydney

We expanded the Aboriginal Services Branch's Central Sydney office space, adding additional offices and a shared team area. The new space reflects best practices in cultural safety and features artwork by Aboriginal artist Luke Penrith.

### Improving our security processes

In the past year, Legal Aid NSW has made significant improvements to security processes that impact our facilities. We have upgraded our systems to be more reliable, cost-effective, and streamlined across the organisation.

Facilities staff have been trained to maintain a secure and client-focused environment and respond appropriately to security incidents.

### **The year ahead**

- Create a Moree Office that reflects our dedication to improving remote service provision.
- Move and expand our Coffs Harbour Office to demonstrate our commitment to the community.
- Enhance our facilities in ways that benefit staff, clients and communities, with a particular focus on remote areas where staff and clients travel long distances to our offices.

### **Key challenge**

- Meeting the whole of Government directive for flexible and dynamic workspaces. We will focus on creating open-plan offices with shared and bookable workstations to support collaboration while maintaining effective workspaces.

## Technology

Quality technology solutions that keep pace with industry best practices equip our staff to deliver the best possible outcomes to our clients.

### New WDV CAS case management system

We rolled out a new client and case management system for Women's Domestic Violence Court Advocacy Services (WDVCAS) and Family Advocacy and Support Services (FASS). The system is now used by over 400 frontline domestic and family violence support workers across the state each day.

The new system, named DFV Connect, centralises client data in one platform and significantly improves the security of sensitive client information. This security is crucial for WDV CAS and FASS teams, whose clients are often at risk of ongoing domestic and family violence.

The new system also improves the data available to us and our partners about the impact of domestic and family violence on our clients, and the effectiveness of the supports we provide to clients. This will allow us to improve the quality of our services and better advocate for law and system reform. The new system also:

- reduces the administration time required to process client referrals
- increases the amount of time available to spend directly supporting clients
- improves service delivery by creating a single source of client information, and
- allows for analysis of repeat referrals and repeat clients.

### Updating technology in our contact centres

We completed a major upgrade to the platform that LawAccess NSW and our Domestic Violence Unit use to speak to customers in July 2023. The upgrade allows for seamless customer engagement across multiple channels, including voice, web chat and email, ensuring a consistent and personalised customer experience.

The new platform has a modern, intuitive user interface, enhances our communication capabilities significantly, and was introduced with minimal disruption.

### Improving account management for Legal Aid NSW staff

We introduced an automated information and communications technology account management program called Identity Fusion to streamline the account administration and system access process required when staff join us, leave our organisation or move roles. The new system improves the user experience for new staff and managers while uplifting identity management and account security.

### Improving our email distribution lists

We completed a major upgrade to our distribution list management system so that email lists, such as our all-staff list, are updated daily based on HR data. The change has reduced manual effort and improved overall operational efficiency, ensuring our email communications are relevant and effective for the staff who receive them.

### Replacing our grants management system

We have secured funding and started planning to replace our grants management system, ATLAS, with a new, advanced platform that puts clients at the centre and creates a seamless experience for our staff and private practitioners.

The upgrade will ensure clients receive timely legal support, streamline application and administration processes, enhance security and ensure we can fulfil our legislated responsibilities effectively.

### The year ahead

- We will replace our HR and finance systems with myWorkZone, which will bring us into line with current government processes and provide a more user-friendly, traceable, and supportive solution, ensuring greater efficiency and reporting capabilities.
- We will continue our work to replace our grants management system, collaborating with key stakeholders to ensure the platform meets the diverse needs of our users.
- We will develop stage two of our Client Portal and add enhanced features like document functionality and improved booking systems for appointments.
- We will replace our existing telephone system with a combination of Microsoft Teams and extended Genesys Call Centre software, enhancing technical robustness, improving client and staff experiences, and significantly advancing reporting and analysis capabilities.
- We will implement a new hiring portal that improves the hiring experience for managers and candidates.
- We will improve operational efficiency by beginning a transformation of our HR technology, including phased implementation of our new human capital management system, SuccessFactors.

### Key challenge

- Ensuring a smooth transition to our new grants management system and minimising disruption to staff and service delivery.

# Management and accountability

Providing clients with exceptional legal help requires our Board's support, our Executive Team's guidance, and strong, fair governance and management processes. We need a diverse workforce that is supported to build their skills and stay physically and mentally healthy.



LawRight Qld lawyer Kate Adnams, Legal Aid NSW Senior Project Officer Mental Health Arna Rathgen, workforce advocate with subject matter expertise in suicide prevention Darren Wagner and Legal Aid NSW Project Manager Mental Health Jennifer Chen following a presentation on providing trauma-informed legal assistance by With You.

## Key activities of the Board

The Board of Legal Aid NSW comprises 10 members, including the Chair and the CEO of Legal Aid NSW. The members of the Board determine our broad policies and strategic priorities, and they monitor risks.

### Meetings of the Board

The Board held six meetings in 2023–24.

### Engagement with the Board

The Board is advised by:

- the Legal Aid NSW Audit and Risk Committee (ARC), which advises on budgetary and internal audit matters, and other areas of organisational risk, and
- the Closing the Gap Project Board, which monitors and guides our strategies to meet the socio-economic outcome targets under Closing the Gap.

At each meeting, the Board is provided with financial statements, the minutes from ARC meetings and reports on complaints, safety, health and wellbeing, cybersecurity, organisational performance and achievements against the Strategic Plan.

### Decisions of the Board 2023–24

#### 29 August 2023

- Agreed to seek approval from the Attorney General to include an Aboriginal and/or Torres Strait Islander representative on the Board.
- Approved a statement reflecting support by Legal Aid NSW Board members for a “yes” vote in the referendum on the Aboriginal Voice to Parliament.
- Noted reforms to Legal Aid Review Committees.
- Noted details relating to the review of the National Legal Assistance Partnership Agreement 2020–25.

#### 24 October 2023

- Approved the provision of extended legal assistance to clients seeking to vary conditions of parole or intensive corrections orders.
- Approved changes to the Family Law Property Policy to introduce new eligibility requirements for legal assistance in property settlements.
- Noted the high-level plan for the replacement of the grants management system (ATLAS).
- Noted a paper on managing workplace stress and mental health.

#### 5 December 2023

- Noted a paper on the results of the People Matter Employee Survey.

## 20 February 2024

- Approved changes to civil law policies that amended eligibility for extended legal assistance and introduced early resolution assistance for conciliations and mediations.
- Approved amendments to the Civil Law Migration Policy that expanded eligibility for permanent protection visas and citizenship appeals for refugees and embedded a human rights framework.
- Approved the Legal Aid NSW Domestic and Family Violence and Elder Abuse Strategy 2024–2025.
- Approved the Legal Aid NSW Strategic Law Reform Agenda 2024–2025.
- Approved an increase to the fee scale for Commonwealth criminal law matters so that private lawyers are paid equal rates in Commonwealth and state criminal law matters.
- Approved changes to workplace health and safety reporting and risk management.
- Introduced changes to reporting on cyber security and business continuity planning.
- Noted papers on coercive control reforms, *Family Law Act 1975* reforms and a presentation on the client portal.

## 30 April 2024

- Approved Legal Aid NSW's participation in the Public Service Commission's 12-month Board Observership Program and nominated a Board member to provide executive mentoring to the observer.
- Approved changes to Commonwealth family law private practitioner fees to allow increased preparation time for certain matters.
- Approved the evaluation and learning framework for the Legal Aid NSW Strategic Plan 2023–2028.
- Approved establishment of a sub-group of the Board to further review the cyber incident plan, respond to cyber incidents and participate in a cyber security test in May 2024.
- Noted a paper on managing stress and mental health in the Family Law Division.

## 25 June 2024

- Noted a paper on the establishment of a Far South Coast office and sought a revised paper for consideration and approval at the next meeting.
- Approved an increase to the base hourly fee for private solicitors in Commonwealth family and civil law matters from \$150 to \$165, commencing 1 July 2024, and a corresponding 10% increase to counsel fees and solicitor fees not based on the hourly rate.
- Approved year two of the Legal Aid NSW Strategic Plan for 2024–2025.
- Noted papers on the impact of new bail reforms, AI guidelines and the results of a client satisfaction report.

## Board members | 1 July 2023 to 30 June 2024



### **Craig Smith**

*Dip Law (BAB), Dip Crim (SYD)*

#### **Chair**

*Attended six of six meetings*

Craig Smith was appointed by the NSW Attorney General as Chair of the Legal Aid NSW Board in February 2013. Mr Smith has been reappointed until 26 September 2025.

A solicitor and former judicial registrar of the District Court of NSW, Mr Smith has four decades of experience in the administration of justice in NSW. He has worked in various government legal and policy positions, including senior positions with the NSW Office of the Director of Public Prosecutions. He was a director of court services and then director of judicial support before his appointment as a judicial registrar in 2010.



### **Monique Hitter**

*BSW, Dip Law*

#### **Chief Executive Officer**

*Attended six of six meetings*

Monique is currently the CEO of Legal Aid NSW and was appointed to the role in July 2022. Prior to this she was the Acting CEO from November 2021. Monique was our Deputy CEO from November 2018 to November 2021 and prior to that was the Director, Civil Law for 11 years.

Monique has been practising law since 1997 and has also served as a senior member of the NSW Civil and Administrative Tribunal in the Administrative and Equal Opportunity Division.

In over 30 years working in social justice, Monique is especially proud of having established the Civil Law Service for Aboriginal Communities and the Children's Civil Law Service, and of expanding the reach and scope of the Legal Aid NSW Civil Law Program, such that the Productivity Commission in its landmark Inquiry into Access to Justice Arrangements stated that it set the national benchmark for the provision of civil law services.

More recently in her role as Deputy CEO, Monique led a process to establish new policies in response to sexual harassment and unacceptable behaviour, the development of the Family Law Blueprint and the Legal Aid NSW response to the pandemic.





**Peggy Dwyer**

*BA LLB (ANU), PhD (University of Edinburgh)*

**Board member**

*Attended four of six meetings*

Peggy Dwyer was appointed as a representative of the NSW Bar Association by the NSW Attorney General and has been reappointed until 26 September 2025. Dr Dwyer was called to the bar in 2010 after more than 10 years as a solicitor, specialising in criminal law and later coronial law and was appointed Senior Counsel in 2023. She previously worked for the Aboriginal Legal Service (NSW/ACT) Limited, the North Australian Aboriginal Justice Agency (NAAJA) in the Northern Territory and the NSW Crown Solicitor's Office. Dr Dwyer was an Associate to Justice Michael Kirby in the High Court of Australia between 1995 and 1996.

As a barrister, Dr Dwyer appears in a wide range of criminal matters, including jury trials, appeals, Children's Court of NSW matters and State Parole Authority hearings. She has a busy practice in inquests, Commissions of Inquiry and medical disciplinary law. She appeared as Counsel Assisting the Royal Commission into the Institutional Response to Child Sexual Abuse and as Counsel for NAAJA in the Royal Commission into the Protection and Detention of Children in the Northern Territory. Dr Dwyer is Senior Counsel Assisting the Northern Territory Coroner in a series of domestic violence deaths, and the inquest into the death of Kumanjaya Walker and was recently appointed Senior Counsel Assisting the NSW State Coroner in the inquest into the deaths at Bondi Junction.



**Ainslie van Onselen**

*LLB (UWA), MAppFin, GDipAppFin (Finsia), GAICD*

**Board member**

*Attended five of six meetings*

Ainslie van Onselen was appointed by the NSW Attorney General as a representative of consumer and community interests. Ms van Onselen has been reappointed until 26 September 2025.

For more than 20 years, Ms van Onselen enjoyed a parallel career as a law partner and non-executive director before progressing into senior executive roles at Westpac, including Managing Director of RAMS Home Loans and running its retail deposits portfolio. Ms van Onselen has been the Chief Executive Officer of

Chartered Accountants Australia and New Zealand (CAANZ) since May 2020.

Ms van Onselen is passionate about social justice, inclusion and diversity. She is the former Global Director of Women's Markets, Inclusion and Diversity for Westpac and currently serves as Chair of Kambala Girls School and Chair of Chartered Accountants Worldwide. She is a non-executive director of Global Accounting Alliance, Chartered Accountants Worldwide and share registry company Automic. She is also the former Deputy Chairperson of the Insurance Commission of Western Australia.

A member of Chief Executive Women Australia, an Australian Financial Review Women of Influence winner and a former 40 under 40 WA Business News and University of Western Australia Award winner, Ms van Onselen was invited to represent CAANZ and the accounting and auditing professions at the Australian Government's 2022 Jobs Summit.

As well as steering CAANZ's strategy and digital and data transformation, Ms van Onselen drives CAANZ's inclusion and diversity agenda and is a prominent advocate for global sustainability and environmental, social and corporate governance standards.



**Michael Coleman**

*M Comm, B Comm, FAICD Life, FCA, FCPA*

**Board member**

*Attended six of six meetings*

Michael Coleman was appointed as a representative who, in the opinion of the NSW Attorney General, possesses skills and experience that would benefit Legal Aid NSW. Mr Coleman has been reappointed until 26 September 2025.

The Board also appointed Mr Coleman as Chair of the ARC from 29 June 2016.

Mr Coleman is a chartered accountant. He retired from KPMG in 2011 following a career that included 30 years as an audit partner and practice leader.

Mr Coleman sits on several other boards and audit committees and was a board member of Macquarie Bank Limited, having been a director and Chair of the audit committees of Macquarie Group and Macquarie Bank from 2012 until 2022. He was Chair of Bingo Industries Limited from listing in 2017 until its takeover in 2021, was a member of the Reserve Bank of Australia's audit committee and previously held several significant roles with the Australian Institute of Company Directors.

Mr Coleman is an Adjunct Professor at the University of New South Wales Australian School of Business, Deputy Chair and Audit Committee Chair of Planet Ark Environmental Foundation, a Governor and Chairman of the Risk and Audit Committee of The Centenary Institute of Cancer Medicine and Cell Biology and a director of the Bionics Institute. He is also Chair of the Advisory Board of The Foundation for National Parks and Wildlife.



**Richard Henry**

*AM, MB BS, MD, FRACP, Dip Clin Epi*

**Board member**

*Attended five of six meetings*

Richard Henry was appointed as a representative who, in the opinion of the NSW Attorney General, possesses skills and experience that would benefit Legal Aid NSW. Dr Henry has been reappointed until 26 September 2025.

Dr Henry is an Emeritus Professor at the University of New South Wales (UNSW). He was a Professor of Paediatrics at both the University of Newcastle and UNSW and has held senior leadership roles in both the university and health sectors. From 2006 to 2012, he was the Deputy Vice-Chancellor (Academic) and Vice-President at UNSW.

Since his retirement from UNSW, he has worked as a consultant in health and higher education. He is currently Professor of Health Leadership in the Macquarie Business School at Macquarie University. Dr Henry's current unpaid roles include Director of the Children's Cancer Institute and Director of Luminesce Alliance. He was appointed as a Member of the Order of Australia in 2007 for service to paediatric respiratory medicine as a clinician, researcher, educator and mentor, and for serving in a range of roles with professional medical organisations.



**Sue Gilchrist**

*LLM, BA LLB (Hons)*

**Board member**

*Attended six of six meetings*

Sue Gilchrist was appointed as a representative who, in the opinion of the NSW Attorney General, possesses skills and experience that would benefit Legal Aid NSW. Ms Gilchrist has been reappointed until 26 September 2025.

Ms Gilchrist is a senior disputes partner at Herbert Smith Freehills, specialising in intellectual property and tech. She has been a lead support partner for the firm's pro bono team. She is

experienced in all areas of intellectual property, including patents, designs, copyright, trademarks, passing off, and confidential information. She is regularly recognised in the top ranking of legal profession directories for intellectual property litigation.

Ms Gilchrist has strong management experience, having previously served as the Regional Managing Partner of Herbert Smith Freehills for Asia and Australia. She is a member of the Global Council for Herbert Smith Freehills and on its Audit and Risk Committee. She has also been the Chair of her firm's global governance body for Pro Bono and Responsible Business. Ms Gilchrist is Co-Chair of the firm's Reconciliation Action Plan Steering Committee. She is also a member of the Finance Audit and Risk Committee of the Art Gallery of NSW.



**Anna Cody**

*PhD (UNSW), LLM (Harvard), GDip LP (UTS), LLB (UNSW), BA (UNSW)*

**Board member**

*Attended one of six meetings (resigned 15 September 2023)*

Anna Cody was appointed to the Board from 23 June 2016 by the NSW Attorney General as a representative of bodies providing community legal services. Dr Cody resigned from the Board in September 2023 when she was appointed as Australia's Sex Discrimination Commissioner.

Before this, Dr Cody had a distinguished career as an academic, as a lawyer specialising in discrimination and as a passionate advocate for human rights.

Dr Cody was previously the Dean of the School of Law and Professor at Western Sydney University for four and a half years, leading education and research impact within the school to better reflect the diversity of the community and the intersection of law and justice.

She was the Director of the Kingsford Legal Centre at the University of New South Wales, where she worked for over 20 years, providing leadership in clinical legal education, discrimination law and human rights.

Dr Cody was the Chair of Community Legal Centres Australia and a Director of the NSW Legal Aid Commission Board and Advisory committee of LawAccess NSW.

Anna Cody has worked in human rights in Mexico, specialising in disability and migrant rights, in international development work in East Timor and Indonesia, and for two years was with the

Centre for Economic and Social Rights in New York developing their program on the right to health, focusing on mining and human rights issues.



**Alison McRobert**

*BA LLB (Wollongong University)*

**Board member**

*Attended five of six meetings*

Alison McRobert was appointed by the NSW Attorney General as a representative of Unions NSW and has been reappointed until 26 September 2025.

Ms McRobert is currently the legal counsel and manager of legal services at the Public Service Association of NSW. She has specialised in employment and industrial law in the NSW public sector for over 20 years and previously worked at several employment law firms including McNally Jones Staff and Haywards Solicitors. Ms McRobert previously served as a Director at Federation Law Pty Ltd from 2013 to 2016. In November 2020, Ms McRobert was appointed as an advisory member of the Rule Committee of the Industrial Relations Commission of New South Wales.



**Jacqueline Dawson**

*MA, LLB (University of Sydney), GAICD*

**Board member**

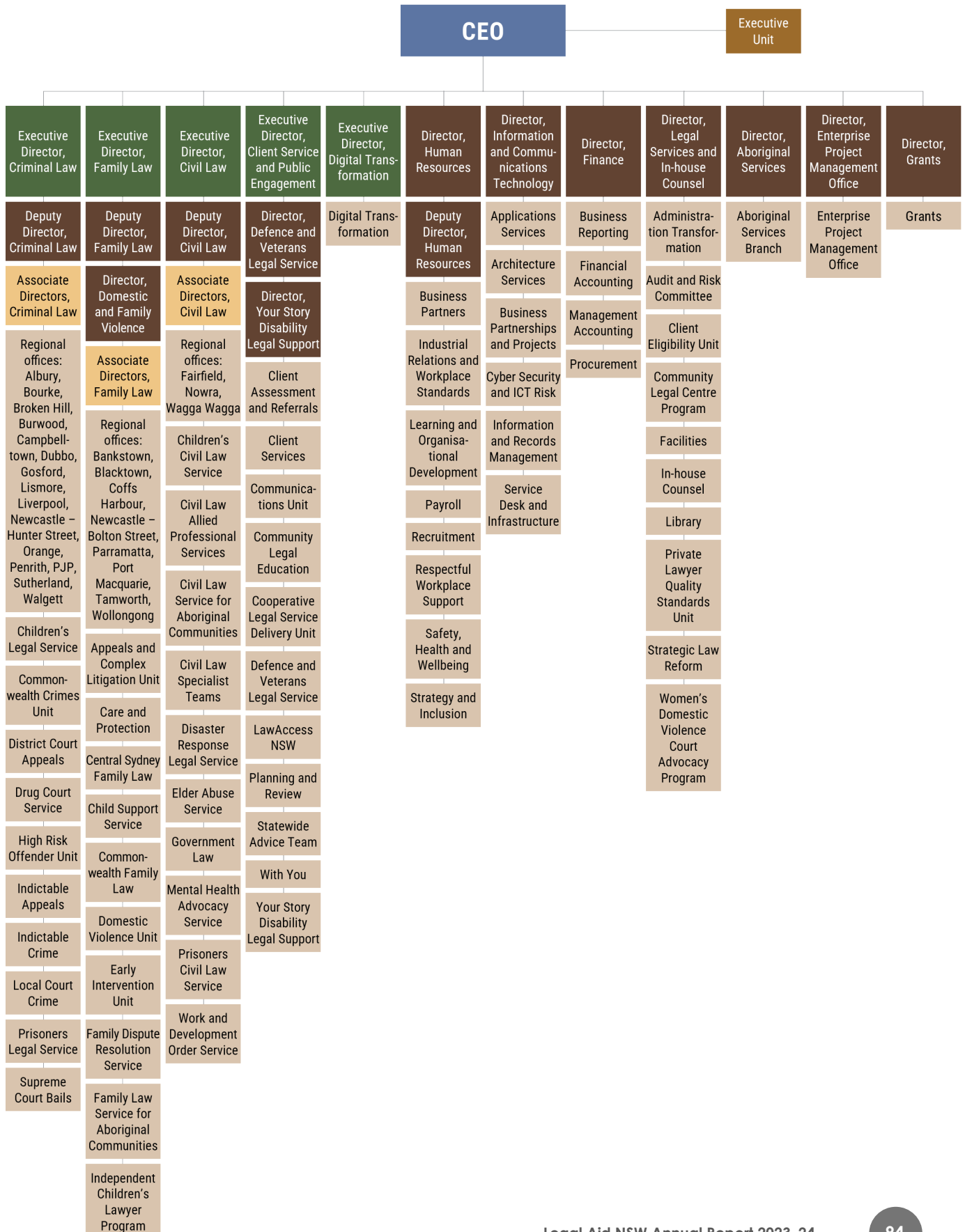
*Attended six of six meetings*

Jacqueline Dawson is the Principal of Sexton Family Law and an Accredited Specialist in Family Law. Admitted to practice as a solicitor in 1994 and an Accredited Specialist since 2001, Ms Dawson began practice in early 1995 with the firm then known as Robyn Sexton & Associates and remained as a principal of the firm when Judge Sexton was appointed to the Federal Magistrates Court.

Ms Dawson is a Councillor of the Law Society of NSW. Within the NSW Law Society, she is presently Chair of the Specialist Accreditation Board, Co-Chair of the Family Law Committee, Chair of the Professional Conduct Committee and a member of the Audit Risk and Finance Committee.

She also serves as a committee member of the Sydney University Law Extension Committee and the Legal Qualifications Committee of the Legal Profession Admission Board.

# Organisational structure – as at 30 June 2024



# Senior Executive

## Key data on our Senior Executive

### Number of Senior Executives

Band	2022–23	2023–24
Band 3 Senior Executives	1	1
Band 2 Senior Executives	2	5
Band 1 Senior Executives	14	15
<b>Total number of Senior Executives</b>	<b>17</b>	<b>21*</b>

\*This figure includes three National Legal Aid roles that were not previously included in Legal Aid NSW staff data.

### Average Executive remuneration

Band	2022–23	2023–24
Band 3 Senior Executives	\$391,189	\$391,189
Band 2 Senior Executives	\$287,809	\$297,324
Band 1 Senior Executives	\$226,238	\$241,482

### Percentage of total employee expenditure related to Senior Executives

Band	2022–23	2023–24
Band 3 Senior Executives	0.3%	0.2%
Band 2 Senior Executives	0.2%	1.3%
Band 1 Senior Executives	2.3%	2.4%
<b>Total for all Senior Executives</b>	<b>2.9%</b>	<b>3.9%</b>

## Changes to our Senior Executive in 2023–24

- Alexandra Colquhoun was appointed Executive Director, Family Law.
- Jane Cipants was appointed Executive Director, Client Service.
- Meredith Osborne was appointed Executive Director, Civil Law.
- Robert Hoyles was appointed Executive Director, Criminal Law.
- Anna Baltins was appointed Director, Domestic and Family Violence.
- Brett Goodridge was appointed Deputy Director, Human Resources.
- National Legal Aid roles occupied by Jasmine Stanton, Katherine McKernan and Susannah O'Reilly have not been previously included in Legal Aid NSW staff data for the purposes of annual reporting.

## Senior Executive staff

### Band 3 Legal Aid NSW staff



**Monique Hitter**

*BSW, Dip Law*

**Chief Executive Officer**

(Band 3)

Budget total: \$559.9M

Total staff (full-time equivalent)\*: 1,642.01

Total actual staff: 1,772

Our CEO is responsible for the whole organisation's budget and staff, and her listed totals reflect this.

### Band 2 Legal Aid NSW staff



**Alexandra Colquhoun**

*BA, LLB, MA, LLM (Hons), Accredited Specialist Family Law*

**Executive Director, Family Law**

(Band 2)

Budget total: \$106.8M

Total staff (full-time equivalent): 280.41

Total actual: 299



**Jane Cipants**

*BSW, M Social Policy, EMPA*

**Executive Director, Client Service**

(Band 2)

Budget total: \$13.7M

Total staff (full-time equivalent): 149.93

Total actual: 177



**Meredith Osborne**

*BA (Hons), LLB*

**Executive Director, Civil Law**

(Band 2)

Budget total: \$45.2M

Total staff (full-time equivalent): 230.83

Total actual: 244





**Robert Hoyles**

*EMPA, LLB (Hons), BA, Accredited Specialist Criminal Law*

**Executive Director, Criminal Law**

(Band 2)

Budget total: \$175.4M

Total staff (full-time equivalent): 327.67

Total actual: 339



**Trent Wilson**

*B Comm, MBA*

**Executive Director, Digital Transformation**

(Band 2)

Budget total: \$3.2M

Total staff (full-time equivalent): 8

Total actual: 8

**Band 1 Legal Aid NSW staff**



**Anna Baltins**

*BA (Government and Public Administration and Sociology), LLB,  
Master of Applied Law (Family Law)*

**Director, Domestic and Family Violence**

(Band 1)

This role shares management of the budget and staff of the Domestic Violence Unit overseen by the Executive Director, Family Law.



**Brett Goodridge**

*Graduate Diploma Employment Relations*

**Deputy Director, Human Resources**

(Band 1)

This role shares management of the budget and staff overseen by the Director, Human Resources.



**Cherie Pittman**

*BA (Hons), Grad Dip, InfM LLB (Hons)*

**Director, Legal Service & In-house Counsel**

(Band 1)

Budget total: \$141.0M

Total staff (full-time equivalent): 424.16

Total actual: 473



**Jackie Finlay**

*BA, LLB*

**Deputy Director, Civil Law**

(Band 1)

This role shares management of the budget and staff overseen by the Executive Director, Civil Law.



**Jocelyn Flanagan**

*BA, LLB*

**Director, Grants**

(Band 1)

Budget total: \$8.4M

Total staff (full-time equivalent): 71.6

Total actual: 76



**Katie Kelso**

*B Comm, LLB*

**Deputy Director, Family Law**

(Band 1)

This role shares management of the budget and staff overseen by the Executive Director, Family Law.



**Kimberley Hamer**

*BA, LLB*

**Director, Aboriginal Services**

(Band 1)

Budget total: \$3.1M

Total staff (full-time equivalent): 18.7

Total actual: 23



**Koshala Nishaharan**

*BBS, MBA*

**Director, Enterprise Project Management**

(Band 1)

Budget total: \$1.6M

Total staff (full-time equivalent): 3

Total actual: 3



**Melissa Burgess**

*BA, LLB*

**Deputy Director, Criminal Law**

(Band 1)

This role shares management of the budget and staff overseen by the Executive Director, Criminal Law.



**Michael Brodie**

*B Ec, CA, GAICD*

**Director, Finance**

(Band 1)

Budget total: \$559.9M

Total staff (full-time equivalent): 24

Total actual: 24

Our Director, Finance has responsibility for the budget for the whole organisation, and his listed budget total reflects this.



**Michelle Jones**

*Dip Community Organisations, BA Community Management, Grad Cert Adult Ed (Community), M Public Administration*

**Director, Human Resources**

(Band 1)

Budget total: \$6.2M

Total staff (full-time equivalent): 42.71

Total actual: 44



**Wayne Gale**

*BA (Computing) M Comm (Accounting)*

**Director, Information and Communications Technology**

(Band 1)

Budget total: \$21.0M

Total staff (full-time equivalent): 50.6

Total actual: 51

## Band 1 National Legal Aid staff



**Jasmine Stanton**

*BA, LLB (Hons), LLM, Accredited Specialist Children's Law*

**Director, Defence and Veterans Legal Service**

(Band 1)

Total staff (full-time equivalent): 5

Total actual: 5



**Katherine McKernan**

*BA (Hons), MA (Policy Studies)*

**Executive Director National Legal Aid**

(Band 1)

Total staff (full-time equivalent): 2

Total actual: 2



**Susannah O'Reilly**

*BA, LLB (Hons), Dip Mgt, EMPA*

**Director, Disability Royal Commission Legal Service**

(Band 1)

Total staff (full-time equivalent): 0

Total actual: 0

\*Staffing totals in this list reflect staffing as at 30 June 2024.

# Governance framework

## Code of Conduct

Our Legal Aid NSW Code of Conduct addresses the requirements of the Public Service Commission and the *Government Sector Employment Act 2013* (NSW) ethical framework provisions. The code:

- sets the legal, ethical and institutional context for ethical conduct
- provides advice to all employees on demonstrating ethical good practice in leadership, decision-making and other responsibilities, and
- clearly outlines the responsibility of all employees to know, understand and comply with the ethical and legal obligations that apply to them.

The Code of Conduct has been included in the Legal Aid NSW induction program and individual planning.

All our lawyers are bound by professional practice standards and comply with continuing professional development requirements.

## Financial performance

Legal Aid NSW has a strong financial focus, robust budgets and clear, concise reporting to internal and external stakeholders.

Detailed monthly financial reports, including commentary and analysis, are prepared for the Audit and Risk Committee (ARC) and the Board. Members of the Executive also provide expert advice at ARC and Board meetings.

## Members of the Audit and Risk Committee

**Michael Coleman** is a chartered accountant. He retired from KPMG in 2011 following a career that included 30 years as an audit partner and practice leader. Mr Coleman is the Chair of Legal Aid NSW's ARC and is also a member of the Legal Aid NSW Board. He also sits on several other boards and audit committees and was a director and chair of the Board Audit Committee at Macquarie Group Limited. He is currently an Adjunct Professor at the Australia School of Business, University of New South Wales.

**Peter Whitehead** is a lawyer and the former Public Trustee of NSW. Mr Whitehead was part of the original committee reviewing the role of audit within the NSW Government. He has since chaired a number of NSW Government audit and risk committees, including for the NSW Department of Premier and Cabinet, what was then the NSW Attorney General's Department, the NSW Crime Commission and the Judicial Commission of NSW. He currently works in the financial services industry. Peter retired from the ARC in October 2023.

**Leah Fricke** has had a 20-year executive career as a lawyer, governance professional and lecturer and has 10 years of experience as a non-executive director. She is an independent non-executive director of Columbus Capital and Forager Funds, the Independent Chair of the audit and risk committee for Western NSW Local Health District and an independent member of the audit and risk committee of Sydney Local Health District. Ms Fricke holds a Bachelor of Laws/Bachelor of Arts from the University of Melbourne and an MBA from the University of Sydney. She is a Fellow of the Australian Institute of Company Directors, a Fellow of the Governance Institute of Australia and a member of the Association of Professional Futurists.

**Nicola Davis** is a chartered accountant. She retired from KPMG in 2021 following a career that included 35 years as an audit and advisory partner and practice leader, specialising in providing services to state and federal Governments. Ms Davis is an independent non-executive director of Mutual Trust Pty Ltd, where she is Chair of the Audit Committee, the Cash Fund Compliance Committee and the Trustee Compliance Committee and also a member of the Risk Committee. Ms Davis holds a Master of Arts (Economics) from the University of Cambridge, is a Graduate of the Australian Institute of Company Directors (GAICD) and is a member of the Institute of Chartered Accountants in Australia and New Zealand. She has previously held a number of other Board roles for various charities and foundations.

### **Risk Management Framework**

Legal Aid NSW conforms to the NSW Treasury requirement to have a risk management framework. We actively develop our risk maturity each year. This year, we reviewed our Risk Management Framework in consultation with our Audit and Risk Committee.

### **Fraud and corruption processes**

Legal Aid NSW is committed to conducting business with honesty and transparency. Our Fraud and Corruption Prevention Framework outlines the steps we take to prevent fraud and other corrupt behaviour. Controls include responsibility structures, risk assessment, reporting systems, investigation standards and conduct and disciplinary standards. Our Fraud and Corruption Prevention Plan implements key parts of the framework and complements related policies, including the Code of Conduct and Protected Disclosure Policy.

### **The year ahead:**

- We will conduct seven to eight audits and prepare a new three-year internal audit plan.
- We will continue to mature our Risk Management Framework, including revising our risk appetite statement.
- We will implement the second year of the Legal Aid NSW Strategic Plan 2023–28.

## Legislative compliance and fair processes

### Significant judicial decisions relating to the *Legal Aid Commission Act 1979* (NSW)

#### *Rodden v R [2023] NSWCCA 202*

In *Rodden v R [2023] NSWCCA 202*, the Court of Criminal Appeal clarified the interpretation and operation of the *Costs in Criminal Cases Act 1967* (NSW) as it applies to legally aided applicants. The applicant was acquitted of murder and applied for a costs certificate. The primary judge refused the application in part because he held that no application could lie where an applicant was entirely legally aided and had made no personal financial outlay in his or her own defence.

The applicant appealed to the Court of Criminal Appeal, and Legal Aid NSW was granted leave to intervene in those proceedings. The Court of Criminal Appeal held that the *Costs in Criminal Cases Act 1967* (NSW) should not be construed in a manner that prevents legally aided applicants (including wholly legally aided applicants) from being granted costs certificates.

### Legislative amendments

#### Reviewing appeals where we have refused legal aid

The *Institutions Legislation Amendment Act 2024* (NSW) was passed on 8 February and amended the *Legal Aid Commission Act 1979* (NSW), enabling Legal Aid NSW to modernise and streamline our appeals processes for people who have had their application for legal aid refused or where a grant of legal aid has been terminated.

The amendments enable the Legal Aid NSW Board to establish Legal Aid Review Panels to hear and determine appeals. Panel members will hear appeals individually or as a panel of two on a rotating basis, replacing the three-member Legal Aid Review Committees.

The new approach will ensure that decisions are made based on merit and aligns with Legal Aid NSW's commitment to equitable access to justice, enhancing fairness and impartiality in decision-making. The new panels will commence on 1 December 2024.

#### Protecting personal information

Our In-house Counsel Unit developed a Data Breach Policy and supporting resources and training to ensure our compliance with the Mandatory Data Breach Notification Scheme. The scheme was created by amendments to the *Privacy and Personal Information Protection Act 1998* (NSW) and commenced on 28 November 2023.

### Privacy

Legal Aid NSW manages personal information in accordance with our Privacy Management Plan. The plan explains how we manage personal information under the *Privacy and Personal Information Protection Act 1998* (NSW) and the *Health Records and Information Privacy Act*

2002 (NSW). We include privacy notices in our applications and other public documents, and the In-house Counsel Unit guides staff in dealing with privacy issues and queries. We received one application for internal review during the reporting period.

### Right to information

Legal Aid NSW adopts a proactive approach to releasing information where possible. We review our published information regularly and routinely upload information to our website that may be of interest to the general public. This includes updating a wide range of publications and resources, policy documents and law reform submissions. Our legal information publications are also available in a variety of community languages.

During the 2023–24 reporting period, we received 39 formal applications under the *Government Information (Public Access) Act 2009* (NSW) (GIPA). Most of these were requests by individuals for their own personal information or applications made by legal representatives. The full details of these applications are set out in Appendix 7: Right to Information.

### The year ahead

- Following the commencement of the *Institutions Legislation Amendment Act 2024* (NSW), we will work to establish new Legal Aid Review Panels and implement policies and guidelines to support the new appeals process.
- We will respond to the growing number of applications for access to information under the *Government Information (Public Access) Act 2009* (GIPA Act) by providing training to In-house Counsel Unit staff to become authorised GIPA determining officers.

### Key challenge

- Maintaining the high quality of legal services provided by the In-house Counsel Unit. We will address this by continuing to improve our case management systems and processes, developing innovative ways of delivering our services, and providing ongoing training to develop the skills and knowledge of the team.



## Complaints handling

An accessible and efficient complaints process helps us improve our services and remain accountable.

In 2023–24, we received 171 frontline complaints. These included 66 complaints about wait times and customer service issues, three privacy-related complaints, 84 complaints about solicitor conduct (both in-house and private lawyers) and 10 other non-categorised complaints. These were handled locally and did not require a formal response or investigation.

We received 204 escalated complaints. These complaints required further investigation and often a further explanation or action.

We encourage all types of feedback – complaints, compliments, and suggestions help us improve the quality of the services we provide and identify risks. This year, we received 93 compliments.

### Complaints working group

Key representatives from across Legal Aid NSW met quarterly this year to identify and discuss complaints and areas of service improvement. The group worked to ensure staff have the skills and knowledge to receive and action complaints in line with our policy.

### Complaints training for staff

All new staff completed an induction, which included training on feedback and complaints to improve their understanding of the complaint-handling processes. We also trained our managers in complaints handling during our annual Manager Essentials training.

Our complaints and client services officer works one-on-one with teams to support staff in better understanding and responding to challenging client behaviour.

### Complaint response times

Our complaints policy has two performance targets for complaint response times:

- 15 business days, or
- 30 business days for complaints about private lawyers.

Where we do not meet these response times for a complaint, we report this to the Legal Aid NSW Executive monthly. We consistently met our performance target and managed complaints within the 15-business day timeframe. For information on complaints about private lawyers, see page 73.

## Supporting our staff to provide outstanding customer service

We continued to invest in our people to ensure they are well supported to deliver the best results for clients.

### Client Satisfaction Survey results

We survey our clients every two years as part of our Commonwealth funding agreement and use these insights to plan and improve our services.

This year was our largest survey to date – we surveyed over 2000 clients who received representation from both in-house and private lawyers.

The results demonstrated a high level of client satisfaction with Legal Aid NSW services.

- 82% of clients were satisfied with the overall service they received from Legal Aid NSW.
- 82% of clients were satisfied with their lawyer.
- 88% of clients said it was easy to contact Legal Aid NSW when they first needed help.
- 86% of clients agreed that they would recommend Legal Aid NSW to others.
- 88% of clients said they knew where to get help in the future.

Clients reported that the help they received had a positive impact on their lives, improving their:

- understanding of their legal problem (70%)
- confidence to deal with their legal problem (66%)
- perceived level of safety and security (54%)
- ability to deal with their financial situation (51%)
- relationship with their family (44%), and
- ability to carry on with day-to-day activities (56%).

The survey also highlighted three areas where we can improve – ensuring timely responses to our clients, keeping our clients informed throughout their legal matters and improving our capacity to meet clients' cultural and personal needs.

### Excellent service right from the start

Our team at LawAccess NSW provides a range of legal information and referrals to anyone in NSW with a legal problem. In 2023–24, we answered more than 162,516 calls from the public, an increase of 25.2 percent from the previous year. Almost 40 percent of customers were

assisted without any further referral, 17.1 percent of customers were triaged into Legal Aid NSW advice services, and 26.2 percent were referred to community legal centres.

It's essential that we provide a person-first, customer-focused experience. This year, the team has focused on educating the frontline information officers to ensure they have the tools they need to build trust and respond to customers in a trauma-informed way.

The team has transitioned to a new contact centre platform, improving the user experience. They have seen growth in the use of their callback feature, which keeps a customer's place in the queue and calls them back when an information officer is available to take their call. The LawAccess NSW webchat service experienced 100 percent growth this financial year since its deployment onto our new co-branded website, with 32,292 chats answered.

The team continues to attend community events to promote LawAccess NSW, building awareness of how they can assist and how they work with Legal Aid NSW and other service providers.

### **Collecting and recording client data**

In 2023–24, we have explored some of the ways we collect personal data from our clients and how this impacts their experience. We ran trials about how we ask clients if they identify as Aboriginal, how we ask about and record adjustments required due to disability and consulted extensively on how we ask about and record a client's gender.

We are committed to identifying what changes, resources and training our staff need to ensure this information is collected in a client-centred way. Recommendations have been made based on these trials and consultations, and system changes and training for frontline staff will be developed and rolled out in 2024–25.

### **Learning community of practice**

This year, we formed a learning community of practice, inviting colleagues from teams across the organisation to meet monthly to share information and resources, coordinate activities and offer peer support and development.

### **Leadership development**

We want to make sure we are giving managers the tools they need to lead teams that provide great outcomes for our clients. In 2023–24, we provided more than 200 opportunities for our people leaders to attend development programs and conducted a review of our recent development activities.

### **Staff numbers over five years**

Ensuring we have adequate staff helps us offer the best possible services to our clients.

<b>Year</b>	<b>Full-time equivalent* staff as at the end of the financial year</b>	<b>Actual staff as at the end of the financial year</b>
2019–20	1,208.79	1,360
2020–21	1,272.00	1,440
2021–22	1,312.50	1,428
2022–23	1407.00	1,591
2023–24	1642.01	1,772

\*Under the *Government Sector Employment Act 2013* (NSW).

### The year ahead

- We will elevate children and young people as high-priority clients and improve how we work with and for them, including embedding their voices in our service design.
- We will move the LawAccess NSW and Statewide Advice teams to a modern, tailored hybrid office.
- We will develop and launch a reward and recognition framework that embeds a culture of recognition, acknowledgement and gratitude across our organisation and showcases the incredible work our people do in serving their clients and the communities of NSW.
- We will build a leadership development framework to ensure that we support and develop the leaders that Legal Aid NSW needs to serve our clients and create supportive and respectful workplaces in which our people can thrive.

# Keeping staff healthy and safe at work

## Workers compensation claims and associated costs

Staff recorded 384 workplace incidents in the 2023–24 financial year compared to 241 incidents last financial year, a 59 percent increase.

Of these incidents, 75 percent were related to unreasonable client conduct or threats from clients, a decrease of 6 percent since 2022–23.

Our insurer received 72 injury and illness notifications, of which 27 were cost-impacting workers compensation claims for the 2023–24 financial year. The total net amount paid for these claims was \$401,210.95. Of the 27 claims, 12 were physical and 15 were psychological.

We spent a total of \$1,821,933 on all active workers compensation claims in 2023–24, with an overall claims breakdown of:

- 32 physical injuries, totalling 17 percent of claims costs, and
- 35 psychological injuries, totalling 83 percent of claims costs.

## Injury/illness notifications by mechanism

Mechanism	2021–22	2022–23	2023–24
Vehicle incidents and other	5	3	3
Falls, trips and slips	4	6	14
Hitting objects with a part of the body	-	4	4
Being hit by moving objects	1	5	1
Body stressing	3	8	6
Heat, electricity and other environmental factors	-	1	1
Mental stress	41	96	43
<b>Total</b>	<b>54</b>	<b>123</b>	<b>72</b>

## Workforce diversity and equity

We are committed to recruiting and training diverse staff to ensure our organisation reflects our client base and our state.

### Our staff networks

Legal Aid NSW has five staff networks that allow staff from diverse backgrounds to connect, share their experiences and provide feedback and advice to Legal Aid NSW leadership.

- Aboriginal Staff Network.
- Culturally and Linguistically Diverse Staff Network.
- disAbility Staff Network.
- Legally Queer Staff Network.
- Young Professionals Network.

Our staff networks were crucial contributors to our Legal Aid NSW Disability Inclusion Action Plan and Cultural Competence and Diversity Framework. You can read more about these in our 'Meeting the needs of diverse clients' section on pages 49–51.

### Project Respect

In August 2023, we completed our work on Project Respect and released the project's final report. Project Respect engaged staff to discuss what a fair, respectful and inclusive workplace means to ensure every staff member has an equal opportunity to thrive at Legal Aid NSW. The Chairs of our pride, culturally and linguistically diverse communities and disAbility staff networks, as well as the Aboriginal advisory group on behalf of the Aboriginal Staff Network, worked with external consultants to develop a set of recommendations based on insights gained from consultations with staff. Our Executive accepted 44 of the 46 recommendations. The recommendations were incorporated as actions under the Legal Aid NSW Strategic Plan 2023–2028 and are being implemented.

Changes we have made as a result of Project Respect include:

- implementing a Diversity, Equity and Inclusion Board chaired by the CEO, which includes co-chairs from each of our staff networks
- providing anti-racism training for all staff
- updating our anti-racism and discrimination policies
- establishing a Respectful Workplace Team within our HR Division, and
- creating a new complaints and dispute resolution framework.

### **Partnering with JobAccess to improve recruitment for people with disability**

JobAccess is a national government hub that provides workplace and employment information for people with disability and employers who want to hire them. The National Disability Recruitment Coordinator is the employer engagement arm of JobAccess and is funded by the Department of Social Services to support larger employers in building disability initiatives and confidence.

We have been working in partnership with JobAccess to assist with workplace adjustments, and they completed a review of our recruitment practices through the lens of a person with disability. JobAccess was impressed with our practices and has provided some suggestions for improvement. Their recommendations will be included in our Disability Inclusion Action Plan, which will be finalised and implemented in 2024–25.

### **The year ahead**

- We will turn on the Microsoft 365 pronoun feature, which gives employees the option of including their pronouns on their profile cards and making them visible to people on Microsoft Teams.
- We will continue to prioritise staff safety, health and wellbeing and embed an inclusive and respectful culture so we can attract, retain, develop and reward a highly engaged workforce.

## Legal education and capability development

We continued to upskill our staff to ensure they can deliver the best possible services to our clients.

### Training for criminal lawyers

#### Trainer roles support new solicitors

The Criminal Law Division has established two temporary roles to support new solicitors and their managers. The roles will review induction processes and provide on-the-job training to ensure we develop staff in a way that is holistic and compassionate and supports their wellbeing.

#### Advocacy training

This year, the Criminal Law Division continued its tiered approach to advocacy training, providing three streams: beginners training for staff relatively new to practising in criminal law, intermediate training for staff with some experience who are looking to upskill, and an advanced tier for those with extensive experience.

More than 60 crime solicitors were able to access advocacy training targeted to their career stage, skills and experience throughout the year. Participants were enthusiastic and grateful for the opportunity to develop their advocacy skills, and plans are in place to continue the program.

### Training for family lawyers

#### Expansion of the Family Law Division training program

The Family Law Division training program has expanded significantly in 2023–24 following the recruitment of a dedicated training and education officer. We delivered 19 webinars on topics relevant to family law and care and protection practitioners, with a particular focus on recent legislative reforms.

Panel lawyers and lawyers from the Aboriginal Legal Service (NSW/ACT) Limited were invited to most webinars, and in many instances, recordings were made available for those unable to attend live events. In total, 1,719 practitioners registered for our webinars this year.

#### Training private practitioners

We conducted a variety of in-person workshops focusing on child representation work, care and protection, and domestic and family violence. Several workshops were open to external practitioners and were pre-requisites for private lawyers wanting to take on legal aid work: independent children's lawyer nuts and bolts, the representing children workshop and the Cross Examination Scheme training day.



### **Blue Knot trauma training**

In 2024, all the in-house solicitors, paralegals, caseworkers and Aboriginal field officers in the Family Law Division will have the opportunity to participate in the Blue Knot training program. A first session was held for 30 participants in June.

The program deepens attendees' understanding of trauma and helps them recognise trauma-related behaviours and apply trauma-informed principles and practices in their work.

### **Training for civil lawyers**

#### **Transforming professional development**

This year, the Civil Law Division re-designed its training program based on staff needs. Staff completed a survey that covered all professional development categories required for lawyers to maintain their practising certificate. The range of delivered sessions has received positive feedback from staff. They included:

- comprehensive training to support the rollout of new policies under the Civil Law Blueprint
- continued delivery of the Civil Law Legal Excellence Program in collaboration with the Law Society
- a series of community of practice workshops delivered by specialist in-house teams, and
- training delivered by external specialists.

A communications plan was developed to ensure that all staff were aware of the development opportunities available to them. Communications included a monthly newsletter and a regular professional development newsletter with links to upcoming training and recordings.

#### **New civil induction program**

This year, the Civil Law Division revamped its induction program for new starters with the aim of providing a smooth transition and ready access to required support, tools and resources. Comprehensive and civil-specific, the new program includes training on substantive law, professional skills, practice management, ethics and trauma-informed practice.

The program covers the fundamentals of civil practice and procedure through a combination of online modules, self-paced learning and face-to-face networking. Face-to-face networking, which has been reintroduced post-COVID-19, provides new staff with an opportunity to meet colleagues and familiarise themselves with specialist services and referral pathways.

# Sustainability

We are committed to ensuring our procurement practices reflect our values by choosing suppliers with fair and sustainable business practices.



Legal Officer Eileen King, Senior Project Officer Bridget Barker, Solicitor Kyla Reid and Solicitor Katja McPherson on outreach at the Mullumbimby Kinship Festival.

## Environmental responsibility

Goal	Target	Achievements in 2023-24
<b>Reduce our carbon footprint</b>	Re-use workstations and other appropriate furniture.	We ensure workstations and office furniture are selected for durability and transferability. Recent projects in Campbelltown, Dubbo, and Coffs Harbour utilised re-purposed furnishings.
<b>Make our car fleet more environmentally friendly</b>	Meet NSW Government fuel efficiency standards for new light vehicles.	All new vehicles meet fuel efficiency standards. 70% of our fleet is now hybrid, with 35 new hybrid vehicles added this year.
	Increase the number of hybrid vehicles. Hybrid vehicles produce 10% fewer smog-inducing emissions.	Of our 74 vehicles, 52 are hybrid, with plans to make the entire fleet hybrid (excluding diesel vehicles for remote work) by next year.
	Reduce fuel consumption despite increased fleet use.	Fuel consumption has decreased due to the rise in hybrid vehicles. We are exploring electric vehicles for the city fleet as charging infrastructure grows.

## Ensuring a fair supply chain

Legal Aid NSW is firmly committed to respecting and protecting human rights. We have a zero-tolerance approach to all forms of modern slavery.

Modern slavery describes situations where an offender undermines a victim's right to freedom using coercion, threats or deception. It is a human rights violation and a serious crime.

Legal Aid NSW supports the NSW Government's commitment to addressing modern slavery through the *Modern Slavery Act 2018* (NSW). The act recognises modern slavery as a severe violation of human rights that encompasses exploitative practices like human trafficking, slavery, servitude, forced labour, debt bondage and forced marriage.

The Anti-slavery Commissioner did not raise any issues related to our obligations under the *Modern Slavery Act 2018* (NSW) with Legal Aid NSW during this reporting period.

### Our key commitments

#### Zero-tolerance approach

Legal Aid NSW maintains a zero-tolerance stance on all forms of modern slavery, reflecting our commitment to uphold human rights and eliminate exploitative practices.

#### Support for legislation

We support the *Modern Slavery Act 2018* (NSW) and the robust legal framework it provides to address and penalise modern slavery practices. We use the act to guide our actions as an organisation.

### Our key actions

As required by the *Modern Slavery Act 2018* (NSW), Legal Aid NSW has taken reasonable steps to combat modern slavery within its operations and supply chains.

These steps reflect a comprehensive approach to prevention, identification, mitigation, remedy and reporting. In taking these steps, we are actively working toward creating a safer and more ethical operational environment, reducing the risk of modern slavery and fostering a culture of awareness and responsibility.

#### Forthcoming modern slavery policy

We have developed a modern slavery policy, set to be approved and implemented in the 2024–25 financial year, that provides a formal framework for addressing modern slavery issues.

#### Awareness training

Procurement staff have undertaken training on modern slavery, and Legal Aid NSW executives have participated in an awareness session conducted by the NSW Anti-slavery Commissioner.

Training aims to ensure that staff are aware of the risks and indicators of modern slavery and understand their role in mitigating these risks.

### **Comprehensive risk assessment**

Legal Aid NSW has conducted a thorough risk assessment to identify potential modern slavery risks within its operations and supply chain. Assessments help to pinpoint areas where the risk of modern slavery is high and additional controls may be needed.

### **Increased due diligence for high-risk procurements**

Legal Aid NSW has implemented enhanced due diligence procedures for procurements involving a high inherent risk of modern slavery. These thoroughly vet suppliers and contractors to ensure they do not engage in modern slavery.

# Financial performance

## Key facts

- Our total income was \$545.1 million.
- Our total expenses were \$527.5 million.
- Our net equity was \$61.8 million.

## The year ahead

- We will continue to provide timely and relevant financial information to stakeholders.

## Key challenge

- We will ensure Legal Aid NSW has the financial resources to fund the delivery of services to our clients.

In understanding our financial statements, it is helpful to note that the Legal Aid Commission of NSW (Legal Aid NSW) economic entity consists of two separate reporting entities: the Legal Aid NSW Commission (a statutory body) and the Legal Aid Commission Staff Agency (a government department). The Legal Aid Commission Staff Agency provides personnel services to the Legal Aid Commission.

# Financial overview

## Financial summary

Our net financial result was a surplus of \$15.6 million.

Category	2022–23 (\$M)	2023–24 (\$M)	Change %
Operating revenue	492.0	545.1	10.8%
Operating expenses	479.3	527.5	10.0%
Assets	103.6	124.8	20.5%
Liabilities	57.4	62.9	9.6%
Surplus	10.9	15.6	43.1%
Net equity	46.2	61.8	33.8%

## Funding

Legal Aid NSW receives its government funding as a grant from the NSW Department of Communities and Justice. The grant comprises income from the NSW Government and the Commonwealth Government. In addition, income is received from the Public Purpose Fund and client contributions.

Total income for 2023–24 was \$545.1 million, and expenditure was \$527.5 million.

## Key developments

Our financial result was a surplus of \$15.6 million, which is \$28.9 million more than our budgeted deficit of \$13.3 million.

We ended the year with net equity of \$61.8 million. Payments of \$171.6 million were made to private lawyers who provide legal aid services to our clients. These payments include disbursements for other professional services.

## Where our money came from

Funding received in 2023–24	(\$M)
State appropriation, including Commonwealth funding provided under the National Legal Assistance Partnership	423.8
Public Purpose Fund grant	43.6
Other grants	59.7
Acceptance by the Crown Entity of employees' benefits and other liabilities	5.4
Other sources	12.6
<b>Total</b>	<b>545.1</b>

### How we spent our money (\$M)

Expense	(\$M)
Employee-related expenses	209.0
External legal services	171.6
Grants and subsidies	94.9
Other	52.0
<b>Total</b>	<b>527.5</b>

### How we spent our money by program (\$M)

Program	(\$M)
Criminal law	229.01
Family law	116.99
Civil law	50.42
Community partnerships	131.08
<b>Total</b>	<b>527.5</b>



## Financial results

Our financial result was a surplus of \$15.6 million, which is \$28.9 million more than our budgeted deficit of \$13.3 million.

### Income

Total income for 2023–24 was \$545.1 million, and expenditure was \$527.5 million.

Funding from the NSW Government was \$280.7 million. Funding from the Commonwealth under the National Legal Assistance Partnership was \$142.3 million.

Acceptance by the Crown Entity of employees' benefits and other liabilities was \$5.4 million.

Funding from other sources includes \$43.6 million from the Public Purpose Fund, \$59.7 million from other grants received and \$12.6 million from other sources.

Further details may be found in the notes to the financial statements that begin on page 123.

### Expenses

Our major expenses for 2023–24 were:

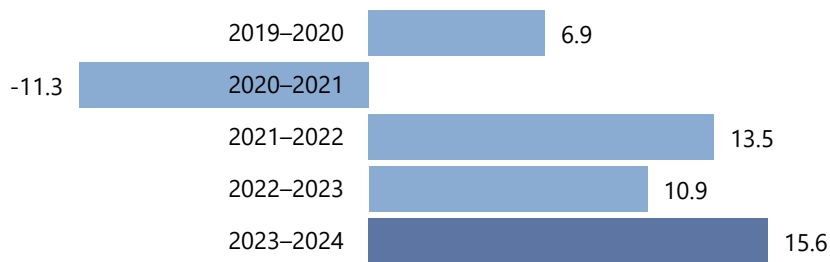
- employee-related expenses of \$209.0 million (\$177.6 million in 2022–23), and
- payments to private lawyers and other professional services of \$171.6 million (\$163.3 million in 2022–2023).

### Our financial performance over five years

#### Total expenses (\$M)



## Surplus or deficit (\$M)



## Budget outline 2023-24 (\$M)

### Operating statement

Category	(\$M)
Revenue (including government contributions)	545.1
Expenditure	527.5
Other gains or losses	(1.9)
Net result	15.6

### Balance sheet

Category	(\$M)
Current assets	80.1
Non-current assets	44.6
Total assets	124.7
Current liabilities	53.8
Non-current liabilities	9.1
Total liabilities	62.9
Net assets	61.8
Equity	61.8

## Audited financial statements

### LEGAL AID COMMISSION OF NEW SOUTH WALES

#### Statement by Members of the Board

Pursuant to *Part 7.6(4) of the Government Sector Finance Act 2018* 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 Legal Aid Commission of NSW's financial statements are prepared in accordance with:
  - applicable Australian Accounting Standards (which include Australian Accounting Interpretations);
  - the requirements of the *Government Sector Finance Act 2018, and Government Sector Finance Regulation 2024* ; and
  - the Treasurer's Directions issued under the Act.
2. The accompanying financial statements present fairly the financial position, financial performance and cash flows of the Legal Aid Commission of NSW as at 30 June 2024.
3. There are no circumstances that render any particulars included in the financial statements to be misleading or inaccurate.

Craig Smith  
Chair



Date: 10 September 2024

Monique Hitter  
Chief Executive Officer



Date: 10 September 2024



## INDEPENDENT AUDITOR'S REPORT

### Legal Aid Commission of New South Wales

To Members of the New South Wales Parliament

### Opinion

I have audited the accompanying financial statements of the Legal Aid Commission of New South Wales (the Commission), which comprise the Statement by the Members of the Board, the Statement of Comprehensive Income for the year ended 30 June 2024, the Statement of Financial Position as at 30 June 2024, the Statement of Changes in Equity and the Statement of Cash Flows for the year then ended, notes comprising a Statement of Material Accounting Policy Information and other explanatory information of the Commission and the consolidated entity. The consolidated entity comprises the Commission and the entity it controlled at the year's end or from time to time during the financial year.

In my opinion, the financial statements:

- have been prepared in accordance with Australian Accounting Standards and the applicable financial reporting requirements of the *Government Sector Finance Act 2018* (GSF Act), the *Government Sector Finance Regulation 2024* (GSF Regulation) and the Treasurer's Directions
- presents fairly the financial position, financial performance and cash flows of the Commission and the consolidated entity.

My opinion should be read in conjunction with the rest of this report.

### Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Statements' section of my report.

I am independent of the Commission and the consolidated entity in accordance with the requirements of the:

- Australian Auditing Standards
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles 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
- precluding the Auditor-General from providing non-audit services.

I have fulfilled my other ethical responsibilities in accordance with APES 110.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

## The Board's Responsibilities 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 GSF Act, GSF Regulation and Treasurer's Directions. The Board's responsibility also includes such internal control as the Board determines is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Board is responsible for assessing the ability of the Commission and the consolidated entity to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

## Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to:

- obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial statements.

A description of my responsibilities for the audit of the financial statements is located at the Auditing and Assurance Standards Board website at: [www.auasb.gov.au/auditors\\_responsibilities/ar3.pdf](http://www.auasb.gov.au/auditors_responsibilities/ar3.pdf). The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

- that the Commission and the consolidated entity carried out their activities effectively, efficiently and economically
- about the assumptions used in formulating the budget figures disclosed in the financial statements
- 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.



Jan-Michael Perez  
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

18 September 2024  
SYDNEY

**LEGAL AID COMMISSION OF NEW SOUTH WALES**  
**Statement of comprehensive income for the year ended 30 June 2024**

	Notes	Consolidated			Commission	
		Budget	Actual	Actual	Actual	Actual
		2024	2024	2023	2024	2023
		\$'000	\$'000	\$'000	\$'000	\$'000
<b>Expenses excluding losses</b>						
Employee-related expenses	2(a)	211,514	209,010	177,613	768	1,309
Personnel Services	2(a)	-	-	-	208,939	176,747
Operating expenses	2(b)	45,057	43,606	38,944	42,871	38,447
Depreciation and amortisation	2(c)	8,570	8,422	8,603	8,422	8,603
Grants and subsidies	2(d)	102,365	94,992	90,741	94,992	90,741
Finance costs	2(e)	11	(142)	114	(142)	114
Services provided by private practitioners	2(f)	178,669	171,630	163,289	171,630	163,289
<b>Total Expenses excluding losses</b>		<b>546,186</b>	<b>527,518</b>	<b>479,304</b>	<b>527,480</b>	<b>479,250</b>
<b>Revenue</b>						
Sale of goods and services	3(a)	4,532	8,648	6,940	8,648	6,940
Investment revenue	3(b)	-	414	524	414	524
Grants and contributions	3(c)	524,195	527,391	478,144	527,391	478,144
Acceptance by the Crown Entity of employee benefits and other liabilities	3(d)	3,980	5,402	5,122	5,364	5,068
Other revenue	3(e)	297	3,239	1,334	3,239	1,334
<b>Total Revenue</b>		<b>533,004</b>	<b>545,094</b>	<b>492,064</b>	<b>545,056</b>	<b>492,010</b>
<b>Operating Result</b>		<b>(13,182)</b>	<b>17,576</b>	<b>12,760</b>	<b>17,576</b>	<b>12,760</b>
Gain / (loss) on disposal	4	35	(42)	(132)	(42)	(132)
Other Gains/(losses)	5	(200)	(1,885)	(1,726)	(1,885)	(1,726)
<b>Net result</b>	19	<b>(13,347)</b>	<b>15,649</b>	<b>10,902</b>	<b>15,649</b>	<b>10,902</b>
<b>Other comprehensive income</b>		-	-	-	-	-
<b>Total other comprehensive income</b>		-	-	-	-	-
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>(13,347)</b>	<b>15,649</b>	<b>10,902</b>	<b>15,649</b>	<b>10,902</b>

The accompanying notes form part of these statements

**LEGAL AID COMMISSION OF NEW SOUTH WALES**  
**Statement of financial position as at 30 June 2024**

	Notes	Consolidated			Commission	
		Budget	Actual	Actual	Actual	Actual
		2024	2024	2023	2024	2023
		\$'000	\$'000	\$'000	\$'000	\$'000
<b>ASSETS</b>						
<b>Current Assets</b>						
Cash and cash equivalents	7	31,426	68,611	48,875	68,611	48,875
Receivables	8	10,780	11,571	10,773	11,571	10,773
<b>Total current assets</b>		<b>42,206</b>	<b>80,182</b>	<b>59,648</b>	<b>80,182</b>	<b>59,648</b>
<b>Non Current Assets</b>						
Receivables	8	9,129	8,986	9,129	8,986	9,129
Plant and Equipment	9	11,243	12,859	12,257	12,859	12,257
Right-of-use assets	10	45	489	291	489	291
Intangible Assets	11	27,433	22,261	22,314	22,261	22,314
<b>Total Non-Current Assets</b>		<b>47,850</b>	<b>44,595</b>	<b>43,991</b>	<b>44,595</b>	<b>43,991</b>
<b>Total Assets</b>		<b>90,056</b>	<b>124,777</b>	<b>103,639</b>	<b>124,777</b>	<b>103,639</b>
<b>LIABILITIES</b>						
<b>Current Liabilities</b>						
Payables	12	26,376	27,732	26,719	27,732	26,719
Borrowings	13	(16)	234	44	234	44
Provisions	14	19,403	25,830	23,033	25,830	23,033
<b>Total Current Liabilities</b>		<b>45,763</b>	<b>53,796</b>	<b>49,796</b>	<b>53,796</b>	<b>49,796</b>
<b>Non Current Liabilities</b>						
Payables	12	-	1,548	-	-	-
Borrowings	13	(47)	372	331	372	331
Provisions	14	11,489	7,214	7,314	7,214	7,314
<b>Total Non Current Liabilities</b>		<b>11,442</b>	<b>9,134</b>	<b>7,645</b>	<b>7,586</b>	<b>7,645</b>
<b>Total Liabilities</b>		<b>57,205</b>	<b>62,930</b>	<b>57,441</b>	<b>61,382</b>	<b>57,441</b>
<b>Net Assets</b>		<b>32,851</b>	<b>61,847</b>	<b>46,198</b>	<b>63,395</b>	<b>46,198</b>
<b>EQUITY</b>						
Accumulated funds	15	32,851	61,847	46,198	61,847	46,198
<b>Total Equity</b>		<b>32,851</b>	<b>61,847</b>	<b>46,198</b>	<b>61,847</b>	<b>46,198</b>

The accompanying notes form part of these statements

**LEGAL AID COMMISSION OF NEW SOUTH WALES**  
**Statement of changes in equity for the year ended 30 June 2024**

<b>Notes</b>	<b>Consolidated Accumulated Funds \$'000</b>	<b>Commission Accumulated Funds \$'000</b>
<b>Balance at 1 July 2023</b>	46,198	46,198
<b>Net result for the Year</b>	15,649	15,649
<b>Other comprehensive income</b>	-	-
<b>Total comprehensive income for the year</b>	15,649	15,649
<b>Balance as at 30 June 2024</b>	61,847	61,847
<b>Balance at 1 July 2022</b>	35,296	35,296
<b>Net result for the year</b>	10,902	10,902
<b>Total comprehensive income for the year</b>	10,902	10,902
<b>Balance at 30 June 2023</b>	46,198	46,198

The accompanying notes form part of these statements



**LEGAL AID COMMISSION OF NEW SOUTH WALES**  
**Statement of cash flows for the year ended 30 June 2024**

	Notes	Consolidated			Commission	
		Budget	Actual	Actual	Actual	Actual
		2024	2024	2023	2024	2023
		\$'000	\$'000	\$'000	\$'000	\$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
<b>Payments</b>						
Employment Related		(207,534)	(199,022)	(169,552)	(768)	(1,309)
Personnel services		-	-	-	(199,108)	(169,097)
Grants and subsidies		(102,365)	(104,491)	(99,815)	(104,491)	(99,815)
Private Practitioners		(224,069)	(168,775)	(160,371)	(168,775)	(160,371)
Other		(11)	(51,187)	(43,597)	(50,247)	(42,657)
<b>Total Payments</b>		<b>(533,979)</b>	<b>(523,475)</b>	<b>(473,335)</b>	<b>(523,389)</b>	<b>(473,249)</b>
<b>Receipts</b>						
Sale of goods and services		4,332	8,556	6,329	8,556	6,329
Interest received		-	414	524	414	524
Grants and Contributions		524,196	528,046	478,797	528,046	478,797
Other		297	15,313	12,612	15,227	12,526
<b>Total Receipts</b>		<b>528,825</b>	<b>552,329</b>	<b>498,263</b>	<b>552,243</b>	<b>498,176</b>
<b>NET CASH FLOWS FROM OPERATING ACTIVITIES</b>	19	<b>(5,154)</b>	<b>28,854</b>	<b>24,927</b>	<b>28,854</b>	<b>24,927</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>						
Proceeds from sale of plant and equipment		35	-	-	-	-
Purchases of plant and equipment, and intangibles		(12,430)	(9,077)	(10,103)	(9,077)	(10,103)
<b>NET CASH FLOWS FROM INVESTING ACTIVITIES</b>		<b>(12,395)</b>	<b>(9,077)</b>	<b>(10,103)</b>	<b>(9,077)</b>	<b>(10,103)</b>
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>						
Proceeds from borrowings and advances		-	-	-	-	-
Payment of principal portion of lease liabilities		100	(41)	(440)	(41)	(440)
<b>NET CASH FLOWS FROM FINANCING ACTIVITIES</b>		<b>100</b>	<b>(41)</b>	<b>(440)</b>	<b>(41)</b>	<b>(440)</b>
<b>NET INCREASE / (DECREASE) IN CASH AND CASH EQUIVALENT</b>		<b>(17,449)</b>	<b>19,736</b>	<b>14,385</b>	<b>19,736</b>	<b>14,385</b>
Opening cash and cash equivalents		48,875	48,875	34,490	48,875	34,490
<b>CLOSING CASH AND CASH EQUIVALENTS</b>	7	<b>31,426</b>	<b>68,611</b>	<b>48,875</b>	<b>68,611</b>	<b>48,875</b>

The accompanying notes form part of these statements

**LEGAL AID COMMISSION OF NEW SOUTH WALES**  
**Notes accompanying and forming part of the financial statements**  
**for the financial year ended 30 June 2024**

**1 STATEMENT OF MATERIAL ACCOUNTING POLICY INFORMATION**

**(a) Reporting Commission**

The Legal Aid Commission of NSW (the Commission) is a NSW government entity and is controlled by the State of New South Wales, which is the ultimate parent. The Commission is an independent statutory body, established under the *Legal Aid Commission Act 1979*. The Commission is a not-for-profit Commission (as profit is not its principal objective) and it has no cash generating units. The Commission's main objective is to improve access to justice for the most disadvantaged people in our society, responding to their legal needs.

The Commission, as a reporting entity, comprises all entities under its control, namely the Commission and the Legal Aid Commission Staff Agency.

Transactions relating to the Legal Aid Commission Trust Account are not included in the financial statements of the Commission, as the Commission does not control or use these funds for the achievement of its objectives (refer note 20).

In the process of preparing the consolidated financial statements for the economic entity consisting of the controlling and controlled entities, all inter-entity transactions and balances have been eliminated and like transactions and other events are accounted for using uniform accounting policies.

The consolidated financial statements for the year ended 30 June 2024 were authorised for issue by the Chair, Legal Aid NSW and the Chief Executive Officer on 10 September 2024.

**(b) Basis of Preparation**

The Commission's financial statements are general purpose financial statements which have been prepared on an accrual basis and in accordance with:

- Applicable Australian Accounting Standards (AAS) (which include Australian Accounting Interpretations)
- The requirements of the *Government Sector Finance Act 2018 (GSF Act)* and Regulation, and
- Treasurer's Directions issued under the *GSF Act*.

Plant and equipment and intangible assets are measured at fair value where there is an active market. Where there is no active market, the asset is carried at cost less any accumulated amortisation and impairment losses. Other financial statement items are prepared in accordance with the historical cost convention except where specified otherwise.

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 thousand and are expressed in Australian currency, which is the Commission's presentation and functional currency.

**(c) Statement of Compliance**

The financial statements and notes comply with the Australian Accounting Standards, which include Australian Accounting Interpretations.

**(d) Accounting for the Goods and Services Tax (GST)**

Income, expenses and assets are recognised net of the amount of GST, except that:

- The amount of GST incurred by the Commission 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 are recoverable from, or payable to, the Australian Taxation Office are classified as operating cash flows.

**(e) Budgeted Amounts**

The budgeted amounts are drawn from the original budgeted financial statements presented to Parliament in respect of the reporting period. Subsequent amendments made to the original budget (e.g. adjustment for transfers of functions between entities as a result of Administrative Arrangement Orders) are not reflected in the budgeted amounts. Major variances between the original budgeted amounts and the actual amounts disclosed on the primary financial statements are explained in Note 18.

**(f) Comparative Information**

Except when an AAS permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements.

**(g) Changes in accounting policy, including new or revised Australian Accounting Standards**

**Effective for the first time in 2023-24**

The accounting policies applied in 2023-24 are consistent with those of the previous financial year. Management has assessed all new or revised accounting standards (including those issued but not yet effective) and has concluded these do not have a material impact on the financial statements of Legal Aid NSW.

- AASB 17 Insurance Contracts (Appendix D)
- AASB 2020-1 Amendments to Australian Accounting Standards - Classification of Liabilities as Current or Non-Current
- AASB 2022-1 Amendments to Australian Accounting Standards - Initial Application of AASB17 and AASB 9 - Comparative Information
- AASB 2022-7 Editorial Corrections to Australian Accounting Standards and Repeal of Superseded and Redundant Standards
- AASB 2022-8 Amendments to Australian Accounting Standards - Insurance Contracts: Consequential Amendments

**Issued but not yet effective**

NSW Public Sector entities are not permitted to early adopt new AAS, unless Treasury determines otherwise. The following new AAS have not been applied and are not yet effective:

- AASB 2014-10 Amendments to Australian Accounting Standards - Sale or Contribution of Assets between an Investor and its Associate or Joint Venture
- AASB 2021-7c Amendments to Australian Accounting Standards - Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections [deferred AASB10 and AASB 128 amendments in AASB 2014-10 apply]
- AASB 2022-5 Amendments to Australian Accounting Standards - Lease Liability in a Sale and Leaseback
- AASB 2022-9 Amendments to Australian Accounting Standards - Insurance Contracts in the Public Sector
- AASB 2022-10 Amendments to Australian Accounting Standards - Fair Value Measurement of Non-Financial Assets of Not-for-Profit Sector Entities
- AASB 2023-1 Amendments to Australian Accounting Standards - Supplier Finance Arrangements
- AASB 2023-3 Amendments to Australian Accounting Standards - Disclosure of Non-Current Liabilities with Covenants: Tier 2
- AASB 2023-5 Amendments to Australian Accounting Standards - Lack of Exchangeability

It is considered that the impact of the above new Standards and Interpretations in future periods will have no material impact on the financial statements of the Commission for the year ending 30 June 2024.

**(h) Impact of climate-related matters on financial reporting for 2023-24**

Legal aid NSW has no assets or liabilities which are likely to be affected by write-offs or impairments.

Legal Aid NSW does not anticipate any material-related financial risks or opportunities over the reporting period. Management is monitoring developments in climate-related matters for future impacts on revenue and costs.

	Consolidated		Commission	
	2024	2023	2024	2023
<b>2 EXPENSES EXCLUDING LOSSES</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>(a) Employee related expenses and personnel services</b>				
<b>Employee related expenses</b>				
Salaries and wages (including annual leave)	171,747	146,352	-	-
Superannuation - defined benefit plans	690	948	-	-
Superannuation – defined contribution plans	19,102	14,845	-	-
Long service leave	4,465	4,348	-	-
Workers' compensation insurance	1,874	798	-	-
Payroll tax and fringe benefits tax	10,364	9,013	-	-
Agency staff costs	768	1,309	768	1,309
<b>Total</b>	<b>209,010</b>	<b>177,613</b>	<b>768</b>	<b>1,309</b>

The Commission does not employ staff that are directly involved in day-to-day servicing or maintenance. Employee related expenses capitalised to assets in 2023-24 was \$0.00m (2022-23: \$0.367m), therefore excluded from the above (for 2023).

#### **Personnel services**

Personnel services provided by the Legal Aid Commission Staff Agency	-	-	208,939	176,747
<b>Total</b>	<b>-</b>	<b>-</b>	<b>208,939</b>	<b>176,747</b>

#### **(b) Other operating expenses**

Auditor's remuneration - audit of financial statements	172	160	172	160
Auditor's remuneration - other	-	26	-	26
Cleaning	570	572	570	572
Consultants	343	981	343	981
Contractors	1,066	988	1,066	988
Electricity and gas	308	276	308	276
Information Technology (includes licensing and support)	11,377	9,475	11,377	9,475
Insurance	432	307	432	307
Internal audit	171	117	171	117
Lease and Occupancy Agreement	14,119	13,727	14,119	13,727
Library resources	1,003	859	1,003	859
Maintenance	456	325	456	325
Postage	692	671	692	671
Practicing certificates	766	658	766	658
Printing	834	871	834	871
Records management	965	920	965	920
Stationery, stores and provisions	805	656	805	656
Telephone	408	510	408	510
Travel	3,239	2,244	3,239	2,244
Other	5,880	4,601	5,145	4,104
<b>Total</b>	<b>43,606</b>	<b>38,944</b>	<b>42,871</b>	<b>38,447</b>

## Recognition and Measurement

### Maintenance Expense

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.

### Insurance

The Commission's insurance activities are conducted through the NSW Treasury Managed Fund Scheme of self insurance for Government entities. The expense (premium) is determined by the Fund Manager based on past claims experience.

### Lease and Occupancy Agreement expense

The entity recognises the lease payments associated with the following types leases as an expense on a straight-line basis:

- Leases that meet the definition of short-term. i.e. where the lease term at commencement of the lease is 12 months or less.

This excludes leases with a purchase option.

- Leases of assets that are valued at \$10,000 or under when new.

Variable lease payments not included in the measurement of the lease liability (i.e. variable lease payments that do not depend on an index or a rate, initially measured using the index or rate as at the commencement date). These payments are recognised in the period in which the event or condition that triggers those payments occurs. Office accommodation arrangements operate under a substantive substitution right. These agreements are not within the scope of AASB16 Leases.

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
<b>(c) Depreciation and amortisation expenses</b>				
<b>Depreciation</b>				
Leasehold improvements	2,679	2,956	2,679	2,956
Right of use leased assets	137	286	137	286
Plant and equipment	386	505	386	505
<b>Total</b>	<b>3,202</b>	<b>3,747</b>	<b>3,202</b>	<b>3,747</b>
<b>Amortisation</b>				
Software	5,220	4,856	5,220	4,856
<b>Total</b>	<b>5,220</b>	<b>4,856</b>	<b>5,220</b>	<b>4,856</b>
<b>Total depreciation and amortisation expense</b>	<b>8,422</b>	<b>8,603</b>	<b>8,422</b>	<b>8,603</b>

Refer to Notes 9, 10 and 11 for recognition and measurement policies on depreciation and amortisation.

### (d) Grants and subsidies

Domestic Violence Court Assistance Program	48,911	45,738	48,911	45,738
Community Legal Centres	40,668	37,513	40,668	37,513
Grants to other organisations	5,413	7,490	5,413	7,490
<b>Total</b>	<b>94,992</b>	<b>90,741</b>	<b>94,992</b>	<b>90,741</b>

Grants to Community Legal Centres are funded by way of specific Commonwealth and discretionary State funds.

### (e) Finance costs

Interest expense from lease liabilities	14	27	14	27
---	----	----	----	----

Unwinding of discount on make good provision	(156)	87	(156)	87
<b>Total</b>	<b>(142)</b>	<b>114</b>	<b>(142)</b>	<b>114</b>

### Recognition and Measurement

Finance costs consist of interest and other costs incurred in connection with the borrowing of funds. Borrowing costs are recognised as expenses in the period in which they are incurred, in accordance with Treasury's Mandate to not-for-profit NSW GGS entities.

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
<b>(f) Services provided by private practitioners <sup>(1)</sup></b>				
Solicitor services provided by private practitioners	112,351	105,664	112,351	105,664
Barrister services provided by private practitioners	41,944	42,805	41,944	42,805
Disbursements	17,335	14,820	17,335	14,820
<b>Total</b>	<b>171,630</b>	<b>163,289</b>	<b>171,630</b>	<b>163,289</b>

<sup>(1)</sup> 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 the Commission at the end of the reporting period. Refer to Note 12.

## 3 REVENUE

### Recognition and Measurement

Income is recognised in accordance with the requirements of AASB 15 Revenue from Contracts with Customers or AASB 1058 Income of Not-for-Profit Entities, dependent on whether there is a contract with a customer defined by AASB 15 Revenue from Contracts with Customers.

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
<b>(a) Sale of goods and services</b>				
<b>Rendering of services</b>				
Criminal Law	4,931	2,994	4,931	2,994
Family Law	3,478	3,353	3,478	3,353
Civil Law	239	593	239	593
<b>Total</b>	<b>8,648</b>	<b>6,940</b>	<b>8,648</b>	<b>6,940</b>

### Recognition and Measurement

#### Rendering of Services

Revenue from rendering of services is recognised when the contribution is levied. The Commission has determined that income from the rendering of services is recognised in accordance with AASB 1058 Income of Not-for-Profit Entities as the granting of aid to a client has been determined as not being a contract.

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
<b>(b) Investment revenue</b>				
Interest on outstanding accounts	414	524	414	524
<b>Total</b>	<b>414</b>	<b>524</b>	<b>414</b>	<b>524</b>

## Recognition and Measurement

### Investment Revenue

Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset except for financial assets that subsequently become credit-impaired. For financial assets that become credit impaired, the effective interest rate is applied to the amortised cost of the financial asset (i.e. after deducting the loss allowance for expected credit losses).

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
<b>(c) Grants and contributions</b>				
Grants without sufficiently specific performance obligations:				
Cluster Agency recurrent contribution	398,370	352,982	398,370	352,982
Cluster Agency capital contribution	10,282	5,822	10,282	5,822
Law Society Public Purpose Fund i)	43,624	39,476	43,624	39,476
Other capital grants	1,151	1,223	1,151	1,223
Cluster Agency recurrent contribution - CLC specific ii)	14,277	14,893	14,277	14,893
Other grants and contributions iii)	59,687	63,748	59,687	63,748
<b>Total</b>	<b>527,391</b>	<b>478,144</b>	<b>527,391</b>	<b>478,144</b>

## Recognition and Measurement

### Grants and Contributions

Revenue from grants with sufficiently specific performance obligations is recognised as and when the Commission satisfies a performance obligation by transferring the promised goods. Revenue from these grants is recognised based on the grant amount specified in the funding agreement/funding approval, and revenue is only recognised to the extent that it is highly probable that a significant reversal will not occur. No element of financing is deemed present as funding payments are usually received in advance or shortly after the relevant obligation is satisfied. Income from grants without sufficiently specific performance obligations is recognised when the Commission obtains control over the granted assets (e.g. cash).

The Commission has determined that Grants and Contributions revenue is general in nature and within the scope of AASB 1058 and will be recognised immediately on receipt.

- i) This fund provided a grant of \$14.276m (\$8.472m in 2022-23) to provide legal aid services in specific State matters.
- ii) Community Legal Centres (CLC) specific funding received from the Commonwealth Government via the National Partnership Appropriation. In 2023-24, \$14.277m was received (2022-23 \$14.893m). These funds were earmarked for distribution to various Community Legal Centres.

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
iii) Other State or Commonwealth grants and contributions include:				
Commonwealth	11,818	14,354	11,818	14,354
State	47,869	49,394	47,869	49,394
<b>Total</b>	<b>59,687</b>	<b>63,748</b>	<b>59,687</b>	<b>63,748</b>

### (d) Acceptance by the Crown of employee benefits and other liabilities

The following liabilities and/or expenses have been assumed by the Crown or other government agencies:

Superannuation - defined benefit	690	948	690	948
Long Service Leave	4,674	4,120	4,674	4,120
Payroll tax	38	54	-	-
<b>Total</b>	<b>5,402</b>	<b>5,122</b>	<b>5,364</b>	<b>5,068</b>

**(e) Other revenue**

Miscellaneous	3,239	1,334	3,239	1,334
<b>Total</b>	<b>3,239</b>	<b>1,334</b>	<b>3,239</b>	<b>1,334</b>

**4 GAIN/(LOSS) ON DISPOSAL**

Gain/(Loss) on disposal of plant and equipment

Less: Written down value of assets disposed

	(42)	(132)	(42)	(132)
<b>Net Gain/(loss) on disposal</b>	<b>(42)</b>	<b>(132)</b>	<b>(42)</b>	<b>(132)</b>

**5 OTHER GAINS / (LOSSES)**

Impairment gain/(loss) on receivables

Gain/(loss) on right of use asset derecognition

	(1,774)	(1,594)	(1,774)	(1,594)
	(111)	(132)	(111)	-
<b>Net Other Gains/(losses)</b>	<b>(1,885)</b>	<b>(1,726)</b>	<b>(1,885)</b>	<b>(1,594)</b>

**Recognition and Measurement**

**Impairment Losses**

Impairment losses may arise on assets held by the Commission from time to time. Accounting for impairment losses is dependent upon the individual asset (or group of assets) subject to impairment. Accounting Policies and events giving rise to impairment losses are disclosed in Note 8 - Receivables, Note 9 - Plant and equipment, Note 10 - Leased assets, and Note 11 - Intangible assets.



## 6 DISAGGREGATED DISCLOSURE STATEMENTS FOR THE YEAR ENDING 30 JUNE 2024

### CONSOLIDATED EXPENSES AND REVENUES

	Group 1 *		Group 2 *		Not		Total	
	Legal Services		Community Partnerships		Attributable			
	2024	2023	2024	2023	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Expenses excluding losses</b>								
Employee related/ Personnel services	203,288	173,338	5,722	4,275	-	-	209,010	177,613
Operating expenses	39,414	37,494	4,192	1,450	-	-	43,606	38,944
Depreciation and amortisation	8,191	8,400	231	203	-	-	8,422	8,603
Grants and subsidies	1,844	1,934	93,148	88,807	-	-	94,992	90,741
Finance costs	(138)	111	(4)	3	-	-	(142)	114
Services provided by private practitioners	171,181	162,888	449	401	-	-	171,630	163,289
<b>Total Expenses excluding losses</b>	<b>423,780</b>	<b>384,165</b>	<b>103,738</b>	<b>95,139</b>	<b>-</b>	<b>-</b>	<b>527,518</b>	<b>479,304</b>
<b>Revenue</b>								
Sale of goods and services	8,648	6,940	-	-	-	-	8,648	6,940
Investment income	398	512	16	12	-	-	414	524
Grants and contributions	425,360	358,100	102,031	120,044	-	-	527,391	478,144
Acceptance by the Crown of employee benefits and other liabilities	5,243	5,056	159	66	-	-	5,402	5,122
Other revenue	1,790	956	1,449	378	-	-	3,239	1,334
<b>Total Revenue</b>	<b>441,439</b>	<b>371,564</b>	<b>103,655</b>	<b>120,500</b>	<b>-</b>	<b>-</b>	<b>545,094</b>	<b>492,064</b>
<b>Operating Result</b>	<b>17,658</b>	<b>(12,601)</b>	<b>(82)</b>	<b>25,361</b>	<b>-</b>	<b>-</b>	<b>17,576</b>	<b>12,760</b>
Gain / (Loss) on disposal of non-current assets	(41)	(111)	(1)	(21)	-	-	(42)	(132)
Other gains / (losses)	(1,868)	(1,685)	(17)	(41)	-	-	(1,885)	(1,726)
<b>Net result</b>	<b>15,749</b>	<b>(14,397)</b>	<b>(100)</b>	<b>25,299</b>	<b>-</b>	<b>-</b>	<b>15,649</b>	<b>10,902</b>
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>15,749</b>	<b>(14,397)</b>	<b>(100)</b>	<b>25,299</b>	<b>-</b>	<b>-</b>	<b>15,649</b>	<b>10,902</b>

## CONSOLIDATED ASSETS AND LIABILITIES

	Group 1 *		Group 2 *		Not		Total	
	Legal Services		Community Partnerships		Attributable			
	2024	2023	2024	2023	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Current Assets</b>								
Cash and cash equivalents	-	-	-	-	68,611	48,875	68,611	48,875
Receivables	10,193	10,296	1,378	477	-	-	11,571	10,773
<b>Total Current Assets</b>	<b>10,193</b>	<b>10,296</b>	<b>1,378</b>	<b>477</b>	<b>68,611</b>	<b>48,875</b>	<b>80,182</b>	<b>59,648</b>
<b>Non Current Assets</b>								
Receivables	7,916	8,725	1,070	404	-	-	8,986	9,129
Plant and equipment	12,507	11,963	352	295	-	-	12,859	12,258
Right-of-use assets	476	283	13	7	-	-	489	290
Intangible assets	21,652	21,777	609	537	-	-	22,261	22,314
<b>Total Non-Current Assets</b>	<b>42,551</b>	<b>42,748</b>	<b>2,044</b>	<b>1,243</b>	<b>-</b>	<b>-</b>	<b>44,595</b>	<b>43,991</b>
<b>Total Assets</b>	<b>52,744</b>	<b>53,044</b>	<b>3,422</b>	<b>1,720</b>	<b>68,611</b>	<b>48,875</b>	<b>124,777</b>	<b>103,639</b>
<b>Current Liabilities</b>								
Payables	27,055	26,288	677	431	-	-	27,732	26,719
Borrowings	228	43	6	1	-	-	234	44
Provisions	25,123	22,479	707	554	-	-	25,830	23,033
<b>Total Current Liabilities</b>	<b>52,406</b>	<b>48,810</b>	<b>1,390</b>	<b>986</b>	<b>-</b>	<b>-</b>	<b>53,796</b>	<b>49,796</b>
<b>Non Current Liabilities</b>								
Payables	1,506	-	42	-	-	-	1,548	-
Borrowings	362	323	10	8	-	-	372	331
Provisions	7,016	7,138	198	176	-	-	7,214	7,314
<b>Total Non Current Liabilities</b>	<b>8,884</b>	<b>7,461</b>	<b>250</b>	<b>184</b>	<b>-</b>	<b>-</b>	<b>9,134</b>	<b>7,645</b>
<b>Total Liabilities</b>	<b>61,290</b>	<b>56,271</b>	<b>1,640</b>	<b>1,170</b>	<b>-</b>	<b>-</b>	<b>62,930</b>	<b>57,441</b>
<b>Net Assets</b>	<b>(8,546)</b>	<b>(3,227)</b>	<b>1,782</b>	<b>550</b>	<b>68,611</b>	<b>48,875</b>	<b>61,846</b>	<b>46,198</b>

\* The names and purposes of each program group are summarised below.

### DISAGGREGATED DISCLOSURE DESCRIPTIONS

#### Group 1 - Legal Services

This group covers the provision of legal services to eligible persons under Commonwealth law and State legislation, provision of community legal education and provision of advice to the socially and economically disadvantaged.

#### Group 2 - Community Partnerships

This group covers funding of community organisations for specific purposes. It includes providing legal assistance to disadvantaged people, undertaking law reform activities, and providing specialised court-based assistance for women and children seeking legal protection from domestic violence.

## 7 CURRENT ASSETS - CASH AND CASH EQUIVALENTS

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
Cash at bank	68,611	48,875	68,611	48,875
<b>Total Cash</b>	<b>68,611</b>	<b>48,875</b>	<b>68,611</b>	<b>48,875</b>

For the purposes of the Statement of Cash Flows, cash and cash equivalents include cash at bank, cash on hand, short-term deposits with a maturity of three months or less, which are subject to an insignificant risk of changes in value, and net of outstanding bank overdraft.

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
Cash and cash equivalents (per Statement of Financial Position)	68,611	48,875	68,611	48,875
<b>Cash and cash equivalents (per Statement of Cash Flows)</b>	<b>68,611</b>	<b>48,875</b>	<b>68,611</b>	<b>48,875</b>

Refer Note 21 for details regarding credit risk and market risk arising from financial instruments

The Commission has a business credit card facility of \$0.300m (2022-23: \$0.300m) with Citibank, which is the total of the credit limit for all issued credit cards. The balance in this facility is cleared monthly.

## 8 CURRENT / NON-CURRENT ASSETS - RECEIVABLES

### Current

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
Sale of goods and services	5,384	5,101	5,384	5,101
Less: - Allowance for expected credit losses	(947)	(675)	(947)	(675)
	4,437	4,426	4,437	4,426
Other debtors	201	54	201	54
GST recoverable from Australian Taxation Office	2,260	2,827	2,260	2,827
Prepayments	4,673	3,466	4,673	3,466
<b>Total Current</b>	<b>11,571</b>	<b>10,773</b>	<b>11,571</b>	<b>10,773</b>

### Non- Current

Sale of goods and services	12,612	11,845	12,612	11,845
Less: - Allowance for expected credit losses	(3,626)	(2,716)	(3,626)	(2,716)
<b>Total Non-Current</b>	<b>8,986</b>	<b>9,129</b>	<b>8,986</b>	<b>9,129</b>

## Movement in the allowance for expected credit losses

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
Balance at the beginning of the year	3,391	2,280	3,391	2,280
Amounts written off during the year	(594)	(487)	(594)	(487)
Amounts recovered during the year	1	4	1	4
Increase/(decrease) in allowance recognised in net result	1,775	1,594	1,775	1,594
<b>Balance at the end of the year</b>	<b>4,573</b>	<b>3,391</b>	<b>4,573</b>	<b>3,391</b>

Details of credit risk, liquidity risk and market risk, including financial assets that are either past due or impaired, are disclosed in Note 21.

Receivables from the sale of goods and services (both current and non-current) in the amount of \$11.631m (2022-23: \$10.855m) are secured by way of caveat.

### Recognition and Measurement

All 'regular way' purchases or sales of financial asset are recognised and derecognised on a trade date basis. Regular way purchases or sales are purchases or sales of financial assets that require delivery of assets within the time frame established by regulation or convention in the marketplace.

Receivables are initially recognised at fair value plus any directly attributable transaction costs.

Trade receivables that do not contain a significant financing component are measured at the transaction price.

### Subsequent measurement

The Commission holds receivables with the objective to collect the contractual cash flows and therefore measures them at amortised cost using the effective interest method, less any impairment. Changes are recognised in the net result for the year when impaired, derecognised or through the amortisation process.

### Impairment

The Commission recognises an allowance for expected credit losses (ECLs) for all debt financial assets not held at fair value through profit or loss.

For trade receivables, the entity applies a simplified approach in calculating ECLs. The entity recognises a loss allowance based on lifetime ECLs at each reporting date. The Commission has established a provision matrix based on its historical credit loss experience for trade receivables, adjusted for forward-looking factors specific to the receivable.

	Consolidated		Commission	
	2024	2024	2024	2024
	\$'000	\$'000	\$'000	\$'000
<b>9 NON-CURRENT ASSETS - PLANT AND EQUIPMENT</b>				
<b>At 1 July 2023 - fair value</b>				
Gross Carrying Amount	55,140		55,140	
Less: Accumulated depreciation and impairment	(42,882)		(42,882)	
<b>Net Carrying Amount</b>	<b>12,257</b>		<b>12,257</b>	
<b>At 30 June 2024 - fair value</b>				
Gross Carrying Amount	57,445		57,445	
Less: Accumulated depreciation and impairment	(44,586)		(44,586)	
<b>Net Carrying Amount</b>	<b>12,859</b>		<b>12,859</b>	

### 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:

	<b>Consolidated</b>		<b>Commission</b>	
	<b>2024</b>	<b>2023</b>	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Net carrying amount at beginning of year	12,257	12,317	12,257	12,317
Additions	3,708	3,484	3,708	3,484
Disposals	(42)	(82)	(42)	(82)
Transfers <sup>(1)</sup>	-	-	-	-
Depreciation expense asset owned	(3,065)	(3,461)	(3,065)	(3,461)
<b>Net carrying amount at end of year</b>	<b>12,859</b>	<b>12,257</b>	<b>12,859</b>	<b>12,257</b>

Further details regarding the fair value measurement of property, plant and equipment are disclosed in Note 21.

<sup>(1)</sup> Transfers are from assets under construction where construction is complete.

	<b>Consolidated</b>		<b>Commission</b>	
	<b>2024</b>	<b>2023</b>	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Plant and equipment classification				
Office equipment	613	826	613	826
IT hardware	266	368	266	368
Leasehold improvements	11,979	11,063	11,979	11,063
	<b>12,859</b>	<b>12,257</b>	<b>12,859</b>	<b>12,257</b>

## Recognition and Measurement

### Acquisition of Plant and Equipment

Plant and equipment are initially measured at cost and subsequently revalued at fair value less accumulated depreciation and impairment. Cost is the amount of 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 AAS.

Fair value is the price that would be received to sell an asset in an orderly transaction between market participants at measurement date.

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 over the period of credit.

Assets acquired at no cost, or for nominal consideration, are initially recognised at their fair value at the date of acquisition.

### Capitalisation Thresholds

Plant and equipment and intangible assets costing \$5,000 and above individually (or forming part of a network or group costing more than \$5,000) are capitalised.

### Restoration Costs

The present value of the expected cost for the restoration or cost of dismantling of an asset after its use is included in the cost of the respective asset if the recognition criteria for a provision are met.

### 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 Commission. Leasehold improvements are amortised over the unexpired period of the lease or estimated useful life whichever is the shorter. Refer Note 2(c).

	2024	2023
<b>Applicable depreciation rates for each class of depreciable assets are listed below:</b>	%	%
Computer Equipment	20-25	20-25
Office Equipment	15-25	15-25
Leasehold Improvements (includes Furniture and Fittings)	Term of the lease or 10 years whichever is the lesser	

### Right-of-Use Assets acquired by lessees

The Commission has elected to present right-of-use assets separately in the Statement of Financial Position. Further information on leases is contained at Note 10.

### 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 21-09). This policy adopts fair value in accordance with AASB 13 Fair Value Measurement, AASB 116 Property, Plant and Equipment and AASB 140 Investment Property.

Plant and equipment is measured at the highest and best use by market participants that is physically possible, legally permissible and financially feasible. The highest and best use must be available at a period that is not remote and take into account the characteristics of the asset being measured, including any socio-political restrictions imposed by government. In most cases, after taking into account these considerations, the highest and best use is the existing use. In limited circumstances, the highest and best use may be a feasible alternative use, where there are no restrictions on use or where there is a feasible higher restricted alternative use.

The Commission's plant and equipment are non-specialised assets with short useful lives and are measured at depreciated historical cost, as an approximation of fair value. The Commission has assessed that any difference between fair value and depreciated historical cost is unlikely to be material.

### Impairment of Plant and Equipment

As a not-for-profit entity with no cash generating units, impairment under AASB 136 Impairment of Assets is unlikely to arise. As plant and equipment is carried at fair value, or an amount that approximates fair value, impairment can only arise in rare circumstances such as where the costs of disposal are material.

## 10 LEASES

The Commission leases various properties and motor vehicles. Lease contracts are typically made for fixed periods of 1 to 10 years, but may have extension options. Lease terms are negotiated on an individual basis and contain a wide range of different terms and conditions. The lease agreements do not impose any covenants, but leased assets may not be used as security for borrowing purposes. The entity does not provide residual value guarantees in relation to leases.

Extension and termination options are included in a number of property and equipment leases. These terms are used to maximise operational flexibility in terms of managing contracts. The majority of extension and termination options held are exercisable only by the entity and not by the respective lessor. In determining the lease term, management considers all facts and circumstances that create an economic incentive to exercise an extension option, or not exercise a termination option. Extension options (or periods after termination options) are only included in the lease term if the lease is reasonably certain to be extended (or not terminated). The assessment is reviewed if a significant event or a significant change in circumstances occurs which affects this assessment and that is within the control of the lessee.

The Commission has elected to recognise payments for short-term leases and low value leases as expenses on a straight-line basis, instead of recognising a right-of-use asset and lease liability. Short-term leases are leases with a lease term of 12 months or less.

The following table presents right-of-use assets.

<b>Right-of-use assets under leases</b>	<b>Plant and Equipment (\$'000)</b>
Balance 01 July 2023	290
Additions and/or reassessment of leases	336
Depreciation expense right-of-use asset	(137)

Balance 30 June 2024	<b>489</b>
Balance 01 July 2022	963
Additions and/or reassessment of leases	(387)
Depreciation expense right-of-use asset	(286)
Balance 30 June 2023	<b>290</b>

### Lease liabilities - Borrowings

The following table presents liabilities under leases:

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Balance 01 July 2023	375	1,174
Additions and/or reassessment of leases	108	(581)
Interest expense on lease liabilities	14	27
Payments	(268)	(377)
Derecognition of lease liabilities	377	132
Balance 30 June (see Note 13)	<b>606</b>	<b>375</b>

The following amounts were recognised in the statement of comprehensive income in respect of leases where the Commission is the lessee:

	<b>2024</b>	<b>2023</b>
	<b>\$'000</b>	<b>\$'000</b>
Depreciation expense right-of-use asset	136	286
Interest expense on lease liabilities	14	27
Expense relating to short term leases	16	151
Expense relating to low-value assets	477	330
Total amount recognised in the statement of comprehensive income	<b>643</b>	<b>794</b>

The Commission had total cash outflows for leases of \$0.542m in FY2023-24 (FY2022-23 \$0.529m).

#### Recognition and measurement

The Commission assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

The Commission recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets, except for short-term leases and leases of low-value assets.

#### i) Right-of-use assets

The Commission recognises right-of-use assets at the commencement date of the lease (i.e. the date the underlying asset is available for use). Right-of-use assets are initially measured at the amount of initial measurement of the lease liability (refer below), adjusted by any lease payments made at or before the commencement date and lease incentives, any initial direct costs incurred, and estimated costs of dismantling and removing the asset or restoring the site. The right of use assets are subsequently measured at cost.

They are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets, as follows:

- Property Leases - term of the lease remaining
- Motor vehicles and other equipment - 2 to 5 years

If ownership of the leased asset transfers to the entity at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset. The right-of-use assets are also subject to impairment. The Commission assesses, at each reporting date, whether there is an indication that an asset may be impaired. If any indication exists, or when annual impairment testing for an asset is required, the entity estimates the asset's recoverable amount. When the carrying amount of an asset exceeds its recoverable amount, the asset is considered impaired and is written down to its recoverable amount. After an impairment loss has been recognised, it is reversed only if there has been a change in the assumptions used to determine the asset's recoverable amount. The reversal is limited so that the carrying amount of the asset does not exceed its recoverable amount, nor exceed the carrying amount that would have been determined, net of depreciation, had no impairment loss been recognised for the asset in prior years. Such reversal is recognised in the net result.

## ii) Lease liabilities

At the commencement date of the lease, the Commission recognises lease liabilities measured at the present value of lease payments to be made over the lease term. Lease payments include:

- fixed payments (including in substance fixed payments) less any lease incentives receivable;
- variable lease payments that depend on an index or a rate;
- amounts expected to be paid under residual value guarantees;
- exercise price of a purchase options reasonably certain to be exercised by the Commission; and
- payments of penalties for terminating the lease, if the lease term reflects the Commission exercising the option to terminate.

Variable lease payments that do not depend on an index or a rate are recognised as expenses (unless they are incurred to produce inventories) in the period in which the event or condition that triggers the payment occurs.

The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, which is generally the case for the Commission's leases, the lessee's incremental borrowing rate is used, being the rate that the entity would have to pay to borrow the funds necessary to obtain an asset of similar value to the right-of-use asset in a similar economic environment with similar terms, security and conditions.

After the commencement date, the amount of lease liabilities is increased to reflect the accretion of interest and reduced for the lease payments made. In addition, the carrying amount of lease liabilities is remeasured if there is a modification, a change in the lease term, a change in the lease payments (e.g., changes to future payments resulting from a change in an index or rate used to determine such lease payments) or a change in the assessment of an option to purchase the underlying asset. The Commission's lease liabilities are included in borrowings.

## iii) Short-term leases and leases of low-value assets

The Commission applies the short-term lease recognition exemption to its short-term leases of equipment (i.e. those leases that have a lease term of 12 months or less from the commencement date and do not contain a purchase option). It also applies the lease of low-value assets recognition exemption to leases of office equipment that are considered to be low value. Lease payments on short-term leases and leases of low value assets are recognised as expense on a straight-line basis over the lease term.

## iv) Leases that have significantly below-market terms and conditions principally to enable the Commission to further its objectives.

The initial and subsequent measurement of right-of-use assets under leases at significantly below-market terms and conditions that are entered into principally to enable the entity to further its objectives is the same as for normal right-of-use assets. They are measured at cost, subject to impairment.

## 11 INTANGIBLE ASSETS

	Consolidated		Commission	
	2024	2023	2024	2023
<b>At 1 July - fair value</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Cost (gross carrying amount)	49,377	44,439	49,377	44,439
Less: Accumulated amortisation and impairment	(27,063)	(22,858)	(27,063)	(22,858)
<b>Net Carrying Amount</b>	<b>22,314</b>	<b>21,581</b>	<b>22,314</b>	<b>21,581</b>
<b>At 30 June - fair value</b>				



Cost (gross carrying amount)	54,544	49,377	54,544	49,377
Less: Accumulated amortisation and impairment	(32,283)	(27,063)	(32,283)	(27,063)
<b>Net Carrying Amount</b>	<b>22,261</b>	<b>22,314</b>	<b>22,261</b>	<b>22,314</b>

#### Reconciliation

A reconciliation of the carrying amounts of intangible assets at the beginning and end of the current reporting period is set out below.

<b>Net carrying amount at beginning of year</b>	<b>22,314</b>	<b>22,581</b>	<b>22,314</b>	<b>21,581</b>
Additions	5,167	5,640	5,167	5,640
Disposals	-	(51)	-	-
Transfers to plant and equipment	-	-	-	-
Amortisation (recognised in "depreciation and amortisation")	(5,220)	(4,856)	(5,220)	(4,856)
<b>Net carrying amount at end of year</b>	<b>22,261</b>	<b>22,314</b>	<b>22,261</b>	<b>22,365</b>
<b>Intangible assets classification</b>				
IT software	20,976	19,922	20,976	19,922
IT software under construction	1,285	2,392	1,285	2,392
	<b>22,261</b>	<b>22,314</b>	<b>22,261</b>	<b>22,314</b>

#### Recognition and Measurement

The Commission recognises intangible assets only if it is probable that future economic benefits will flow to the Commission and the cost of the asset can be measured reliably. Intangible assets are measured initially at cost. Where an asset is acquired at no or nominal cost, the cost is its fair value as at the date of acquisition. Following initial recognition, intangible assets are subsequently measured at fair value only if there is an active market. If there is no active market for the Commission's intangible assets, the assets are carried at cost less any accumulated amortisation and impairment losses.

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. The Commission's intangible assets are amortised using the straight-line method over a period of generally 4-10 years.

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.

#### 12 CURRENT / NON-CURRENT LIABILITIES – PAYABLES

	Consolidated		Commission	
	2024	2023	2024	2023
	\$'000	\$'000	\$'000	\$'000
Accrued salaries, wages and on-costs	4,704	4,502	-	-
Legal Aid Commission Staff Agency - accrued salaries, wages and on-costs	-	-	4,704	4,502
Creditors	1,082	1,370	1,082	1,370
Accrued Expenses	2,400	2,608	2,400	2,608
Accrual of estimated legal expenses - current i)	19,546	18,239	19,546	18,239
<b>Total - current payables</b>	<b>27,732</b>	<b>26,719</b>	<b>27,732</b>	<b>26,719</b>
Accrual of estimated legal expenses - non-current i)	1,548	-	1,548	-
<b>Total - non-current payables</b>	<b>1,548</b>	<b>-</b>	<b>1,548</b>	<b>-</b>

- i) The Commission has accrued the cost of work in progress by external legal practitioners using calculations performed by an actuary. The actuary was able to satisfactorily reconcile historical payment information received at June 2024 with that received 12 months earlier and LANSW have undertaken an independent reconciliation of payments made in the last 12 months. The liability is calculated using the Paid Chain Ladder (PCL) method which analyses the past pattern of payments to predict future payments. The actuary has made no allowance for the impact of inflating or discounting the value of Outstanding Creditors. Given the relatively short- term nature of payments for this type of business, the effects of inflating and discounting do not have a material effect on the valuation result.

Details regarding liquidity risk, including a maturity analysis of the above payables are disclosed in Note 21.

### Recognition and Measurement

Payables represent liabilities for goods and services provided to the Commission and other amounts. Short-term payables with no stated interest rate are measured at the original invoice amount where the effect of discounting is immaterial.

Payables are financial liabilities at amortised cost, initially measured at fair value, net of directly attributable transaction costs. These are subsequently measured at amortised cost using the effective interest method. Gains and losses are recognised in the net result when the liabilities are derecognised as well as through the amortisation process.

### 13 CURRENT / NON-CURRENT LIABILITIES - BORROWINGS

	Consolidated		Commission	
	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000
Lease liability - current	234	44	234	44
Lease liability – non-current	372	331	372	331
<b>Total (see Note 10)</b>	<b>606</b>	<b>375</b>	<b>606</b>	<b>375</b>

Details regarding liquidity risk, including a maturity analysis of the above payables are disclosed in Note 21.

### Recognition and Measurement

Borrowings classified as financial liabilities at amortised cost are initially measured at fair value, net of directly attributable transaction costs. These are subsequently measured at amortised cost using the effective interest method. Gains and losses are recognised in net result when the liabilities are derecognised as well as through the amortisation process.

	Consolidated		Commission	
	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000
<b>14 CURRENT / NON-CURRENT LIABILITIES - PROVISIONS</b>				
<b>Current</b>				
<b>Employee benefits and related on-costs</b>				
Annual leave	13,602	12,032		
Annual leave expected to be taken after 12 months	2,810	2,485		
Parental leave	473	-		
Provision for related on-costs	8,945	8,516		
Legal Aid Commission Staff Agency - provision for personnel services	-	-	25,830	23,033
<b>Total Current</b>	<b>25,830</b>	<b>23,033</b>	<b>25,830</b>	<b>23,033</b>
<b>Non-Current</b>				
<b>Employee benefits and related on-costs</b>				
Provision for related on-costs	404	444	-	-
Legal Aid Commission Staff Agency - provision for personnel services	-	-	404	444
	<b>404</b>	<b>444</b>	<b>404</b>	<b>444</b>

### Other Provisions

Restoration costs <sup>(1)</sup>	6,810	6,870	6,810	6,870
	<b>6,810</b>	<b>6,870</b>	<b>6,810</b>	<b>6,870</b>
<b>Total Non-Current Provisions</b>	<b>7,214</b>	<b>7,314</b>	<b>7,214</b>	<b>7,314</b>

<sup>(1)</sup> Restoration costs refers 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.

#### Aggregate employee benefits and related on-costs

Provisions - current	25,830	23,033		
Provisions - non-current	404	444		
Accrued salaries, wages and on-costs (Note 12)	4,704	4,502		
	<b>30,938</b>	<b>27,979</b>		

#### Movements in provisions (other than employee benefits)

##### Restoration Provision

<b>Carrying amount at start of financial year</b>	6,870	6,783	6,870	6,783
Additional provisions recognised	300	-	300	-
Amounts used or reduction in provision	(202)	-	(202)	-
Unwinding / change in the discount rate	(158)	87	(158)	87
<b>Carrying amount at end of financial year</b>	<b>6,810</b>	<b>6,870</b>	<b>6,810</b>	<b>6,870</b>

#### Recognition and Measurement

##### Employee Benefits and related on-costs

To enable the Commission to carry out its functions, all personnel service requirements are provided by Legal Aid Commission Staff Agency which is a special purpose service Commission that is a Division of the Government of New South Wales. The personnel service is charged at cost.

##### Salaries and wages, annual leave and sick leave

Salaries and wages (including non-monetary benefits) and paid sick leave that are expected to be settled wholly within 12 months after the end of the period in which the employees render the service are recognised and measured at the undiscounted amounts of the benefits.

Annual leave is not expected to be settled wholly before twelve months after the end of the annual reporting period in which the employees render the related service. As such, it is required to be measured at present value in accordance with AASB 119 Employee Benefits (although short-cut methods are permitted). Actuarial advice obtained by Treasury has confirmed that using the nominal annual leave balance plus the annual leave entitlements accrued while taking annual leave (calculated using 8.4% of the nominal value of annual leave) can be used to approximate the present value of the annual leave liability. Legal Aid has assessed the actuarial advice based on the Commission's circumstances and has determined that the effect of discounting is immaterial to annual leave. All annual leave is classified as a current liability even where the Commission does not expect to settle the liability within 12 months as the Commission does not have an unconditional right to defer settlement.

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 benefits accrued in the future.

A current liability provision for paid parental leave has been recognised for the first time following changes to the paid parental leave conditions to allow for 14 or 16 weeks of leave to be taken until the child is two.

##### Long Service Leave and Superannuation

The Commission's liabilities for long service leave and defined benefit superannuation are assumed by the Crown in right of the State of New South Wales (Crown). The Commission accounts for the liability as having been extinguished, resulting in the amount assumed being shown as part of the non-monetary revenue item described as 'Acceptance by the Crown Entity of employee benefits and other liabilities'.

Long service leave is measured at the present value of expected future payments to be made in respect of services provided up to the reporting date. Consideration is given to certain factors based on actuarial review, including expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using Commonwealth Government bond rate at the reporting date.

The superannuation expense for the financial year is determined by using the formulae specified in the Treasurer's Directions. The expense for certain superannuation schemes (i.e. Basic Benefit and First State Super) is calculated as a percentage of the employees' salary. For other superannuation schemes (i.e. State Superannuation Scheme and State Authorities Superannuation Scheme), the expense is calculated as a multiple of the employees' superannuation contributions.

### Consequential on-costs

Consequential on-costs to employment are recognised as liabilities and expenses where the employee benefits to which they relate have been recognised. This includes outstanding amounts of payroll tax, workers' compensation insurance premiums and fringe benefits tax.

### Provisions

Provisions are recognised when: the Commission 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. When the Commission expects some or all of a provision to be reimbursed, for example, under an insurance contract, the reimbursement is recognised as a separate asset, but only when the reimbursement is virtually certain. The expense relating to a provision is presented net of any reimbursement in the Statement of Comprehensive Income.

If the effect of the time value of money is material, provisions are discounted at 4.40% (2023 4.17%), which reflects the current market assessments of the time value of money and the risks specific to the liability. When discounting is used, the increase in the provision due to the passage of time (i.e. unwinding of discount rate) is recognised as a finance cost.

## 15 EQUITY

### Recognition and Measurement

#### Accumulated Funds

The category 'accumulated funds' includes all current and prior period retained funds.

## 16 COMMITMENTS FOR EXPENDITURE

	Consolidated		Commission	
	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000
<b>Capital Commitments</b>				
Aggregate capital expenditure contracted for at balance date and not provided for:				
Not later than one year	1,688	1,851	1,688	1,851
<b>Total (including GST)</b>	<b>1,688</b>	<b>1,851</b>	<b>1,688</b>	<b>1,851</b>

The total commitments above include input tax credits of \$0.153m (2022-23: \$0.17m) that are expected to be recoverable from the Australian Taxation Office.

## 17 CONTINGENT LIABILITIES AND CONTINGENT ASSETS

At the date of this report, there is no current litigation involving the Legal Aid Commission of NSW from which a contingent liability or contingent asset may arise (2022-23: \$0).

## 18 BUDGET REVIEW

The budgeted amounts are drawn from the original budgeted financial statements presented to Parliament in respect of the reporting period. Subsequent amendments to the original budget are not reflected in the budgeted amounts. Major variances between the original budgeted amounts and the actual amounts disclosed in the financial statements are explained below.

### Net Result

The total surplus result for the year of \$15.7m (22-23 surplus of \$10.9m) shows a \$29.1m favourable variance to the original budget deficit of \$13.4m. The main contributors to the surplus are an under-spend in employee-related expenses of \$2.5m, Grants & subsidies of \$7.4m and a \$7.1m in legal expenses.

## Assets and Liabilities

Actual net assets of \$61.9m is more than the budget due to the favourable operating result. The main contributors are: current assets of \$80.2m is \$38m more than the budget of \$42.2m. Non-current assets of \$44.6m is \$3.3m lower than the budget of \$47.9m.

Payables of \$27.7m is in line with the budget of \$26.4m; current provisions of \$25.8m is \$6.4m higher than the budget of \$19.4m. Non-current employee benefits of \$0.4m, accrual of legal expenses of \$1.6m and restoration costs of \$6.8m being office accommodation make good make up the non-current provisions.

## Cash Flows

The net surplus of cash flow was \$68.6m compared to the budget of \$31.4m due to the favourable operating result. Total operating activities receipts were \$552.3m compared to operating activities payments of \$523.5m. The net cash outflow from investing activities of \$9.1m is lower than the budget of \$12.4m due to under-spend on the purchase of plant and equipment. The closing cash actual balance of \$68.6m was \$37.2m higher than budget.

19 RECONCILIATION OF CASH FLOWS FROM OPERATING ACTIVITIES TO NET RESULT	Consolidated		Commission	
	2024 \$'000	2023 \$'000	2024 \$'000	2023 \$'000
Reconciliation of cash flows from operating activities to the net result as reported in the Statement of Comprehensive Income as follows:				
Net cash used on operating activities	28,854	24,929	28,854	24,929
Depreciation and amortisation expense	(8,422)	(8,603)	(8,422)	(8,603)
Interest expense from lease liabilities	(14)	(27)	(14)	(27)
Decrease / (increase) in provisions	(4,150)	(1,338)	(4,150)	(1,338)
Decrease / (increase) in creditors	(1,011)	(5,376)	(1,011)	(5,376)
Increase / (decrease) in prepayments and other assets	655	1,449	655	1,449
Net Gain/(Loss) on disposal of plant and equipment	(42)	(132)	(42)	(132)
Additions/(Write-backs) to lease restoration provision	(221)	-	(221)	-
<b>Net Result</b>	<b>15,649</b>	<b>10,902</b>	<b>15,649</b>	<b>10,902</b>

## 20 TRUST FUNDS

The Legal Aid Commission of NSW does not control the funds in the following Trust Account:

### Legal Aid Commission Trust Account 1

Cash balance at the beginning of the financial year	624	1,569
Add: Receipts	1,903	2,320
Less: Expenditure	(2,021)	(3,265)
<b>Cash balance at the end of the financial year</b>	<b>506</b>	<b>624</b>

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.

1 Pursuant 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.

## 21 FINANCIAL INSTRUMENTS

The principal financial instruments of the Commission are outlined below. These financial instruments arise directly from the operations of the Commission or are required to finance the operations of the Commission. The Commission does not enter into or trade financial instruments, including derivative financial instruments, for speculative purposes.

The main risks arising from financial instruments for the Commission are outlined below, together with the objectives of the Commission, policies and processes for measuring and managing risk. Further quantitative and qualitative disclosures are included throughout the financial statements.

The Chief Executive Officer 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 Management and by the Internal Auditors on a continuous basis.

<b>(a) Financial Instrument Categories</b>	<b>Note</b>	<b>Category</b>	<b>Carrying Amount 2024 \$'000</b>	<b>Carrying Amount 2023 \$'000</b>
<b>Financial Assets</b>				
<b>Class:</b>				
Cash & cash equivalents	7	Amortised cost	68,611	48,875
Receivables <sup>1</sup>	8	Amortised cost	13,624	13,609
<b>Financial Liabilities</b>				
<b>Class:</b>				
Payables <sup>2</sup>	12	Financial liabilities measured at amortised cost	28,998	25,956

<sup>1</sup>. Excludes statutory receivables and prepayments (i.e. not within scope of AASB 7)

<sup>2</sup>. Excludes statutory payables and unearned revenue (i.e. not within scope of AASB 7)

The Commission determines the classification of its financial assets and liabilities after initial recognition and, when allowed and appropriate, re-evaluates this at each financial year end.

#### **(b) Derecognition of financial assets and financial liabilities**

A financial asset is derecognised when the contractual rights to the cash flows from the financial assets expire; or if the Commission transfers its rights to receive cash flows from the asset or as assumed an obligation to pay the received cash flows in full without material delay to a third party under a 'pass-through' arrangement; and either:

- the Commission has transferred substantially all the risks and rewards of the asset; or
- the Commission has neither transferred nor retained substantially all the risks and rewards of the asset, but has transferred control.

When the Commission has transferred its rights to receive cash flows from an asset or has entered into a passthrough arrangement, it evaluates if, and to what extent, it has retained the risks and rewards of ownership. Where the Commission has neither transferred nor retained substantially all the risks and rewards or transferred control, the asset continues to be recognised to the extent of the Commission's continuing involvement in the asset. In that case, the Commission also recognises an associated liability. The transferred asset and the associated liability are measured on a basis that reflects the rights and obligations that the Commission has retained. Continuing involvement that takes the form of a guarantee over the transferred asset is measured at the lower of the original carrying amount of the asset and the maximum amount of Consideration that the Commission could be required to repay.

A financial liability is derecognised when the obligation specified in the contract is discharged or cancelled or expires. When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as the derecognition of the original liability and the recognition of a new liability. The difference in the respective carrying amounts is recognised in the net result.

#### **(c) Offsetting financial instruments**

Financial assets and financial liabilities are offset and the net amount is reported in the Statement of Financial Position if there is a currently enforceable legal right to offset the recognised amounts and there is an intention to settle on a net basis, or to realise the assets and settle the liabilities simultaneously.

#### **(d) Financial Risks**

##### **i) Credit Risk**

Credit risk arises when there is the possibility of the counterparties of the Commission defaulting on their contractual obligations, resulting in a financial loss to the Commission. The maximum exposure to credit risk is generally represented by the carrying amount of the financial assets (net of any allowance for credit loss or allowance for impairment).

Credit risk arises from the financial assets of the Commission, including cash, and receivables. The Commission has secured a portion of its receivables by way of caveat. The Commission has not granted any financial guarantees.

Credit risk associated with the financial assets of the Commission, other than receivables, is managed through the selection of counterparties and establishment of minimum credit rating standards.

The Commission considers a financial asset in default when contractual payments are 90 days past due. However, in certain cases, the entity may also consider a financial asset to be in default when internal or external information indicates that the entity is unlikely to receive the outstanding contractual amounts in full before taking into account any credit enhancements held by the Commission.

### Cash

Cash comprises the Commission's funds that are held in the general operating bank account within the NSW Treasury Banking System (TBS). Refer Note 7.

### Accounting policy for impairment of trade receivables and other financial assets - Receivables

Collectability of receivables is reviewed on an ongoing basis with appropriate follow-up letters sent.

The Commission applies the AASB 9 Financial Instruments simplified approach to measuring expected credit losses which uses a lifetime expected loss allowance for all trade receivables.

To measure the expected credit losses, receivables have been grouped based on shared credit risk characteristics and the days past due.

The expected loss rates are based on historical observed loss rates. The historical loss rates are adjusted to reflect current and forward-looking information on macroeconomic factors affecting the ability of the customers to settle the receivables.

The Commission has calculated the value of debtors impairment of receivables using calculations performed by an actuary. The actuary was supplied with individual contributions data for each client and individual repayment information as at 30 June 2024. The actuary subdivided the debtors portfolio into two groups (secured and unsecured) and made separate estimates of the outstanding legal debtors for each group. The actuary estimated the value of the debt for each cohort using the incurred cost development method. The Incurred Cost Development method estimates the ultimate incurred cost of debts in each contribution period by analysing the past pattern of debt development and estimating a pattern for the future. Further to this, as future repayments will be made over a number of years the actuary has discounted the expected future contributions to calculate a present value as at 30 June 2024. The discount rate was assumed to be 4.40% p.a. for secured debtors and 4.20% p.a. for unsecured debtors, derived from prevailing yields on Commonwealth government bonds as at the balance date.

Receivables are written off when there is no reasonable expectation of recovery. Indicators that there is no reasonable expectation of recovery include, amongst others a failure to make contractual payments for a period after the matter has been closed. 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:

	<b>01/01/2024 to 30/06/2024</b>	<b>01/07/2023 to 31/12/2023</b>
Overdue debt (Section 71A of <i>Legal Aid Commission Act</i> )	5.18%	5.05%
Local Court judgements (Section 101 of <i>Civil Procedure Act 2005</i> )	10.35%	10.10%
Family Court judgements (Section 117B of <i>Family Law Act</i> )	10.35%	10.10%

The Commission is not materially exposed to concentrations of credit risk to a single trade debtor or group of debtors. Based on past experience, debtors that are not past due (2024: \$0.532m 2023: \$0.471m) and not less than one month past due (2024: \$0.984m 2023: \$0.801m) are not considered impaired and together these represent 8.70% of the total debtors (2023: 7.88%).

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.

As at 30 June, the ageing analysis of trade receivables is as follows:

	<b>Total \$'000</b>	<b>Past due but not considered loss allowance (See note 1,2) \$'000</b>	<b>Considered loss allowance (See note 1,2) \$'000</b>
<b>2024</b>			
< 3 months overdue	984	984	-
3 months - 6 months overdue	1,355	408	947
> 6 months overdue	15,070	11,444	3,626
<b>2023</b>			
< 3 months overdue	920	920	-
3 months - 6 months overdue	806	131	675
> 6 months overdue	14,418	11,702	2,716

<sup>1</sup> Each column in the table reports 'gross receivables'

<sup>2</sup> The analysis excludes statutory receivables, prepayments, as these are not within the scope of AASB 7. Therefore, the 'total' will not reconcile to the sum of the receivables total in Note 8.

#### **Authority Deposits**

The Commission did not have any deposit with TCorp during the financial year.

#### **ii) Liquidity risk**

Liquidity risk is the risk that the Commission will be unable to meet its payment obligations when they fall due. The Commission continuously manages risk through monitoring future cash flows and maturities planning to ensure adequate holding of high quality liquid assets. The objective is to maintain a balance between continuity of funding and flexibility through the use of overdrafts, loans and other advances.

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 NSW TC 11/12. For small business suppliers, where terms are not specified, payment is made not later than 30 days from date of receipt of a correctly rendered invoice. For other suppliers, if trade terms are not specified, payment is made no later than the end of the month following the month in which an invoice or a statement is received. For small business suppliers, where payment is not made within the specified time period, simple interest must be paid automatically unless an existing contract specifies otherwise. For payments to other suppliers CEO may automatically pay the supplier simple interest. The Commission did not incur any penalty interest for late payment of claims.

The table below summarises the maturity profile of the financial liabilities of the Commission, together with the interest rate exposure.

	<b>Consolidated and Commission</b>			
	<b>Nominal Amount <sup>1</sup> \$000</b>	<b>Maturity &lt; 1 year \$000</b>	<b>Maturity 1 to 5 years \$000</b>	<b>Maturity &gt; 5 years \$000</b>
<b>2024</b>				
<i>Payables</i>				
Accounts payables	28,998	27,450	1,548	-
<i>Borrowings</i>				
Lease liabilities	606	234	372	-
<b>2023</b>				
<i>Payables</i>				
Accounts payables	25,956	25,956	-	-
<i>Borrowings</i>				
Lease liabilities	375	44	331	-



<sup>1</sup> The amounts disclosed are the contractual undiscounted cash flows of each class of financial liabilities based on the earliest date on which Legal Aid can be required to pay except for Borrowings which are discounted at weighted average effective interest rate of 4.10%

**iii) 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 exposure to market risk of the Commission is minimal. The Commission has no exposure to foreign currency risk and does not enter into commodity contracts.

**iv) Interest rate risk**

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Exposure to interest rate risk arises primarily through the entity’s interest-bearing liabilities. The Commission does not account for any fixed rate financial instruments at fair value through the comprehensive income statement. Therefore, for these financial instruments, a change in interest rates would not affect profit or loss or equity. Exposure to interest rate risk arises primarily through the Commission’s interest-bearing liabilities. The interest rate risk impact is not significant.

	2024		2023	
	-1%	1%	-1%	1%
Lease liabilities	(156)	156	(109)	109
Equity	(618)	618	(462)	462

**(e) Fair value measurement**

**i. Fair value compared to carrying amount:**

Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The fair value measurement is based on the presumption that the transaction to sell the asset or transfer the liability takes place either in the principal market for the asset or liability or in the absence of a principal market, in the most advantageous market for the asset or liability.

**ii. Fair value recognised in the Statement of Financial Position**

Management assessed that cash and short-term deposits, trade receivables, trade payables, and other current liabilities approximate their fair values, largely due to the short-term maturities of these instruments.

**(f) Uncertainty in WIP and Debtor valuation**

The actuarial assessment of WIP and Debtors includes a sensitivity analysis (see table below). This analysis is intended to provide an indication of the general level of uncertainty within the actuarial valuation. It should be noted that these sensitivities are illustrations only - they are not necessarily mutually exclusive and outcomes outside of these ranges are possible. See table below.

- For the assessment of outstanding legal creditors (WIP), the actuarial valuation assumes work was completed on average "half way" between the service from and service to date (if available) or the start and end date as denoted on the invoice. If this assumption was changed to allow for lumpiness in the schedule of work between the start and end dates, the liability may also change by around 12% or \$2.5m.
- For the assessment of outstanding legal debtors, a 1% (absolute) increase in discount rates will decrease the value of the secured debtors asset by \$0.4m.

## Sensitivity Analysis

### Creditors

Scenario	Net Provision		Impact	
	\$m	\$m	\$m	%
<b>Base Scenario</b>				
Work completed date assumed to be midway between start and end date	20.8			
Work completed date assumed to be 2/5ths way between start and end date	23.2	2.4		12%
Work completed date assumed to be 3/5ths way between start and end date	18.2	-2.6		-12%

### Secured Debtors

Scenario	Net Provision		Impact		
	\$m	\$m	\$m	%	
Base Scenario	8.3				
Ultimate Debt Recoverability					
		-2%	8.0	-0.03	-4%
		+1%	7.9	-0.4	-5%
Discount Rate (Absolute Change)		-1%	8.7	0.5	6%

## 22 RELATED PARTY DISCLOSURE

The Commission's key management personnel compensation is as follows:	2024 \$'000	2023 \$'000
<b>Short term employee benefits:</b>		
Salaries	470	454
Other monetary allowances	-	-
<b>Long term employee benefits:</b>		
Termination benefits	-	-
<b>Total Remuneration</b>	<b>470</b>	<b>454</b>

The key management personnel and their compensation disclosure are limited to the key decision makers, i.e. Chief Executive Officer, and Board Members of the Commission. During the year, no transactions were entered into with key management personnel, their close family members and controlled or jointly controlled entities thereof.

### Government-related entities

During the year, the Commission entered into transactions with other entities that are controlled/jointly controlled/significantly influenced by the NSW Government. These transactions in aggregate are a significant portion of the Commission's rendering of services and receiving of services.

These transactions include:

- \* Long Service Leave and Defined Benefit Superannuation assumed by the Crown
- \* Transactions relating to the Treasury Banking System
- \* Employer contributions paid to Defined Benefit Superannuation funds
- \* Payments into the Treasury Managed Fund for workers' compensation insurance and other insurances
- \* Significant transactions with the NSW Department of Communities and Justice
- \* Occupancy agreement rental payments to Property and Development NSW.

## 23 EVENTS AFTER REPORTING PERIOD

No events have occurred subsequent to the reporting date, which will materially affect the financial statements.

### END OF AUDITED FINANCIAL STATEMENTS

## Other information (unaudited)

### 1 PAYMENT PERFORMANCE

#### (a) Payment to creditors

Legal Aid NSW processed 99.51% of invoices received within 30 days in 2023–24, an increase compared with 99.47% in 2022–23.

Period	2023–24		2022–23	
	Invoices	%	Invoices	%
Within 30 days	150,179	99.51%	147,641	99.47%
Over 30 days	739	0.49%	788	0.53%
<b>Total</b>	<b>150,918</b>	<b>100%</b>	<b>148,429</b>	<b>100%</b>

Accounts paid within 30 days by quarter is as follows:

Accounts paid within 30 days by quarter	Target %	Achieved %	Amount paid within 30 days \$'000	Total Amount Paid \$'000
September	100.00	99.47%	96,187	99,448
December	100.00	99.63%	102,450	103,658
March	100.00	99.54%	64,525	65,722
June	100.00	99.41%	80,772	83,104

#### (b) Ageing of creditors

Aged creditors analysis at end of each quarter is as follows:

Quarter	\$'000	\$'000	\$'000	\$'000
	Current	31–60 days	61–90 days	> 90 days
September	1,441	0	0	0
December	1,629	4	1	0
March	1,512	0	0	0
June	0	0	0	0

#### (c) Consultancies

Consultancy projects equal to or more than \$50,000:

Five

#### Consultancy projects less than \$50,000:

Legal Aid NSW engaged no consultants for individual projects costing less than \$50,000 per project during 2032–24. The total cost of these consultancies was nil.

## 2 ANNUAL REPORTING LEGISLATION REQUIREMENTS

As required by the *Legal Aid Commission Act 1979* (NSW), Legal Aid NSW administers a Legal Aid Fund and a Trust Account. All monies received for and on behalf of legally assisted clients are deposited into the Trust Account. All other monies are paid into the Legal Aid Fund.

#### Overseas visits

Four

#### Charitable and deductible gifts

*Recipient institution*

Legal Aid NSW is a charitable institution and a deductible gift recipient institution under the *Income Tax Assessment Act 1997* (Cth). 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 the *Government Sector Finance Act 2018* (NSW), 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 workers compensation, motor vehicles, miscellaneous property and public liability with icare NSW. The 2023–24 premium for workers compensation insurance increased by 135% from \$782,566 in 2022–23 to \$1,842,530 in 2023–24. The premium for the other insurance types increased to \$431,835 compared to \$306,597 in 2022–23.

#### **Motor vehicle claims**

The number of motor vehicle claims in 2023–24 was 39, an increase from 31 in 2022–23. This incurred a net cost of \$176,894, an increase of \$108,147 from 2022–2023. The average number of vehicles in the Legal Aid NSW fleet is 80, an increase compared with 74 in 2022–23. This results in an average claim cost per vehicle of \$4,535.70 compared with \$2,217.65 in 2022–23.

The 2023–24 deposit premium for motor vehicles was \$89,234, an increase compared with the 2022–23 deposit premium of \$77,232.

#### **Investment performance**

Legal Aid NSW is authorised under section 65 of the *Legal Aid Commission Act 1979* (NSW) 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. Legal Aid NSW is part of the Treasury Banking System. 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.

# Appendices

## Appendix 1 Human resources information

### FTE staff as at 30 June 2024

Central Sydney	846
Metropolitan offices	575
Regional offices	221
<b>Total staff FTE</b>	<b>1,642</b>

### FTE staff as at 30 June 2024

CEO/Executive*	21
Legal officers	788
Administration and support staff *	833
<b>Total staff FTE</b>	<b>1,642</b>

\*Includes National Legal Aid staff

Number of actual staff by employment type	2020–21	2021–22	2022–23	2023–24
Ongoing full-time	873	1,031	989	1,134
Ongoing part-time	247	114	368	113
Temporary full-time	209	193	163	371
Temporary part-time	81	67	48	119
Contract Executive	13	11	15	21
Non-Executive	0	0	0	0
Casual	12	7	4	9
Other	5	5	4	5
<b>Total</b>	<b>1,440</b>	<b>1,428</b>	<b>1,591</b>	<b>1,772</b>

'Temporary' includes staff seconded to us and staff in graduate roles.

'Other' includes cadets.

Number of actual staff by type of work	Central Sydney	Metropolitan	Regional	Total
Lawyers	351	340	141	832
Administration and support staff	541	304	95	940
<b>Total</b>	<b>892</b>	<b>644</b>	<b>236</b>	<b>1,772</b>

### Number of Executive roles

Band	Salary range (\$)	Average remuneration		2022–23		2023–24	
		2022–23	2023–24	Female	Male	Female	Male
Band 3 (Chief Executive Officer)	\$391,189	\$391,189	\$391,189	1		1	
Band 2 (Executive Director)	\$287,140 - \$302,332	\$287,809	\$299,427		1	3	2
Band 1 (Director)*	\$185,293 - \$270,000	\$226,238	\$236,721	13	4	12	3
<b>Total</b>				<b>14</b>	<b>5</b>	<b>16</b>	<b>5</b>

\*Includes National Legal Aid staff

## Appendix 2 Workforce diversity groups

Number of actual staff in different workforce diversity groups*	2020–21	2021–22	2022–23	2023–24
Men	330	306	353	454
Women	1,109	1,121	1,236	1,314
Unspecified gender**	1	1	2	4
Aboriginal and Torres Strait Islander people	87	98	124	134
People from racial, ethnic, ethno-religious minority groups	310	324	367	419
People whose first language is not English	208	213	247	277
People with disability	97	103	124	135
People with disability requiring a work-related adjustment	21	24	34	35
<b>Total staff</b>	<b>1,440</b>	<b>1,428</b>	<b>1,591</b>	<b>1,772</b>

\*Data includes casual staff

\*\*We will be reviewing the way we ask employees about their gender identity or gender expression, including their pronouns, to ensure we promote a positive workplace culture of inclusion and safety where diversity is valued.

### Parliamentary annual report tables

**Table 1: Trends in the representation of workforce diversity groups**

Workforce diversity group	Benchmark or target (%)	% Total staff			
		2020–21	2021–22	2022–23	2023–24
Women	50	77.1	78.5	77.6	74.2
Aboriginal and Torres Strait Islander people	3.3	8.1	8.7	9.5	9.3
People whose first language spoken as a child was not English	23.2	19.9	19.7	19.6	19.5
People with disability	5.6	9.4	9.4	9.8	9.6
People with disability requiring a work-related adjustment	N/A	2.0	2.3	2.7	2.5

**Table 2: Trends in the distribution of workforce diversity groups**

Workforce diversity group	Benchmark or target (%)	Distribution index			
		2020–21	2021–22	2022–23	2023–24
Women	100	93	93	94	98
Aboriginal and Torres Strait Islander people	100	88	86	88	93
People whose first language spoken as a child was not English	100	97	98	97	99
People with disability	100	97	100	98	98
People with disability requiring a work-related adjustment	100	98	104	97	96

#### Notes

A Distribution Index of 100 indicates that the centre of the distribution of the EEO groups 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 not calculated where Workforce Diverse group or non-Workforce Diverse group numbers are less than 20.

## Appendix 3 Women's Domestic Violence Court Advocacy Program funding

The Women's Domestic Violence Court Advocacy Program provides funding to 27 Women's Domestic Violence Court Advocacy Services (WDCASs) and 11 Family Advocacy and Support Services (FASSs).

WDCAS/Service	Provider	Base WDCAS funding (\$)	FASS Social Support Service funding (\$)	Other funding (\$)	Total funding (\$)
Burwood	Community Action for Better Living	1,088,751		385,059	1,473,810
Central Coast	Central Coast Domestic Violence Court Advocacy Service	1,358,922		692,724	2,051,646
Central North-West	PlusCommunity	533,317		268,702	802,020
Central West	PlusCommunity	1,213,062		440,201	1,653,262
Coffs-Clarence	Warrina Domestic and Family Violence Specialist Services	1,290,909	139,411	319,283	1,749,603
Cumberland	Western Sydney Community Legal Centre	1,289,357	388,103	586,171	2,263,631
Far West	Far West Community Legal Centre	582,440		188,984	771,425
Hunter Valley	Carrie's Place Domestic Violence and Homelessness Services	1,608,168		544,424	2,152,593
Illawarra	Women Illawarra	1,420,994	208,350	546,730	2,176,074
Macarthur	Macarthur Legal Centre	1,071,934		749,690	1,821,624
Mid-Coast	Mid Coast Women's Domestic Violence Court Advocacy Services	1,236,893	139,411	572,474	1,948,778
Monaro-Hume	Molonglo Women's and Children's Services	645,177		261,005	906,182
Murray River	Linking Communities Network	686,824		276,659	963,483
Murrumbidgee	Linking Communities Network	553,982		268,129	822,111
Nepean-Blue Mountains	Blacktown Women's and Girls' Health Centre	1,628,130		618,620	2,246,750
New England	Tamworth Family Support Service	847,092	139,411	295,736	1,282,239
Newcastle	Hunter Women's Domestic Violence Court Service	1,610,934	208,350	779,080	2,598,364
North-West Sydney	Blacktown Women's and Girls' Health Centre	2,044,614		541,136	2,585,750
Northern Rivers	Northern Rivers Community Legal Centre	1,482,856	139,411	468,929	2,091,196
Northern Sydney	CatholicCare Broken Bay	1,082,132		591,141	1,673,274
Oxley	Tamworth Family Support Service	741,099		320,230	1,061,329
Riverina	Linking Communities Network	693,865	139,411	529,876	1,363,151
South Coast	Southern Women's Group	1,161,369		446,358	1,607,727
South-West Sydney	Justice Support Centre	2,401,671		759,312	3,160,984
Southern Sydney	The Family Co	1,399,560		639,184	2,038,744
Sydney	Justice Support Centre	1,860,672	208,350	660,588	2,729,610
Western	PlusCommunity	1,085,063	139,411	398,338	1,622,812
FASS Social Support Service for Men	Relationships Australia NSW		1,575,801		1,575,801
<b>Total</b>		<b>32,619,788</b>	<b>3,425,420</b>	<b>13,148,766</b>	<b>49,193,973</b>

**Notes**

Funding streams included in figures in the 'Base WDV CAS funding' column:

- baseline WDV CAS funding
- Safer Pathway funding, and
- Social and Community Services (SACS) Modern Award equal remuneration order supplementation funding.

Funding streams included in figures in the 'Other funding' column:

- WDV CASs received \$7,972,098 in case management funding for clients with complex needs
- WDV CASs received \$4,073,667 to fund the WDV CAS Hearing Support Pilot
- 10 WDV CASs received \$802,873 to fund the NSW Police Force and WDV CAS Co-location Pilot
- four WDV CASs received \$295,128 for the Hunter New England & Central Coast Primary Health Network GP Pilot – Phase 2, and
- Murray River WDV CAS received a one-off grant of \$5,000 to assist with set-up costs for the NSW Police Force and WDV CAS Co-location Pilot

PlusCommunity is a subsidiary of Housing Plus.



## Appendix 4 Community Legal Centres Program funding

The Community Legal Centres Program administers funding to 32 community legal centres (CLCs), the peak body Community Legal Centres NSW (CLCNSW), and the Court Support Scheme.

Organisation	Commonwealth funding – NLAP (\$)	Commonwealth funding – other (\$)	NSW Government funding – baseline (\$)	NSW Government funding – other (\$)	Public Purpose Fund funding (\$)	Total payments (\$)
Australian Centre for Disability Law	654,078		221,145		56,972	932,194
Central Coast Community Legal Centre	659,628		321,088		84,034	1,064,750
Central Tablelands and Blue Mountains Community Legal Centre	309,592	250,000	332,093		76,493	968,178
Community Legal Centres NSW		40,000	760,699		191,116	991,816
Community Restorative Centre (for the Court Support Scheme)	44,987		23,822		6,069	74,878
Environmental Defenders Office			178,659		41,709	220,368
Far West Community Legal Centre	576,261		153,266	132,245	40,394	902,165
Financial Rights Legal Centre	954,119		175,003		41,709	1,170,830
HIV/AIDS Legal Centre	92,269		285,037		72,251	449,557
Hume Riverina Community Legal Service	833,681		158,740		41,836	1,034,257
Hunter Community Legal Centre	898,761		472,624		116,000	1,487,385
Illawarra Legal Centre	624,673	250,000	309,494		74,819	1,258,986
Immigration Advice & Rights Centre	245,793	628,600	336,350		80,511	1,291,255
Inner City Legal Centre	421,796		265,993	251,532	57,697	997,019
Intellectual Disability Rights Service	157,350		112,408		29,625	299,383
Justice Support Centre	700,753		404,920	386,463	98,768	1,590,904
Kingsford Legal Centre	814,365		189,190	393,017	41,299	1,437,871
Macarthur Legal Centre	847,461		475,137	276,045	118,569	1,717,212
Marrickville Legal Centre	515,217		331,764		77,786	924,767
Mid North Coast Legal Centre	895,302	250,000	176,732	386,026	42,736	1,750,796
North & North West Community Legal Service	595,092		235,707		61,530	892,329
Northern Rivers Community Legal Centre	736,279	250,000	180,747		45,944	1,212,970
Public Interest Advocacy Centre	155,583		165,109		39,399	360,090
Redfern Legal Centre	861,303		324,183	1,493,712	72,814	2,752,011
Refugee Advice & Casework Service		1,257,200	284,231		72,504	1,613,935

Seniors Rights Service	141,376		239,234		62,967	443,577
Shoalcoast Community Legal Centre	630,934	250,000	549,341		137,196	1,567,471
Tenants' Union of NSW	102,280	250,000	164,781		39,322	556,383
University of Newcastle Legal Centre				256,170		256,170
Welfare Rights Centre	422,415	250,000	266,482		66,087	1,004,984
Western NSW Community Legal Centre	1,536,817		291,908		75,232	1,903,957
Western Sydney Community Legal Centre	1,407,776		850,886		210,104	2,468,766
Wurringa Baiya Aboriginal Women's Legal Centre	541,634		617,929		147,118	1,306,680
Women's Legal Service NSW	2,471,571		717,470		167,497	3,356,538
<b>Total</b>	<b>19,849,146</b>	<b>3,675,800</b>	<b>10,572,172</b>	<b>3,575,210</b>	<b>2,588,106</b>	<b>40,260,434</b>

## Notes

Table excludes \$174,000 paid to 33 organisations as small one-off grants at the end of the financial year.

Figures in the column 'Commonwealth funding – NLAP' include:

- funding provided through the National Legal Assistance Partnership 2020–25 including the Bilateral Schedule, and
- \$798,791 paid to Western NSW CLC to operate a domestic violence unit.

Figures in the column 'Commonwealth funding – other' include:

- \$1,750,000 paid to seven CLCs for flood and disaster-related legal assistance
- \$1,885,800 paid to two CLCs for migration-related legal assistance addressing protection visa backlogs, and
- \$40,000 paid to CLCNSW to administer the CLC Sector Client Survey 2023.

Figures in the column 'NSW funding – baseline' include Social and Community Services (SACS) Modern Award equal remuneration order supplementation funding

Figures in the column 'NSW funding – other' include:

- \$2,375,210 paid to eight CLCs for NSW critical service gap projects, and
- \$1,200,000 paid to the Redfern Legal Centre Financial Abuse Service.

Figures in the column 'Public Purpose Fund funding' exclude \$244,003 paid to the Redfern Legal Centre Financial Abuse Service, which was returned within the financial year.

## Appendix 5 Legal practice operational statistics

<b>Legal Aid NSW total</b>	<b>2021–22</b>	<b>2022–23</b>	<b>% change from previous year</b>	<b>2023–24</b>	<b>% change from previous year</b>
<b>Case matters</b>					
Applications received	47,760	53,181	11.4%	59,658	12.2%
Applications refused	7,206	7,638	6.0%	8,280	8.4%
In-house grants	10,675	11,513	7.9%	13,789	19.8%
Assigned grants	26,372	26,430	0.2%	28,667	8.5%
<b>Total case grants</b>	<b>37,047</b>	<b>37,943</b>	<b>2.4%</b>	<b>42,456</b>	<b>11.9%</b>
Grant rate	83.7%	83.2%	-0.5%	83.7%	0.5%
Applications determined	44,253	45,581	3.0%	50,736	11.3%
Applications undetermined at year end	978	852	-12.9%	2,722	219.5%
Grants finalised	38,467	43,072	12.0%	40,879	-5.1%
Current grants on hand at year end	51,484	43,888	-17.3%	53,417	21.7%
<b>Duty services</b>					
In-house duty services	112,275	123,055	8.8%	137,840	12.0%
Assigned duty services	77,932	82,781	6.2%	87,843	6.1%
<b>Total duty services</b>	<b>190,207</b>	<b>205,836</b>	<b>7.6%</b>	<b>225,683</b>	<b>9.6%</b>
<b>Other services</b>					
Advice	84,946	93,968	9.6%	95,812	2.0%
Minor assistance	20,709	23,923	15.5%	25,408	6.2%
Extended legal assistance	1,149	1,305	13.6%	1,627	24.7%
Early resolution assistance	2,500	5,035	101.4%	6,561	30.3%
Information	86,873	143,819	39.6%	163,517	13.7%
<b>Total other services</b>	<b>196,177</b>	<b>268,050</b>	<b>26.8%</b>	<b>292,925</b>	<b>9.3%</b>
<b>Total client services</b>	<b>423,431</b>	<b>511,829</b>	<b>17.3%</b>	<b>561,064</b>	<b>9.6%</b>
<b>Criminal law</b>					
<b>Criminal law</b>	<b>2021–22</b>	<b>2022–23</b>	<b>% change from previous year</b>	<b>2023–24</b>	<b>% change from previous year</b>
<b>Case matters</b>					
Applications received	30,371	33,961	11.8%	37,873	11.5%
Applications refused	4,176	4,906	17.5%	5,650	15.2%
In-house grants	8,386	9,581	14.2%	11,073	15.6%
Assigned grants	17,776	18,672	5.0%	20,791	11.3%
<b>Total case grants</b>	<b>26,162</b>	<b>28,253</b>	<b>7.4%</b>	<b>31,864</b>	<b>12.8%</b>
Grant rate	86.2%	85.2%	-1.2%	84.9%	-0.3%
Applications determined	30,338	33,159	9.3%	37,514	13.1%
Applications undetermined at year end	616	577	-6.3%	1,752	203.6%
Grants finalised	25,780	29,712	15.3%	29,601	-0.4%
Current grants on hand at year end	27,946	24,073	-13.9%	26,440	9.8%
<b>Duty services</b>					
In-house duty services	100,229	109,925	9.7%	121,118	10.2%
Assigned duty services	64,250	68,108	6.0%	72,795	6.9%

<b>Total duty services</b>	<b>164,479</b>	<b>178,033</b>	<b>8.2%</b>	<b>193,913</b>	<b>8.9%</b>
<b>Other services</b>					
Advice	28,089	30,366	8.1%	29,576	-2.6%
Minor assistance	5,883	6,125	4.1%	6,338	3.5%
Extended legal assistance	134	145	8.2%	137	-5.5%
Information	18,789	33,439	78.0%	38,959	16.5%
<b>Total other services</b>	<b>52,895</b>	<b>70,075</b>	<b>32.5%</b>	<b>75,010</b>	<b>7.0%</b>
<b>Total client services</b>	<b>243,536</b>	<b>276,361</b>	<b>13.5%</b>	<b>300,787</b>	<b>8.8%</b>

<b>Civil law</b>	<b>2021–22</b>	<b>2022–23</b>	<b>% change from previous year</b>	<b>2023–24</b>	<b>% change from previous year</b>
<b>Case matters</b>					
Applications received	2,909	3,080	5.9%	4,130	34.1%
Applications refused	579	685	18.3%	644	-6.0%
In-house grants	790	674	-14.7%	1,461	116.8%
Assigned grants	622	679	9.2%	695	2.4%
<b>Total case grants</b>	<b>1,412</b>	<b>1,353</b>	<b>-4.2%</b>	<b>2,156</b>	<b>59.3%</b>
Grant rate	70.9%	66.4%	-6.4%	77.0%	16.0%
Applications determined	1,991	2,038	2.4%	2,800	37.4%
Applications undetermined at year end	33	12	-63.6%	36	200.0%
Grants finalised	1,374	1,450	5.5%	1,849	27.5%
Current grants on hand at year end	1,927	1,815	-5.8%	3,350	84.6%
<b>Duty services</b>					
In-house duty services	1,035	1002	-3.2%	1,705	70.2%
Assigned duty services	11,539	12,508	8.4%	13,051	4.3%
<b>Total duty services</b>	<b>12,574</b>	<b>13,510</b>	<b>7.4%</b>	<b>14,756</b>	<b>9.2%</b>
<b>Other services</b>					
Advice	30,151	34,234	13.5%	32,086	-6.3%
Minor assistance	7,905	10,252	29.7%	9,090	-11.3%
Extended legal assistance	919	1,044	13.6%	1,329	27.3%
Early resolution assistance	2	0	-100.0%	6	N/A
Information	52,856	83,503	58.0%	92,925	11.3%
<b>Total other services</b>	<b>91,833</b>	<b>129,033</b>	<b>40.5%</b>	<b>135,436</b>	<b>5.0%</b>
<b>Total client services</b>	<b>105,819</b>	<b>143,896</b>	<b>36.0%</b>	<b>152,348</b>	<b>5.9%</b>

<b>Family law</b>	<b>2021–22</b>	<b>2022–23</b>	<b>% change from previous year</b>	<b>2023–24</b>	<b>% change from previous year</b>
<b>Case matters</b>					
Applications received	14,480	16,140	11.5%	17,655	9.4%
Applications refused	2,451	2,047	-16.5%	1,986	-3.0%
In-house grants	1,499	1,258	-16.1%	1,255	-0.2%
Assigned grants	7,974	7,079	-11.2%	7,181	1.4%
<b>Total case grants</b>	<b>9,473</b>	<b>8,337</b>	<b>-12.0%</b>	<b>8,436</b>	<b>1.2%</b>
Grant rate	79.4%	80.3%	1.1%	80.9%	0.8%
Applications determined	11,924	10,384	-12.9%	10,422	0.4%
Applications undetermined at year end	329	263	-20.1%	934	255.1%
Grants finalised	11,313	11,910	5.3%	9,429	-20.8%
Current grants on hand at year end	21,611	18,000	-16.7%	23,627	31.3%
<b>Duty services</b>					
In-house duty services	11,011	12,128	10.1%	15,017	23.8%
Assigned duty services	2,143	2,165	1.0%	1,997	-7.8%
<b>Total duty services</b>	<b>13,154</b>	<b>14,293</b>	<b>8.7%</b>	<b>17,014</b>	<b>19.0%</b>
<b>Other services</b>					
Advice	26,706	29,368	10.0%	34,150	16.3%
Minor assistance	6,921	7,546	9.0%	9,980	32.3%
Extended legal assistance	96	116	20.8%	161	38.8%
Early resolution assistance	2,498	5,035	101.6%	6,555	30.2%
Information	15,228	26,877	76.5%	31,633	17.7%
<b>Total other services</b>	<b>51,449</b>	<b>68,942</b>	<b>34.0%</b>	<b>82,479</b>	<b>19.6%</b>
<b>Total client services</b>	<b>74,076</b>	<b>91,572</b>	<b>23.6%</b>	<b>107,929</b>	<b>17.9%</b>

<b>Commonwealth and state allocation of legal aid services</b>	<b>State matter</b>	<b>State matter %</b>	<b>Commonwealth matter</b>	<b>Commonwealth matter %</b>	<b>Total</b>
<b>Family law</b>					
Grants	3,412	40.4%	5,024	59.6%	8,436
Duty appearances	7,591	44.6%	9,423	55.4%	17,014
Advice	5,712	16.7%	28,438	83.3%	34,150
Minor assistance	2,305	23.1%	7,675	76.9%	9,980
Extended legal assistance	89	55.3%	72	44.7%	161
Early resolution assistance	155	2.4%	6,400	97.6%	6,555
<b>Total</b>	<b>19,264</b>	<b>25.2%</b>	<b>57,032</b>	<b>74.8%</b>	<b>76,296</b>
<b>Criminal law</b>					
Grants	31,288	98.2%	576	1.8%	31,864
Duty services	191,395	98.7%	2,518	1.3%	193,913
Advice	28,880	97.6%	696	2.4%	29,576
Minor assistance	6,280	99.1%	58	0.9%	6,338
Extended legal assistance	34	24.8%	103	75.2%	137
<b>Total</b>	<b>257,877</b>	<b>98.5%</b>	<b>3,951</b>	<b>1.5%</b>	<b>261,828</b>

<b>Civil law</b>					
Grants	1,867	86.6%	289	13.4%	2,156
Duty services	14,750	100.0%	6	0.0%	14,756
Advice	21,012	65.5%	11,074	34.5%	32,086
Minor assistance	5,232	57.6%	3,858	42.4%	9,090
Extended legal assistance	912	68.6%	417	31.4%	1,329
Early resolution assistance	-	0.0%	6	100.0%	6
<b>Total</b>	<b>43,773</b>	<b>73.7%</b>	<b>15,650</b>	<b>26.3%</b>	<b>59,423</b>
<b>Legal Aid NSW total</b>					
Grants	36,567	86.1%	5,889	13.9%	42,456
Duty services	213,736	94.7%	11,947	5.3%	225,683
Advice	55,604	58.0%	40,208	42.0%	95,812
Minor assistance	13,817	54.4%	11,591	45.6%	25,408
Extended legal assistance	1,035	63.6%	592	36.4%	1,627
Early resolution assistance	155	2.4%	6,406	97.6%	6,561
<b>Total</b>	<b>320,914</b>	<b>80.7%</b>	<b>76,633</b>	<b>19.3%</b>	<b>397,547</b>

\*A breakdown of information services by jurisdiction is not available.

<b>In-house and private practitioner allocations of legal work</b>	<b>In-house practitioner</b>	<b>In-house practitioner %</b>	<b>Private practitioner</b>	<b>Private practitioner %</b>	<b>Total</b>
<b>Family law</b>					
Duty services	15,017	88.3%	1,997	11.7%	17,014
Grants of legal aid	1,255	14.9%	7,181	85.1%	8,436
<b>Total</b>	<b>16,272</b>	<b>63.9%</b>	<b>9,178</b>	<b>36.1%</b>	<b>25,450</b>
<b>Criminal law</b>					
Duty services	121,118	62.5%	72,795	37.5%	193,913
Grants of legal aid	11,073	34.8%	20,791	65.2%	31,864
<b>Total</b>	<b>132,191</b>	<b>58.5%</b>	<b>93,586</b>	<b>41.5%</b>	<b>225,777</b>
<b>Civil law</b>					
Duty services	1,705	11.6%	13,051	88.4%	14,756
Grants of legal aid	1,461	67.8%	695	32.2%	2,156
<b>Total</b>	<b>3,166</b>	<b>18.7%</b>	<b>13,746</b>	<b>81.3%</b>	<b>16,912</b>
<b>Legal Aid NSW total</b>					
Duty services	137,840	61.1%	87,843	38.9%	225,683
Grants of legal aid	13,789	32.5%	28,667	67.5%	42,456
<b>Total</b>	<b>151,629</b>	<b>56.5%</b>	<b>116,510</b>	<b>43.5%</b>	<b>268,139</b>

<b>Community legal education</b>	<b>2021–22</b>	<b>2022–23</b>	<b>% change from previous year</b>	<b>2023–24</b>	<b>% change from previous year</b>
Criminal law	145	312	115.2 %	286	-8.3 %
Family law	208	322	54.8 %	362	12.4 %
Civil law	967	1,401	44.9 %	1,073	-23.4 %
<b>Total</b>	<b>1,320</b>	<b>2,035</b>	<b>54.2 %</b>	<b>1,721</b>	<b>-15.4 %</b>

<b>Family dispute resolution</b>	<b>2021–22</b>	<b>2022–23</b>	<b>% change from previous year</b>	<b>2023–24</b>	<b>% change from previous year</b>
Number of conferences	3,086	2,753	-10.8 %	3,307	20.1 %
Agreements reached	2,313	2,001	-13.5 %	2,400	19.9 %
Agreement rate	75.0%	72.7 %	-3.1 %	72.6%	-.2 %

## Appendix 6 Law reform submissions

In 2023–24, Legal Aid NSW made 86 law reform submissions (26 public and 60 confidential) to a range of government and non-government consultations on issues that affect our clients and our organisation.

Public submissions included the below.

- The Senate inquiry into the worsening rental crisis in Australia, August 2023.
- The Department of Customer Service on improving NSW rental laws, August 2023.
- The Disability Services and Inclusion Bill 2023, August 2023.
- The Senate inquiry into the worsening rental crisis in Australia – Legal Aid NSW statement and appearance at the Community Affairs References Committee hearing, August 2023.
- The Legislative Council's inquiry into equity, accessibility and appropriate delivery of outpatient and community mental health care in NSW, September 2023.
- The NSW Law Reform Commission review of the *Anti-Discrimination Act 1977 (NSW)*, October 2023.
- The NSW Ombudsman's monitoring of the *Mandatory Disease Testing Act 2021*, November 2023.
- The NSW Government's review of NSW legal protections for victim-survivors of forced marriage, December 2023.
- The House of Representatives' inquiry into insurers' responses to 2022 major floods, December 2023.
- The Advocate for Children and Young People – special inquiry into children and young people in alternative care arrangements, December 2023.
- The Upper House inquiry into the Jury Amendment Bill 2023, January 2024.
- The Portfolio Committee No. 3 – Education inquiry into children and young people with disability in New South Wales educational settings, February 2024.
- The General Insurance Code Governance Committee on Revised Guidance Note No. 2 – significant breach obligations, February 2024.
- The Department of Communities and Justice – remake of *Evidence (Audio and Audio Visual Links) Regulation 2015*, February 2024.
- The Commonwealth Attorney General's Department on the statutory review of sentencing for Commonwealth child sex offences, February 2024.
- The House of Representatives Standing Committee on Social Policy and Legal Affairs inquiry into the Administrative Review Tribunal Bill 2023 and related bills, March 2024.
- The NSW Law Reform Commission's Review of section 93Z of the *Crimes Act 1900 (NSW)* – racial and religious vilification in NSW, April 2024.
- The Chief Justice of the Federal Circuit and Family Court of Australia on general federal law rules, April 2024.
- The Legislative Assembly Committee on Law and Safety inquiry into community safety in regional and rural communities, May 2024.
- The Portfolio Committee No.1 – Inquiry into the impact of the regulatory framework for cannabis in NSW, May 2024.
- The Australian Law Reform Commission's inquiry into justice responses to sexual violence, June 2024.
- The NSW Sentencing Council's review of good character in sentencing, June 2024.
- The inquiry into financial services regulatory framework in relation to financial abuse, June 2024.
- The Legislative Assembly Select Committee on the Residential Tenancies Amendment (Prohibiting No Grounds Evictions) Bill 2024, June 2024.
- The NSW Law Reform Commission's serious racial and religious vilification review: options paper, June 2024.



## Appendix 7 Right to information

### Obligations under the *Government Information (Public Access) Act 2009 (NSW)*

Under section 7 of the *Government Information (Public Access) Act 2009 (NSW)*, agencies must review their programs for the release of government information to identify the kinds of information that can be made publicly available. This review must be undertaken at least once every 12 months.

Our agency's program for the proactive release of information involves providing information on the Legal Aid NSW website. During the reporting period, we uploaded additional documents to the site and will continue to update the site regularly.

### Number of access applications received

During the reporting period, our agency received a total of 39 formal access applications (including withdrawn applications but not invalid applications).

### Number of refused applications for Schedule 1 information

During the reporting period, our agency refused six formal access applications (either wholly or partly) because the information requested was information referred to in Schedule 1 to the *Government Information (Public Access) Act 2009 (NSW)*.

**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	1	1	0	0	0	0	0	0
Members of parliament	0	0	0	0	0	0	0	0
Private sector business	0	1	0	0	0	0	0	0
Not-for-profit organisations or community groups	0	2	0	0	0	0	0	0
Members of the public (by legal representative)	4	4	0	3	0	3	0	3
Members of the public (other)	4	9	1	0	0	2	0	1
<b>Total</b>	<b>9</b>	<b>17</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>4</b>

\*Excludes three records that were invalid. 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
Access applications (other than personal information applications)	0	5	1	1	0	1	0	0
Access applications that are partly personal information applications and partly other	1	5	0	2	0	2	0	0
Personal information applications*	8	7	0	0	0	2	0	4
<b>Total</b>	<b>9</b>	<b>17</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>4</b>

\*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	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	4
Application excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	4
<b>Number of invalid applications that subsequently became valid applications</b>	<b>1</b>

**Table D: Conclusive presumption of overriding public interest against disclosure – matters listed in Schedule 1 to the Act**

Number of times consideration used\*

Overriding secrecy laws	5
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	1
Excluded information	0
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0
<b>Total</b>	<b>6</b>

\*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

<b>Table E: Other public interest considerations against disclosure – matters listed in the table to section 14 of the Act</b>	<b>Number of occasions when the application was not successful</b>
Responsible and effective government	7
Law enforcement and security	1
Individual rights, judicial processes and natural justice	13
Business interests of agencies and other persons	7
Environment, culture, economy and general matters	0
Secrecy provisions	4
Exempt documents under interstate Freedom of Information legislation	0
<b>Total</b>	<b>32</b>

<b>Table F: Timeliness</b>	<b>Number of applications</b>
Decided within the statutory timeframe (20 days plus any extensions)	38
Decided after 35 days (by agreement with the applicant)	1
Not decided within time (deemed refusal)	0
<b>Total</b>	<b>39</b>

<b>Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)</b>	<b>Decision varied</b>	<b>Decision upheld</b>	<b>Total</b>
Internal review	1	0	1
Review by Information Commissioner*	0	0	0
Internal review following recommendation under section 93 of the Act	0	0	0
Review by NCAT	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>1</b>

\*The Information Commissioner does not have the authority to vary decisions, but can make recommendations to the original decision maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made by the Information Commissioner.

<b>Table H: Applications for review under Part 5 of the Act (by type of applicant)</b>	<b>Number of applications for review</b>
Applications by access applicants	1
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0
<b>Total</b>	<b>1</b>

<b>Table I: Applications transferred to other agencies under Division 2 of Part 4 of the Act (by type of transfer)</b>	<b>Number of applications transferred</b>
Agency-initiated transfers	0
Application-initiated transfers	0
<b>Total</b>	<b>0</b>

## Appendix 8 Report on diverse clients including multicultural and disability-related matters

The reporting below follows requirements under the Multicultural NSW Multicultural Policies and Services Program (MPSP) Multicultural Framework and the NSW Family and Community Services Disability Inclusion Action Plan Guidelines.

Our diverse clients cover a broad range of groups, including people with disability, people from culturally and linguistically diverse communities, people from rural and regional areas and people from LGBTQIA+ communities.

### Focus area: Service delivery

#### Key outcome: Cultural Competence and Diversity Framework

Our organisation delivers legal services to culturally diverse communities across the state and employs culturally diverse staff in a range of roles. Our Cultural Competence and Diversity Framework was developed to assist Legal Aid NSW to create a culturally safe environment for clients and staff. You can read more about the framework on pages 49–50

### Focus area: Planning

This year, the Legal Aid NSW Diversity, Equity and Inclusion Board, chaired by the CEO, finished its program of work on Project Respect, which is detailed on page 110. The Board brings together the voices of the Chairs of our staff networks, members of our Executive and a Public Service Association representative.

### Focus area: Leadership

Legal Aid NSW has a number of internal networks that have been established for the purpose of creating a safe space for staff from diverse backgrounds and elevating their voices. These include the:

- Aboriginal Staff Network
- Culturally and Linguistically Diverse Staff Network
- disAbility Staff Network
- Legally Queer Staff Network, and the
- Young Professionals Network.

This year, the leadership committees of each network attended training designed to empower them to engage meaningfully with their network and the wider organisation. Training covered governance within staff networks and developed the practical skills of members of the leadership committees.

### Focus area: Engagement

Our Community Language Allowance Scheme, known as CLAS, recognises the skills of employees who can provide on-the-spot language assistance in the workplace.

CLAS is an allowance payable to employees who have a basic level of competency in a language other than English and who work in locations and roles where their language skills can assist clients.

We value the role that some of our staff play in providing language assistance to clients. Receiving the CLAS is an important way staff can have these skills recognised. Staff who are eligible are encouraged to apply.

This year we audited our CLAS allowance usage and discontinued the allowance for recipients who provided language assistance on less than five occasions over the audit period.

### Focus area: Disability

#### Key outcome: Liveable communities

Our draft Disability Inclusion Action Plan was co-designed with clients, the disability community and staff. Final consultation is under way, and we expect to adopt the plan in 2024–25. You can read more about the plan on page 49.

#### Key outcome: Employment

In June 2024, Legal Aid NSW launched its new Workplace Adjustment Guidelines. It is important to that all staff feel they belong, are valued and have the support required to thrive at work. We are committed to taking a proactive and person-centred approach to workplace adjustments.

Legal Aid NSW encourages any member of staff with disability, a non-work-related injury or a health condition to request any assistance or adjustment that enables them to perform the inherent requirements of their jobs safely, reduces or eliminates barriers, and ensures genuine participation and contribution, regardless of seen or unseen individual differences.

### **Key outcome: Systems and processes**

Legal Aid NSW is committed to being an inclusive workplace that fully supports workplace adjustments. We want to ensure that the design and implementation of our human resources and workplace policies, rules, practices and operations do not create barriers or discrimination. In considering this commitment, our DEI Board has determined the principles and guidelines outlined below.

A Workplace Adjustment Working Group has been established to review our processes and develop Workplace Adjustment Guidelines that support staff and managers to foster an inclusive and accessible workplace. A workplace adjustment project officer has been funded for 12 months to develop training and monitor the guidelines.

### **Service design at Legal Aid NSW**

Our DEI Board has determined that our service design must:

- include the experience and input of the users of our services – our clients and people affected by the issue
- include an intentional equity practice in design where we see, acknowledge and disrupt active and systemic inequity and injustice
- include a deep understanding of the systems in which we are working, and our clients are living, and
- take a strategic approach to ensure that our design is grounded in our strategic mandate and our resources.

### **Involving clients and the community in the design and monitoring of services**

We are committed to involving clients and the community in the design and monitoring of services that impact them, and to compensating them for their contributions. We believe practical and appropriate community involvement leads to better outcomes for all.

### **Key outcome area: Community attitudes and behaviours**

Delivered in partnership with National Legal Aid, the Your Story Disability Legal Support service was set up in 2019 to support people to take part in the disability royal commission in a safe and informed way. It also helped people with disability and their families with their legal problems. You can read more about the service on page 74 of this report.

## Appendix 9 Private law firm expenditure

### Dollar value of claims certified during 2023–24 by assigned firm, for the top 20 firms

Ranking	Firm name	Counsel fees	Solicitor fees	Disbursements	Casework total	Duty	Grand total
1	Ross Hill & Associate Solicitors	643,419	870,924	117,413	1,631,755		1,631,755
2	Scott Mackenzie Lawyers	304,573	716,042	91,994	1,112,608	122,501	1,235,109
3	Phillip A Wilkins & Associates	186,164	841,362	150,094	1,177,620		1,177,620
4	Ryan Payten Le	293,570	521,595	68,802	883,967	268,853	1,152,820
5	David Barron Solicitor	445,050	506,608	154,390	1,106,048	44,766	1,150,814
6	George Sten & Co	522,444	479,496	58,107	1,060,048		1,060,048
7	Crimcorp Defence Lawyers Pty Ltd	504,423	520,984	33,725	1,059,133		1,059,133
8	A A Criminal lawyer	259,405	554,496	41,565	855,465	184,346	1,039,811
9	Tony Cox Lawyers & Conveyancers	235,148	578,647	94,869	908,664	129,689	1,038,352
10	Proctor & Associates	461,940	500,041	29,658	991,639		991,639
11	Just Defence Lawyers	542,805	385,840	54,848	983,493		983,493
12	Jamieson Criminal Law	507,252	422,065	52,286	981,602		981,602
13	Rice More & Gibson	81,398	645,350	207,784	934,532	19,585	954,116
14	O'Brien Criminal & Civil Solicitors	240,473	492,364	78,052	810,889	94,230	905,119
15	Blaxland Criminal Law	310,384	545,281	46,926	902,590		902,590
16	Hugo Law Group	436,231	383,846	64,090	884,167	878	885,044
17	Ramsland Laidler Solicitors Pty Ltd	295,554	443,679	88,161	827,393	56,025	883,418
18	Sans Law Pty Ltd	394,752	416,860	62,583	874,194		874,194
19	First Choice Legal Pty Ltd	263,506	490,623	92,190	846,318		846,318
20	Mandy Hull & Associates	382,064	321,198	46,948	750,209	38,649	788,858

#### Notes

- Legal Aid NSW administers Commonwealth funding for the Family Violence and Cross Examination of Parties scheme. Matters funded under this scheme do not form part of these results.
- The case payment figures in this table represent payments for files assigned by Legal Aid NSW to the specified firms. In some cases, funds are paid directly to other providers involved with those files, for example barristers and expert witnesses, rather than being made through the assigned firm.

## Appendix 10 Appealing decisions about legal aid

Independent reviews of decisions made by Legal Aid NSW ensure procedural fairness for our clients. Six independent Legal Aid Review Committees review our decisions to ensure procedural fairness. The Legal Aid Review Committee Secretariat facilitates their work.

The committees are established under the *Legal Aid Commission Act 1979* (NSW). They determine appeals relating to legal aid applications that have been refused and grants of legal aid that have been terminated. The work of the committees is integral to our appeal process. Committee members helped deliver excellent outcomes for Legal Aid NSW clients in 2023–24, and their work builds confidence in the integrity of our decision-making.

### Legal Aid Review Committee members 2023–24

#### Legal Aid Review Committee One

- Angela Stewart
- Anna Buduls
- Anna Johnson
- Helen Maamary
- Jane Sanders
- Kellie Stares
- Lucy Pinnock
- Paul Blacket SC

#### Legal Aid Review Committee Two

- Andrew Boog
- Anna Buduls
- Anne Healey
- Brett Thomson
- Donald Sword
- Karen McLean
- Kathleen Hainsworth
- Stephanie Koch

#### Legal Aid Review Committee Three

- Anna Buduls
- Ellyse McGee
- Hannah Roberts
- Jonathan Prowse
- Nicholas Broadbent
- Philip O'Keefe
- Richard Pontello SC
- Tram Nguyen

### **Family Law Legal Aid Review Committee One**

- Christopher Frommer
- Elena Berrocal Capdevila
- Emma Moss
- Gregory Kenny
- Greta Bromwich
- Lina Rapone
- Lorelle Longbottom
- Michelle Hayward

### **Family Law Legal Aid Review Committee Two**

- Christopher Othen
- Emily Azar
- Hannah Fordham
- Joplin Higgins
- Kathleen Lamoureux
- Melanie Faithfull
- Michelle Meares
- Nick Mitrevski

### **Family Law Legal Aid Review Committee Three**

- Claire Cantrall
- David Nguyen (until December 2023)
- Kayte Lewis
- Lina Rapone
- Martha Barnett
- Nicole Hailstone
- Patrick Mullane
- Stephen van der Mye

### **Trend in appeals received by Legal Aid Review Committees**

During the 2023–24 financial year, the total number of appeals lodged with the Legal Aid Review Committee (LARC) remained consistent with the previous year. We received 557 appeals in both 2022–23 and 2023–24.

### **Appeals disallowed and deferred by Legal Aid Review Committees**

There was an increase in the number of appeals disallowed in 2023–24, rising from 367 last year to 407 this year, indicating a higher rate of appeals not satisfying Legal Aid NSW policies and guidelines.

The number of appeals deferred decreased significantly, dropping from 37 in 2022–23 to 12 in 2023–24. This reduction suggests a more streamlined process and fewer instances of committee members requiring additional time and further information or clarification.



## Appeals and outcomes in 2023–24

Law type	Allowed	Disallowed	Deferred	Not Appellable	Withdrawn	Total appeals	Appeals allowed
Civil	2	70	1	0	4	77	2.60%
Criminal	16	161	4	106	3	290	5.52%
Family	6	176	7	0	1	190	3.16%
<b>Total</b>	<b>24</b>	<b>407</b>	<b>12</b>	<b>106</b>	<b>8</b>	<b>557</b>	<b>4.31%</b>

## Appeals and outcomes over five years

Review outcome	2019–20	2020–21	2021–22	2022–23	2023–24
Appeal allowed	45	34	18	27	24
Appeal disallowed	786	681	461	367	407
Deferred	37	32	28	37	12
Not appellable	96	92	96	105	106
Withdrawn	31	21	11	21	8
<b>Total</b>	<b>995</b>	<b>860</b>	<b>614</b>	<b>557</b>	<b>557</b>

## The year ahead

Amendments to the *Legal Aid Commission Act 1979* (NSW) were passed by NSW Parliament on 8 February 2024. These changes aim to streamline our appeals process, ensure transparency in selecting external review panel members, and enhance our efficiency and responsiveness to clients' needs.

A key aspect of these reforms is transitioning to Legal Aid Review Panels. The amendments will deliver faster outcomes for clients by allowing Legal Aid NSW to draw from a pool of qualified legal professionals to efficiently determine appeals and ensure business efficiencies whilst also continuing impartiality in decision-making. Until the new panels commence on 1 December 2024, the Legal Aid Review Committees will remain operational.

# Index

Note: Entries in bold are reported in accordance with the *Annual Reports (Departments) Regulation 2010 (NSW)*, *Annual Reports (Statutory Bodies) Regulation 2010 (NSW)* and the Commonwealth, State, and Territory Disability Agreement.

- Aboriginal and Torres Strait
  - Islander clients
  - children *see* Aboriginal children
  - Civil Law Service 61–62
  - Closing the Gap 9, 12, 41, 44, 86
  - disability support 74
  - incarceration 9
  - Respect at Work Legal Service 28
  - services 44–48
  - statistics 35
  - women 11, 45, 46–47, 62
  - working with private lawyers 71
- Aboriginal and Torres Strait
  - Islander staff 16
- Aboriginal children
  - in out-of-home care 27–28
  - private lawyer assistance 72
  - removal 11
- Aboriginal Client Services Strategy 11, 44
- Aboriginal Employment and Career Development Strategy 11
- Aboriginal Field Officer Program 11, 44–45
- Aboriginal Legal Access Program 76
- Aboriginal Legal Career Pathways Program 29
- Aboriginal Legal Service (NSW/ACT) Limited 112
- Aboriginal Staff Network 110
- Aboriginal Women Leaving
  - Custody (AWLC) service 46–47, 62
- Aboriginal Women on Remand
  - Pilot 11, 45
- abuse, financial 77–78
- accessibility of legal aid 33
- account management 83
- Administrative Review Tribunal (ART) 63–64
- adoption mediation 41
- advice, legal 35, 36
- advocacy training 112
- alcohol abuse, client support 53–54
- appeals
  - committees and outcomes 174–176
  - disaster relief 63
  - processes 103
  - review 103
- Appeals and Complex Litigation Unit 56
- artificial intelligence (AI) 11
- assets 126, 137–141, 143–144, 147
- asylum seekers 30
- 'at special disadvantage test' 42
- Attorney General 6, 15
- Audit and Risk Committee (ARC)** 17–23, 86, 101–102
- auditor's report 124
- audits
  - internal 20–22
  - private lawyers 71, 72
- Australian Bureau of Statistics (ABS) 33
- Back Up Duty Scheme 53
- Bail and Crimes Amendment Bill 2024 13
- Best Practice Standards for Representing Aboriginal Clients 45
- birth certificate project 30
- Blue Knot trauma training 113
- Board
  - charter 15
  - key activities 86–87
  - members 88–93
- Broken Hill Office 81
- budget 122, 147–148
- bushfires 27
- calendars 68
- callback feature 107
- Campbelltown Office 81
- car fleet 115
- carbon footprint 115
- care and protection clients 41
- Central Sydney office 81
- Certificate in Legal Services Administration 29
- Chair
  - profile 88
  - report 8–10
- charter 15
- Chief Executive Officer (CEO)
  - charter 15
  - profile 88, 96
  - report 11–15
- Child Sexual Assault Evidence Program 52–53
- child support 50, 56
- children and young people
  - Aboriginal *see* Aboriginal children
  - children
  - civil law services 61
  - CLE workshops for 68, 69
  - Court Assistance Scheme 76
  - in custody 53
  - hotline for 37
  - Legal Service 52
  - rights 53
  - sexual assault 52
  - views and opinions 58, 59
  - workplace rights 28
- civil induction program 113
- Civil Law Blueprint 28–29, 41, 61
- Civil Law Division 61, 64, 113
- Civil Law Migration Policy 30
- Civil Law Service for Aboriginal Communities (CLSAC) 47, 61–62
- civil law services 61–66
- civil lawyers, training 113
- client and case management system 83
- Client Eligibility Unit 41
- client portal 31–32
- Client Satisfaction Survey 106
- clients

- Aboriginal and Torres Strait Islander *see* Aboriginal and Torres Strait Islander clients
- civil law services 61
- CLC 77
- criminal law services 52
- culturally diverse 49–51
- customer service 106–108
- data collection 83, 107
- disabled 49
- distressed 75
- family law services 56
- service standards 31
- services to 35, 40
- statistics 39
- web portal 31–32
- Closing the Gap 9, 12, 41, 44, 86
- Closing the Gap Project Board 86
- Code of Conduct 101
- coercive control 31
- Coffs Harbour Office 81
- Commonwealth Crime Unit 52
- Commonwealth criminal cases 43
- Commonwealth funding 31, 33
- community awareness 33
- community languages 104
- community legal centres 31, 76–78, 160–161
- community legal education
  - disaster relief 63
  - overview 67–69
  - resources 37
  - Respect at Work Legal Service 28
  - sessions 35
- complaints**
  - handling 105
  - private lawyers 71, 73
- conciliation 29
- consultancies** 154
- consumer protection 61
- contact centre platform 107
- controlled entities 15
- coronial inquests 61
- corporate strategy 11
- corruption 102
- Costs in Criminal Cases Act 1967* (NSW) 103
- Counsel Unit 103
- Court Support Scheme 76
- courts
  - costs 103
  - duty services 35
  - on-the-spot help 36
  - support services 76
- criminal cases, Commonwealth 43
- Criminal Law Division 52
- criminal law services 52–55
  - criminal lawyers, training 112
  - Criminal Procedure Amendment (Child Sexual Offence Evidence) Bill 2023 53
  - cultural competence 11, 49–50, 110, 120
  - Cultural Competence and Diversity Framework 11, 49–50, 110
  - culturally and linguistically diverse communities
    - Cultural Competence and Diversity Framework 49–51
    - Respect at Work Legal Service 28
    - services to 171–172
    - staff network 110
  - custody support person training 69
  - customer service 106–108
  - cyber security 22
  - Data Breach Policy 103
  - Defence and Veterans Legal Service (DAVLS) 74–75
  - DFV Connect 83
  - diaries, seniors’ 68
  - digital transformation 11
  - Diploma in Paralegal Services 29
  - Disability Inclusion Action Plan 11, 49, 110
  - Disability Inclusion Advisory Panel 49
  - disability royal commission 42, 74
  - disAbility Staff Network 110
  - disabled
    - access for 49
    - language use 42
    - legal support for 13, 74
    - programs for 171–172
    - Respect at Work Legal Service 28
    - staff recruitment 111
    - workforce 11, 110
  - disadvantaged clients
    - access to justice 33
    - civil law services 28, 61
    - eligibility policies 41
  - disaster relief 27, 61
  - Disaster Response Legal Service (DRLS) 27, 62–63
  - discrimination in the workplace 11, 28, 61
  - dislocated clients 28, 61
  - dispute resolution 28, 37, 56
  - distressed clients 75
  - diversity**
    - clients 49–51
    - workforce 11, 110–111, 157
  - domestic and family violence
    - Board priority 10
    - case management system 83
    - specialist services 56, 57, 83
    - Women’s Domestic Violence Court Advocacy Program 78–80, 83, 158–159
  - Domestic Violence Unit (DVU) 56, 57, 83
  - Drug Court 54
  - drug use, client support 53–54
  - duty services 35
  - Early Intervention Unit 56
  - early resolution assistance (ERA) 29, 41
  - Economic Justice Australia 63
  - education
    - see also* training
    - community *see* community legal education
    - Family Law Act reforms 58
  - elder abuse 10, 61
  - eligibility policies 41, 42
  - email alerts 67
  - email distribution lists 84
  - Employee Assistance Programs 11
  - employment rights education program 28
  - entitlements advice 61
  - environmental responsibility 115
  - equity, financial 126
  - equity, workforce 110–111
  - ethical conduct 101
  - expenditure
    - civil law services 61
    - commitments 147
    - criminal law services 52
    - family law services 56
    - summary 120, 121, 125, 131–133, 136
  - expert fees 42
  - facilitation masterclass 69
  - FamAC team 47
  - Family Advocacy and Support Service (FASS)
    - client and case management system 83
    - duty lawyer services 57
    - statistics 79
  - Family and Community Services
    - Disability Inclusion Action Plan Guidelines 171–172
  - family assistance 12–13, 64
  - family dispute resolution 28, 37, 56
  - Family Law Act 1975* reforms 58
  - Family Law Legal Aid Review Committees 175

- Family Law Property Policy 41
- family law services
  - for Aboriginal Communities 47, 56
  - fee increases 42
  - mediation 35, 56–57
  - overview 56–60
- family lawyer training 112
- family violence *see* domestic and family violence
- fee-free birth certificates 30
- fee increases for private lawyers 42–43
- fee scale 42
- Financial Abuse Service 77–78
- financial instruments 148–153
- financial overview 119–120
- financial performance 101, 118–153
- financial results 121–122
- financial statements** 123–153
- fines 61
- First Nations lawyers 29
- five-year strategic plan 7, 9, 25–26, 27
- floods 27, 62–63
- fraud 102
- fuel efficiency 115
- funding
  - abuse victim support 78–79
  - Commonwealth 31, 33
  - Community Legal Centres Program 160–161
  - sources 119
  - Women’s Domestic Violence Court Advocacy Program 158–159
- furniture 81, 115
- gender distribution of staff 16
- Get work ready (booklet) 28
- governance** 101–102
- Government Information (Public Access) Act 2009* (NSW) (GIPA) 104
- Government Sector Employment Act 2013* (NSW) 101
- grants
  - management system 11, 84
  - to community legal centres 76
- health and safety** 109
- Health Records and Information Privacy Act 2002* (NSW) 104
- Hearing Support Pilot 79
- helpline 27
- High Risk Offender 52
- hiring policy 29
- Hitter, Monique *see* Chief Executive Officer (CEO)
- homelessness 69
- hotline for young people 37
- hours of operation 183
- housing 61, 64–65
- ‘How can Legal Aid help me?’ animated series 68
- human resources**
  - account management 83
  - Civil Law Division 61
  - Criminal Law Division 52
  - diversity and equity 110–111, 157
  - family law services 56
  - health and safety 109
  - hiring policy 29
  - numbers 107–108
  - overview 13–14, 16
  - performance measurement 29–30
  - recruitment 111
  - Senior Executive 95–100
  - statistics 156–157
  - support for 106–108
  - wellbeing 11
- human rights 61
- hybrid vehicles 115
- Identity Fusion 83
- illness 109
- immigration 61
- Immigration Advice and Rights Centre (IARC) 30
- In-house Counsel Unit 104
- income 121, 125, 133–135, 136; *see also* funding
- income advice 61
- Indictable Appeals Unit 52
- induction program 113
- information and communication technology 11, 83–84
- Information Referral and Rehabilitation Pilot 53
- information release 104
- injuries 109
- inquests 61
- Instagram 68
- Institutions Legislation Amendment Act 2024* (NSW) 103
- insurers 27
- intensive corrections orders (ICO) 41
- internal audit 20–22
- interpreters 68
- JobAccess 111
- judicial decisions 103
- key performance indicators 33
- language
  - community 104
  - diversity *see* culturally and linguistically diverse communities
  - modernisation 42
- Law Enforcement Conduct Commission 53
- Law Enforcement (Powers and Responsibilities) and Other Legislation Amendment (Knife Crime) Bill 2024 13
- Law for Community Workers 67
- law reform
  - disaster preparedness 27
  - Family Law Act 1975* 58
  - Legal Aid NSW’s contribution to 9–10
  - Strategic Law Reform Unit 13
  - submissions 167
- Law Week 68
- LawAccess NSW 27, 83, 106–107
- lawyers
  - First Nations 29
  - private *see* private lawyers
- leadership development 107
- learning community of practice 107
- leases 141–143
- legal advice services 35, 36
- Legal Aid Commission Act 1979* (NSW) 6, 15, 70, 103
- Legal Aid Review Committees 174–176
- Legal Aid Review Panels 103
- Legal Assistance for Families Partnership Agreement (LAFPA) 12–13, 27–28
- legal education *see* education
- legal representation 33, 35, 36, 61
- Legally Queer Staff Network 110
- legislation**
  - see also* law reform
  - Bail and Crimes Amendment Bill 2024 13
  - Costs in Criminal Cases Act 1967* (NSW) 103
  - Criminal Procedure Amendment (Child Sexual Offence Evidence) Bill 2023 53
  - Family Law Act 1975* 58
  - Government Information (Public Access) Act 2009* (NSW) (GIPA) 104
  - Government Sector Employment Act 2013* (NSW) 101
  - Health Records and Information Privacy Act 2002* (NSW) 104

*Institutions Legislation Amendment Act 2024* (NSW) 103

Law Enforcement (Powers and Responsibilities) and Other Legislation Amendment (Knife Crime) Bill 2024 13

*Legal Aid Commission Act 1979* (NSW) 6, 15, 70, 103

*Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW) 42

*Modern Slavery Act 2018* (NSW) 116

*Privacy and Personal Information Protection Act 1998* (NSW) 103, 104

legislative amendments 103

legislative compliance 103–104

letter of transmissal 3

LGBTQIA+ community 110, 171–172

liabilities 126, 137, 144–147

linguistically diverse communities *see* culturally and linguistically diverse communities

location of offices 182

location of staff 16

Macquarie University 29

Mandatory Data Breach Notification Scheme 103

means tests 8

measuring performance 33–37

media campaign 27

mediation  
early resolution assistance 29  
family law 35, 56–57

mental health 11, 61, 75

*Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW) 42

merit review 8, 64

migration 30

minor assistance services 35

modern slavery 116–117

*Modern Slavery Act 2018* (NSW) 116

Money Counts project 62

Moree office 13

Multicultural Policies and Services Program 171–172

multiculturalism 171–172

National Agreement on Closing the Gap (CTG) 11

National Disability Recruitment Coordinator 111

National Legal Aid 12, 74–75, 100

National Legal Assistance Partnership (NLAP) 8, 12, 33–34, 77

natural disasters 27, 61

NDIS 51

networks 110

offices  
locations 182  
spaces 81–82

on-the-spot help 36

online CLE events 67

Operation Mantus 53

organisational structure 94

out-of-home care 27–28

overview 6–23

panels 70

paralegal roles in family law 59

parole orders 41

‘People in the law’ webinars 68

performance  
highlights 27–32  
measurement 33–37

permanent protection visas 31

personal information, protecting 103

‘A place to call home’ podcast series 69

podcasts 31, 67, 69

police procedures 46

portal, client 31–32

predatory sales 47

prisoners  
civil law services 61  
criminal law services 52

Prisoners Legal Service 52

**privacy** 64, 103–104

*Privacy and Personal Information Protection Act 1998* (NSW) 103, 104

Privacy Management Plan 104

Private Lawyer Quality Framework 71

Private Lawyer Quality Standards Unit 72

private lawyers  
expenditure on 173  
fee increases 42–43  
fees 8, 12  
overview 70–73  
training 50–51, 112

procurements, high-risk 117

professional development 113

Project Delta 11

Project Respect 11, 110

property  
family law 41  
mediations 56–57

protection visa applications 30

public interest disclosures 103

**purpose of Legal Aid NSW** 7, 25

racism policy 11

recruitment 11, 111

Refugee Advice and Casework Service (RACS) 30

refugees, legal services for 30, 61

regional and remote communities  
Aboriginal communities 61  
disability support 74  
multicultural and disability-related services 61  
preferred provider scheme 59  
private lawyers 71  
services to 171–172

related party disclosure 153

remote communities *see* regional and remote communities

remote preferred provider scheme 59

representation services 33, 35, 36, 61

Resilient Homes Program 62–63

Respect at Work Legal Service (RAWLS) 28

Respectful Workplace Support Team 11

revenue 121, 125, 133–135, 136; *see also* funding

**right to information** 104, 168–170

**risk management** 20–22, 102, 117

Rodden v R [2023] NSWCCA 202 103

Royal Commission into Defence and Veteran Suicide 74–75

rural communities *see* regional and remote communities

Safer Pathway program 78

Safety Action Meetings (SAMs) 78–79

schools, CLE workshops in 68

security  
cyber security 22  
processes 81–82

Senior Executive 15, 95–100

seniors’ diary and calendar 68

service standards 33

Serving our Mob 71

sexual assault  
of children 52–53  
victims 64  
violent 78

sexual harassment 28, 61

slavery 116–117

social security merits review system 64

social work in family law 59  
 solar panels, predatory sales of 47  
 staff *see* human resources  
 statistics 162–166  
 Strategic Law Reform Agenda  
     2024–2025 10  
 Strategic Law Reform Unit 13  
 Strategic Plan 7, 9, 25–26, 27  
 structure of Legal Aid NSW 94  
 subsidiaries 15  
 supply chain 116–117  
 support person training 69  
 survey into client satisfaction 106  
 sustainability 114–117  
 Sydney Drug Court 54  
 TAFE NSW 29  
 tenancy problems, help with 64–  
     65  
 training  
     *see also* education  
     Civil Law Blueprint 29  
     complaints handling 105  
     criminal lawyers 112–113  
     custody support persons 69  
     family lawyers 112  
     identifying modern slavery  
         116–117  
     lawyers working with diverse  
         clients 50–51  
     private lawyers 50–51, 71  
     trauma-informed legal  
         assistance 75  
         young people 68  
 transparency 42  
 trauma  
     employers' responsibilities 9  
     legal assistance 75  
     training 113  
 Trauma Informed Community of  
     Practice 75  
 trends 36–37  
 tribunals  
     duty services 35  
     on-the-spot help 36  
 trust funds 148  
 Uluru Statement from the Heart 9  
 underserved communities 47  
 Understanding our Clients  
     training program 71  
 vehicles 115  
 veterans  
     civil law services 61  
     reparations 62  
     support for 74–75  
 violence  
     domestic/family *see* domestic  
         and family violence  
     sexual *see* sexual assault  
     visa applications for asylum  
         seekers 30, 31  
     **vision of Legal Aid NSW** 7, 25  
     vulnerable clients' access to early  
         intervention care mediations  
         41  
     Walama Unit 52  
     webinars 67, 68, 112  
     website 31, 104  
     Winha-nga-nha List 47  
     'With You' self-paced eLearning  
         modules 774  
 women  
     Aboriginal women leaving  
         custody 46–47, 62  
     Aboriginal women on remand  
         11, 45  
     Respect at Work Legal Service  
         28  
     violence against 78–80, 83,  
         158–159  
     Women's Domestic Violence  
         Court Advocacy Program 78–  
         80, 83, 158–159  
     work health and safety 109  
     workers compensation 109  
     workplace abuse 62  
     workplace incidents 109  
     WorkReady 28  
     workshops for young people 68,  
         69  
     young people *see* children and  
         young people  
     Young Professionals Network 110  
     Your Story Disability Legal Service  
         49, 74  
     Youth Week Instagram Reels 68  
     YouTube 67, 68

# Offices



- Legal Aid NSW office
- Satellite office

**Central Sydney**

323 Castlereagh St Sydney 2000  
PO Box K847 Haymarket NSW 1240  
Tel: 9219 5000  
TTY: 9219 5126

**Metropolitan offices****Bankstown**

Level 7, Civic Tower  
66–72 Rickard Rd Bankstown 2200  
Tel: 9707 4555

**Blacktown**

Suite 36–37, 15 Kildare Rd  
Blacktown 2148  
Tel: 9621 4800

**Burwood**

Level 4, 74–76 Burwood Rd  
Burwood 2134  
Tel: 9747 6155  
TTY: 9747 0214

**Campbelltown**

63 Queen St Campbelltown 2560  
Tel: 4628 2922

**Fairfield**

Suite 1, Level 2, 25 Smart St  
Fairfield 2165  
Tel: 9727 3777

**Liverpool**

Level 4, 45–47 Scott St  
Liverpool 2170  
Tel: 9601 1200

**Parramatta Civil and Family Law**

Level 4, 128 Marsden St  
Parramatta 2150  
Tel: 9891 1600

**Parramatta Criminal Law**

Parramatta Justice Precinct, Level 1  
160 Marsden St Parramatta 2150  
Tel: 9066 6000  
TTY: 9687 7538

**Penrith**

Level 4, 2–6 Station St Penrith 2750  
Tel: 4732 3077

**Sutherland**

Ground Floor, Endeavour House  
3–5 Stapleton Ave Sutherland 2232  
Tel: 9521 3733

**Regional offices****Broken Hill**

2/32 Sulphide St Broken Hill 2880  
Tel: 08 8004 9600

**Coffs Harbour**

41 Little St Coffs Harbour 2450  
Tel: 6651 7899

**Dubbo**

64 Talbragar St Dubbo 2830  
Tel: 6885 4233

**Gosford**

92–100 Donnison St Gosford 2250  
Tel: 4324 5611

**Lismore**

Level 5, Westlawn Building  
29 Molesworth St Lismore 2480  
Tel: 6621 2082

**Newcastle Civil and Family Law**

Level 2, 51–55 Bolton St  
Newcastle 2300  
Tel: 4929 5482

**Newcastle Criminal Law**

Level 3, 400 Hunter St  
Newcastle 2300  
Tel: 4929 5482

**Nowra**

Level 2, 59 Berry St Nowra 2541  
Tel: 4422 4351

**Orange**

Suite 4, 95 Byng St Orange 2800  
Tel: 6362 8022

**Port Macquarie**

107 William St Port Macquarie 2444  
Tel: 5525 1600

**Riverina Murray (Albury)**

Suite 1A, Level 1, 520 Swift St  
Albury 2640  
Tel: 6020 7200

**Riverina Murray (Wagga Wagga)**

Ground Floor, 74–76 Fitzmaurice St  
Wagga Wagga 2650  
Tel: 6921 6588

**Tamworth**

Suite 3, Level 1, 155 Marius St  
Tamworth 2340  
Tel: 6766 6322

**Wollongong**

73 Church St Wollongong 2500  
Tel: 4228 8299



Produced by the Communications Unit of Legal Aid NSW. This report is also available for viewing at [www.legalaid.nsw.gov.au](http://www.legalaid.nsw.gov.au) > About us > Annual reports

© Legal Aid NSW 2024



