

## Annual Report 2015-2016



*Promoting a just society in the Australian Capital Territory*

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## Legal Aid Commission (ACT)

### Transmittal Certificate

15 September 2016

Mr Simon Corbell MLA  
Attorney General for the ACT  
ACT Legislative Assembly  
London Circuit  
CANBERRA ACT 2601

Dear Mr Corbell

This Report has been prepared under Section 6(1) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements under the Annual Report Directions.

It has been prepared in conformity with other legislation applicable to the preparation of the Annual Report by the Legal Aid Commission (ACT).

We certify that the attached Annual Report, and information provided for whole of government reporting, is an honest and accurate account and that all material information on the operations of the Legal Aid Commission (ACT) has been included for the period 1 July 2015 to 30 June 2016.

We also certify that fraud prevention has been managed in accordance with the Public Sector Management Standard 2.

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you cause a copy of the Report to be laid before the Legislative Assembly within 4 months of the end of the financial year.

Yours sincerely



Jon Stanhope  
President  
15 September 2016



John Boersig  
Chief executive Officer  
15 September 2016

## PRESIDENT'S REPORT

In the past year the Commission has, as expected, been required to manage its resources in a turbulent environment. I am pleased to be able to report that, notwithstanding these demands, services to the Canberra community have not only be maintain but expanded. Like all other legal aid commissions around Australia [we](#) have an important remit – to help the most vulnerable and disadvantaged people in our society, and here in the ACT I am very pleased the Commission is rising to this challenge.

There [are](#) very good reasons why legal aid commissions play an integral role in our legal system. Chiefly, of course, they are charged with providing equal access to legal remedies for those persons who would suffer most without this assistance. If we are to make our community an inclusive society, then access to legal assistance [is](#) an imperative bottom line. Many years ago this challenge was laid down by Lionel Murphy, then the Attorney-General of Australia, when he caused the Australian Legal Aid Office to be established (ALAO). In his Ministerial Statement he said:

“The Government has taken action because it believes that one of the basic causes of inequality of citizens before the law is the absence of adequate and comprehensive legal aid arrangements throughout Australia....the ultimate objective of the Government is that legal aid be readily available to citizens...and that aid be extended for advice and assistance of litigation as well as for litigation in all legal categories and in all courts.”

The ALAO was the forerunner of all legal aid commissions around Australia, and the charter Lionel Murphy set out is as true today as it was then. Importantly, he thought that ready accessibility to legal assistance was crucial, and considered that ‘storefront’ legal aid offices were key to the successful delivery of services. I am very pleased to see that our Commission has taken up this approach – by providing a new ‘storefront’ service, and by running 12 legal advice clinics in suburbs all around Canberra; by taking over 16,000 calls on the Helpline, and by investing in social media.

While it is sadly true that there can never be enough money to close the ‘justice gap’, it is equally true that legal aid commissions must try to optimise the number of people who are able to receive assistance. The marked increase in grants of legal assistance this year also ably demonstrate how the Commission is trying to meet this challenge.

The Commission is an independent statutory authority within the ACT. This is clearly set out in the legislative framework that underpins the daily operations of the Commission. Primarily, and this is in the interest of both government and citizens, the Commission must provide frank and fearless legal representation to its clients – this is fundamental and necessary. And while the Commission has a responsibility to undertake its activities as an integral part of the Commonwealth and Territories Government justice polices under the National Partnership Agreement, the independence of the Commission, including financial independence, should not be compromised. Appropriately,

accountability indicators, audit requirements and the financial management legislation, govern the operations of the Commission, and in that sense the Commission's management decision should not be undercut unnecessarily by bureaucratic or political intervention.

New challenges, not least the perennial concern about limited funding, and the need to be adaptable and flexible in service delivery, will no doubt drive the work of the Commission over the coming year.

Jon Stanhope

President

## **THE COMMISSIONERS DURING 2015-2016**

### **Jon Stanhope**

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Jon Stanhope was appointed as President of the Commission on 14 December 2014. Mr Stanhope was appointed as Deputy Administrator of Norfolk Island, Secretary of a major Parliamentary Committee and as President of a number of community organisations prior to his political career. Mr Stanhope is the former Chief Minister of the ACT. He was elected as an Australian Labor Party candidate to the ACT Legislative Assembly in 1998 and was appointed Leader of the Opposition after the election. He remained as leader for over 13 years. Mr Stanhope was elected Chief Minister in 2001, a position he held for nearly a decade. While he was Chief Minister, and concurrent Minister for various portfolios, he sought to change and reform the finances and administration of the Australian Capital Territory. He introduced a number important reforms, including the introduction of a Human Rights Act, reducing budget expenditure and streamlining the bureaucracy. Mr Stanhope has been Professorial Fellow in Public Sector Engagement in the Australian and New Zealand School of Government at the University of Canberra.

### **Meredith Whitten (to 9 April 2016)**

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Meredith Whitten was originally appointed to the Commission on 9 April 2010. She has been an ACT Government Executive since 2000 in the ACT Chief Minister's Department and an Executive of the Community Services Directorate since November 2004. She has a Graduate Diploma in Government and Commercial Law (Australian National University) and Bachelor of Arts in Social Sciences (The Flinders University of South Australia).

### **Gail Kinsella**

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Gail Kinsella was originally appointed to the Commission on 10 May 2010. She is a Chartered Accountant and a director of Kinsella Partners – Chartered Accountants. She is a member of a number of professional advisory boards and committees at the local and national level. Her community activities include holding the position as a board member of Communities@Work.

### **Walter Hawkins**

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Walter Hawkins was appointed to the Commission on 10 August 2012. He is the Principal and the Practice Leader of the Canberra office of Maurice Blackburn Lawyers (previously Pamela Coward Higgins Lawyers) specialising in personal injury litigation with over 25 years' experience. Walter is a member of the ACT Law Society Civil Litigation Committee, Chairs the ACT Law Society Access to Justice Committee and is a member of the Law Council of Australia Access to Justice Committee and a member of the Australian Lawyers Alliance. Walter originally worked with the Public Interest Advocacy Centre (PIAC) in Sydney conducting large scale product liability litigation, and then spent six years with a national personal injury firm. For many years Walter was a contributing author to the Lawyers Practice Manual of New South Wales. Walter's previous appointments include President of ACT Labor Lawyers. Walter graduated from Macquarie University in 1985 with a Bachelor of Arts and Bachelor of Laws. In 2007 Walter obtained a Master of Business Administration from the University of Canberra.

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### **Alison Playford**

Alison Playford was appointed to the Commission on 30 June 2014. Ms Playford is currently Director-General in the ACT Justice and Community Safety Directorate. She has previously held the roles of both Deputy Director-General, Justice and Deputy Director-General, Community Safety in that Directorate. Before joining the ACT Government in November 2010 she had over 20 years' experience in the Commonwealth public sector in a range of positions in the Department of Finance, the Department of Prime Minister and Cabinet and the Attorney-General's Department including in the areas of native title, indigenous litigation, family law, administrative law, federal courts and tribunals. Ms Playford was the First Assistant Secretary of the Commonwealth Attorney-General's Department from August 2009 until November 2010. She was also an alternate member of the Council of the National Judicial College of Australia in 2010 (nominated by the Commonwealth Attorney-General).

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### **Amanda Tonkin**

Amanda Tonkin was appointed to the Commission on 18 July 2014. Ms Tonkin was called to the Bar as a Barrister in 1994 and has been with Blackburn Chambers continuously for more than 20 years. Prior to that, she was a Prosecutor and an Assistant Parliamentary Counsel for drafting legislation. Ms Tonkin's area of practice is extensive and include family law, civil law, medical negligence and mental health law and mediations. She is an elected member of the ACT Bar Council, the Women Lawyers Association and is a Court Appointed Mediator for the ACT Magistrates Court. She has been a member of the Family Law Section of Law Council of Australia and was also a Director of Chambers from 1998 to 2006.

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### **Genevieve Bolton**

Genevieve Bolton was appointed as the Commissioner representing the social services sector. She is the Executive Director/Principal Solicitor of the Canberra Community Legal Centre. She has a long history of service to the community and joined Canberra Community Law in 2003. In December 2015, she was awarded the Australian Human Rights Commissions 2015 Law Award for work spanning two decades for those people facing disadvantage through such issues as disability, family violence and mental health. Genevieve was awarded the Order of Australian in 2016. Her main area of legal expertise is in public housing and the welfare system. Originally from Queensland, she hold a degree in law from the Queensland University of Technology.

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### **Kym Duggan**

Kym Duggan appointed as the Commissioner with special expertise on 20 May 2016. He is a law graduate of the Adelaide University and was admitted to practice as a barrister and solicitor in 1978. He has worked as a lawyer in the Northern Territory, South Australia and in the ACT. He held various positions in the Commonwealth government for over 30 years, including in the Department of the Prime Minister and Cabinet, and spent many years in the Attorney-General's Department where he rose to the position of First Assistant Secretary. His roles within the government included such areas as social security, native title, indigenous justice, legal aid and national security. He currently

undertakes a range of consultancies linked to the justice sector at both a commonwealth and state level.

### **John Boersig**

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John Boersig was appointed a Chief Executive Officer of the Commission on 1 December 2013, and holds a position on the Board in that capacity. Dr Boersig commenced as CEO at that time. He brings to the Commission extensive experience in legal aid, legal education and public administration. He commenced in legal aid practice from 1983, initially with the Aboriginal Legal Service and later as a senior lecturer and director of the Newcastle Legal Centre where he ran the clinical and professional program at the University of Newcastle's Faculty of Law. He was a presiding member of the Guardianship Tribunal for many years. In 2004 Dr Boersig joined the Commonwealth Attorney-General's Department as Assistant Secretary of the Indigenous Law & Justice Branch and later as Assistance Secretary of the Human Rights Branch. He moved to the Ministerial & Cabinet Unit and then the Security Coordination Branch immediately prior to joining the Commission. He has a PhD from the University of Sydney.

### ORGANISATIONAL OVERVIEW

The Legal Aid Commission (ACT) (the Commission) is established by the *Legal Aid Act 1977* (the Act). The primary purpose of the Commission is to provide vulnerable and disadvantaged Australians with access to justice through a range of legal aid services provided in accordance with the Act.

### VISION

Our vision is to be a leader in the delivery of legal services that are recognised for their excellence and for the caring, responsive and professional manner in which they are provided.

### PURPOSE

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

- ensuring that vulnerable and disadvantaged people receive the legal services they need to protect their rights and interests;
- developing an improved community understanding of the law; and
- seeking reform of laws that adversely affect those we assist.

We achieve this purpose by delivering a range of high quality legal services through our staff and professional partners in a manner that respects diversity and promotes confidence in the legal system.

### VALUES

The Commission espouses the following values in its relationships, service delivery, business processes and decision making.

- We are committed to helping disadvantaged people achieve justice.
- We respect people and their diversity.
- We value integrity and ethical conduct.
- We are accountable and committed to using learning and innovation to improve the quality of our services and the efficient use of resources.
- We work collaboratively with others to meet people's needs.
- We value and protect our statutory independence.

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## Independent Commission

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The Commission is an independent statutory authority established under the *Legal Aid Act 1977* charged with providing legal assistance in the Australian Capital Territory in accordance with the Act. While the Commission is accountable to the Commonwealth Government, and specifically to the ACT Attorney-General for the exercise of its statutory functions, it operates a legal practice with a high degree of autonomy. This is necessary because of the Commission's duty to protect the legal rights and interests of individuals many of whom are parties to actions by, or against, the executive branch of government. While the work of the Commission must be undertaken in the broad context of government justice policy, as set out in the Act and in the National Partnership Agreement for legal assistance, the Commission's lawyers are required to observe the same rules and standards of professional conduct as private lawyers, and are subject to the same professional duties. This means that their professional duties are owed to the law, the court and clients, rather than to executive government.

### **Nature and Scope of Activities**

The Commission seeks to improve access by vulnerable and disadvantaged people to the justice system by providing a range of legal services to through in-house legal and paralegal staff and lawyers in private practice.

The Commission helps people living in the ACT, or involved in proceedings in ACT courts and tribunals, who are in need of legal advice or assistance but who are unable to access private legal services. Our clients are therefore people who are disadvantaged relative to the general population. Disadvantage can take many forms including a lack of financial resources, disability, illness, youth or old age, homelessness, language or cultural barriers.

The services provided by the Commission are wide-ranging and encompass the provision of information and referral, legal advice and legal assistance, advocacy, duty lawyer services, grants of legal assistance, dispute resolution services, community legal education programs and submissions on law reform issues.

Legal assistance services are free of charge, except for grants of financial assistance and Dispute Resolution conferences that are means-tested and may be subject to payment of a contribution.

The Commission also has a responsibility under the Act to make recommendations to the Attorney-General concerning the reform of laws.

Following negotiations between the Territory and Commonwealth Governments a new National Partnership Agreement 2015 -2020 came into force. This NPA has brought a number of changes, and in the light of this agreement the services offered by the Commission are re-described below.

## SERVICES FOR INDIVIDUALS, GROUPS AND ORGANISATIONS

### *DISCRETE ASSISTANCE*

Discrete Assistance is the provision of unbundled, discrete, legal and non-legal services to Service Users.

These intermittent services differ from Representation Services, where a Service Provider takes carriage of a matter in an ongoing, representative capacity.

Discrete Assistance may be provided at any location (for example, in a Service Provider's office or in an outreach location).

They may also be delivered in a range of modes:

- in person
- telephone
- letter
- email, mail or fax
- video conference
- online chat.

### INFORMATION SERVICES

An Information Service is the provision of information to a Service User in response to an enquiry about:

- the law, legal systems and processes,
- legal and other support services to assist in the resolution of legal and related problems.

The information provided is of general application.

An Information Service involves a direct communication and/or a provision of material by a Service Provider to a Service User. Information Services do not include administrative tasks such as booking appointments for legal advice sessions or information obtained from a Service Provider's website.

Information about the law and the legal system is provided by the Commission to individuals and community groups. It is information of general application about legal rights and responsibilities, court and tribunal processes, alternative ways of resolving disputes, the availability of financial assistance and other legal assistance services. It includes referral to other community services appropriate to people's needs.

Information and referral is provided through the Legal Aid Helpdesk and by other Commission staff in person at the Commission's office and at courts, outreach services and by telephone through the Legal Aid Helpline.

Information is also provided through the Commission's website, by dissemination of written materials about common legal issues to individuals and organisations, and by attendance at information hubs and other public events.

If the Commission cannot help a person because their problem is not a legal problem, or because another legal service is better placed to assist them, a referral of the person to an appropriate service is facilitated.

## **REFERRAL**

A Referral is when a Service Provider determines that a Service User can be assisted by another individual or organisation and provides the User with the contact details to that service.

A Referral may be recorded as either a Simple Referral or a Facilitated Referral.

## **LEGAL ADVICE**

A Legal Advice Service is the provision of fact-specific legal advice to a Service User in response to a request for assistance to resolve specific legal problems.

Legal advice is specific advice of a legal nature concerning a person's individual circumstances. It includes analysis of the options available to a person to resolve a legal matter. Legal advice is provided free of charge in face-to-face interviews arranged through the Commission's Legal Aid Helpdesk, at specialist legal aid clinics (such as migration, employment, small business), the Youth Law Centre and at outreach services such as the Prisoners Legal Service and at Communities at Work. Legal advice services are usually limited to half an hour but may be extended for up to two hours at the discretion of the adviser.

## **NON-LEGAL SUPPORT**

A Non-Legal Support Service is provided by an appropriately qualified person (either through an internal or external appointment) to a Service User in response to a request for assistance to resolve specific, non-legal problems. Examples include general counselling, financial counselling, trauma-informed counselling, Aboriginal and Torres Strait Islander community liaison, and mental health assessments and support.

Non-Legal Support Services may be recorded as either a Discrete or an Ongoing Non-Legal Support Service.

## **LEGAL TASK**

A Legal Task is where a Service Provider completes a discrete piece of legal work to assist a Service User to resolve a problem or a particular stage of a problem. Examples of a Legal Task include:

- preparation or assistance with the drafting of documents (such as a will)
- writing a submission letter to the Police to negotiate charges
- writing a letter to another party asking them to do something or stop doing something, or

- advocating on behalf of a Service User without taking ongoing carriage of the matter.

If a Service Provider takes carriage of a matter in an ongoing, representative capacity, including representing a Service User in court or tribunal proceedings, this is no longer a Legal Task but a Representation Service.

Minor legal assistance is the provision of self-help assistance greater than information and legal advice but short of direct representation that is designed to enable people to progress resolution of identified legal problems. Minor legal assistance includes drafting a simple letter for a person to send to a third party, completing forms, and drafting simple applications or other court or tribunal documents.

Legal advice and minor legal assistance are provided free of charge in relation to a range of legal matters affecting the ordinary citizen, including:

- criminal and traffic charges;
- family separation, parenting and property disputes;
- domestic violence and personal protection;
- mental health;
- victims of crime assistance;
- contract and debt;
- employment; and
- administrative decisions.

Advocacy is an early intervention service that does not require a grant of legal assistance. The service is available to people who are unable to adequately advocate their own case and involves communication with a third party on behalf of the client and may extend to representation at a court or tribunal. Advocacy services include assisting people appearing before the ACT Administrative and Civil Tribunal in mental health proceedings.

#### *FACILITATED RESOLUTION PROCESS*

Facilitated Resolution Processes include specific processes that are aimed at resolving disputes without going to court. This category is relevant for the process only. The actual representation of a Service User within a Facilitated Resolution Process is defined as a Dispute Resolution Service.

A Facilitated Resolution Process is where a Service Provider conducts an activity (for example a conference) to assist the parties to resolve or narrow issues in dispute. Generally, a facilitated resolution process will involve a screening process and the provision of an independent, suitably qualified professional to facilitate resolution of the issues in dispute.

A Facilitated Resolution Process may be provided:

- in person at any location

- by telephone or videoconference.

There are a number of Activity Types within this Service Category, including:

- screening
- arbitration
- conferences
- mediation.

The Commission provides a lawyer-assisted model of alternative dispute resolution in family law and child protection matters with the objective of settling disputes at an early stage without the need for recourse to the courts.

### *DUTY LAWYER SERVICES*

Duty Lawyer Services are legal services provided by a duty lawyer to a Service User at a court or tribunal.

Duty lawyer services are provided free of charge at courts and tribunals to people who would otherwise be unrepresented in relation to an event or proceeding on that day. The Commission provides duty lawyer services in:

- criminal cases at the ACT Magistrates Court and the ACT Children's Court;
- domestic violence and personal protection matters at the ACT Magistrates Court; and
- family law matters at the Canberra Registry of the Family Court and Federal Magistrates Court.

Duty lawyer services consist of advising a person in relation to the proceeding or event and in appropriate circumstances appearing on their behalf. These services can include assistance with bail applications, guilty pleas and representation of applicants for urgent interim protection and restraining orders.

### *REPRESENTATION*

Representation Services are where a Service Provider takes carriage of a matter in an ongoing, representative capacity.

Grants of legal assistance enable people who would not otherwise be able to afford legal services to obtain legal representation in legal proceedings, dispute resolution, or other legal matters of a substantial and ongoing nature. Grants of legal assistance are provided in criminal, family and civil law matters.

In determining applications for grants of legal assistance the Commission examines whether the application satisfies the eligibility requirements of the *Legal Aid Act 1977* and guidelines set by the Commission under the Act.

There are three service types within this service category.

## **DISPUTE RESOLUTION**

This service is the legal representation of a Service User in a Facilitated Resolution Process, or an alternative dispute resolution process. This service type does not include court/tribunal based alternative dispute resolution, which is incorporated in the definition of Court /Tribunal Services.

A Dispute Resolution Service includes preparation for, and representation at, a Facilitated Resolution Process. It also includes the work involved in recording agreement following a Facilitated Resolution Process.

Assistance provided to self-representing parties preparing to attend Facilitated Resolution Processes should be categorised as Legal Task or Duty Lawyer Service as relevant.

## **COURT/TRIBUNAL SERVICE**

A Court/Tribunal Service relates to any ongoing representation for any matter before a court, tribunal or inquiry where a Service Provider provides legal representation to a Service User and takes carriage of a matter in an ongoing, representative capacity. This includes court/tribunal based alternative dispute resolution.

A Court/Tribunal Service does not include services provided by a duty lawyer or assistance to self-representing parties where a Service Provider does not take carriage of a matter in an ongoing, representative capacity. This type of service is counted as a Legal Task, Legal Advice or Duty Lawyer Service, as appropriate.

## **OTHER REPRESENTATION**

Other Representation Services relates to any matter where the Service Provider:

- takes carriage of a matter in an ongoing, representative capacity, but due to the nature of the matter it does not proceed to a court, tribunal or inquiry, or
- is not required to appear before a court, tribunal or inquiry.

Other Representation Services does not include assistance to self-representing parties where a Service Provider does not take carriage of a matter in an ongoing, representative capacity. This type of service is counted as a Legal Task, Legal Advice or Duty Lawyer Service, as appropriate.

## SERVICES FOR THE COMMUNITY

### COMMUNITY LEGAL EDUCATION

Community Legal Education (CLE) is provided to the general community, community services, community groups, organisations or schools. These services inform and build individual and community resilience by enhancing:

- awareness and understanding about the law and how to identify, prevent and deal with problems
- awareness of the help available from legal and support services.

Community Legal Education (CLE) is the provision of information and education to members of the community (especially vulnerable and disadvantaged people) on an individual or group basis concerning the law and legal processes and the place of these in the structure of society. The 'community' may be defined geographically, by issue or by need. Effective CLE sets out to ensure that people understand and apply the knowledge in ways that benefit their behaviours, decisions and life outcomes. CLE increases the ability of an individual or community to understand and critically assess the impact of the legal system on them and their ability to deal with and use the law and the legal system.

There are two service types within this service category.

### COMMUNITY LEGAL EDUCATION RESOURCES

CLE Resources involve the development or substantial amendment of publications and resources that provide:

- information about the law and legal system
- information about legal and support services
- guidance for identifying, preventing or dealing with particular legal problems.

Examples of CLE Resources include:

- booklets
- pamphlets
- self-help kits
- legal information websites
- development of CLE Activities (for example, modules, workshops or presentations).

CLE Resources may be developed to be delivered via a variety of media including:

- printed/hard copy
- audio products
- DVD/video
- web based
- workshops or presentations.

## COMMUNITY LEGAL EDUCATION ACTIVITIES

CLE Activities are delivered to raise awareness and educate other service providers, community groups, organisations, schools, or the general community about the law and how to recognise, prevent and deal with legal problems.

CLE Activities may be delivered through a variety of formats, including:

- workshops, presentations and meetings in person
- web-based and electronic media.

The Commission's CLE programs include training the staff of organisations that assist vulnerable and disadvantaged members of the community in how to recognise when their clients have legal problems and where to refer them for help, as well as targeted information sessions on a range of specific legal issues. As well as sessions held on the Commission's premises, CLE sessions are also provided at schools, community centres and community organisations.

## Stakeholders and Partnerships

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Apart from its clients, the Commission's principal stakeholders are its funders; members of the private legal profession who provide legal aid services on the Commission's behalf; community legal centres; and courts, tribunals and other justice agencies in the ACT.

### Community Legal Centres

Under the NPA a jurisdiction based forum must be established in the ACT. The **ACT Legal Assistance Forum** (ACTLAF) was established in May 2008 to improve coordination between legal assistance services in the ACT and to encourage collaborative service delivery. ACTLAF comprises representatives of all legal assistance providers in the ACT, namely the five community legal centres, the Aboriginal Legal Service, Legal Aid ACT and the ACT Law Society. The Aboriginal Justice Centre and the Justice and Community Safety Directorate are also represented on ACTLAF. ACTLAF meets quarterly in February, May, August and November.

There are five **Community legal centres** in the ACT (Tenants' Union, Consumer Law Centre, Environmental Defender's Office, Welfare Rights and Legal Centre and Women's Legal Centre). These centres have an important role in the provision of legal assistance services and specialise in particular areas of the law, or in working with particular client groups. In this way their services are complementary to those of other legal aid providers, including the Commission. There is a high degree of cooperation between all legal assistance services aimed at avoiding unnecessary duplication of services and to ensure that clients are referred to the legal service most suited to their needs. The **Environmental Defenders Office ACT** operates from Commission premises. In addition there is a long-standing partnership between the Commission and the **Aboriginal Legal Service (NSW/ACT)** Limited based on collaboration between agencies to improve the provision of legal advice and assistance to Indigenous Australians in the Canberra region.

## Private Legal Profession

The partnership between Legal Aid ACT and the **private legal profession** is fundamentally important to the provision of legal assistance services in the ACT. Many law firms play a vital role in the provision of legal assistance services by handling legally assisted cases, or by providing advice, duty lawyer and other legal assistance services. The Commission publically acknowledges and thanks the many members of private legal profession who contribute to the provision of legal assistance in one or more of these ways.

Private lawyers also participate in the provision of legal assistance in a number of other important ways. These other forms of participation, some of which are remunerated by the Commission and some of which are voluntary and provided *pro bono publico* (for the public good) include:

- providing duty lawyer and advice services when Commission lawyers cannot act due to a conflict of interest
- convening family dispute resolution (FDR) conferences
- reviewing decisions of the Commission relating to the provision of legal assistance as members of the review panels established under the *Legal Aid Act 1977*
- providing *pro bono* advice or other assistance through the **Youth Law Centre** or to individual Commission lawyers in relation to the handling of legal cases that raise complex or unusual legal issues [1], and
- providing other *pro bono* assistance such as participation in the preparation of publications and other community legal education activities.

### *Law Students and Volunteers*

Law students can play an important role in the provision of legal aid services, including research, assisting in client services and supporting lawyers and paralegal staff in the provision of minor assistance, information and case work. The Commission accepts students from a number of universities, including the ANU Legal Workshop and UC Law Internship course, as part of a placement, internship or as volunteers.

The Commission also works collaboratively with the ANU's clinical law course to deliver services in the Youth Law Centre, through a migration and employment law clinics, and is a major placement site for the College of Law's Graduate Development Legal Program. In addition, in collaboration with UC and the private legal profession, a Small Business Legal advice clinic is operated each week.

### *Relationships with Justice Agencies and the Law Society ACT*

To help ensure the efficient operation of the legal system in the ACT and to achieve just outcomes for its clients the Commission works cooperatively with ACT courts and tribunals, and other agencies within the ACT Attorney-General's portfolio. The CEO liaises regularly with senior staff of the **Justice and Community Safety Directorate** and staff participate in meetings of committees and working groups established to review and improve aspects of the Territory justice system.

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1 Particular support for the YLC is provided by King Wood Mallesons, Minter Ellison, Blumers and by Clayton Utz and Ashursts.

The Commission also maintains close working relationships with the **Commonwealth Attorney-General's Department**, and Commonwealth courts and tribunals in the ACT and staff participate in a number of Commonwealth justice system advisory groups including the Family Law Consultative Committee and Family Pathways Network.

The Commission also maintains a close working relationship with **ACT Law Society**. Staff members are represented in a number of committees, including Access to Justice, Pro Bono and the Ethics and Complaints. In addition we receive funding annually from the Statutory Interest Account which is administered by the Law Society.

At a national level, the Commission is tied into a range of networks – mainly built into the National Legal Aid structure – and participates in regular workgroups linked to key service areas such as grants and data, family and child support, and criminal law.

The **Canberra and ACT Regional Family Law Pathways Network (FLPN)** is auspiced by the Commission and covers the Australian Capital Territory and nearby NSW regions serviced from the Canberra Registry of the Family Court of Australia and the Federal Circuit Court of Australia. The Network's membership continued to increase during the year and numerous seminars and conferences were facilitated. The Network's growth is strongly attributable to the joint participation of the new ACT FLPN Advisory Panel and the Steering Committee members who continue to facilitate planning.

## Structure

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### *Governance*

The Commission is governed by a board of eight commissioners, seven of whom are part-time and appointed by the Attorney-General upon nomination by the community, the ACT Government and the legal profession. The eighth commissioner is the Chief Executive Officer who is appointed by the Commission.

The functions of the board under section 15 of the Act are:

- to determine the broad policies, priorities and strategies of the Commission for the provision of legal assistance under the Act; and
- to ensure that the Commission's affairs are managed in accordance with the Act.

The board meets bi-monthly and additional meetings are held when required.

### *Management and Structure*

The Chief Executive Officer (CEO) manages the operations and affairs of the Commission, assisted by the Deputy Chief Executive Officer (DCEO). Both the CEO and DCEO are appointed statutory office holders. Under the Act the CEO and DCEO are deemed to be a firm of solicitors practising in partnership and the Commission's Legal Practice operates in a similar way to a private law firm.

The Commission has four functional divisions, each headed by senior managers. As the Commission holds confidential information relating to people's legal cases, there is a strictly enforced

information barrier between Client Services and the Legal Practices, and between the Litigation and General Practices.

## Responsibilities of the Board and CEO

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The Commission is a body corporate established under the *Legal Aid Act 1977*. The Commission's function is to provide legal assistance in the Australian Capital Territory in accordance with the Act. The Commission carries out this function under the name Legal Aid ACT.

The board of the Commission comprises seven part-time commissioners and the CEO. The functions of the board are to determine broad policies, priorities and strategies for the provision of legal assistance, and to ensure the Commission's affairs are managed in accordance with the Act. The CEO is responsible for the management of the operations and affairs of the Commission. Qualifications for appointment to the board are set out in section 16 of the Legal Aid Act.

The board met seven times during the year, and attendances were as follows:

Commissioner	No. of meetings attended
Jon Stanhope	6
Walter Hawkins	6
Amanda Tonkin	4
Meredith Whitten	4
Gail Kinsella	7
Allison Playford	4
Genevieve Bolton	5
Kym Duggan	1
John Boersig	7

## Management Structure

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The Commission's four divisions and the divisional heads during the year were:

Litigation Practice	Deputy CEO – Louise Taylor
General Practice	Heidi Yates
Client Services	Client Services Manager - Derek Schild
Corporate Services	Sharyn Giles/Hamish Palfreyman

The CEO, DCEO, CSM and CFO comprise the Commission's Executive Committee. The Legal Practice management committee includes the executive and the Division heads.

## Executive Remuneration

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Remuneration for senior executives (CEO and DCEO) is determined by the ACT Remuneration Tribunal.

## Significant Committees

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A number of internal committees inform the work of the Commission:

- The **Executive Committee** is responsible for the oversight of Commission's overall operations. It provides advice and guidance to the CEO on the strategic direction and management of activities.
- The **Legal Practice Management Committee** provides advice, oversight and direction about the daily and strategic operation of the legal practices to the CEO and DCEO.
- The **Finance Committee** improves financial management by broadening input to the budget process and increasing levels of understanding and scrutiny of financial processes and reporting. The Finance Committee comprises members of the Executive Committee, the Chief Financial Officer and the Financial Accountant.
- The **Community Legal Education (CLE) Program Committee** assists in the planning and delivery of CLE programs. The CLE comprises a cross-section of staff.
- The **Law Reform Committee** provides focus for the Commission's law reform activities. The committee comprises the DCEO (convenor) and the three practice heads. Law reform issues are referred to specifically convened sub-committees comprising staff interested in the reform topic.

## Reconsideration and Review of Decisions

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Applicants dissatisfied with an initial decision concerning the provision of legal assistance can ask for the decision to be reconsidered. The request for reconsideration must be made in writing within 28 days of receiving notice of the decision. Further information may be provided in support of a request for reconsideration. A different decision maker undertakes the reconsideration of an initial decision.

If, following reconsideration the applicant remains dissatisfied with a decision, they may request the matter be referred to an independent review committee. A request for review must be made in writing within 28 days of receipt of notice of the reconsidered decision and may be accompanied by further information. A review committee is constituted by three members selected from panels appointed by the ACT Attorney-General. The panels include community members and lawyers nominated by the ACT Law Society and ACT Bar Association

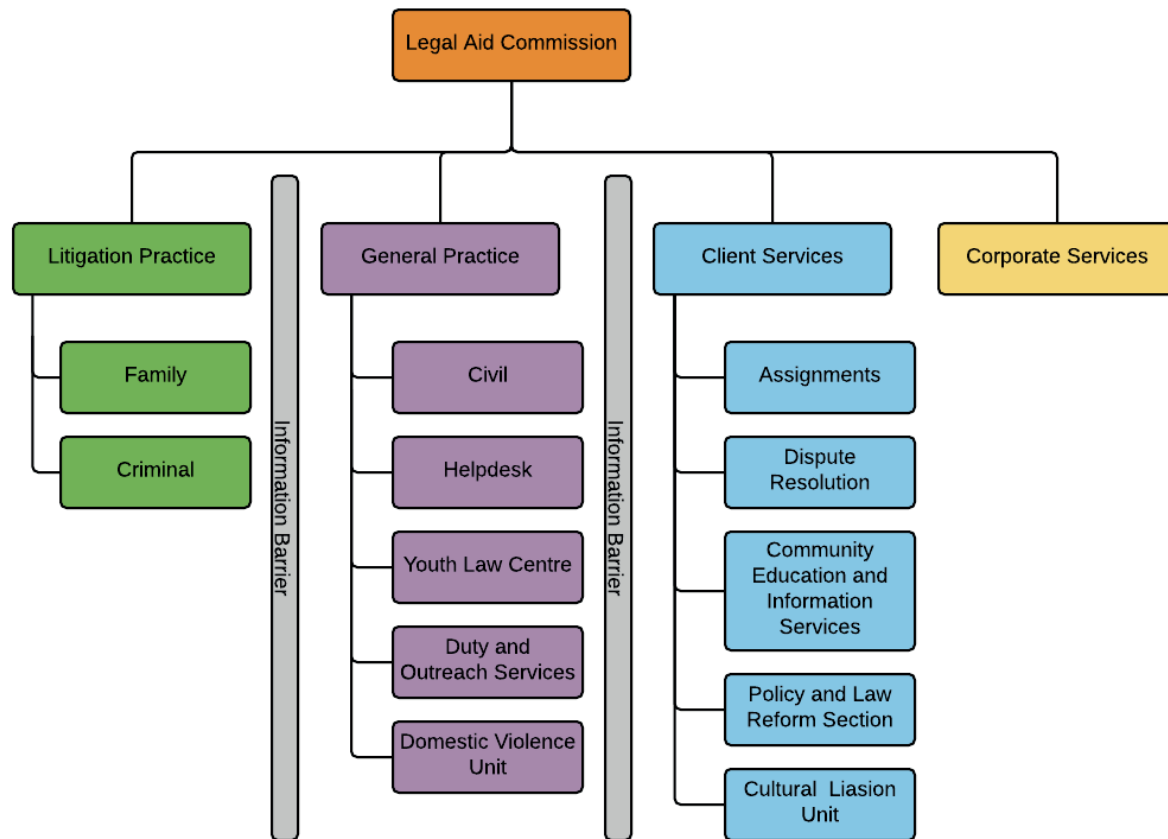
*Reconsideration requests*

Reconsideration	Varied	Confirmed	Pending / Withdrawn	Total	% varied of total by Law Type
Criminal	32	27	0	59	54.24%
Family	39	38	0	77	50.65%
Civil	15	49	0	64	23.44%
<b>Total</b>	<b>86</b>	<b>114</b>	<b>0</b>	<b>200</b>	<b>43.00%</b>

*Review requests*

Review	Varied	Confirmed	Pending / Withdrawn	Total	% varied of total by Law Type
Criminal	3	2	0	5	60.00%
Family	4	9	0	13	30.77%
Civil	2	7	0	9	22.22%
<b>Total</b>	<b>9</b>	<b>18</b>	<b>0</b>	<b>27</b>	<b>33.33%</b>

## Organisational Structure of Legal Aid Commission (ACT)



### *Litigation Practice*

The Litigation Practice provides representation in criminal and family law matters.

### *General Practice*

The General Practice, which combines the civil law section, the Helpdesk, community legal education and the Youth Law Centre, provides advice and representation.

### *Client Services*

Client Services is responsible for:

- granting legal assistance and managing the assignment of legally assisted cases to the Commission's Legal Practices and private lawyers, and
- managing the Dispute Resolution Program and contractual arrangements under which private lawyers provide legal assistance services on the Commission's behalf.

### *Corporate Services*

Corporate Services provides financial, human resource, Information and Communication Technology (ICT), record and facility management services to the organisation and arranges payments to private lawyers for handling legal aid work.

### Planning Framework

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The Commission is operating under its second 5 year strategic plan: *Excellence through Innovation and Collaboration* 2013-2017.<sup>[2]</sup> The Plan provides a 'map' for the organisation and allows the Commission to proactively shape and prioritise activities; and its focus is on improving the effectiveness and efficiency of services through improvements in business processes and work practices.

An Operational Plan has also been developed based on these strategic aims. The essential purpose of this is to ensure the Commission's work is fundamentally directed to front line legal services.

Work commenced during the year to begin the preparation of a Strategic Plan to come into effect during 2017.

### *Management Changes*

There have been no major management changes during the year.

*Contact – CEO – (02) 6243 3496*

### Legislative Assembly Inquiries and Reports

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The Commission had NIL inquiries by Legislative Assembly Committees during the reporting year.

*Contact – Chief Finance Officer – (02) 6243 3445*

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<sup>2</sup> The Strategic Plan is available on the Commission's website; [www.legalaidact.org.au/pdf/strategicplan\\_13\\_17.pdf](http://www.legalaidact.org.au/pdf/strategicplan_13_17.pdf).

## Legal Services

Service levels have either been maintained or exceeded, and the downward trend in the number of grants of legal assistance has been slowed. This is notwithstanding that the Commission's revenue has not keeping pace with increases in the cost of legally-assisted cases, and the dramatic diminution of funds from the Statutory Interest Account.

For full details of legal aid services and an analysis of trends see section describing analysis of Commission Performance: **Performance Analysis**.

## Funding and Financial Performance

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The Commission receives funding from the ACT Government, as well as from the Commonwealth Government under the National Partnership Agreement on Legal Assistance Services (NPALAS). Commonwealth funding under the NPALAS is initially paid to the ACT Government who then provides this amount to the Commission as Government Payment for Outputs (GPO). The ACT Government's portion of GPO funding to the Commission included funding for Improving Access to Justice and for the Eastman retrial and Related Proceedings. The ACT Government pays Territory GPO appropriation on a fortnightly basis and the Commonwealth funding component quarterly in advance.

In addition to the Commonwealth funding under the NPALAS, the Commission also receives direct grant funding from the Commonwealth for specific front line services, as well as direct grant funding from the ACT Law Society's Statutory Interest Account.

Funding received from each of these sources in 2015-16 was:

Commonwealth Government NPA Funding	\$4.665m
Direct Commonwealth Government Funding	\$0.150m
ACT Government Funding [1]	\$5.255m
ACT Government Funding – Improving Access to Justice	\$0.416m
ACT Government Funding – Eastman Stay Application [2]	\$0.110m
Grant from the Statutory Interest Account [3]	\$0.897m

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[1] This ACT Government GPO funding figure excludes \$416,000 for Improving Access to Justice and \$110,000 for the Eastman Stay Application and Related Proceedings.

[2] This ACT Government GPO funding figure is appropriation for the Eastman Stay Application and Related Proceedings obtained as part of the 2015-16 ACT Government Budget. Additional funding of \$840,000 for the Eastman Stay Application was obtained through a Section 14 Instrument signed on 30 June 2016 which will be rolled over and drawn down in 2016-17.

[3] The Statutory Interest Account is established under the *Legal Profession Act 2006* and administered by the Law Society of the ACT. It consists primarily of interest earned on amounts from solicitors' trust accounts deposited with the Law Society. Grants are made from the account to support the Commission and other legal aid services.

The Commission's operating result and cash position deteriorated in 2015-16. The operating deficit for 2015-16 is \$1.300m compared to an operating surplus of \$0.612m in 2014-15. The cash deficit for 2015-16 is \$1.352m decreasing the year-end cash position from \$4.974m reported at 30 June 2015 to \$3.622m at 30 June 2016. The Commission's financial position deteriorated mainly due to unbudgeted expenditure on the Eastman litigation and Related Proceedings for which the Commission did not receive additional specific appropriation in 2015-16. However, the Commission will receive additional appropriation in 2016-17 for the Eastman expenditure incurred in 2015-16 through a Section 14 Instrument which was signed in 2015-16 after the last drawdown had occurred. As such, the Commission will roll the appropriation over and draw it down in 2016-17.

For a full analysis of the financial position of the Commission see the **Financial Statements** and the **Management Discussion and Analysis**.

## Priorities

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### *Outlook*

Unless the Commission's operation structure and practices embrace new and innovative modes of service delivery our capacity to adequately respond to emerging client needs will be diminished. Limited public funding can have dire implications for our ability to provide access to justice for an increasingly large cohort of people unable to afford legal representation.

The Commission's primary risk is meeting the emerging needs in the civil law area without reducing services in the core family and criminal areas. The two main drivers of the Commission's litigation work are children in family law disputes and people at risk of incarceration. In this context the Commission's capacity to respond will be limited by the necessity to meet the cost of legally assisted cases, and is compounded by continuing reductions in the Commission's revenue from the Statutory Interest Account.

Meeting the needs of primary victims of family and domestic violence will continue to be a core priority for the Commission. Engaging with strategies that will allow us to 'close the justice gap' to provide support to more victims will be essential work; making better connections between the Domestic Violence Unit in the Magistrates Court and care/protection matters in the Children's Court, and with family law proceedings in the Family Court will be a key aim.

Financial pressures will continue to test our ability to meet the needs of the ACT community. While innovation and using 'smart' strategies to better meet demand are a necessary part of Commission business planning, in the medium to long term finding additional income streams will be necessary if services are not to be reduced. In that sense we expect to continue to develop early intervention and self-help services, and to identify more forms of 'unbundled' services that can be provided to facilitate access to justice outcomes.

The significant turnaround in grants of legal assistance will also be under threat unless funds are found to support litigation. Up until this past year the trend in grant approvals had continued to decrease, and though we are back to 2003-04 levels it will be difficult to maintain these numbers. Similarly, non-core projects where the Commission has utilised creative strategies to draw in client groups who were not otherwise using our service (such as the Cultural Liaison Unit, and associated migration work) will also be under threat of closure.

There are 3 key strategic objectives for 2016-2017 which will be used to guide our services:

### *Strategic Objective 1*

#### *Provide services to promote the earlier resolution of legal problems*

The Commission provides a range of legal services that promote the identification and early resolution of legal problems. Evidence shows that the most vulnerable and disadvantaged in our community, such as victims of family violence, children, Aboriginal and Torres Strait Islander people, and members of culturally and linguistically diverse communities would particularly benefit from early intervention services.

Investing in the provision of these types of services so that more people have an opportunity to receive assistance before litigation is commenced is a key indicator of improvement in access to justice for those persons most at disadvantage in the community.

### *Strategic Objective 2*

#### *Provide legal information and referral services*

The Commission seeks to ensure that people are not prevented, by disadvantage, from obtaining the legal services they need to protect their rights and interests. Enhancing the capacity of people to assist themselves when faced with legal problems, improves the chances of resolution and appropriate referral to social support services.

Growth in the number of people receiving information and advice, and where appropriate referral for preventative and early intervention services, is a strong indicator that targeting this type of assistance is meeting the needs of the most disadvantaged members of the community.

### *Strategic Objective 3*

#### *Provide efficient and cost-effective legal aid services*

The Commission has well developed systems to determine applications for grants of legal assistance and to reduce the administrative costs of providing legal assistance.

Increasing the number of people assisted by improving the efficiency and timeliness of service provision is an indicator that services are reaching those people most in need of legal aid services and that community understanding of the law and the legal system operating in the Territory is improving.

To achieve the outcomes sought in the three key objectives the Commission will focus its major efforts on the provision of front line service.

The Commission's priorities for 2016-17 are:

- Support for victims of family and domestic violence through the provision of legal assistance services.
- Improve the provision of legal assistance services to the Aboriginal and Torres Strait Islander communities and other culturally and linguistically diverse communities.

- Develop and implement legal education programs tailored to the needs of people experiencing a high incidence of adverse legal events, and those working in community organisations that assist them.
- Promote the prevention of legal problems by providing timely information about the law and legal processes and referring people to other legal or non-legal services where necessary to meet their needs.
- Promote the early resolution of legal problems through providing legal advice, advocacy, minor legal assistance and dispute resolution services.
- Advise and assist people appearing unrepresented before courts and tribunals, particularly those persons experiencing family violence.
- Provide legal representation to people in need to enable them to assert or defend their legal rights.

During 2016 -17 the Commission will focus resources on a range of activities to deliver on these priorities. We will utilise our core service functions as the primary way in which will achieve our goals, and in this context we will embark on or consolidate front line services by:

- Promoting a ‘**store-front**’ service to enhance access by the public to advice and legal task assistance, and also as an opportunity for ‘warm’ referral to non-legal support services by re-locating part of the General Practice (as well as the Youth Law Centre) to the ground floor of the Commission’s offices.
- Improving outreach services, particularly to the Aboriginal and Torres Strait Islanders and culturally and linguistically diverse communities
- Developing positive relationships with community legal centres (CLCs) through ACTLAF and by collaboration on joint projects and support services
- Consolidate services in family violence related matters, particularly through the Domestic Violence Unit but also with community legal educations
- Improving ICT support by developing the functionality of the intake forms, reporting in accordance with the NPA data manual, and using s a new grants management system
- Improve the efficiency of work practices with a comprehensive skills training program.

#### *Emerging Issues*

The Commission faces a range of challenges in ensuring the delivery of services to the most vulnerable and disadvantaged members of the community. There are several emerging key areas of urgent need:

1. There has been concern about the outcomes for children, particularly Aboriginal and Torres Strait Islander (ATSI) children, and their families who are involved in care and protection matters coming before the Children’s Court.
2. There has been high public demand for the provision of better services to primary victims of family and domestic violence.

3. There has been increasing demand to provide better services to Aboriginal and Torres Strait Islander people and to the Culturally and Linguistically Diverse communities within the ACT.
4. Elder abuse is increasingly being identified by community workers and carer's as an issue of growing concern.

Initial funding was provided to expand the assistance to family violence victims, and will see an improvement of services in 2017. Community support, and the need for this assistance, is categorically established. The data would suggest that the numbers of primary victims requiring assistance continues to climb. The Commission also established, as a pilot project, a *Cultural Liaison Unit* comprising an Aboriginal and Torres Strait Islander support officer and two cultural liaison support officers. The Unit has provided increased services to a range of CALD groups, in particular to Muslim women from Arabic speaking backgrounds, and to ATSI people. The Commission's resourcing for a pilot program to develop a *Cultural Liaison Unit* to improve accessibility of Commission services to the CALD community will cease in July 2017. In the first 6 months of 2016 the Unit assisted 145 clients, of whom 76 were Muslim. Outreach was undertaken at 26 venues across the ACT, and 36 key stakeholder's meetings were held. In addition, in partnership with the ANU, a migration clinic was commenced at the Commissions' offices every Thursday afternoon.

The services provided by Legal Aid Act are integral to the Government's overarching Justice policy, and in particular reportable under the Aboriginal Justice Strategy.

In that regard, there has been recent legislation, and practice directions issued by the Chief Magistrate, in an attempt to improve the outcomes for children in care and protection matters. Contemporary statistical evidence indicates in particular that outcomes for ATSI children and families are very poor with high levels of placement. The Commission is facilitating a new dispute resolution process for care matters, utilizing the exiting and long established Family Dispute Resolution scheme. The capacity of this scheme to undertake more care a protection matters is limited. Improving the capacity for all parties to receive assistance in these proceedings and utilizing an alternative dispute resolution process would likely improve outcomes.

Further, the Commission is seeing increasing numbers of people in relation to allegations of elder abuse – ranging from physical, to emotional and financial. This is consistent with national trends. In consequence we have had to allocate more resources to meet this growing need than was expected. The matters coming to us are usually urgent, often involving guardianship applications.

The performance analysis addresses the indicators (strategic objectives/indicators, output classes and accountability indicators) found in Budget Paper 4. In the first section we specifically respond to the statement of intent, and this is followed by a set of tables setting out and quantifying the data. In the last section an assessment of performance of the Commission's outputs for 2013-2014 is undertaken.

### STATEMENT OF INTENT

The Commission is required by section 61 of the Financial Management Act 1996 to provide a statement of intent to the ACT Treasurer each year. In relation to the specific objectives and priorities set out in its 2013-14 Statement of Intent the Commission is able to advise as follows:

1. Support for victims of family and domestic violence through the provision of legal assistance services.

The Commission provided advice and assistance to 1,251 number of people, and made 154 grants of legal assistance.

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

The Commission delivered CLE to 6,518 number of people on 320 number of events.

3. Promote the prevention of legal problems by providing timely information about the law and legal processes and referring people to other legal or non-legal services where necessary to meet their needs.

The Commission referred 3,008 number of people to legal and non-legal services

4. Promote the early resolution of legal problems through providing legal advice, advocacy, minor legal assistance and dispute resolution services.

The Commission assisted 6,526 people through these types of services.

5. Improve the provision of legal assistance services to the Aboriginal and Torres Strait Islander communities and other culturally and linguistically diverse communities.

The Commission provided 380 of advices and assistances and made 209 grants of legal assistance, to 271 number of Aboriginal and Torres Strait Islanders.

6. Advise and assist people appearing unrepresented before courts and tribunals, particularly those persons experiencing family violence.

The Commission assisted 3,062 number of duty lawyer services and 2,646 of grants of legal assistance.

7. Provide legal representation to people in need to enable them to assert or defend their legal rights.

The Commission made 2,646 of grants of legal assistance.

## SERVICE AND STATISTICAL DATA

The Commission keeps a comprehensive set of service and statistical data. This information is essential to fulfilling reporting obligations and to demonstrate proper accountability for the expenditure of public funds. And of equal importance is the use of the Commission can make of this information for identifying services needs and gaps, and in particular to ensure service delivery is consistent with the strategic objectives.

### EARLY INTERVENTION

#### Community legal education

	2015-2016	2014-2015
No. of CLE sessions	320	114
People attending CLE sessions	6,518	2,282

#### Publications

	2015-2016	2014-2015
Publications	8,351	4,225

#### Information and Referral services

	INFORMATION		REFERRAL			Law Type			
	Legal aid services	Other	Legal	Non-Legal	Warm	Criminal	Family	Civil	Non-Legal
2015-2016	67,292	6,929	1,378	914	716	2,582	5,148	5,221	64,278
2014-2015	64,088	6,273	1,078	3,291	397	4,255	5,680	5,123	60,069

#### Notes to above table:

- Information figures for 2015-2016 include 60,156 website visits.
- Information and referral figures include information and referrals provided through the Legal Aid Helpline.
- A warm referral is a referral where the Commission staff contact the other service to facilitate the referral in some way.
- Law type data includes both information and referrals.
- The total number of information and referral services recorded in 2015-2016 (including website visits) was 77,229, which is 3% higher than the equivalent figure in 2014-2015. Website visits increased 5% from 2014-2015. Information services provided face to face or by telephone increased by 6% and referral services decreased by 37% compared to 2014-2015.

## Legal Aid Helpline Calls

2015-2016	2014-2015
15,877	14,512

## Legal Aid Helpline by law type

	2015-2016
Criminal	1,559
Family	3,704
Civil	4,028
Unknown	6,586
Total	15,877

## Helpline calls from interstate

NSW	QLD	VIC	SA	NT	WA	TAS	Total
565	72	70	15	6	24	6	758

## Helpline calls by gender

Female	Male	Other
8,471	6,019	1,387
53.35%	37.91%	8.74%

## The most common types of inquiries handled by the helpline during the year

Matter	Number of Calls	% of Total Calls
Other Family Issues	932	5.87%
Other - Civil matter not listed	833	5.25%
Contact	801	5.05%
Domestic Violence Order and Personal Protection Order	696	4.38%
Employment	496	3.12%
Other criminal offence	494	3.11%
Property - Marriage	417	2.63%
Drink Driving	328	2.07%
Residence	313	1.97%
Landlord / Tenant	263	1.66%

## Advice, Advocacy and Minor Assistance/Legal Task Assistance

		2015-2016		2014-2015	
		No.	%	No.	%
In-house	Criminal	755	11.57%	899	15.10%
	Family	2,212	33.90%	1,500	25.19%
	Civil	3,442	52.74%	3,505	58.86%
<b>Total</b>	<b>In-house</b>	<b>6,409</b>	<b>98.21%</b>	<b>5,904</b>	<b>99.14%</b>
Referred	Criminal	6	0.09%	2	0.03%
	Family	37	0.57%	30	0.50%
	Civil	74	1.13%	19	0.32%
<b>Total</b>	<b>Referred</b>	<b>117</b>	<b>1.79%</b>	<b>51</b>	<b>0.86%</b>
<b>Grand Total</b>		<b>6,526</b>	<b>100%</b>	<b>5,955</b>	<b>100%</b>

The 10 most common types of legal matters in which legal advice, minor assistance and advocacy services were provided during the year.

	No.	% of Advice
Domestic Violence Order and Personal Protection Order	1,745	26.74%
Mental health	556	8.52%
Employment	386	5.91%
Contact	292	4.47%
Traffic / Driving offence	190	2.91%
Other - Civil matter not listed	180	2.76%
Property - Marriage	167	2.56%
Landlord / Tenant	154	2.36%
Assault	138	2.11%
Other Family Issues	130	1.99%
<b>Total Advice</b>	<b>6,526</b>	

## Duty Lawyer Services

		2015-2016		2014-2015	
		No.	%	No.	%
In-house	Criminal	1,773	57.90%	1,489	55.46%
	Family	1,163	37.98%	1,133	42.20%
	Civil	43	1.40%	5	0.19%
<b>Total</b>	<b>In-house</b>	<b>2,979</b>	<b>97.29%</b>	<b>2,627</b>	<b>97.84%</b>
Referred	Criminal	79	2.58%	51	1.90%
	Family	2	0.07%	6	0.22%
	Civil	2	0.07%	1	0.04%
<b>Total</b>	<b>Referred</b>	<b>83</b>	<b>2.71%</b>	<b>58</b>	<b>2.16%</b>
<b>Grand Total</b>		<b>3,062</b>	<b>100%</b>	<b>2,685</b>	<b>100%</b>

## Dispute Resolution

	2015-2016	2014-2015
DR Conferences held	241	225
Matters fully settled at conference	72%	64%
Matters partially settled at conference	3%	19%
Matters with a successful outcome	75%	83%

Certificates issued	No.
Certificate A - person did not attend FDR	0
Certificate B - not appropriate to conduct FDR	1
Certificate C - person attended FDR	84
Certificate D - person did not make genuine effort	3
None Issued	114
Other Certificate	39
<b>Total</b>	<b>241</b>

Parties attending Dispute Resolution conferences	2015-2016
Total number of parties	593
Parties on Grants of assistance	375

## Grants of Legal Assistance

### Applications received

	2015-2016		2014-2015	
	No.	%	No.	%
Criminal	1,351	37.87%	1,190	38.41%
Family	1,815	50.88%	1,699	54.84%
Civil	401	11.24%	209	6.75%
<b>Total</b>	<b>3,567</b>	<b>100%</b>	<b>3,098</b>	<b>100%</b>

### Applications approved

	2015-2016		2014-2015	
	No.	%	No.	%
Criminal	1,112	42.03%	851	39.27%
Family	1,358	51.32%	1,227	56.62%
Civil	176	6.65%	89	4.11%
<b>Total</b>	<b>2,646</b>	<b>100%</b>	<b>2,167</b>	<b>100%</b>

### Grants of legal assistance by gender by law type

	Female	Female %	Male	Male %	Other	Other %
Criminal	223	8.43%	883	33.37%	6	0.23%
Family	806	30.46%	496	18.75%	56	2.12%
Civil	82	3.10%	93	3.51%	1	0.04%
<b>Total</b>	<b>1,111</b>	<b>41.99%</b>	<b>1,472</b>	<b>55.63%</b>	<b>63</b>	<b>2.38%</b>

### Grants of legal assistance assigned to in-house and private lawyers by law type

		2015-2016		2014-2015	
		No.	%	No.	%
In-house	Criminal	809	30.57%	636	29.35%
	Family	681	25.74%	657	30.32%
	Civil	132	4.99%	57	2.63%
<b>Total</b>	<b>In-house</b>	<b>1,622</b>	<b>61.30%</b>	<b>1,350</b>	<b>62.30%</b>
Referred	Criminal	303	11.45%	215	9.92%
	Family	677	25.59%	570	26.30%
	Civil	44	1.66%	32	1.48%
<b>Total</b>	<b>Referred</b>	<b>1,024</b>	<b>38.70%</b>	<b>817</b>	<b>37.70%</b>
<b>Grand Total</b>		<b>2,646</b>	<b>100%</b>	<b>2,167</b>	<b>100%</b>

### Applicant profile

	2015-2016	% Total Applicants	2014-2015	% Total Applicants
Females	1,552	43.51%	1,370	44.22%
Aged under 18 years	465	13.04%	429	13.85%
Aged over 65 years	73	2.05%	46	1.48%
Born overseas	565	15.84%	453	14.62%
Required Interpreter	120	3.36%	42	1.36%
ATSI	186	5.21%	262	8.46%

### People receiving services as a percentage of population

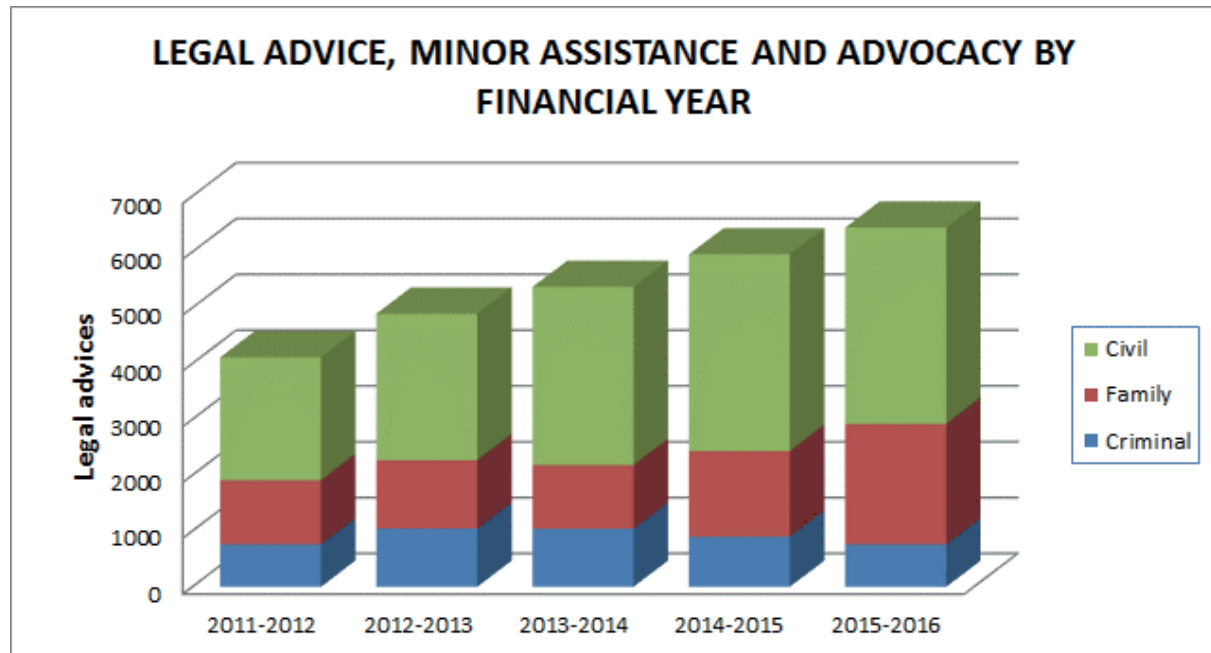
	2015-2016	2015-2016**	2014-2015	2014-2015*
Grants	2,213	0.56%	1,804	0.47%
Legal Advice	4,211	1.07%	3,401	0.88%
Duty Lawyer	2,158	0.55%	1,844	0.48%
Helpline	15,877	4.04%	14,512	3.76%
<b>Total</b>	<b>24,459</b>	<b>6.22%</b>	<b>21,561</b>	<b>5.59%</b>

\* Estimate population of Canberra = 386000. Source: Australian Bureau of Statistics 3218.0 - Regional Population Growth, Australia, 2013-14

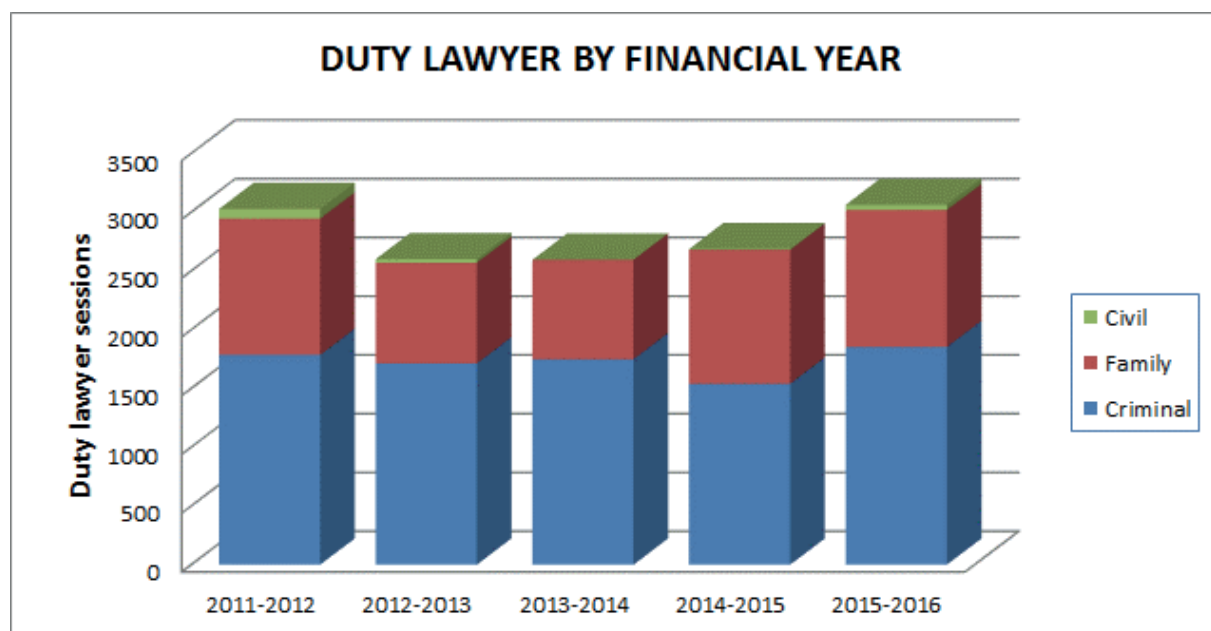
\*\* Estimate population of Canberra = 393000. Source: 3101.0 - Australian Demographic Statistics, Dec 2015

## 5 year trends

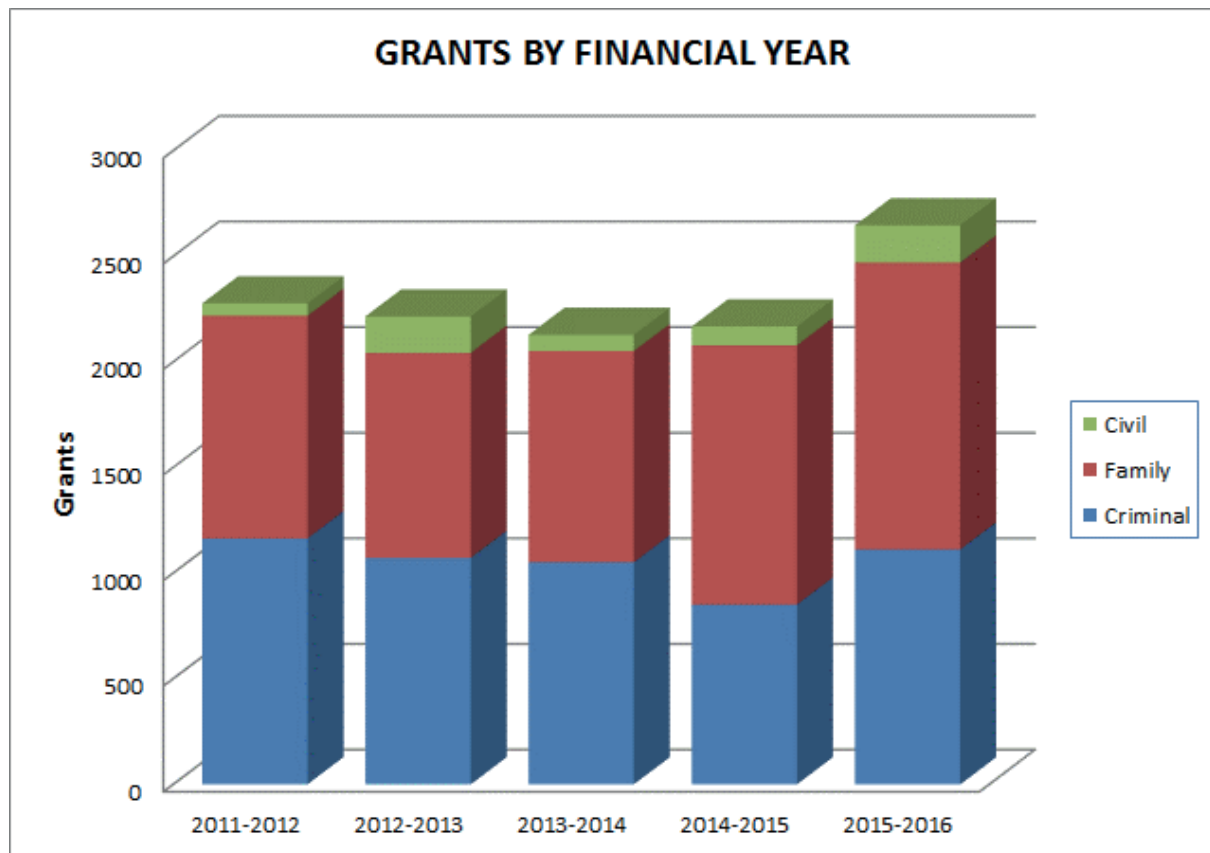
### Legal advice, minor assistance and advocacy



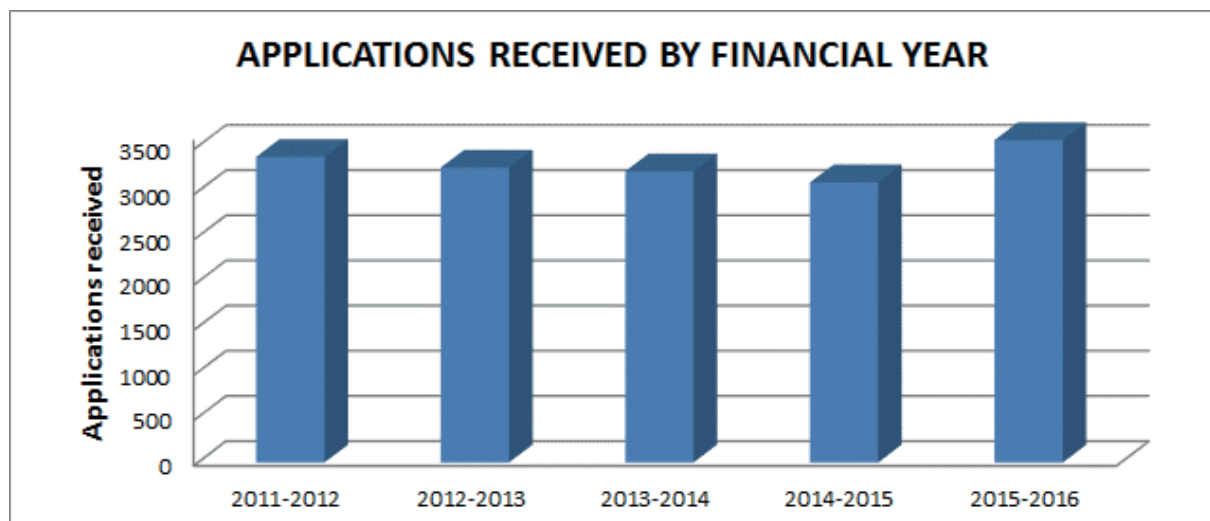
### Duty lawyer



## Grants



## Applications received



## Aboriginal and Torres Strait Islanders clients

	2015-2016	2014-2015
Number of Aboriginal and Torres Strait Islanders receiving services	433	1,185

## Number of services provided to Aboriginal and Torres Strait Islanders

	2015-2016	2014-2015
Grants of Assistance	209	209
Duty Lawyer services	204	160
Information/Referral	156	923
Legal Advice	176	185
Community Legal Education	6	9
<b>Total</b>	<b>751</b>	<b>1,486</b>

## In-house Practice

<b>Criminal Practice</b>	2015-2016	2014-2015
New grants of assistance	809	636
Legal Advice	755	324
Duty Lawyer	1,773	1,204

<b>Family Practice</b>	2015-2016	2014-2015
New grants of assistance	533	529
Legal Advice	247	228
Duty Lawyer	167	238

<b>General Practice</b>	2015-2016	2014-2015
New grants of assistance	280	185
Legal Advice	5,317	4,792
Duty Lawyer	1,039	1,162

<b>Domestic Violence</b>	2015-2016	2014-2015
New grants of assistance	154	132
Legal Advice	1,239	920
Duty Lawyer	9	30

<b>Personal Protection Orders</b>	2015-2016	2014-2015
New grants of assistance	41	27
Legal Advice	485	420
Duty Lawyer	0	3

## Reconsideration and Review requests

Reconsideration	Varied	Confirmed	Pending / Withdrawn	Total	% varied of total by Law Type
Criminal	32	27	0	59	54.24%
Family	39	38	0	77	50.65%
Civil	15	49	0	64	23.44%
<b>Total</b>	<b>86</b>	<b>114</b>	<b>0</b>	<b>200</b>	<b>43.00%</b>

Review	Varied	Confirmed	Pending / Withdrawn	Total	% varied of total by Law Type
Criminal	3	2	0	5	60.00%
Family	4	9	0	13	30.77%
Civil	2	7	0	9	22.22%
<b>Total</b>	<b>9</b>	<b>18</b>	<b>0</b>	<b>27</b>	<b>33.33%</b>

## ASSESSMENT OF PERFORMANCE FOR 2015-16

Over the past 2 years the Commission has gradually re-gearred services provision in accord with a change in the strategic objectives promote the early resolution of legal problems, the timely provision of legal information (and referral), and the delivery of efficient and cost-effective legal aid services. Overall there has been a significant growth in services, particularly frontline service delivery. Moreover, the year marked a shift in resourcing as the Commission more explicitly focused on services to priority client areas, in particular around domestic and family violence and improving services to the Culturally and Linguistically Diverse people within the ACT.

It is important to note that 2015-2016 is a transition year into new reporting arrangements as set out in the *National Partnership Agreement Legal Assistance 2015-2016* signed by the Territory and Commonwealth governments. These changes have led to significant amendment to Key Performance Indicators in future years; note in particular that the *Advocacy* indicator has been deleted (though much of this actual work is now recorded under indicators of *Legal Task* and *Representation*).

The Commission continues to provide high levels of information and referral services. The figure of 77,229 has again significantly exceeded the target of 72,000, and confirms that demand remains very high for these types of services.

The early provision of assistance is shown to be very effective in addressing need, and the Commission's 'open door' policy has seen increasing numbers of people come to our office for

assistance. This is reflected in the number of legal advice, advocacy and minor legal assistance services/Legal Task assistance provided (at 6,526):

- Face to Face advices, Minor Assistance and Advocacy were up by 9.59% from 2014-2015 period.
- In-house practice did 98.21% of all Face to Face advices, Minor Assistance and Advocacy, as compared to 2014-2015.
- Domestic Violence and Personal Protection order matters comprised of 26.74% of all Face to Face advices, Minor Assistance and Advocacy (an increase of 27% from 2014-2015).

The provision of Helpline services continue to grow exponentially. The redirection of additional resources during to this service has aimed ensured timely response to calls and mitigated against backlogs of calls. The target of 14,000 has comfortably been exceeded (15,810), and accordingly the forward year projections have again been revised:

- Calls to the helpline increased by 9.41% in 2015-2016 compared to 2014-2015.
- 53.35% of women called the Helpline as compared to 52.34% in 2014-2015.
- Number of women ringing the helpline, increased by 11.52% from 2014-2015.
- Calls about Domestic Violence and Personal Protection order matters were 4.38% of all calls received.
- Interstate calls were 4.77% of all calls received.

Duty Lawyer services increased by 14% from 2014-2015. At 3,062 the provision of duty lawyer services continues to be a key role for the Commission. Importantly the figures show a marked increase in numbers services, which reaffirms that this work is likely to remain a key activity.

Grants of legal assistance have, until this year, been on a steady decline. The higher numbers for this year at 2,646 as against the target of 2,038 evidences an impressive turnaround in service delivery strategies and more than justifies the additional funding provided by the Territory for this work. Backgrounded against the continuing reduction in receipts from the Statutory Interest Account the result is an even more impressive reflection of the improvements in service delivery (we have definitely stopped the decline, and subject to the continuance of support beyond the next two years this trend should at least be maintained if not improved.

- Applications for grants of legal assistance increased by 15% from 2014-2015.
- Grants of legal assistance up by 22% from 2014-2015.
- 42% of grants of legal assistance went to women.
- 61.3% of the grants of legal assistance were provided by the in-house practice.

At 248, dispute resolution conference numbers also continue to improve (38 conferences above the 210 target). Dispute resolution conferences in 2015-2016 were up by 7% from 2014-2015. And have settlement rate was 75% in 2015-2016. Significantly, the figures have increased notwithstanding the funding cut by the Commonwealth which was brought in at the start of the previous financial year. Investment in early resolution has been shown to provide immediate benefits to the parties in dispute and long-term financial benefits to clients and the courts where litigation is avoided.

The Commission has redirected significant resources into Community Legal Education (CLE). The figure of 6,518 pleasingly exceeds our target figure of 2,000 and would seem to herald a trend in growth. CLE forms the fundamental strategy of our outreach program.

The decrease in the number of services provided to Aboriginal and Torres Strait Islander people is clearly an issue of concern, though does not reflect a change in the Commission's commitment to this client group. It may, at least in part be explained by staffing changes. The results for this year (751) indicate a continuing high level of need which will inform new strategies for the forthcoming year.

*Contact – CEO – (02) 6243 3466*

## SCRUTINY

The ACT Auditor-General undertakes an annual end-of-year audit of the Commission in accordance with the Australian Auditing Standards. The Auditor-General provided an unqualified audit report for the Commission's 2014-15 audited financial statements.

In the 2014-15 Audit Management Report there was one new audit finding raised in respect of the 2014-15 audit relating to the Commission providing a more detailed presentation of its budget figures in the financial statements than what was presented in the budget papers. There were no previously reported audit findings contained in the 2014-15 Audit Management Report.

The ACT Audit Office conducted a whole-of-government performance audit in 2015-16 on the use and management of credit cards, which included the Commission. In addition, the Commission also had an internal audit of petty cash and a Tax Compliance Review undertaken in 2015-16. For further information in relation to these three audits please see the Internal Audit section of this Annual Report (under the heading 'Internal Controls and Internal Audits').

The Commission also appeared before the Standing Committee which scrutinised the Commission's Annual Report and the 2016-17 Budget Statements.

No inquiries or reports were undertaken by the ACT Ombudsman in relation to the Commission.

*Contact – Chief Finance Officer – (02) 6243 3445*

## RISK MANAGEMENT

### RISK MANAGEMENT PLAN/REGISTER

The Commission has a Risk Management Plan/Register that documents the risk management practices and strategies of the Commission as well as outlining key risks, their sources, impacts and current mitigation strategies. In addition, the Commission has a Fraud Control Register which aims to prevent fraud and corruption across the organisation. Both documents were updated by management and reviewed by the Audit, Performance and Risk Committee in 2015-16. The Commission also has a Business Continuity Plan and a Disaster Recovery Plan which assist in reducing major risks faced by the Commission.

*Contact – Chief Finance Officer – (02) 6243 3445*

## INTERNAL AUDIT COMMITTEE

The Commission has an Audit, Performance and Risk Committee which provides independent assurance and assistance to the Commission on the Commission's risk, control and compliance framework, and its external accountability responsibilities. The Committee met four times during the reporting period, in July, October, January and April.

Audit, Performance and Risk Committee Members and Observers are outlined in the table below:

Name of Member / Observer	Position	Duration	Meetings Attended
David Fox	Independent Chair	Full Year	1, 2, 3, 4
Gail Kinsella, Commissioner	Member	Full Year	-, 2, 3, 4
Louise Taylor, Deputy Chief Executive Officer	Member	Full Year	-, -, 3, 4
Paul Ogden	Member	Full Year	1, 2, -, 4
Kym Duggan	Member	Part Year	1, 2, -, n/a
John Boersig, Chief Executive Officer	Observer	Full Year	1, 2, 3, 4
Hamish Palfreyman, Chief Finance Officer	Observer	Full Year	1, 2, 3, 4
Chinthaka Leelarathna, Financial Accountant	Observer	Full Year	1, 2, 3, 4
Katie Stuart, Finance Administrator and Committee Secretariat	Observer	Full Year	1, 2, 3, -
Ashish Madan, ICT Manager	Observer	Full Year	-, -, -, 4
Derek Schild, Client Services Manager	Observer	Full Year	1, -, 3, 4
David O'Toole, ACT Auditor-General's Office	Observer	Full Year	-, 2, -, -
Karen Muga	Observer	Part Year	-, -, -, 4

During the year, the Audit, Performance and Risk Committee undertook a range of activities based a monitoring and review role.

Monitored the:

- ▶ ACT Audit-Office Updates;
- ▶ Progress on the eGrants Replacement;
- ▶ Progress on the New Payroll System Implementation;
- ▶ Client Services Unit review of Grants Management;
- ▶ Progress of the Internal Reviews of the Family Law Pathways Network and the Family Law Practice; and
- ▶ external audit of the Financial Statements for the year ended 30 June 2015.

Reviewed the:

- ▶ Risk Register;
- ▶ Fraud Control Register;
- ▶ 2014-15 Financial Statements and Management Discussion & Analysis;
- ▶ Legislative Compliance;
- ▶ Strategic Audit Work Plan;
- ▶ Chief Executive Financial Instructions;
- ▶ Audit, Performance and Risk Committee Charter and Internal Audit Charter;
- ▶ Delegations;
- ▶ 2015-16 Shell Financial Statements;
- ▶ Business Continuity Plan.

In reviewing the Risk and Fraud Control Registers, the Committee satisfied itself that the Commission has appropriate processes and systems in place to manage its financial and business risks, including fraud.

## **INTERNAL CONTROLS AND INTERNAL AUDITS**

The Commission held monthly Finance Committee meetings where year-end and monthly financial data, full year forecasts, outstanding debtor reports, and financial policies and procedures were reviewed. The Committee also monitored Commonwealth grants, legal payments, and the external budget process.

The Commission continued regular communications between senior management and the ACT Auditor-General's Office and the ACT Chief Minister, Treasury and Economic Development Directorate. This has resulted in greater assurance that the Commission is complying with relevant legislation, directives and guidelines.

The ACT Audit Office conducted a performance audit in 2015-16 regarding the Commission's management of credit cards. This audit was part of a broader whole of government audit regarding credit card management. The audit examined the Commission's internal governance and control framework with respect to corporate credit cards, as well as a detailed analysis of a selection of credit card transactions and acquittals. The final report was provided to the speaker for tabling in the ACT Legislative Assembly in June 2016. The Commission plans to implement the two

recommendations that related to all ACT Government agencies. In addition, the Commission also had an internal audit of petty cash performed by the Justice and Community Safety Internal Audit Area. The field work for this Audit was undertaken in December 2015 with the final audit report being provided to the Commission in February 2016. There were three best practice recommendations made in the final report, all of which have been implemented by the Commission. Finally the Commission had a Tax Compliance Review undertaken in 2015-16 in accordance with the ACT Government's Taxation Framework. The review covered Goods and Services Tax, Fringe Benefits Tax, Pay As You Go, Superannuation Guarantee and Productivity Benefits. The Commission received the final report in June 2016 and plans to implement all the recommendations made.

*Contact – Chief Finance Officer – (02) 6243 3445*

## **INTERNAL CONTROLS AND INTERNAL AUDITS**

The Commission held monthly Finance Committee meetings where year-end and monthly financial data, full year forecasts, outstanding debtor reports, and financial policies and procedures were reviewed. The Committee also monitored Commonwealth grants, legal payments, and the external budget process.

The Commission continued regular communications between senior management and the ACT Auditor-General's Office and the ACT Chief Minister, Treasury and Economic Development Directorate. This has resulted in greater assurance that the Commission is complying with relevant legislation, directives and guidelines.

The ACT Audit Office conducted a performance audit regarding the Commission's management of debtors. This audit was part of a broader whole of government audit regarding debtor management. The audit was performed at the beginning of the 2014-15 financial year and information about the Commission's debtors was provided to the Audit Office via a survey.

*Contact – Chief Finance Officer – (02) 6243 3445*

## **FRAUD PREVENTION**

The Commission reviewed the Fraud Control Plan during the year. This is linked to the Chief Executive Financial Instructions and complements the Commission's policies and procedures already in place.

Due to the small size of the Commission, senior management work closely with staff and are often directly involved in office activities. This potentially provides an additional means for safeguarding against fraud and corruption.

No fraudulent activity or unethical behaviour was reported or identified during 2015-16.

*Contact – Chief Finance Officer - (02) 6243 3445.*

## WORK HEALTH AND SAFETY

The Commission is committed to promoting, achieving and maintaining the highest level of safety, health and wellbeing for staff, family and visitors by supporting a healthy work life balance with flexible working conditions and entitlements.

During the reporting period, the Commission renewed the contract with Davidson and Trahaire Corpsych, as the employee assistance provider. The Commission encourages staff to take advantage of these services through appropriate awareness campaigns and induction.

The Commission incorporated Health and Safety responsibilities into induction booklets for 'workers' such as Commissioners, Student Placements and Volunteers.

The Commission has a low injury occurrence rate with no serious workplace injuries in the reporting period. No incidents required reporting to ACT Workcover in accordance with section 38 of the *Work Health and Safety Act 2011*.

The Commission has one Health and Safety Representative.

## HUMAN RESOURCES MANAGEMENT

Commission staff are employed under the *Legal Aid ACT 1977* (the Act). Terms of employment are determined by the Commission under the Act and are set out in the *Legal Aid Commission (ACT) Enterprise Agreement 2013 - 2017*.

As at 30 June 2015 the Commission employed 80 staff of which there are 36 practising lawyers, including two Executive.

The HR priorities for the reporting period involved:

- finalising and auditing of the configuration of the new Aurion, HR management system for the Commission and two Community Legal Centres (CLC's).
- embedding the Employee Self Service with staff of the Commission and the two CLC's.

## STAFFING PROFILE

### FTE & headcount by gender

	Female	Male	Total
Full Time Equivalent	46.08	26.87	72.95
Headcount	52	28	80
% of Workforce (headcount)	65%	35%	100%

### Headcount by classifications and gender

Classification group	Female	Male	Total
Executive	1	1	2

Senior Officers	1	3	4
Legal Officers	19	15	34
Administrative Service Officers	31	9	40
<b>TOTAL</b>	<b>52</b>	<b>28</b>	<b>80</b>

#### Headcount by employment category and gender

Employment Category	Female	Male	Total
Casual	2	0	2
Permanent Full-time	21	13	34
Permanent Part-time	6	0	6
Temporary Full-time	18	13	31
Temporary Part-time	5	2	7
<b>TOTAL</b>	<b>52</b>	<b>28</b>	<b>80</b>

#### FTE and headcount by division/branch

Branch/Division	FTE	Headcount
General Practice	23.96	27
Client Services	12.82	14
Corporate Services	6.87	8
Executive	4	5
Litigation Practice	1	1
• Criminal	13	13
• Family	11.30	12
<b>Total</b>	<b>72.95</b>	<b>80</b>

#### Headcount by division/branch and employment type

Branch/Division	Permanent	Temporary	Casual
General Practice	13	12	2
Client Services	7	7	
Corporate Services	6	2	
Executive	1	4	
Litigation Practice	1		
• Criminal	6	7	
• Family	6	6	
<b>Total</b>	<b>40</b>	<b>38</b>	<b>2</b>

### Headcount by age group and gender

Age Group	Female	Male	Total
<20			
20-24	10	5	15
25-29	11	8	19
30-34	11	4	15
35-39	4	2	6
40-44	4	3	7
45-49	3	3	6
50-54	1	1	2
55-59	6	1	7
60-64	2	1	3
65-69			
70+			

### Headcount by length of service, generation and gender

Length of Service (years)	Pre-Baby Boomers		Baby Boomers		Generation X		Generation Y		Generation Z		Total	
	F	M	F	M	F	M	F	M	F	M	F	M
0-2			2		3	1	19	9	1	2	25	12
2-4				1	1	2	6	3			7	6
4-6			1		1	2	3	1			5	3
6-8					2	1	3	2			5	3
8-10			2	1	1	1					3	2
10-12			1			2					1	2
12-14					1						1	
14 plus			3		1		1				5	

Generation	Birth years covered	Generation	Birth years covered
Pre-Baby Boomers	prior to 1946	Generation X	1965 to 1979 inclusive
Baby Boomers	1946 to 1964 inclusive	Generation Y	1980 to 1993 inclusive
		Generation Z	From 1994 and onwards

#### Average length of service by gender (headcount)

	Female	Male	Total
Average years of service	4.88	3.68	4.28

#### Headcount by diversity group

	Headcount	% of Total Staff
Aboriginal and Torres Strait Islander	1	1.25%
Culturally & Linguistically Diverse (CALD)	12	15%
People with a disability	2	2.5%

The statistics exclude board members; staff not paid by the Commission and people on leave without pay. Staff members who had separated from the Commission, but received a payment have been included.

## LEARNING AND DEVELOPMENT

### Specific Initiative Reporting

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The Commission is an independent statutory agency and not part of the ACT Public Service. Commission staff participate in whole of government learning and development initiatives when these programs match developmental needs.

All legal staff continued to meet their mandatory continuing professional development (CPD) in order to remain eligible for practising certificates. These mandatory core areas are:

- Legal ethics and professional responsibility
- Practice management and business skills
- Professional skills
- Substantive law and procedural law.

The purpose of CPD is to ensure the ongoing competence of practitioners, including ensuring that practitioners' knowledge and skills remain current.

The Commission is committed to ensuring that staff have access to and undertake appropriate professional development to meet their needs and to ensure that staff are skilled in their roles. The Performance Management and Development Program supports this approach.

Four staff (5%) were approved students under the Studies Assistance Program and undertook qualifications in:

- Migration Law and Practice,
- Family Dispute Resolution, and

- Records Management.

## WORKPLACE RELATIONS

DESCRIPTION	No. of Individual SEAs	No. of Group SEAs*	Total employees covered by Group SEAs**	TOTAL
	A	B	C	(A+C)
<b>SEAs</b>				
Number of SEAs as at 30 June 2016	1	0	0	1
Number of SEAs entered into during period	0	0	0	0
Number of SEAs terminated during period	0	0	0	0
The number of SEAs providing for privately plated vehicles as at 30 June 2016	0	0	0	0
Number of SEAs for employees who have transferred from AWAs during period	0	0	0	0

	Classification Range	Remuneration as at 30 June 2016
<b>Individual SEAs</b>	Legal 3	\$136,623
<b>AWAs (includes AWAs ceased during period)</b>	N/A	N/A

Contact – Human Resources Manager – (02) 6243 3426

## ECOLOGICALLY SUSTAINABLE DEVELOPMENT

### Resource use at the Commission's Premises

Indicator as at 30 June	Unit	2015-16	2014-15	% Change
Agency staff and area				
Agency staff	FTE	72.95	67.02	8.85%
Workplace floor plan	Area (m <sup>2</sup> )	2,108.50	2,018.50	0.00%
Stationary energy usage				
Electricity use	Kilowatt hours	136,610	115,649	18.12%
Renewable electricity use	Kilowatt hours	0	0	0.00%
Natural gas use	Megajoules	0	0	0.00%
Transport fuel usage				
Total number of vehicles	Number	2	3	-33.33%

Indicator as at 30 June	Unit	2015-16	2014-15	% Change
Total vehicle kilometres travelled	Kilometres (km)	12,142	13,555	-10.42%
Transport fuel – Petrol	Kilolitres	0.60	0.09	566.67%
Transport fuel - Diesel	Kilolitres	0	0.74	-100%
Transport fuel – Liquid Petroleum Gas (LPG)	Kilolitres	0	0	0.00%
Transport fuel – Compressed Natural Gas (CNG)	Kilolitres	0	0	0.00%
Water usage				
Water use	Kilolitres	n/a	n/a	n/a
Resource efficiency and waste				
Reams of paper purchased	Reams	3,000	2,700	11.11%
Recycled content of paper purchased	Percentage	100	100	n/a
Waste to landfill	Litres	10,009	9,099	10.00%
Co-mingled material recycled	Litres	35,015	32,421	8.00%
Paper and Cardboard recycled (incl. secure paper)	Litres	37470	41,592	-9.91%
Organic material recycled	Litres	0	3,525	-100%
Greenhouse Gas Emissions				
Emissions from stationary energy use	Tonnes CO2-e	129.78	109.9	2.30%
Emissions from transport	Tonnes CO2-e	1.39	1.8	-22.78%
Total emissions	Tonnes CO2-e	131.17	111.7	17.43%

## Management Discussion and Analysis

### Legal Aid Commission (ACT)

#### For the Year Ended 30 June 2016

#### Objectives

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

Legal assistance services include legal information and referral, legal advice, minor assistance and advocacy, duty lawyer services, grants of legal assistance (legally assisted cases), a dispute resolution program and community legal education.

The objective of the Commission is to maximise access to justice in the ACT by providing legal assistance services through its staff, and through private legal practitioners paid by the Commission. The Commission's services are available to residents of the ACT and others who are involved in legal transactions or proceedings in the ACT.

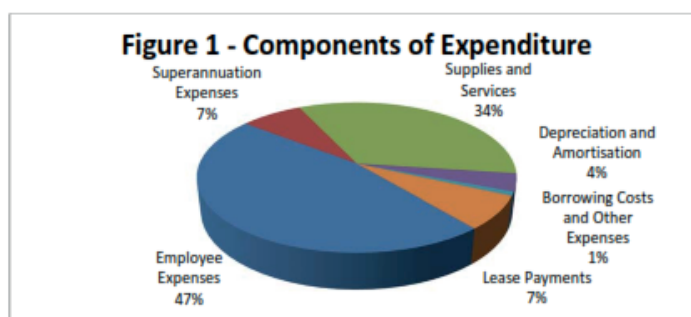
#### Financial Performance

The following financial information is based on audited Financial Statements for 2014-15 and 2015-16, and the budget estimates contained in the 2015-16 Statement of Intent.

#### Total Expenditure

##### 1. Components of Expenditure

**Figure 1** below shows the components of the Commission's expenditure for 2015-16 with the largest components of expenditure being Employee Expenses, which represents **47 percent** of total expenditure or **\$6.240 million** and Supplies and Services at **34 percent** of total expenditure or **\$4.521 million**.



## Management Discussion and Analysis

### Legal Aid Commission (ACT)

### For the Year Ended 30 June 2016

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#### 2. Comparison to Budget

##### *Expenditure*

Total expenditure of **\$13.333 million** exceeded the 2015-16 Budget by **\$0.953 million, (7.70 percent)** due principally to the following factors:

- Employee Expenses exceeding the budget by **\$0.623 million (11.09 percent)** due mainly to a higher number of Full Time Equivalent (FTE) staff resulting from a strategic decision of the Commission to undertake more work in-house. In addition, there has been an increase in FTE due to additional outreach services and project work being undertaken, backfilling staff on long term paid leave, an arrangement with Lead Disability Services to employ a person with a disability, and continuing staff profile changes arising from the expansion of the Commission's legal categories that occurred as part of the Enterprise Bargaining Agreement (EBA) negotiations. This positive EBA change has resulted in the Commission being able to reduce the number of Legal 2 positions and increase the number of less expensive Legal 1 positions.
- Supplies and Services exceeding the budget by **\$0.274 million (6.45 percent)** due mainly to higher legal disbursement costs incurred for senior and junior counsel for the Eastman Stay Application in 2015-16 than was budgeted. The higher costs than budget resulted from more work generated as a result of delays in the hearing date of the Stay Application. This was partially offset by lower payments to private legal practitioners than budget resulting from the Commission deciding to undertake more work in-house and refer fewer matters to private legal practitioners.

#### 3. Comparison with 2014-15 Actual Expenditure

Total expenditure was **\$1.593 million (13.57 percent)** higher than the 2014-15 actual result due principally to the following factors:

- An increase in employee expenses of **\$0.758 million (13.82 percent)** due to higher wages and salaries of **\$0.542 million** resulting from an increase in FTEs due to the Commission providing additional services to the community as well as additional in-house grants of legal assistance in 2015-16 (1,622) when compared to 2014-15 (1,350). There was also an increase in Long Service Leave Expenses of **\$0.120 million** mainly due to a higher rate used to estimate the present value of the long service leave liability in 2015-16 (114.7%) compared to 2014-15 (104.2%).
- An increase in Supplies and Services of **\$0.725 million (19.11 percent)** due mainly to higher expenditure on referrals to private legal practitioners of **\$0.470 million** and higher legal disbursements of **\$0.247 million**. Private Legal Practitioner expenses were higher due mainly to a larger number of grants referred to private legal practitioners in 2015-16 (1,024) when compared to 2014-15 (817). Legal disbursements were higher due mainly to an increase in the costs incurred for senior and junior counsel for the Eastman Stay Application in 2015-16 when compared to senior and junior counsel costs incurred in the

## Management Discussion and Analysis

### Legal Aid Commission (ACT)

### For the Year Ended 30 June 2016

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Eastman Inquiry and Litigation which occurred in 2014-15. Senior and junior counsel costs were lower in 2014-15 due to a lower work level resulting from the Eastman Inquiry and Litigation only going for part of the 2014-15 financial year compared to the Eastman Stay Application going for most of the 2015-16 financial year.

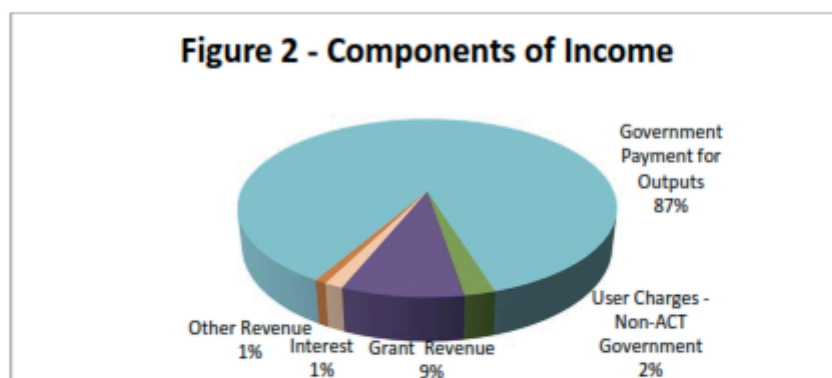
#### 4. Future Trends

Total expenditure for 2016-17 is budgeted to increase by **\$1.077 million (8.07 percent)** from the actual amount of **\$13.333 million** in 2015-16 to **\$14.410 million** in 2016-17, due mainly to higher budgeted employee expenses (**\$0.831 million**) resulting from the full year impact of additional staff employed throughout 2015-16. Expenses are also expected to increase due to higher supplies and services expenses resulting from larger Eastman Retrial and Related Proceeding costs in 2016-17 compared to the Eastman Stay Application and Related Proceeding costs in 2015-16.

#### Total Income

##### 1. Components of Income

**Figure 2** below shows that for the financial year ended 30 June 2016, the Commission received **87 percent** of its total income of **\$12.033 million** from Government Payment for Outputs (this Territory appropriation includes Commonwealth funding for legal assistance services) and **9 percent** from Grant Revenue. The balance comprises User Charges – Non-ACT Government (contributions made by assisted persons), Interest, and Other Revenue and Gains.



## Management Discussion and Analysis

### Legal Aid Commission (ACT)

#### For the Year Ended 30 June 2016

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#### 2. Comparison to Budget

##### *Income*

Income for the financial year ended 30 June 2016 was **\$12.033 million**, which exceeded the 2015-16 Budget of **\$11.986 million** by **\$0.047 million (0.39 percent)** due principally to the following factors:

- Grant Revenue exceeding the budget by **\$0.176 million (19.98 percent)** due mainly to the Commission receiving a one-off unbudgeted grant in 2015-16 of **\$0.100 million** from the Commonwealth Government to assist in transitioning to the data standardisation requirements under the new National Partnership Agreement on Legal Assistance Services. The Commission also received more revenue than expected from the Statutory Interest Account.
- User Charges – Non-ACT Government being lower than budget by **\$0.065 million (19.37 percent)** mainly due to the Commission receiving fewer Reassessed Assisted Persons Contributions and Recovered Costs than estimated in the budget.
- Other Revenue being lower than budget by **\$0.063 million (39.93 percent)** mainly due to actual lease incentive payment revenue being offset against Lease Expenses in 2015-16 rather than being included in Other Revenue.

#### 3. Comparison to 2014-15 Actual Income

Total income was **\$0.319 million (2.58 percent)** lower than the 2014-15 actual result due principally to the following factor:

- A decrease in Government Payment for Outputs of **\$0.286 million** due mainly to a lower amount of appropriation funding drawn down for the Eastman Stay Application and Related Proceeding (**\$0.110 million**) in 2015-16 than was drawn down in 2014-15 for the Eastman Inquiry and Litigation (**\$0.693 million**). The Commission did not drawdown all its appropriation in 2015-16 (**\$0.840 million**) due to a Section 14 Instrument transferring additional appropriation for the estimated cost of the Eastman Stay Application being signed after the last drawdown had occurred. As such, the Commission will roll the appropriation over and draw it down in 2016-17.

#### 4. Future Trends

Total income for 2016-17 is budgeted to increase by **\$1.937 million (16.09 percent)** from the actual amount of **\$12.033 million** in 2015-16 to **\$13.970 million** in 2016-17 reflecting increases in Government Payment for Outputs of **\$2.251 million** due primarily to additional funding to be provided for the Eastman Retrial and Related Proceedings. This increase is expected to be partially offset by a decrease in Grant Revenue of **\$0.383 million** mainly due to an estimated reduction in the amount received from the ACT Law Society's Statutory Interest Account.

## Management Discussion and Analysis Legal Aid Commission (ACT) For the Year Ended 30 June 2016

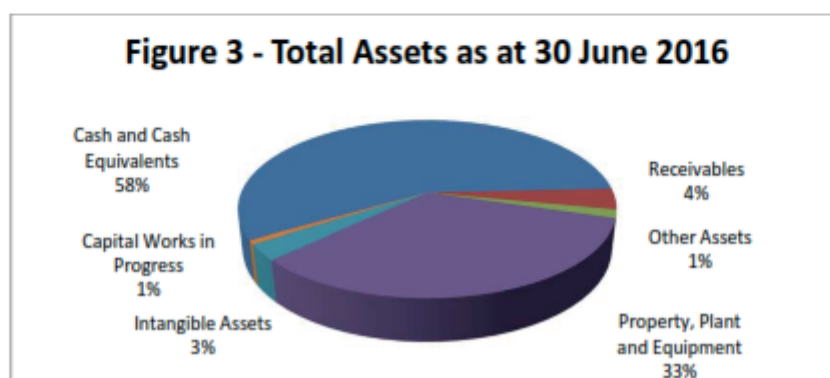
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### Financial Position

#### Total Assets

##### 1. Components of Total Assets

Figure 3 below shows that as at 30 June 2016, the Commission held **58 percent** of its assets in Cash and Cash Equivalents and **33 percent** in Property, Plant and Equipment.



##### 2. Comparison to Budget

The total asset position as at 30 June 2016 is **\$6.290 million** which is below the 2015-16 Budget of **\$6.823 million** by **\$0.533 million (7.82 percent)**. Cash and Cash Equivalents was below the budget amount by **\$0.786 million** mainly due to additional legal disbursement payments in 2015-16 for the Eastman Stay Application and Related Proceedings for which the Commission will receive the related appropriation in 2016-17. These additional payments were not included in the 2015-16 budget. In addition, the Commission purchased a larger amount of property, plant and equipment than was budgeted. This resulted in property, plant and equipment exceeding budget by **\$0.285 million**.

##### 3. Comparison to 2014-15 Actuals

The Commission's total asset position at 30 June 2016 is **\$1.458 million (18.82 percent)** lower than the actual result of **\$7.748 million** at 30 June 2015 largely due to a decrease in Cash and Cash Equivalents (**\$1.352 million**) resulting from lower operating cash inflows in 2015-16 from less Government Payment for Output appropriation funding received for the Eastman Stay Application in 2015-16 than was received in 2014-15 from the Eastman Inquiry and Litigation. In addition, there were higher operating cash outflows in 2015-16 from an increase in employee payments and an increase in Supplies and Services payments. Employee payments increased due to a higher number of FTE staff and Supplies and Services payments increased due to

## Management Discussion and Analysis

### Legal Aid Commission (ACT)

### For the Year Ended 30 June 2016

higher referrals to Private Legal Practitioners as well as higher counsel costs for Eastman.

#### 4. Liquidity

Liquidity is the ability of the Commission to satisfy its short-term debts as they fall due. A common indicator for liquidity is the current ratio, which compares the ability to fund current liabilities from current assets. A ratio of less than 1:1 may indicate a reliance on the next financial year's funding to meet short-term debts. **Table 1** indicates the liquidity position of the Commission.

**Table 1 – Current Ratio**

Description	Prior Year Actual \$'000s 2014-15	Current Year Budget \$'000s 2015-16	Current Year Actual \$'000s 2015-16	Forward Year Budget \$'000s 2016-17	Forward Year Budget \$'000s 2017-18	Forward Year Budget \$'000s 2018-19
Current Assets	5,279	4,769	3,957	4,508	4,386	4,194
Current Liabilities	2,200	2,358	2,026	2,368	2,442	2,538
Current Ratio	2.40:1	2.02:1	1.95:1	1.90:1	1.80:1	1.65:1

The current ratio was **1.95:1** at 30 June 2016 which compares with the budgeted current ratio of **2.02:1**. The Commission expects the current ratio to decline from the current level over the forward estimates. The actual and forecast current ratio suggest that the Commission will be able to pay its debts as and when they fall due.

#### Total Liabilities

##### 1. Components of Total Liabilities

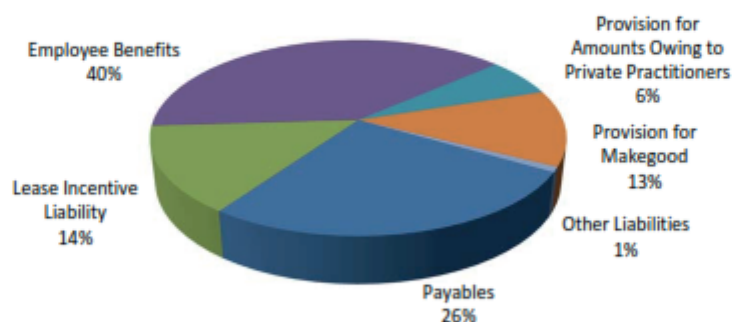
**Figure 4** below shows that as at 30 June 2016, **40 percent** of the liabilities of the Commission were represented by Employee Benefits and **26 percent** by Payables with the balance comprising, **14 percent** by Lease Incentive Liabilities, **13 percent** by the Provision for Make Good, **6 percent** by the Provision for Amounts Owning to Private Legal Practitioners, and **1 percent** by Other Liabilities.

## Management Discussion and Analysis

### Legal Aid Commission (ACT)

#### For the Year Ended 30 June 2016

**Figure 4 - Total Liabilities as at 30 June 2016**



### 2. Comparison to Budget

The Commission's liabilities as at 30 June 2016 of **\$3.928 million** was below the 2015-16 Budget of **\$4.256 million** by **\$0.328 million (7.70 percent)** mainly due to:

- Provision for Amounts Owning to Private Legal Practitioners being below the budget by **\$0.182 million** mainly due to a lower than expected value of work performed by private legal practitioners throughout 2015-16 than originally estimated in the Budget. In addition, the reduction is also due to a lower average number of days in 2015-16 between when legal work was undertaken by a practitioner and when the invoice was received compared to the assumption in the 2015-16 Budget.
- Employee Benefits being below the budget by **\$0.041 million** reflecting a lower long service leave liability due to more people taking leave than estimated and lower accrued salaries than budgeted, partially offset by higher annual leave.

### 3. Comparison to 2014-15 Actuals

Total liabilities at 30 June 2016 of **\$3.928 million** are **\$0.159 million (3.89 percent)** lower than the actual result at 30 June 2015 of **\$4.087 million** mainly due to:

- A decrease in the Lease Incentive Liability of **\$0.090 million** resulting from the transfer of this amount each financial year to reduce the lease expense.
- A decrease in the Provision for Amounts Owning to Private Legal Practitioners of **\$0.060 million** resulting from a lower average number of days between when legal work was undertaken by a practitioner and the invoice was received in 2015-16 when compared to 2014-15.
- A decrease in Employee Benefits of **\$0.050 million**, reflecting lower accrued salaries at 30 June 2016 compared to 30 June 2015. Accrued salaries were lower due to the Commission having to accrue only one day at 30 June 2016, whereas 13 days were accrued at 30 June 2015. This was partially offset by a higher annual leave balance and a higher long service leave balance at 30 June 2016 compared to 30 June 2015.

**Management Discussion and Analysis**  
**Legal Aid Commission (ACT)**  
**For the Year Ended 30 June 2016**

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The above decreases have been partially offset by an increase in the Provision for Make Good of **\$0.036 million** resulting from the interest charge from the unwinding of the provision as well as the change in bond rate used to estimate the present value of the liability.



AUDITOR-GENERAL AN OFFICER  
OF THE ACT LEGISLATIVE ASSEMBLY



## INDEPENDENT AUDIT REPORT

### LEGAL AID COMMISSION (ACT)

#### To the Members of the ACT Legislative Assembly

#### Report on the financial statements

The financial statements of the Legal Aid Commission (ACT) (the Commission) for the year ended 30 June 2016 have been audited. These comprise the operating statement, balance sheet, statement of changes in equity, cash flow statement, statement of appropriation and accompanying notes.

#### Responsibility for the financial statements

The Chief Executive Officer of the Commission is responsible for the preparation and fair presentation of the financial statements in accordance with the *Financial Management Act 1996* and *Legal Aid Act 1977*. This includes responsibility for maintaining adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and the accounting policies and estimates used in the preparation of the financial statements.

#### The auditor's responsibility

Under the *Financial Management Act 1996* and *Legal Aid Act 1977*, I am responsible for expressing an independent audit opinion on the financial statements of the Commission.

The audit was conducted in accordance with Australian Auditing Standards to obtain reasonable assurance that the financial statements are free of material misstatement.

I formed the audit opinion following the use of audit procedures to obtain evidence about the amounts and disclosures in the financial statements. As these procedures are influenced by the use of professional judgement, selective testing of evidence supporting the amounts and other disclosures in the financial statements, inherent limitations of internal control and the availability of persuasive rather than conclusive evidence, an audit cannot guarantee that all material misstatements have been detected.

Although the effectiveness of internal controls is considered when determining the nature and extent of audit procedures, the audit was not designed to provide assurance on internal controls.

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T 02 6207 0833 F 02 6207 0826 E [actauditorgeneral@act.gov.au](mailto:actauditorgeneral@act.gov.au) W [www.audit.act.gov.au](http://www.audit.act.gov.au)

The audit is not designed to provide assurance on the appropriateness of budget information included in the financial statements or to evaluate the prudence of decisions made by the Commission.

### **Electronic presentation of the audited financial statements**

Those viewing an electronic presentation of these financial statements should note that the audit does not provide assurance on the integrity of information presented electronically and does not provide an opinion on any other information which may have been hyperlinked to or from these financial statements. If users of these statements are concerned with the inherent risks arising from the electronic presentation of information, they are advised to refer to the printed copy of the audited financial statements to confirm the accuracy of this electronically presented information.

### **Independence**

Applicable independence requirements of Australian professional ethical pronouncements were followed in conducting the audit.

### **Audit opinion**

In my opinion, the financial statements of the Commission for the year ended 30 June 2016:

- (i) are presented in accordance with the *Financial Management Act 1996* and *Legal Aid Act 1977*, Australian Accounting Standards and other mandatory financial reporting requirements in Australia; and
- (ii) present fairly the financial position of the Commission at 30 June 2016 and the results of its operations and cash flows for the year then ended.

The audit opinion should be read in conjunction with other information disclosed in this report.



Bernie Sheville  
Director, Financial Audits  
2 September 2016

**Legal Aid Commission (ACT)**  
**Financial Statements**  
**For the Year Ended 30 June 2016**

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**Statement of Responsibility**

In my opinion, the financial statements are in agreement with the Commission's accounts and records and fairly reflect the financial operations of the Commission for the year ended 30 June 2016 and the financial position of the Commission on that date.

A handwritten signature in black ink, appearing to read 'John', followed by a large, stylized flourish that extends to the right.

John Boersig  
Chief Executive Officer  
Legal Aid Commission (ACT)  
15 July 2016

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**Legal Aid Commission (ACT)**  
**Financial Statements**  
**For the Year Ended 30 June 2016**

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**Statement by the Chief Finance Officer**

In my opinion, the financial statements have been prepared in accordance with generally accepted accounting principles, and are in agreement with the Commission's accounts and records and fairly reflect the financial operations of the Commission for the year ended 30 June 2016 and the financial position of the Commission on that date.



Hamish Palfreyman  
Chief Finance Officer  
Legal Aid Commission (ACT)  
15 July 2016

**Legal Aid Commission (ACT)**  
**Operating Statement**  
**For the Year Ended 30 June 2016**

	<b>Note No.</b>	<b>Actual 2016 \$</b>	<b>Original Budget 2016 \$</b>	<b>Actual 2015 \$</b>
<b>Income</b>				
<i>Revenue</i>				
Government Payment for Outputs	3	10,446,000	10,446,000	10,731,698
User Charges - Non-ACT Government	4	270,115	335,000	270,089
Grant Revenue	5	1,055,839	880,000	1,071,700
Interest		165,494	166,000	173,490
Other Revenue	6	95,515	159,000	79,449
<b>Total Revenue</b>		<b>12,032,963</b>	<b>11,986,000</b>	<b>12,326,426</b>
<i>Gains</i>				
Other Gains	7	106	-	25,652
<b>Total Gains</b>		<b>106</b>	<b>-</b>	<b>25,652</b>
<b>Total Income</b>		<b>12,033,069</b>	<b>11,986,000</b>	<b>12,352,078</b>
<b>Expenses</b>				
Employee Expenses	8	6,239,933	5,617,000	5,482,246
Superannuation Expenses	9	996,111	897,000	930,247
Supplies and Services	10	4,520,782	4,247,000	3,795,527
Depreciation and Amortisation	11	509,086	523,000	517,868
Borrowing Costs	12	23,315	24,000	24,009
Lease Expenses	13	955,497	1,045,000	955,497
Other Expenses	14	88,444	27,000	34,467
<b>Total Expenses</b>		<b>13,333,168</b>	<b>12,380,000</b>	<b>11,739,861</b>
<b>Operating (Deficit)/Surplus</b>		<b>(1,300,099)</b>	<b>(394,000)</b>	<b>612,217</b>
<b>Total Comprehensive (Deficit)/Income</b>		<b>(1,300,099)</b>	<b>(394,000)</b>	<b>612,217</b>

The above Operating Statement should be read in conjunction with the accompanying notes.

The Legal Aid Commission (ACT) (the Commission) has one output class and as such the above Operating Statement is also the Commission's Operating Statement for the Legal Aid Services Output Class. The Legal Aid Services Output Class includes the provision of a full range of legal assistance services to the community provided by the Commission's staff and by private legal practitioners on behalf of the Commission. As a result, a separate output class Operating Statement and Summary of Agency Output Classes have not been included in these financial statements.

# Legal Aid Commission (ACT)

## Balance Sheet

As at 30 June 2016

	Note No.	Actual 2016 \$	Original Budget 2016 \$	Actual 2015 \$
<b>Current Assets</b>				
Cash and Cash Equivalents	17	3,621,861	4,408,000	4,973,423
Receivables	18	237,886	253,000	211,465
Other Assets		97,753	108,000	94,327
<b>Total Current Assets</b>		<b>3,957,500</b>	<b>4,769,000</b>	<b>5,279,215</b>
<b>Non-Current Assets</b>				
Property, Plant and Equipment	19	2,102,924	1,818,000	2,135,627
Intangible Assets	20	182,608	236,000	333,193
Capital Works in Progress	21	46,532	-	-
<b>Total Non-Current Assets</b>		<b>2,332,064</b>	<b>2,054,000</b>	<b>2,468,820</b>
<b>Total Assets</b>		<b>6,289,564</b>	<b>6,823,000</b>	<b>7,748,035</b>
<b>Current Liabilities</b>				
Payables	22	314,537	362,000	336,146
Finance Leases		-	12,000	-
Lease Incentive Liability	23	89,615	90,000	89,615
Employee Benefits	24	1,340,399	1,431,000	1,433,029
Provision for Amounts Owing to Private Legal Practitioners	25	249,693	432,000	309,507
Other Liabilities		32,041	31,000	31,334
<b>Total Current Liabilities</b>		<b>2,026,284</b>	<b>2,358,000</b>	<b>2,199,631</b>
<b>Non-Current Liabilities</b>				
Payables	22	724,468	737,000	698,033
Lease Incentive Liability	23	470,477	482,000	560,092
Employee Benefits	24	213,327	164,000	170,966
Provision for Make Good	26	493,850	515,000	458,056
<b>Total Non-Current Liabilities</b>		<b>1,902,122</b>	<b>1,898,000</b>	<b>1,887,147</b>
<b>Total Liabilities</b>		<b>3,928,406</b>	<b>4,256,000</b>	<b>4,086,778</b>
<b>Net Assets</b>		<b>2,361,158</b>	<b>2,567,000</b>	<b>3,661,257</b>
<b>Equity</b>				
Accumulated Funds		2,361,158	2,567,000	3,661,257
<b>Total Equity</b>		<b>2,361,158</b>	<b>2,567,000</b>	<b>3,661,257</b>

The above Balance Sheet should be read in conjunction with the accompanying notes.

**Legal Aid Commission (ACT)  
Statement of Changes in Equity  
For the Year Ended 30 June 2016**

	Accumulated Funds Actual 2016 \$	Original Budget 2016 \$	Accumulated Funds Actual 2015 \$
<b>Balance at the Beginning of the Reporting Period</b>	<b>3,661,257</b>	<b>2,961,000</b>	<b>2,815,040</b>
<b>Comprehensive (Deficit)/Income</b>			
Operating (Deficit)/Surplus	(1,300,099)	(394,000)	612,217
<b>Total Comprehensive (Deficit)/Income</b>	<b>(1,300,099)</b>	<b>(394,000)</b>	<b>612,217</b>
<b>Transactions Involving Owners Affecting Accumulated Funds</b>			
Capital Injections	-	-	234,000
<b>Total Transactions Involving Owners Affecting Accumulated Funds</b>	<b>-</b>	<b>-</b>	<b>234,000</b>
<b>Balance at the End of the Reporting Period</b>	<b>2,361,158</b>	<b>2,567,000</b>	<b>3,661,257</b>

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

**Legal Aid Commission (ACT)**  
**Cash Flow Statement**  
**For the Year Ended 30 June 2016**

	Note No.	Actual 2016 \$	Original Budget 2016 \$	Actual 2015 \$
<b>Cash Flows from Operating Activities</b>				
<b>Receipts</b>				
Government Payment for Outputs		10,446,000	10,446,000	10,731,698
User Charges - Non-ACT Government		229,491	221,000	275,212
Grants Received		1,055,839	880,000	1,072,274
Interest Received		165,494	163,000	173,490
Goods and Services Tax Input Tax Credits from the Australian Taxation Office		475,088	550,000	366,921
Goods and Services Tax Collected from Customers		106,446	110,000	113,144
Other		96,222	159,000	88,110
<b>Total Receipts from Operating Activities</b>		<b>12,574,580</b>	<b>12,529,000</b>	<b>12,820,849</b>
<b>Payments</b>				
Employees		(6,259,359)	(5,717,000)	(5,604,791)
Superannuation		(1,026,954)	(930,000)	(930,247)
Supplies and Services		(5,669,269)	(5,257,000)	(4,899,806)
Goods and Services Tax Paid to Suppliers		(592,017)	(650,000)	(502,761)
Borrowing Costs		-	(26,000)	(1,826)
<b>Total Payments from Operating Activities</b>		<b>(13,547,599)</b>	<b>(12,580,000)</b>	<b>(11,939,431)</b>
<b>Net Cash (Outflows)/Inflows from Operating Activities</b>	31	<b>(973,019)</b>	<b>(51,000)</b>	<b>881,418</b>
<b>Cash Flows from Investing Activities</b>				
<b>Receipts</b>				
Proceeds from Sale of Property, Plant and Equipment		21,531	-	5,051
<b>Total Receipts from Investing Activities</b>		<b>21,531</b>	<b>-</b>	<b>5,051</b>
<b>Payments</b>				
Purchase of Property, Plant and Equipment		(400,074)	(130,000)	(158,299)
<b>Total Payments from Investing Activities</b>		<b>(400,074)</b>	<b>(130,000)</b>	<b>(158,299)</b>
<b>Net Cash (Outflows) from Investing Activities</b>		<b>(378,543)</b>	<b>(130,000)</b>	<b>(153,248)</b>
<b>Cash Flows from Financing Activities</b>				
<b>Receipts</b>				
Capital Injections		-	-	234,000
<b>Total Receipts from Financing Activities</b>		<b>-</b>	<b>-</b>	<b>234,000</b>
<b>Payments</b>				
Repayment of Finance Lease Liabilities		-	-	(11,875)
<b>Total Payments from Financing Activities</b>		<b>-</b>	<b>-</b>	<b>(11,875)</b>
<b>Net Cash Inflows from Financing Activities</b>		<b>-</b>	<b>-</b>	<b>222,125</b>
<b>Net (Decrease)/Increase in Cash and Cash Equivalents</b>		<b>(1,351,562)</b>	<b>(181,000)</b>	<b>950,295</b>
Cash and Cash Equivalents at the Beginning of the Reporting Period		4,973,423	4,589,000	4,023,128
<b>Cash and Cash Equivalents at the End of the Reporting Period</b>	31	<b>3,621,861</b>	<b>4,408,000</b>	<b>4,973,423</b>

The above Cash Flow Statement should be read in conjunction with the accompanying notes.

**Legal Aid Commission (ACT)**  
**Statement of Appropriation**  
**For the Year Ended 30 June 2016**

	Original Budget 2016 \$	Total Appropriated 2016 \$	Appropriation Drawn 2016 \$	Appropriation Drawn 2015 \$
Government Payment for Outputs	10,446,000	11,286,000	10,446,000	10,731,698
Capital Injections	-	-	-	234,000
<b>Total Appropriation</b>	<b>10,446,000</b>	<b>11,286,000</b>	<b>10,446,000</b>	<b>10,965,698</b>

The above Statement of Appropriation should be read in conjunction with the accompanying notes.

**Column Heading Explanations**

The *Original Budget* column shows the amounts that appear in the Cash Flow Statement in the Statement of Intent. This amount also appears in the Cash Flow Statement of the Commission.

The *Total Appropriated* column includes all appropriation variations occurring after the Original Budget.

The *Appropriation Drawn* column is the total amount of appropriations received by the Commission during the year. These amounts appear in the Cash Flow Statement of the Commission.

**Variances between 'Original Budget' and 'Total Appropriated'**

**Government Payment for Outputs**

The difference between the Original Budget and the Total Appropriated of \$840,000 is due to a Section 14 Transfer from the Justice and Community Safety Directorate to cover the Commission's estimated costs incurred in 2015-16 relating to the Eastman Stay Application and related proceedings.

**Variances between 'Total Appropriated' and 'Appropriation Drawn'**

**Government Payment for Outputs**

The difference between the Total Appropriated and the Appropriation Drawn of \$840,000 is due to a Section 14 Instrument transferring the additional appropriation for the estimated cost of the Eastman Stay Application and related proceedings being signed after the last drawdown had occurred in 2015-16. As such, the Commission will roll the appropriation over and draw it down in 2016-17.

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**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 1. OBJECTIVES OF THE LEGAL AID COMMISSION (ACT)**

**Operations and Principal Activities**

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

Legal assistance services include legal information and referral, legal advice, minor assistance and advocacy, duty lawyer services, grants of legal assistance (legally assisted cases), the dispute resolution program and community legal education.

The objective of the Commission is to maximise access to justice in the ACT by providing legal assistance services through its staff and through private legal practitioners paid by the Commission. Commission services are available to residents of the ACT and others who are involved in legal transactions or proceedings in the ACT.

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES**

**(a) Basis of Preparation**

The *Financial Management Act 1996* (FMA) requires the preparation of annual financial statements for ACT Government agencies.

The FMA and the *Financial Management Guidelines* issued under the FMA, requires an agency's financial statements to include:

- (i) an Operating Statement for the year;
- (ii) a Balance Sheet at the end of the year;
- (iii) a Statement of Changes in Equity for the year;
- (iv) a Cash Flow Statement for the year;
- (v) a Statement of Appropriation for the year;
- (vi) an Operating Statement for each class of output for the year;
- (vii) the significant accounting policies adopted for the year; and
- (viii) such other statements as are necessary to fairly reflect the financial operations of the Commission during the year and its financial position at the end of the year.

These general-purpose financial statements have been prepared to comply with 'Generally Accepted Accounting Principles' (GAAP) as required by the FMA. The financial statements have been prepared in accordance with:

- (i) Australian Accounting Standards; and
- (ii) ACT Accounting and Disclosure Policies.

The financial statements have been prepared using the accrual basis of accounting, which recognises the effects of transactions and events when they occur. The financial statements have also been prepared according to the historical cost convention.

These financial statements are presented in Australian dollars, which is the Commission's functional currency.

The Commission is an individual reporting entity.

**(b) The Reporting Period**

These financial statements state the financial performance, changes in equity and cash flows of the Commission for the year ending 30 June 2016 together with the financial position of the Commission as at 30 June 2016.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(c) Comparative Figures**

*Budget Figures*

The *Financial Management Act 1996* requires the financial statements to facilitate a comparison with the Statement of Intent. Budget information provided for 2015-16 matches the budget information contained in the Commission's Statement of Intent.

*Prior Year Comparatives*

Comparative information has been disclosed in respect of the previous period for amounts reported in the financial statements, except where an Australian Accounting Standard does not require comparative information to be disclosed.

Where the presentation or classification of items in the financial statements are amended, the comparative amounts have been reclassified where practical. Where a reclassification has occurred, the nature, amount and reason for the reclassification is provided.

**(d) Rounding**

All amounts in the financial statements have been rounded to the nearest dollar (\$). Use of "-" represents zero amounts or amounts rounded down to zero.

**(e) Revenue Recognition**

Revenue is recognised at the fair value of the consideration received or receivable in the Operating Statement. In addition, the following criteria must be met before revenue is recognised:

*Government Payment for Outputs*

Government Payment for Outputs are recognised as revenue when the Commission gains control over the funding. Control over appropriated funds is normally obtained upon the receipt of cash.

*Assisted Person Contributions*

Assisted person contributions are recognised at the time of granting legal assistance. These contributions can be reassessed at any stage during the grant, including upon finalisation.

*Interest*

Interest revenue is recognised using the effective interest method.

*Grant Revenue*

Grant revenue is recognised as revenue when the Commission gains control over the funding. Control over grant revenue is obtained on receipt of the funds, or where relevant, when grant milestones have been met.

*Revenue Received in Advance*

Revenue received in advance is recognised as a liability if there is a present obligation to return the funds received, otherwise all are recorded as revenue.

**(f) Borrowing Costs**

Borrowing costs are expensed in the period in which they are incurred.

**(g) Waivers of Debt**

Debts that are waived are expensed during the year in which the right to payment was waived.

Further details are disclosed in Note 15: *Waivers, Impairment Losses and Write-offs*.

**(h) Current and Non-Current Items**

Assets and liabilities are classified as current or non-current in the Balance Sheet and in the relevant notes. Assets are classified as current when they are expected to be realised within 12 months after the reporting date. Liabilities are classified as current when they are due to be settled within 12 months after the reporting date or the Commission does not have an unconditional right to defer settlement of the liability for at least twelve months after the reporting date.

Assets or liabilities which do not fall within the current classification are classified as non-current.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(i) Impairment of Assets**

The Commission assesses at each reporting date whether there is any indication that an asset may be impaired. Assets are also reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. However, intangible assets that are not yet available for use are tested annually for impairment regardless of whether there is an indication of impairment, or more frequently if events or circumstances indicate they might be impaired.

Impairment losses for property, plant and equipment and intangible assets are recognised in the Operating Statement, as these asset classes are carried at cost and the carrying amount of the asset is reduced to its recoverable amount.

Non-financial assets that have previously been impaired are reviewed for possible reversal of impairment at each reporting date.

**(j) Cash and Cash Equivalents**

Cash includes cash at bank and cash on hand. Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

**(k) Receivables**

Accounts receivable (including trade receivables and other trade receivables) are initially recognised at fair value and are subsequently measured at amortised cost, with any adjustments to the carrying amount recorded in the Operating Statement. Assisted person contributions are levied at the time of granting legal assistance. These contributions can be reassessed at any stage during the grant including upon finalisation. If assisted persons are unable to pay immediately, then they are given the opportunity to pay by instalments. No interest is charged on outstanding debts.

The allowance for impairment losses represents the amount of assisted person contributions that the Commission estimates will not be repaid. The allowance for impairment losses is based on objective evidence of impairment. The Commission considers the following is objective evidence of impairment:

- becoming aware of financial difficulties of debtors;
- default payments; or
- debts more than 90 days overdue.

The amount of the allowance is recognised in the Operating Statement. The allowance for impairment losses is written-off against the allowance account when the Commission ceases action to collect the debt when it is considered that it will cost more to recover the debt than the debt is worth. This is generally when the debts are greater than one year old from when they were initially recognised and attempts to recover the debts have been unsuccessful.

**(l) Caveats**

The Commission can secure a debt against an assisted person's real property (land holding), under Section 31A of the *Legal Aid Act 1977*, in circumstances where immediate repayment of the debt would cause severe hardship. See Note 18: *Receivables*.

**(m) Acquisition and Recognition of Property, Plant and Equipment**

Property, plant and equipment is initially recorded at cost.

Where property, plant and equipment is acquired at no or minimal cost, cost is its fair value at the date of acquisition.

Property, plant and equipment with a minimum value of \$2,000 is capitalised.

**(n) Measurement of Property, Plant and Equipment after Initial Recognition**

The Commission measures its property, plant and equipment assets subsequent to initial recognition at cost.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(o) Intangible Assets**

The Commission's intangible assets are comprised of internally generated and externally acquired software for internal use. Externally acquired software is recognised and capitalised when:

- (a) it is probable that the expected future economic benefits attributable to the software will flow to the Commission;
- (b) the cost of the software can be measured reliably; and
- (c) the acquisition cost is equal to or exceeds \$50,000.

Internally generated software is recognised when it meets the general recognition criteria outlined above and where it also meets the specific recognition criteria relating to intangible assets arising from the development phase of an internal project.

Capitalised software has a finite useful life. Software is amortised on a straight-line basis over its useful life, over a period not exceeding 5 years.

Intangible assets are measured at cost.

**(p) Depreciation and Amortisation of Non-Current Assets**

Amortisation is used in relation to intangible assets and depreciation is applied to physical assets such as property, plant and equipment.

Leasehold improvements are depreciated over the estimated useful life of the asset, or the unexpired period of the relevant lease, whichever is shorter.

All depreciation is calculated after first deducting any residual values which remain for each asset.

Depreciation and amortisation for non-current assets is determined as follows:

<b>Class of Asset</b>	<b>Depreciation / Amortisation Method</b>	<b>Useful Life (Years)</b>
Furniture and Fittings	Straight Line	10 to 20
Office and Computer Equipment	Straight Line	2 to 5
Software	Straight Line	5
Leasehold Improvements	Straight Line	12.5
Motor Vehicles	Straight Line	2 to 3

The useful lives of all major assets are assessed on an annual basis.

**(q) Payables**

Payables are initially recognised at fair value based on the transaction cost and subsequent to initial recognition at amortised cost, with any adjustments to the carrying amount being recorded in the Operating Statement. All amounts are normally settled within 15 days after an invoice is received.

Payables include trade payables, other payables, accrued expenses and amounts owing to private legal practitioners.

Trade Payables exclude the amount owing to private legal practitioners. The amount owing to private legal practitioners is disclosed separately.

For a description of Private Legal Practitioner Payables see Note 2(r): *Grants of Legal Assistance*.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(r) Grants of Legal Assistance**

In accordance with the *Legal Aid Act 1997* and guidelines made under the Act, the Commission provides Grants of Legal Assistance to eligible applicants. The Grant sets out the types of legal costs and maximum amounts which the Commission may fund in relation to the case. In many cases the amounts included in the Grant are not fully expended due to changes during the running of the case. Should further costs be required, these must be applied for and approved by the Commission through an Extension to the Grant. Depending on the course of a particular case and circumstances of the assisted person, the Commission may withdraw or modify the Grant, for example, if an improvement in the assisted person's financial position means that they no longer satisfy the means test.

The Commission does not recognise a liability or a contingent liability when a client is informed that their legal assistance application has been approved. A liability is only recognised when approved legal services have been provided by private practitioners.

A provision for work performed by private practitioners but not invoiced as at the reporting date is recorded by the Commission in a Provision for Amounts Owing to Private Legal Practitioners shown in Note 25. Also see Note 2(y): *Significant Accounting Judgements and Estimates*.

A payable for private legal practitioners is recognised when an invoice is received from a solicitor for performing a legal service for approved clients. Invoices received by the Commission after year end for legal services provided under these approvals up to 30 June 2016 are reclassified from the Provision for Amounts Owing to Private Legal Practitioners to Accrued Expenses.

**(s) Leases**

The Commission has entered into operating leases.

*Operating Leases*

Operating leases do not effectively transfer to the Commission substantially all of the risks and rewards incidental to ownership of the asset under an operating lease. Operating lease payments are recorded as an expense in the Operating Statement on a straight-line basis over the term of the lease.

**(t) Employee Benefits**

Employee benefits include:

- short-term employee benefits such as wages and salaries, annual leave loading, and applicable on-costs, if expected to be settled wholly before twelve months after the end of the annual reporting period in which the employees render the related services;
- other long-term benefits, such as long service leave and annual leave; and
- termination benefits.

On-costs include annual leave, long service leave, superannuation and other costs that are incurred when employees take annual leave and long service leave.

*Wages and Salaries*

Accrued wages and salaries are measured at the amount that remains unpaid to employees at the end of the reporting period.

*Annual and Long Service Leave*

Annual and long service leave, including applicable on-costs, that are not expected to be wholly settled before twelve months after the end of the reporting period when the employees render the related service, are measured at the present value of estimated future payments to be made in respect of services provided by employees up to the end of the reporting period. Consideration is given to the future wage and salary levels, experience of employee departures and periods of service. At the end of each reporting period, the present value of future annual leave and long service leave payments are estimated using market yields on Commonwealth Government bonds with terms to maturity that match, as closely as possible, the estimated future cash flows.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(t) Employee Benefits - Continued**

Annual leave liabilities have been estimated on the assumption that they will be wholly settled within three years. In 2015-16, the rate used to estimate the present value of future annual leave payments is 101.4% (101.0% in 2014-15).

In 2015-16, the rate used to estimate the present value of future payments for long service leave is 114.7% (104.2% in 2014-15). The impact of this rate increase is approximately \$86,000.

The long service leave liability is estimated with reference to the minimum period of qualifying service of 7 years. For employees with less than the required minimum period, the probability that employees will reach the required minimum period has been taken into account in estimating the provision for long service leave and applicable on-costs.

The provision for annual leave and long service leave includes estimated on-costs. As these on-costs only become payable if the employee takes annual and long service leave while in-service, the probability that employees will take annual and long service leave while in service has been taken into account in estimating the liability for on-costs.

Annual leave and long service leave liabilities are classified as current liabilities in the Balance Sheet where there are no unconditional rights to defer the settlement of the liability for at least 12 months. Conditional long service leave liabilities are classified as non-current because the Commission has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

**(u) Superannuation**

The Commission receives funding for superannuation payments as part of the Government Payment for Outputs. The Commission then makes payments on a fortnightly basis to the Territory Banking Account to cover the Commission's liability for the Commonwealth Superannuation Scheme (CSS) and the Public Sector Superannuation Scheme (PSS). This payment covers the CSS/PSS employer contribution but does not include the productivity component. The productivity component is paid directly to the Commonwealth Superannuation Corporation (CSC) by the Commission. The CSS and PSS are defined benefit superannuation plans meaning that the defined benefits received by employees of the Commission are based on employee's years of service and average final salary.

Superannuation payments have also been made directly to superannuation funds for those members of the Public Sector who are part of superannuation accumulation schemes. This includes the Public Sector Superannuation Scheme Accumulation Plan (PSSap) and schemes of employee choice.

The total Territory superannuation liability for the CSS and PSS is recognised in the Chief Minister, Treasury and Economic Development Directorate's Superannuation Provision Account and the CSC and the external schemes recognise the superannuation liability for the PSSap and other schemes respectively. This superannuation liability is not recognised at individual agency level.

The ACT Government is liable for the reimbursement of the emerging costs of benefits paid each year to members of the CSS and PSS in respect of their ACT Government Service provided after 1 July 1989. These reimbursement payments are made from the Superannuation Provision Account.

**(v) Insurance**

In 2015-16 the Commission insured all of its major risks through Allianz Australia Insurance Ltd, Latitude Underwriting Australia, SURA Engineering Pty Ltd and Accident and Health International Underwriting Pty Ltd. The excess payable, under these arrangements, varies depending on each class of insurance held by the Commission. The Territory is ultimately responsible for the payment of any money owing by the Commission for any negligent act or omission by any officer of the Commission in performing their duties (Section 91 of the *Legal Aid Act 1977*).

**(w) Taxation**

The Commission is exempt from Income Taxation and receives a Fringe Benefits Tax concession under a ruling by the Australian Taxation Office granting the Commission Public Benevolent Institution status.

**(x) Budgetary Reporting - Explanation of Major Variances between Actual Amounts and Original Budget Amounts**

Explanations of major variances between the 2015-16 original budget and the 30 June 2016 actual results are discussed in Note 32: *Budgetary Reporting*. The definition of 'major variances' is provided in Note 2(y): *Significant Accounting Judgements and Estimates – Budgetary Reporting - Explanation of Major Variances between Actual Amounts and Original Budget Amounts*.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(y) Significant Accounting Judgements and Estimates**

In the process of applying the accounting policies listed in this note, the Commission has made the following judgements and estimates that have the most significant impact on the amounts recorded in the financial statements:

(i) *Employee Benefits*: The estimated liability for annual and long service leave requires a consideration of the future wage and salary levels, experience of employee departures, probability that leave will be taken in service and periods of service. The estimate also includes an assessment of the probability that employees will meet the minimum service period required to qualify for long service leave and that on-costs will become payable. Further information on this estimate is provided in Note 2(t): *Employee Benefits*.

The significant judgements and assumptions included in the estimation of annual and long service leave liabilities include an assessment by an actuary. The Australian Government Actuary performed this assessment in May 2014. The assessment by an actuary is performed every 5 years. However, it may be performed more frequently if there is a significant contextual change in the parameters underlying the 2014 report. The next actuarial review is expected to be undertaken by May 2019.

(ii) *Allowance for Impairment Losses for Receivables*: The Commission has made a significant estimate in the calculation of the allowance for impairment losses for receivables from assisted person contributions. This significant estimate is based on the Commission's view that receivables are impaired when the debtor is in financial difficulty or default or when the debt is more than 90 days overdue. For further details see Note 2(k): *Receivables*.

(iii) *Provision for Make Good*: The Commission has made a significant estimate in the calculation of the cost of returning the premises occupied by the Commission to a similar condition to that which existed prior to occupancy. For further details see Note 26: *Provision for Make Good*.

(iv) *Provision for Amounts Owing to Private Legal Practitioners*: The Commission has made a significant estimate to calculate the value of work performed by private legal practitioners but not invoiced to the Commission as at the balance sheet date. For all legal expenses in the year, the Commission has recorded the length of time between the practitioner providing the service and receipt of the invoice. The provision is calculated by applying the average length of time to the total value of work performed by private legal practitioners in the reporting period. For further details see Note 25: *Provision for Amounts Owing to Private Legal Practitioners*.

(v) *Estimation of the Useful Lives of Property Plant and Equipment (PPE)*: The Commission has made a significant estimate in determining the useful lives of its PPE. The estimation of useful lives of PPE has been based on the historical experience of similar assets. The useful lives are assessed on an annual basis and any adjustments are made when considered necessary.

Further disclosure concerning an asset's useful life can be found at Note 2(p): *Depreciation and Amortisation of Non-Current Assets*.

(vi) *Budgetary Reporting - Explanation of Major Variances between Actual Amounts and Original Budget Amounts*: Significant judgements have been applied in determining what variances are considered as 'major variances' requiring explanations in Note 32: *Budgetary Reporting*. Variances are considered to be major variances if both of the following criteria are met:

- The line item is a significant line item: the line item actual amount accounts for more than 10% of the relevant associated category (Income, Expenses and Equity totals) or sub-element (e.g. Current Liabilities and Receipts from Operating Activities totals) of the financial statements; and
- The variances (original budget to actual) are greater than plus (+) or minus (-) 10% of the budget for the financial statement line item.

**(z) Accounting Standards Adopted Early for the 2015-16 Reporting Period**

AASB 2015-2 *Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 101* has been early adopted for the 2015-16 reporting period, even though the standard is not required to be applied until annual reporting periods beginning on or after 1 July 2016.

AASB 2015-2 amends AASB 101 *Presentation of Financial Statements* including clarifying that agencies should not be disclosing immaterial information and that the presentation of information in notes can and should be tailored to provide users with the clearest view of the Commission's financial performance and financial position.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(aa) Impact of Accounting Standards Issued but yet to be Applied**

The following new and revised accounting standards and interpretations have been issued by the Australian Accounting Standards Board but do not apply to the current reporting period. These standards and interpretations are applicable to future reporting periods. The Commission does not intend to adopt these standards and interpretations early. Where applicable, these Australian Accounting Standards will be adopted from their application date. The Commission only discloses those standards and amending standards that are expected to have a material impact or where the Commission has not yet assessed their impact.

- AASB 9 Financial Instruments (December 2014) (application date 1 January 2018);  
This standard supersedes AASB 139 *Financial Instruments: Recognition and Measurement*. The main impact of AASB 9 is that it will change the classification, measurement and disclosures of the Commission's financial assets. No material financial impact on the Commission is expected.
- AASB 15 Revenue from Contracts with Customers (application date 1 January 2018);  
AASB 15 is the new standard for revenue recognition. It establishes a comprehensive framework for determining whether, how much and when revenue is recognised. It replaces AASB 111 *Construction Contracts* and AASB 118 *Revenue*. The Commission is currently assessing the impact of this standard and has identified there could be a potential impact on the timing of the recognition of revenue for user charges. At this stage the Commission is not able to estimate the impact of this new standard on its financial statements. The Commission will make a more detailed assessment of the impact over the next 12 months.
- AASB 16 Leases (application date 1 January 2019);  
AASB 16 is the new standard for leases. It introduces a single lessee accounting model and requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset value is low. At this stage the Commission is not able to estimate the impact of this new standard on its financial statements. The Commission will make a more detailed assessment of the impact over the next 12 months.
- AASB 2010-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 & 1038 and Interpretations 2, 5, 10, 12, 19, 107 & 127] (application date 1 January 2018);  
This standard makes consequential amendments to a number of standards and interpretations as a result of the issuing of AASB 9 in December 2010. No material financial impact on the Commission is expected.
- AASB 2014-1 Amendments to Australian Accounting Standards – Part E Financial Instruments [AASB 1, 3, 4, 5, 7, 9 (December 2009), 9 (December 2010), 101, 102, 108, 112, 118, 120, 121, 132, 136, 137, 139, Interpretation 2, 5, 10, 12, 16, 19, and 107] (application date 1 January 2018);  
Part E of this standard defers the application of AASB 9 to 1 January 2018. No material financial impact on the Commission is expected.
- AASB 2014-5 Amendments to Australian Accounting Standards arising from AASB 15 [AASB 1, 3, 4, 9 (December 2009) (December 2010), 101, 102, 112, 116, 132, 134, 136, 137, 138, 139, 140, 1023, 1038, 1039, 1049, 1053, 1056, Interpretation 12, 127, 132, 1031, 1038 & 1052] (application date 1 January 2018);  
This standard makes consequential amendments to a number of standards and interpretations as a result of the issuing of AASB 15. The Commission is assessing the potential impact of AASB 15.
- AASB 2014-7 Amendments to Australian Accounting Standards arising from AASB 9 (December 2014) [AASB 1, 2, 3, 4, 5, 7, 13, 101, 102, 108, 110, 112, 120, 121, 123, 128, 132, 133, 136, 137, 139, 1023, 1038, 1049, Interpretation 2, 5, 10, 12, 16, 19 & 127] (application date 1 January 2018);  
This standard makes consequential amendments to a number of standards and interpretations as a result of the issuing of AASB 9 (December 2014). No material financial impact on the Commission is expected.
- AASB 2015-6 Amendments to Australian Accounting Standards – Extending Related Party Disclosures to Not-for-Profit Public Sector Entities [AASB 10, 124 & 1049] (application date 1 July 2016);  
This standard extends the scope of AASB 124 *Related Party Transactions* to the not-for-profit sector and updates AASB 124 to include implementation guidance to assist not-for-profit entities to apply the new requirements. While there is no material financial impact in implementing this standard there will be increased disclosure required by the Commission.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 2. SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

**(aa) Impact of Accounting Standards Issued but yet to be Applied - Continued**

- AASB 2015-8 Amendments to Australian Accounting Standards – Effective date of AASB 15 (application date 1 January 2017);  
This standard defers the application date of AASB 15 *Revenue from Contracts with Customers* to 1 January 2018. At this stage the Commission is not able to estimate the impact of AASB 15 on its financial statements. The Commission will make a more detailed assessment of the impact over the next 12 months.
- AASB 2016-2 Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 107 (application date 1 January 2017);  
This standard amends AASB 107 *Statement of Cash Flows* to require agencies preparing financial statements in accordance with Tier 1 reporting requirements to provide disclosures that enable users of financial statements to evaluate changes in liabilities arising from financing activities, including both changes arising from cash flows and non-cash changes.  
This standard relates to disclosure only and there is no material financial impact on the Commission.
- AASB 2016-3 Amendments to Australian Accounting Standards – Clarifications to AASB 15 (application date 1 January 2018);  
This standard clarifies the existing requirements of AASB 15. The Commission is not able to estimate the impact of AASB 15 on its financial statements. The Commission will make a more detailed assessment of the impact over the next 12 months.
- AASB 2016-4 Amendments to Australian Accounting Standards – Recoverable Amount of Non-Cash Generating Specialised Assets of Not-for-Profit Entities [AASB 136] (application date 1 January 2017).  
The Commission is not yet able to assess the impact of this standard.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$

**NOTE 3. GOVERNMENT PAYMENT FOR OUTPUTS**

Government Payment for Outputs (GPO) is revenue received from the ACT Government to fund the costs of delivering outputs. A component of the GPO is Commonwealth Government funding. Commonwealth funding for the National Partnership Agreement for Legal Assistance Services is paid to the ACT Government who then provide this amount to the Commission as GPO. The ACT Government pays GPO appropriation on a fortnightly basis.

Commonwealth funding is provided for legal assistance services with Commonwealth matters. Part of this funding is for specific purposes including Family Duty Lawyer and Family Dispute Resolution services.

**Revenue from the ACT Government**

Government Payment for Outputs <sup>1</sup>	10,446,000	10,731,698
<b>Total Government Payment for Outputs</b>	<b>10,446,000</b>	<b>10,731,698</b>

<sup>1</sup>The decrease in 'Government Payment for Outputs' of \$285,698 is mainly due to a lower amount of GPO appropriation funding received for the Eastman Stay Application and related proceedings in 2015-16 than was received in 2014-15 for the Eastman Inquiry and Litigation. This decrease was partially offset by additional funding for the new 'Improving Access to Justice' initiative which commenced in 2015-16. This initiative allows the Commission to provide additional grants of legal assistance to vulnerable and disadvantaged members of the community.

**NOTE 4. USER CHARGES - NON-ACT GOVERNMENT**

User charge revenue is derived by providing legal assistance services to the public. User charge revenue is not part of ACT Government appropriation and is paid by users of the legal assistance services. This revenue is driven by consumer demand and is commercial in nature.

Assisted persons who can afford to do so are required to pay a contribution towards the services that they receive. When a service is provided by Commission staff, the initial contribution is payable directly to the Commission. When a service is provided by a Private Legal Practitioner, the initial contribution is payable directly to that practitioner and the same amount is withheld from the first payment made by the Commission to that Practitioner. Recovered Costs arise when the Commission is successful in a matter and the Court orders that the losing party pay costs.

**User Charges - Non-ACT Government**

Assisted Person Contributions and Recovered Costs	270,115	270,089
<b>Total User Charges - Non-ACT Government</b>	<b>270,115</b>	<b>270,089</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$

**NOTE 5. GRANT REVENUE**

The Commission receives most of its grant revenue from the ACT Law Society. The amount of the grant received from the ACT Law Society is based on interest generated on trust funds which are held in the ACT Law Society Statutory Interest Account.

**Revenue from ACT Government Entities**

Grant from the Community Services Directorate	9,250	-
<b>Total Grant Revenue from ACT Government Entities</b>	<b>9,250</b>	<b>-</b>

**Revenue from Non-ACT Government Entities**

Grant from the ACT Law Society <sup>1</sup>	897,089	997,200
Commonwealth Grants		
- Family Law Pathways Network in the ACT	49,500	49,500
- Data Standardisation Reporting <sup>2</sup>	100,000	-
- National Disability Insurance Scheme	-	25,000
<b>Total Grant Revenue from Non-ACT Government Entities</b>	<b>1,046,589</b>	<b>1,071,700</b>
<b>Total Grant Revenue</b>	<b>1,055,839</b>	<b>1,071,700</b>

<sup>1</sup>The decrease in the 'Grant from the ACT Law Society' of \$100,111 is due to a reduction in the amount of interest earned by the ACT Law Society on their Statutory Interest Account. This resulted in a lower amount of grant funding the Law Society was able to provide to the Commission.

<sup>2</sup>The increase in the 'Data Standardisation Reporting' of \$100,000 is due to the Commonwealth Government providing the Commission with one-off funding to assist in transitioning to the data standardisation requirements under the new National Partnership Agreement on Legal Assistance Services. A similar grant was not received in 2014-15.

**NOTE 6. OTHER REVENUE**

Other Revenue arises from the core activities of the Commission. Other Revenue is distinct from Other Gains, as Other Gains are items that are not part of the core activities of the Commission.

**Revenue from Non-ACT Government Entities**

Contribution to Youth Law Centre	63,027	62,094
Rent - Environmental Defender's Office	6,631	6,631
Other	25,857	10,724
<b>Total Other Revenue from Non-ACT Government Entities</b>	<b>95,515</b>	<b>79,449</b>
<b>Total Other Revenue</b>	<b>95,515</b>	<b>79,449</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$
<b>NOTE 7. OTHER GAINS</b>		
Other gains are transactions that are not part of the Commission's core activities. Other gains are distinct from other revenue, as other revenue arises from the core activities of the Commission.		
Refund of Stamp Duty	-	8,651
Gain on Disposal of Motor Vehicle	106	5,051
Gain from Derecognition of Finance Lease Liability	-	11,950
<b>Total Other Gains</b>	<b>106</b>	<b>25,652</b>

**NOTE 8. EMPLOYEE EXPENSES**

Wages and Salaries <sup>1</sup>	5,865,551	5,323,172
Annual Leave Expense	82,103	20,661
Long Service Leave Expense <sup>2</sup>	163,196	43,594
Commissioners' Remuneration	24,850	23,570
Workers' Compensation Insurance Premium	104,233	71,249
<b>Total Employee Expenses</b>	<b>6,239,933</b>	<b>5,482,246</b>

<sup>1</sup>The increase in 'Wages and Salaries' of \$542,379 is mainly due to higher Full Time Equivalent (FTE) staff in 2015-16 (72.95 as at 30 June 2016) compared to 2014-15 (67.02 as at 30 June 2015). The Commission increased its FTE to provide additional services to the community and additional in-house grants of legal assistance in 2015-16 when compared to 2014-15. In-house grants increased from 1,350 in 2014-15 to 1,622 in 2015-16. In addition, there were two pay increases in 2015-16.

<sup>2</sup>The increase in 'Long Service Leave Expense' of \$119,602 is mainly due to the increase in the rate used to estimate the present value of the future payments for long service leave from 104.2% in 2014-15 to 114.7% in 2015-16. The impact of this rate increase is approximately \$86,000. In addition, the amount of leave taken across the Commission was lower than the amount of leave accrued in 2015-16, leading to a higher long service leave balance.

**NOTE 9. SUPERANNUATION EXPENSES**

Superannuation Contributions to the Territory Banking Account	351,291	388,634
Productivity Benefit	42,257	46,151
Superannuation Payment to ComSuper (for the PSSap)	372,119	326,786
Superannuation to External Providers	230,444	168,676
<b>Total Superannuation Expenses</b>	<b>996,111</b>	<b>930,247</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016 \$	2015 \$
<b>NOTE 10. SUPPLIES AND SERVICES</b>		
Financial and Other Audit Fees	51,111	44,664
Referrals to Private Legal Practitioners <sup>1</sup>	2,421,670	1,951,403
Legal Disbursements <sup>2</sup>	1,108,664	862,140
Community Legal Education Expenses	1,156	362
Transportation	18,932	17,605
Office Requisitions	83,926	115,661
Postage and Telephone Services	86,615	80,807
Office Services	127,259	113,805
Library	31,775	37,653
Computer Services	351,963	426,954
Contractors and Consultants	35,636	12,631
Other Services	201,799	131,842
Other	276	-
<b>Total Supplies and Services</b>	<b>4,520,782</b>	<b>3,795,527</b>

<sup>1</sup>The increase in 'Referrals to Private Legal Practitioners' of \$470,267 is mainly due to a higher number of grants referred to private legal practitioners in 2015-16 (1,024) when compared to 2014-15 (817).

<sup>2</sup>The increase in 'Legal Disbursements' of \$246,524 is mainly due to higher costs incurred for senior and junior counsel for the Eastman Stay Application in 2015-16 when compared to senior and junior counsel costs incurred in the Eastman Inquiry and Litigation in 2014-15. Senior and junior counsel costs were lower in 2014-15 due to a lower work level resulting from the Eastman Inquiry and Litigation only going for part of the 2014-15 financial year compared with the Eastman Stay Application going for most of the 2015-16 financial year.

**NOTE 11. DEPRECIATION AND AMORTISATION**

**Depreciation**

Office and Computer Equipment	84,547	76,930
Leasehold Improvements	220,410	226,234
Motor Vehicles	1,975	12,674
Furniture and Fittings	51,569	51,445
<b>Total Depreciation</b>	<b>358,501</b>	<b>367,283</b>

**Amortisation**

Intangible Assets	150,585	150,585
<b>Total Amortisation</b>	<b>150,585</b>	<b>150,585</b>
<b>Total Depreciation and Amortisation</b>	<b>509,086</b>	<b>517,868</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016 \$	2015 \$
<b>NOTE 12. BORROWING COSTS</b>		
Finance Charges on Finance Leases	-	1,826
Finance Cost on Make Good	23,315	22,183
<b>Total Borrowing Costs</b>	<b>23,315</b>	<b>24,009</b>

**NOTE 13. LEASE EXPENSES**

In 2009-10, the Commission entered into an agreement to lease office space at 2 Allsop Street, Canberra City ACT. The Lease Expenses are calculated on a straight-line basis over the lease term. Lease payments made to the lessor include annual increases of 3.7% as provided in the lease agreement. See Note 22: *Payables*.

Lease Expense - office accommodation	955,497	955,497
<b>Total Lease Expenses</b>	<b>955,497</b>	<b>955,497</b>

**NOTE 14. OTHER EXPENSES**

Waivers, Impairment Losses and Write-offs <sup>1</sup> (see Note 15)	88,444	34,467
<b>Total Other Expenses</b>	<b>88,444</b>	<b>34,467</b>

<sup>1</sup>See Note 15: *Waivers, Impairment Losses and Write-offs* for the variance explanation.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$
<b>NOTE 15. WAIVERS, IMPAIRMENT LOSSES AND WRITE-OFFS</b>		
A waiver is the relinquishment of a legal claim to a debt. The write-off of a debt is the accounting action taken to remove a debt from the books but does not relinquish the legal right of the Commission to recover the amount. The write-off of debts may occur for reasons other than waivers.		
The impairment losses and write-offs listed below have occurred during the reporting period for the Commission.		
	<b>2016</b>	<b>2015</b>
	<b>No.</b>	<b>No.</b>
<b>Impairment Losses</b>		
<i>Impairment Loss from Receivables</i>		
Assisted Person Contributions and Recovered Costs Receivable <sup>1</sup>	53	407
		<u>24,686</u>
<i>Total Impairment Loss from Receivables</i>		<u>24,686</u>
<b>Total Impairment Losses</b>		<u><b>24,686</b></u>
<b>Write-offs</b>		
Derecognition of Leasehold Improvements <sup>2</sup>	1	-
		<u>63,758</u>
Derecognition of Motor Vehicle under a Finance Lease	-	1
		<u>-</u>
<b>Total Write-offs</b>		<u><b>63,758</b></u>
<b>Total Impairment Losses and Write-Offs</b>		<u><b>88,444</b></u>

There were no waivers during the reporting period (Nil in 2014-15).

<sup>1</sup>The decrease in the number of 'Assisted Person Contributions and Recovered Costs Receivable' from 407 in 2014-15 to 53 in 2015-16 is due to fewer debts meeting the Commission's impairment criteria.

<sup>2</sup>The increase in the 'Derecognition of Leasehold Improvements' of \$63,758 is due to renovation work which occurred in 2015-16 that involved demolishing existing leasehold improvements in order to reconfigure some office space on the ground floor with new leasehold improvements. Similar renovation work did not occur in 2014-15.

**NOTE 16. AUDITOR'S REMUNERATION**

Auditor's remuneration consists of financial audit services provided to the Commission by the ACT Audit Office.

**Audit Services**

Audit Fees Paid or Payable to the ACT Audit Office	46,361	44,664
<b>Total Audit Fees</b>	<u><b>46,361</b></u>	<u><b>44,664</b></u>

No other services were provided by the ACT Audit Office.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016 \$	2015 \$
<b>NOTE 17. CASH AND CASH EQUIVALENTS</b>		
The Commission held one bank account with Westpac throughout the 2015-16 financial year. The operating bank account with Westpac earned a weighted average interest rate of 2.82% in 2015-16 (3.22% in 2014-15).		
Funds from the Westpac operating account can be withdrawn upon request.		
Cash at Bank <sup>1</sup>	3,621,521	4,973,083
Cash on Hand	340	340
<b>Total Cash and Cash Equivalents</b>	<b>3,621,861</b>	<b>4,973,423</b>

<sup>1</sup>The decrease in 'Cash at Bank' of \$1,351,562 is mainly due to payments relating to the Eastman Stay Application Hearing and related proceedings in 2015-16 for which the Commission will receive the related appropriation funding in 2016-17; as well as the Commission having higher employee and private legal practitioner payments in 2015-16 compared to 2014-15.

**NOTE 18. RECEIVABLES**

**Current Receivables**

Assisted Person Contributions and Recovered Costs Receivable	195,878	161,686
Less: Allowance for Impairment Losses	(134,977)	(116,723)
	60,901	44,963
Net GST Receivable	176,730	166,247
Other Trade Receivables	255	255
<b>Total Current Receivables</b>	<b>237,886</b>	<b>211,465</b>
<b>Total Receivables</b>	<b>237,886</b>	<b>211,465</b>

All receivables above are with Non-ACT Government entities.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 18. RECEIVABLES - CONTINUED**

**Ageing of Receivables**

	Overdue				Total \$
	Not Overdue \$	Less than 30 Days \$	30 to 60 Days \$	Greater than 60 Days \$	
<b>2016</b>					
<b>Not Impaired<sup>1</sup></b>					
Receivables	176,986	20,426	10,105	30,369	237,886
<b>Impaired<sup>2</sup></b>					
Receivables	-	-	-	134,977	134,977
<b>2015</b>					
<b>Not Impaired<sup>1</sup></b>					
Receivables	166,502	10,160	6,090	28,713	211,465
<b>Impaired<sup>2</sup></b>					
Receivables	-	-	-	116,723	116,723

<sup>1</sup> 'Not Impaired' refers to Net Receivables (that is Gross Receivables less Impaired Receivables).

<sup>2</sup> 'Impaired' refers to all debts impaired in accordance with Note 2(k): *Receivables*.

	<b>2016</b> \$	<b>2015</b> \$
<b>Reconciliation of the Allowance for Impairment Losses</b>		
Allowance for Impairment Losses at the Beginning of the Reporting Period	116,723	154,220
Additional Allowance Recognised During the Reporting Period	24,686	21,717
Reduction in Allowance from Amounts Written-off During the Reporting Period	(6,432)	(59,214)
<b>Allowance for Impairment Losses at the End of the Reporting Period</b>	<b>134,977</b>	<b>116,723</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016 \$	2015 \$
<b>NOTE 19. PROPERTY, PLANT AND EQUIPMENT</b>		
Property, plant and equipment includes the following classes of assets - motor vehicles, office and computer equipment, leasehold improvements and furniture and fittings.		
<i>Motor Vehicles</i> refers to the motor vehicles available to Commission staff for business use.		
<i>Office and Computer Equipment</i> includes desktop personal computers, servers and network equipment, photocopiers, telephones, facsimile machines, printers and portable computing equipment.		
<i>Leasehold Improvements</i> represents capital expenditure incurred in relation to leased assets. The Commission has an office fit out.		
<i>Furniture and Fittings</i> includes desks, chairs, workstations and other furniture.		
<b>Motor Vehicles</b>		
Motor Vehicles at Cost	15,901	38,204
Less: Accumulated Depreciation	(2,242)	(1,144)
<b>Total Written Down Value of Motor Vehicles</b>	<b>13,659</b>	<b>37,060</b>
<b>Office and Computer Equipment</b>		
Office and Computer Equipment at Cost <sup>1</sup>	649,758	413,924
Less: Accumulated Depreciation	(338,549)	(254,002)
<b>Total Written Down Value of Office and Computer Equipment</b>	<b>311,209</b>	<b>159,922</b>
<b>Leasehold Improvements</b>		
Leasehold Improvements at Cost	2,461,947	2,421,478
Add: Make Good Provision	369,177	356,698
	2,831,124	2,778,176
Less: Accumulated Depreciation	(1,289,712)	(1,127,744)
<b>Total Written Down Value of Leasehold Improvements</b>	<b>1,541,412</b>	<b>1,650,432</b>
<b>Furniture and Fittings</b>		
Furniture and Fittings at Cost	517,341	517,341
Less: Accumulated Depreciation	(280,697)	(229,128)
<b>Total Written Down Value of Furniture and Fittings</b>	<b>236,644</b>	<b>288,213</b>
<b>Total Written Down Value of Property, Plant and Equipment</b>	<b>2,102,924</b>	<b>2,135,627</b>

<sup>1</sup>The increase in 'Office and Computer Equipment at Cost' of \$235,834 is due to purchasing new ICT Hardware (Server and Server Rack, Virtual Desktop Infrastructure and Computers, and a Network Infrastructure Upgrade) in 2015-16.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 19. PROPERTY, PLANT AND EQUIPMENT - CONTINUED**

**Leasehold Improvement**

The Commission has capitalised the cost of returning the premises to a similar condition to that which existed prior to occupancy. Further information is at Note 26: *Provision for Make Good*.

**Reconciliation of Property, Plant and Equipment**

The following table shows the movement of Property, Plant and Equipment during 2015-16.

	Leasehold Improvements	Motor Vehicles	Office and Computer Equipment	Furniture and Fittings	Total
	\$	\$	\$	\$	\$
<b>Carrying Amount at the Beginning of the Reporting Period</b>	<b>1,650,432</b>	<b>37,060</b>	<b>159,922</b>	<b>288,213</b>	<b>2,135,627</b>
Additions	162,669	-	235,834	-	398,503
Disposals	(63,758)	(21,426)	-	-	(85,184)
Depreciation	(220,410)	(1,975)	(84,547)	(51,569)	(358,501)
Other Movements	12,479	-	-	-	12,479
<b>Carrying Amount at the End of the Reporting Period</b>	<b>1,541,412</b>	<b>13,659</b>	<b>311,209</b>	<b>236,644</b>	<b>2,102,924</b>

**Reconciliation of Property, Plant and Equipment**

The following table shows the movement of Property, Plant and Equipment during 2014-15.

	Leasehold Improvements	Motor Vehicles	Office and Computer Equipment	Furniture and Fittings	Total
	\$	\$	\$	\$	\$
<b>Carrying Amount at the Beginning of the Reporting Period</b>	<b>1,930,872</b>	<b>55,314</b>	<b>120,065</b>	<b>336,349</b>	<b>2,442,600</b>
Additions	-	50,823	116,787	3,309	170,919
Disposals	-	(44,463)	-	-	(44,463)
Depreciation	(226,234)	(12,674)	(76,930)	(51,445)	(367,283)
Other Movements	(54,206)	(11,940)	-	-	(66,146)
<b>Carrying Amount at the End of the Reporting Period</b>	<b>1,650,432</b>	<b>37,060</b>	<b>159,922</b>	<b>288,213</b>	<b>2,135,627</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
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	2016 \$	2015 \$
<b>NOTE 20. INTANGIBLE ASSETS</b>		
The Commission has internally generated software and externally purchased software. The internally generated software is represented by the software providing online grants management processing (eGrants) and externally purchased software is represented by the financial reporting system, Finance One.		
<b>Computer Software</b>		
<i>Internally Generated Software</i>		
Computer Software at Cost	673,129	673,129
Less: Accumulated Amortisation	(506,386)	(372,557)
<i>Total Internally Generated Software</i>	<u>166,743</u>	<u>300,572</u>
<i>Externally Purchased Software</i>		
Computer Software at Cost	160,906	160,906
Less: Accumulated Amortisation	(145,041)	(128,285)
<i>Total Externally Purchased Software</i>	<u>15,865</u>	<u>32,621</u>
<b>Total Computer Software</b>	<u>182,608</u>	<u>333,193</u>
<b>Total Intangible Assets</b>	<u>182,608</u>	<u>333,193</u>

**Reconciliation of Intangible Assets**

The following table shows the movement of each class of Intangible Assets distinguishing between internally generated and externally purchased intangibles during 2015-16.

	Internally Generated Software \$	Externally Purchased Software \$	Total \$
<b>Carrying Amount at the Beginning of the Reporting Period</b>	<b>300,572</b>	<b>32,621</b>	<b>333,193</b>
Amortisation	(133,829)	(16,756)	(150,585)
<b>Carrying Amount at the End of the Reporting Period</b>	<u><b>166,743</b></u>	<u><b>15,865</b></u>	<u><b>182,608</b></u>

**Reconciliation of Intangible Assets**

The following table shows the movement of each class of Intangible Assets distinguishing between internally generated and externally purchased intangibles during 2014-15.

	Internally Generated Software \$	Externally Purchased Software \$	Total \$
<b>Carrying Amount at the Beginning of the Reporting Period</b>	<b>434,401</b>	<b>49,377</b>	<b>483,778</b>
Amortisation	(133,829)	(16,756)	(150,585)
<b>Carrying Amount at the End of the Reporting Period</b>	<u><b>300,572</b></u>	<u><b>32,621</b></u>	<u><b>333,193</b></u>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$

**NOTE 21. CAPITAL WORKS IN PROGRESS**

Capital Works in Progress are assets being constructed over periods of time in excess of the present reporting period. These assets often require extensive installation work or integration with other assets, and contrast with simpler assets that are ready for use when acquired, such as motor vehicles and equipment. Capital works in progress are not depreciated as the Commission is not currently deriving any economic benefits from them.

The asset under construction is internally developed software called LAgrants that is replacing the eGrants system.

Software Works in Progress	46,532	-
<b>Total Capital Works in Progress</b>	<b>46,532</b>	<b>-</b>

**Reconciliation of Capital Works in Progress**

The following table shows the movement of Software Works in Progress during 2015-16 and 2014-15.

<b>Carrying Amount at the Beginning of the Reporting Period</b>	-	-
Additions	46,532	-
<b>Carrying Amount at the End of the Reporting Period</b>	<b>46,532</b>	<b>-</b>

**NOTE 22. PAYABLES**

Private Legal Practitioner Payables include invoices received from private legal practitioners that were unpaid at 30 June 2016.

The Commission holds an operating lease for its tenancy at 2 Allsop Street, Canberra City. The Deferred Rent Payable represents the difference between the lease expense and the amount due, for the period from the commencement of the lease to the end of the reporting period. See Note 13: *Lease Expenses*.

**Current Payables**

Trade Payables	50,237	19,404
Other Payables <sup>1</sup>	3,029	95,290
Private Legal Practitioner Payables	32,513	12,721
Accrued Expenses	228,758	208,731
<b>Total Current Payables</b>	<b>314,537</b>	<b>336,146</b>

**Non-Current Payables**

Deferred Rent Payable - 2 Allsop Street	724,468	698,033
<b>Total Non-Current Payables</b>	<b>724,468</b>	<b>698,033</b>
<b>Total Payables</b>	<b>1,039,005</b>	<b>1,034,179</b>

<sup>1</sup>The decrease in 'Other Payables' of \$92,261 is mainly due to the Commission having no PAYG withholding tax liability at 30 June 2016. In contrast, the Commission had a PAYG withholding tax liability of \$89,897 at 30 June 2015. This was a result of the PAYG withholding tax being remitted quarterly in 2014-15 whereas it was required to be remitted fortnightly in 2015-16.

In relation to the aging of payables, all payables included above are not overdue.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016 \$	2015 \$
<b>NOTE 22. PAYABLES - CONTINUED</b>		
<b>Classification of ACT Government/Non-ACT Government Payables</b>		
<b>Payables with ACT Government Entities</b>		
Accrued Expenses	47,075	44,842
<b>Total Payables with ACT Government Entities</b>	<b>47,075</b>	<b>44,842</b>
<b>Payables with Non-ACT Government Entities</b>		
Trade Payables	50,237	19,404
Other Payables	3,029	95,290
Private Legal Practitioner Payables	32,513	12,721
Accrued Expenses	181,683	163,889
Deferred Rent Payable - 2 Allsop Street	724,468	698,033
<b>Total Payables with Non-ACT Government Entities</b>	<b>991,930</b>	<b>989,337</b>
<b>Total Payables</b>	<b>1,039,005</b>	<b>1,034,179</b>

**NOTE 23. LEASE INCENTIVE LIABILITY**

The Commission has an agreement to lease the tenancy of 2 Allsop Street, Canberra City which commenced on 1 April 2010. When the Commission entered into this lease, it took advantage of a cash payment in lieu of a rent free period from the landlord. The Commission has recognised the lease incentive based on a proportionate basis of the rent.

Lease Incentive Liability - Current	89,615	89,615
Lease Incentive Liability - Non Current	470,477	560,092
<b>Total Lease Incentive Liability</b>	<b>560,092</b>	<b>649,707</b>
<b>The present value of the lease incentive liability is as follows:</b>		
Within one year	89,615	89,615
Later than one year but not later than five years	358,459	358,459
Later than five years	112,018	201,633
<b>Total Present Value of Lease Incentive Liability</b>	<b>560,092</b>	<b>649,707</b>

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	2016 \$	2015 \$
<b>NOTE 24. EMPLOYEE BENEFITS</b>		
<b>Current Employee Benefits</b>		
Annual Leave	572,590	541,431
Long Service Leave <sup>1</sup>	721,632	629,123
Accrued Salaries <sup>2</sup>	46,177	262,475
<b>Total Current Employee Benefits</b>	<b>1,340,399</b>	<b>1,433,029</b>
<b>Non-Current Employee Benefits</b>		
Long Service Leave	213,327	170,966
<b>Total Non-Current Employee Benefits</b>	<b>213,327</b>	<b>170,966</b>
<b>Total Employee Benefits</b>	<b>1,553,726</b>	<b>1,603,995</b>

<sup>1</sup>The increase in 'Long Service Leave' of \$92,509 is mainly due to the increase in the rate used to estimate the present value of the future payments for long service leave from 104.2% at 30 June 2015 to 114.7% at 30 June 2016. The impact of this rate increase is approximately \$66,000. In addition, the amount of leave taken across the Commission was lower than the amount of leave accrued in 2015-16, leading to a higher long service leave balance.

<sup>2</sup>The decrease in 'Accrued Salaries' of \$216,298 is due to the Commission only needing to accrue salaries for one day at 30 June 2016, whereas 13 days were accrued at 30 June 2015. The number of days the Commission accrues salaries for in any particular year is determined by the length of time between the date of the final pay period and 30 June.

**Estimate of When Leave is Payable**

**Estimated Amount Payable within 12 Months**

Annual Leave	188,537	186,172
Long Service Leave	55,707	53,280
Accrued Salaries	46,177	262,475
<b>Total Employee Benefits Payable within 12 months</b>	<b>290,421</b>	<b>501,927</b>

**Estimated Amount Payable after 12 Months**

Annual Leave	384,053	355,259
Long Service Leave	879,252	746,809
<b>Total Employee Benefits Payable after 12 Months</b>	<b>1,263,305</b>	<b>1,102,068</b>
<b>Total Employee Benefits</b>	<b>1,553,726</b>	<b>1,603,995</b>

As at 30 June 2016, the Commission employed 72.95 full time equivalent (FTE) staff. There were 67.02 FTE staff as at 30 June 2015.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$

**NOTE 25. PROVISION FOR AMOUNTS OWING TO PRIVATE LEGAL PRACTITIONERS**

The Provision for Amounts Owing to Private Legal Practitioners is an estimate of the cost of services provided by private legal practitioners, prior to the end of the reporting period, for which the Commission has not been invoiced. The Commission has made a commitment to the private legal practitioners that this work will be paid for on completion. Invoices from private legal practitioners received by the Commission after year end that relate to work done up to 30 June 2016 are included in accrued expenses in Note 22: *Payables*.

<b>Provision for Amounts Owing to Private Legal Practitioners</b>	<b>249,693</b>	<b>309,507</b>
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**Reconciliation of the Provision for Amounts Owing to Private Legal Practitioners**

Provision for Amounts Owing to Private Legal Practitioners at the Beginning of the Reporting Period	309,507	432,601
Add: Amount Transferred to Accrued Expenses in the Previous Reporting Period	27,707	48,352
Movement in Provision for the Reporting Period	(39,768)	(143,739)
Reduction in Provision due to Transfer to Accrued Expenses	(47,753)	(27,707)
<b>Provision for Amounts Owing to Private Legal Practitioners at the End of the Reporting Period</b>	<b>249,693</b>	<b>309,507</b>

**NOTE 26. PROVISION FOR MAKE GOOD**

The Commission has recorded a liability and corresponding asset for the estimated cost of restoring the Commission's leased office space - 2 Allsop Street, Canberra City. Under the terms of the lease, the Commission may be required to restore the premises to a similar condition which existed prior to the occupancy, unless an option to extend the initial term of the lease is exercised. This cost will be borne on exiting the premises. The estimate is based on an independent valuation performed in 2010 by Mark Mikolajczak, Commercial Manager - ISIS Group Australia Pty Ltd.

<b>Provision for Make Good</b>	<b>493,850</b>	<b>458,056</b>
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**Reconciliation of the Provision for Make Good**

Provision for Make Good at the Beginning of the Reporting Period	458,056	490,079
Increase in Provision due to Unwinding of Discount	23,315	22,183
Increase/(Decrease) in Provision due to a Change in Accounting Estimates	12,479	(54,206)
<b>Provision for Make Good at the End of the Reporting Period</b>	<b>493,850</b>	<b>458,056</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

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**NOTE 27. FINANCIAL INSTRUMENTS**

Details of significant policies and methods adopted, including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised, with respect to each class of financial asset and financial liability are disclosed in Note 2: *Significant Accounting Policies*.

**Interest Rate Risk**

Interest rate risk is the risk that fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates.

A significant portion of financial assets but no financial liabilities are held in floating interest rate arrangements. This means that the Commission is not exposed to movements in interest payable, however, it is exposed to movements in interest receivable. There are no unrecognised financial assets or liabilities.

Interest rate risk for financial assets is managed by the Commission by only holding cash in bank accounts with Australian banks which have been assessed as low risk. The Commission received a lower amount of interest revenue in 2015-16 when compared to 2014-15 due to a reduction in interest rates as well as a reduction in the amount of cash held in the Commission's bank account.

The maximum exposure of the Commission to interest rate risk is the interest received on its Cash and Cash Equivalent holdings. The details of Cash and Cash Equivalents at the end of the reporting period together with the weighted average interest rate paid during the reporting period are given in the tables provided later in this note. There have been no changes in risk exposure or processes for managing risk since last financial reporting period.

*Sensitivity Analysis*

A sensitivity analysis has not been undertaken for the interest rate risk of the Commission as it has been determined that the possible impact on income and expense or total equity from fluctuations in interest rates is immaterial.

**Credit Risk**

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The Commission's credit risk is limited to the amount of financial assets it holds net of any allowance for impairment. The Commission expects to collect all financial assets that are not past due or impaired.

The Commission minimises concentrations of credit risk in relation to accounts receivable by calculating contributions in accordance with a set means test which takes into account assisted persons' income, assets and liabilities. In matters where the assisted person's financial position changes and the Commission reassesses the contribution to substantial amounts, the Commission may impose a caveat as a security over the assisted person's land holding. The Commission's exposure to credit risk for receivables is disclosed in the tables provided later in this note.

The Commission holds a bank account with Westpac. The Commission considers the risk that Westpac will fail to discharge its obligations and cause the Commission to incur a financial loss is negligible.

There have been no changes in credit risk exposure or processes for managing risks since last year.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

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**NOTE 27. FINANCIAL INSTRUMENTS - CONTINUED**

**Liquidity Risk**

Liquidity Risk is the risk that the Commission will encounter difficulties in meeting its obligations associated with financial liabilities that are settled by delivering cash or other financial assets. The Commission's financial obligations relate to the purchases of supplies and services.

The main sources of cash to pay these obligations are quarterly grant payments received from the ACT Government under the agreement with the Commonwealth; fortnightly payments of appropriation from the ACT Government and two payments from the ACT Law Society from the Statutory Interest Account (generally in the second half of the financial year). The Commission regularly monitors its financial position to determine whether there are any significant variances from the budget which may affect the Commission's ability to meet its emerging financial liabilities. Liquidity risk is managed by forecasting appropriation drawdown requirements to enable payment of anticipated obligations. As such, the Commission ensures it has a sufficient amount of current financial assets to meet its current financial liabilities.

The Commission's exposure to liquidity risk and the management of this risk has not changed since the previous reporting period.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 27. FINANCIAL INSTRUMENTS - CONTINUED**

**Fair Value of Financial Assets and Liabilities**

The carrying amounts and fair values of financial assets and liabilities at the end of the reporting period are:

	Carrying Amount 2016 \$	Fair Value 2016 \$	Carrying Amount 2015 \$	Fair Value 2015 \$
<b>Financial Assets</b>				
Cash and Cash Equivalents	3,621,861	3,621,861	4,973,423	4,973,423
Receivables <sup>1</sup>	61,156	61,156	45,218	45,218
<b>Total Financial Assets</b>	<b>3,683,017</b>	<b>3,683,017</b>	<b>5,018,641</b>	<b>5,018,641</b>
<b>Financial Liabilities</b>				
Payables <sup>1</sup>	1,039,005	1,039,005	1,034,179	1,034,179
<b>Total Financial Liabilities</b>	<b>1,039,005</b>	<b>1,039,005</b>	<b>1,034,179</b>	<b>1,034,179</b>

<sup>1</sup>In the table above Receivables and Payables exclude Net GST Receivables/Payables.

**Fair Value Hierarchy**

All financial assets and liabilities are measured at amortised cost subsequent to initial recognition and as such no Fair Value Hierarchy disclosures have been made.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 27. FINANCIAL INSTRUMENTS - CONTINUED**

The following table sets out the Commission's maturity analysis for financial assets and liabilities as well as the exposure to interest rates, including the weighted average interest rates by maturity period as at 30 June 2016. Except for non-current payables, financial assets and liabilities which have a floating interest rate or are non-interest bearing will mature in 1 year or less. All amounts appearing in the following maturity analysis are shown on an undiscounted cash flow basis.

	Note No.	Weighted Average Interest Rate	Floating Interest Rate	Fixed Interest Maturing In:			Non-Interest Bearing	Total
				1 Year or Less	Over 1 Year to 5 Years	Over 5 Years		
			\$	\$	\$	\$	\$	\$
<b>Financial Instruments</b>								
<b>Financial Assets</b>								
Cash and Cash Equivalents	17	2.82%	3,621,521	-	-	-	340	3,621,861
Receivables <sup>1</sup>	18		-	-	-	-	61,156	61,156
<b>Total Financial Assets</b>			<b>3,621,521</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>61,496</b>	<b>3,683,017</b>
<b>Financial Liabilities</b>								
Payables <sup>1</sup>	22		-	-	-	-	1,039,005	1,039,005
<b>Total Financial Liabilities</b>			<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,039,005</b>	<b>1,039,005</b>
<b>Net Financial Assets/(Liabilities)</b>			<b>3,621,521</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(977,509)</b>	<b>2,644,012</b>

<sup>1</sup>In the table above Receivables and Payables exclude Net GST Receivables/Payables. As such, the Receivables included in the above table of \$61,156 are calculated by taking the Net GST Receivables of \$176,730 from Total Receivables of \$237,886 included in Note 18.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 27. FINANCIAL INSTRUMENTS - CONTINUED**

The following table sets out the Commission's maturity analysis for financial assets and liabilities as well as the exposure to interest rates, including the weighted average interest rates by maturity period as at 30 June 2015. Except for non-current payables, financial assets and liabilities which have a floating interest rate or are non-interest bearing will mature in 1 year or less. All amounts appearing in the following maturity analysis are shown on an undiscounted cash flow basis.

	Note No.	Weighted Average Interest Rate	Fixed Interest Maturing In:			Non-Interest Bearing	Total
			1 Year or Less	Over 1 Year to 5 Years	Over 5 Years		
			\$	\$	\$	\$	\$
<b>Financial Instruments</b>							
<b>Financial Assets</b>							
Cash and Cash Equivalents	17	3.22%	-	-	-	340	4,973,423
Receivables <sup>1</sup>	18	-	-	-	-	45,218	45,218
<b>Total Financial Assets</b>			<b>4,973,083</b>	<b>-</b>	<b>-</b>	<b>45,558</b>	<b>5,018,641</b>
<b>Financial Liabilities</b>							
Payables <sup>1</sup>	22	-	-	-	-	1,034,179	1,034,179
<b>Total Financial Liabilities</b>			<b>-</b>	<b>-</b>	<b>-</b>	<b>1,034,179</b>	<b>1,034,179</b>
<b>Net Financial Assets/(Liabilities)</b>			<b>4,973,083</b>	<b>-</b>	<b>-</b>	<b>(988,621)</b>	<b>3,984,462</b>

<sup>1</sup>In the table above Receivables and Payables exclude Net GST Receivables/Payables. As such, the Receivables included in the above table of \$45,218 are calculated by taking the Net GST Receivables of \$166,247 from Total Receivables of \$211,465 included in Note 18.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$
<b>NOTE 27. FINANCIAL INSTRUMENTS - CONTINUED</b>		
<b>Carrying Amount of Each Category of Financial Asset and Financial Liability</b>		
<b>Financial Assets</b>		
Loans and Receivables measured at Amortised Cost	61,156	45,218
<b>Financial Liabilities</b>		
Financial Liabilities measured at Amortised Cost	1,039,005	1,034,179

The Commission does not have any financial assets in the 'Available for Sale' category or the 'Held to Maturity' category and as such these categories are not included above. Also, the Commission does not have any financial assets or liabilities in the 'Financial Assets/Liabilities at Fair Value through the Profit and Loss' categories and, as such, these categories are not included above.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016	2015
	\$	\$

**NOTE 28. COMMITMENTS**

**Operating Leases**

The Commission has an operating lease for office accommodation. The lease has defined terms, escalation clauses and renewal rights. There are conditions in the lease that may require the Commission to make-good the site. The Commission negotiated a 12.5 year lease which terminates in September 2022, with an option for a further term of 5 years, which if exercised would enable the Commission to avoid the make-good obligation. See also Note 26: *Provision for Make Good*.

At the end of 2015-16 the Commission also held a non-cancellable operating lease for a motor vehicle. The term of the operating lease is 34 months.

Contingent rental payments have not been included in the commitments below.

Non-cancellable operating lease commitments are payable as follows:

Within one year	1,056,293	1,056,293
Later than one year but not later than five years	4,207,683	4,212,930
Later than five years	1,313,808	2,364,854
<b>Total Operating Lease Commitments</b>	<b><u>6,577,784</u></b>	<b><u>7,634,077</u></b>

All amounts shown in the Commitments note are inclusive of GST.

**NOTE 29. COMMISSIONERS**

The Commissioners of the Legal Aid Commission (ACT) who held office during the financial year, and their period since appointment were:

Meredith Whitten	6 years (finished 9 April 2016)
Gail Kinsella	6 years, 2 months
Walter Hawkins	3 years, 11 months
John Boersig	2 years, 7 months
Amanda Tonkin	2 years
Alison Playford	2 years
Jon Stanhope	1 year, 7 months
Genevieve Bolton	11 months (commenced 24 July 2015)
Kym Duggan	1 month (commenced 20 May 2016)

During the year, Commissioners were paid amounts totalling \$24,850 (2014-15: \$23,570). The Chief Executive Officer's (CEO) salary is not included in this figure, as the CEO is an executive member of the Board and is not remunerated for involvement on the Board, but instead is remunerated for the day to day running of the Commission.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

	2016 \$	2015 \$
<b>NOTE 30. THIRD PARTY MONIES</b>		
The Commission holds money in trust on behalf of clients, whilst awaiting instructions for disbursement of those funds. Section 9(5) of the <i>Legal Aid Act 1977</i> states that the provisions of the <i>Legal Profession Act 2006</i> concerning keeping and auditing of accounts do not apply in relation to money held by the Commission on trust. Nevertheless, the Commission follows as closely as possible the trust account rules as better practice for the administration of its trust account.		
<b>Third Party Monies held by the Commission</b>		
<b>Balance at the Beginning of the Reporting Period</b>	159,722	135,002
Cash Receipts	2,195,113	941,965
Cash Payments	(1,925,557)	(917,245)
<b>Balance at the End of the Reporting Period</b>	<b>429,278</b>	<b>159,722</b>
<b>NOTE 31. CASH FLOW RECONCILIATION</b>		
<b>(a) Reconciliation of Cash and Cash Equivalents at the End of the Reporting Period in the Cash Flow Statement to the Equivalent Items in the Balance Sheet.</b>		
Total Cash and Cash Equivalents Recorded in the Balance Sheet	3,621,861	4,973,423
<b>Cash and Cash Equivalents at the End of the Reporting Period as Recorded in the Cash Flow Statement</b>	<b>3,621,861</b>	<b>4,973,423</b>
<b>(b) Reconciliation of the Operating (Deficit)/Surplus to the Net Cash Inflows from Operating Activities</b>		
Operating (Deficit) / Surplus	(1,300,099)	612,217
<b>Add/(Less) Non-Cash Items</b>		
Depreciation of Property, Plant and Equipment	358,501	367,283
Amortisation of Intangibles	150,585	150,585
Derecognition of Leasehold Improvements	63,758	-
Derecognition of Motor Vehicles under a Finance Lease	-	11,940
Gain from Derecognition of Finance Lease Liability	-	(11,950)
<b>Add/(Less) Items Classified as Investing or Financing</b>		
Net (Gain) on Disposal of Non-Current Assets	(106)	(5,051)
<b>Cash Before Changes in Operating Assets and Liabilities</b>	<b>(727,361)</b>	<b>1,125,024</b>
<b>Changes in Operating Assets and Liabilities</b>		
(Increase)/Decrease in Receivables	(26,421)	4,954
(Increase)/Decrease in Other Assets	(3,426)	13,466
(Decrease)/Increase in Payables	(40,134)	50,470
(Decrease) in Employee Benefits	(50,269)	(122,545)
Increase in Provision for Make Good	23,315	22,183
(Decrease) in Lease Incentive	(89,615)	(89,614)
(Decrease) in Provision for Amounts Owing to Private Legal Practitioners	(59,815)	(123,094)
Increase in Other Liabilities	707	574
<b>Net Changes in Operating Assets and Liabilities</b>	<b>(245,658)</b>	<b>(243,606)</b>
<b>Net Cash Inflows from Operating Activities</b>	<b>(973,019)</b>	<b>881,418</b>

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 32. BUDGETARY REPORTING**

The following are brief explanations of major line item variances between budget estimates and actual outcomes. Variances are considered to be major variances if both of the following criteria are met:

(a) The line item is a significant line item: the line item actual amount accounts for more than 10% of the relevant associated category (Income, Expenses and Equity totals) or sub-element (e.g. Current Liabilities and Receipts from Operating Activities totals) of the financial statements; and

(b) The variances (original budget to actual) are greater than plus (+) or minus (-) 10% of the budget for the financial statement line item.

	Actual 2015-16 \$	Original Budget <sup>1</sup> 2015-16 \$	Variance \$	Variance %	Variance Explanation
<b>Operating Statement Line Items</b>					
Employee Expenses	6,239,933	5,617,000	622,933	11.09%	Employee Expenses exceeded the budget amount due mainly to a higher number of Full Time Equivalent (FTE) staff resulting from a strategic decision of the Commission to undertake more work in-house. In addition, there has been an increase in FTE due to additional outreach services and project work being undertaken, backfilling staff on long term paid leave, an arrangement with Lead Disability Services to employ a person with a disability, and continuing staff profile changes arising from the expansion of the Commission's legal categories that occurred as part of the Enterprise Bargaining Agreement (EBA) negotiations. This positive EBA change has resulted in the Commission being able to reduce the number of Legal 2 positions and increase the number of less expensive Legal 1 positions.
<b>Balance Sheet Line Items</b>					
Cash and Cash Equivalents	3,621,861	4,408,000	(786,139)	-17.83%	Cash and Cash Equivalents were below the budget amount mainly due to additional legal disbursement payments in 2015-16 for the Eastman Stay Application and related proceedings for which the Commission will receive the related appropriation in 2016-17. These additional payments were not included in the 2015-16 budget. In addition, the Commission purchased a larger amount of property, plant and equipment than was budgeted.

<sup>1</sup>Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2015-16 Statement of Intent). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 32. BUDGETARY REPORTING - CONTINUED**

	Actual 2015-16 \$	Original Budget <sup>1</sup> 2015-16 \$	Variance \$	Variance %	Variance Explanation
<b>Balance Sheet Line Items - Continued</b>					
Property, Plant and Equipment	2,102,924	1,818,000	284,924	15.67%	Property, Plant and Equipment exceeded the budget amount due mainly to the purchase of more Computer Equipment than budgeted. In addition, the Commission undertook a renovation of its ground floor accommodation which was not included in the budget because the decision to undertake this renovation was made after the budget was prepared.
Current Payables	314,537	362,000	(47,463)	-13.11%	Current Payables were below the budget amount due mainly to Other Payables being lower than what was originally estimated in the budget. Specifically, the Commission had no PAYG withholding tax liability at the end of 2015-16 as amounts required to be paid were remitted prior to year-end. In contrast, a PAYG withholding tax liability was included in the 2015-16 Budget. The Budget amount was based on PAYG withholding tax being remitted quarterly where as the Commission was informed after the Budget was prepared that PAYG was required to be remitted fortnightly in 2015-16.
Provision for Amounts Owing to Private Legal Practitioners	249,693	432,000	(182,307)	-42.20%	The Provision for Amounts Owing to Private Legal Practitioners was below the budget amount mainly due to a lower than expected value of work performed by private legal practitioners throughout 2015-16. In addition, the reduction in the provision is also due to a lower average number of days in 2015-16 between when legal work was undertaken by a practitioner and when the invoice was received by the Commission compared to the estimate in the 2015-16 Budget.

<sup>1</sup>Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2015-16 Statement of Intent). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

**Legal Aid Commission (ACT)**  
**Notes to and Forming Part of the Financial Statements**  
**For the Year Ended 30 June 2016**

**NOTE 32. BUDGETARY REPORTING - CONTINUED**

	Actual 2015-16 \$	Original Budget <sup>1</sup> 2015-16 \$	Variance \$	Variance %	Variance Explanation
<b>Balance Sheet Line Items - Continued</b>					
Non-Current Employee Benefits	213,327	164,000	49,327	30.08%	Non-Current Employee Benefits exceeded the budget amount mainly due to an increase in the number of employees accruing non-current long service leave. In addition, the actual rate used to estimate the present value of the future payments for long service leave of 114.7% was higher than the rate of 109.3% anticipated in the budget. The impact of this rate increase is approximately \$10,000.

**Statement of Changes in Equity Line Items**

These line items are covered in other financial statements.

**Cash Flow Statement Line Items**

Purchase of Property, Plant and Equipment	400,074	130,000	270,074	207.75%	Purchase of Property, Plant and Equipment exceeded the budget amount mainly due to the purchase of more Computer Equipment than budgeted. In addition, the Commission undertook a renovation of its ground floor accommodation which was not included in the budget because the decision to undertake this renovation was made after the budget was prepared.
Proceeds from Sale of Property, Plant and Equipment	21,531	-	21,531	#	Proceeds from Sale of Property, Plant and Equipment exceeded the budget amount as the Commission does not budget for these sales given the uncertainty around their timing and amount.

<sup>1</sup>Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2015-16 Statement of Intent). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

**Note:** # in the Line Item Variance % column represents a variance that is greater than 999 per cent or less than -999 per cent.

## CAPITAL WORKS

The Commission had one capital works project in the 2015-16 financial year. This was an information technology project and involved implementing a new grants management system called LA Grants which, once completed, will replace the existing eGrants system. At 30 June 2016 this project was still ongoing with \$46,532 that had been capitalised as capital works in progress.

*Contact – Chief Finance Officer – (02) 6243 3445*

## ASSET MANAGEMENT

### ASSETS MANAGED

The Commission's property, plant and equipment assets are mainly comprised of an office fit-out at 2 Allsop Street, and furniture and equipment normally associated with a professional office such as computer equipment, desks and chairs. As shown in the Commission's financial statements the value of these assets at 30 June 2016 was \$2,102,924. The Commission also has intangible assets which consist of internally generated software providing online grants management processing (eGrants) valued at \$166,743 and externally purchased software in relation to the financial reporting system, Finance One valued at \$15,865.

The assets added to the Commission's asset register in 2015-16 mainly consisted of office and computer equipment of \$235,834 and leasehold improvements of \$162,669. However, there was \$63,758 of leasehold improvements and \$21,426 of motor vehicles that were removed from the asset register in 2015-16.

There was \$28,523 spent on repairs and maintenance in 2015-16, \$21,080 relating to leasehold improvements and \$7,443 relating to office equipment.

### OFFICE ACCOMMODATION

The Commission had up to 80 employees and 20 additional placements at any one time in leased accommodation at 2 Allsop Street, Canberra during 2015-16. The placements consisted of staff from the Environmental Defender's Office, university students, student supervisors and volunteers. The total space occupied by these persons is approximately 1,294 m<sup>2</sup>. The average space per person is approximately 12.94m<sup>2</sup>. This figure includes all areas where administrative functions are performed and excludes interview rooms, family dispute resolution conferencing facilities and circulation areas.

*Contact – Chief Finance Officer – (02) 6243 3445.*

## GOVERNMENT CONTRACTING

The Commission utilises the services of contractors to carry out its business operations. The Commission executed three contracts throughout 2015-16 with non-ACT Government entities with an estimated value of \$25,000 or more per contract. There were NIL Social Procurement outcomes during the year due to the Commission being a smaller size.

The table below shows the details of contracts the Commission has executed in 2015-16 with an estimated value of \$25,000 or more.

Contract #	Contract Title	Procurement Methodology	Procurement Type	Exemption from Quotation and Tender Threshold requirements	Contractor Name	Contract Amount	Execution Date	Expiry Date	Small to Medium Enterprise (SME)
3013	Visualfiles Annual Maintenance	Single Select	Services (non-consultancy)	Yes	Reed International Books Australia PTY Limited T/A Lexis Nexis	\$43,234.22 (Total value of this particular contract only).	01/01/2016 (Contract Execution date may differ from contract commencement date).	31/12/2016	No
3014	Finance Management Software Support and Maintenance	Single Select	Services (non-consultancy)	Yes	Technology One Ltd	\$30,476.76 (Total value of this particular contract only).	19/01/2016 (Contract Execution date may differ from contract commencement date).	18/01/2017	No
3015	Legal Aid Commission (ACT) Office Refurbishment	Select	Works	No	IQoN Pty Ltd	\$131,157.40 (Total value of this particular contract only).	04/03/2016 (Contract Execution date may differ from contract commencement date).	20/04/2016	Yes

Contact – Chief Financial Officer – (02) 6243 3445



AUDITOR-GENERAL AN OFFICER  
OF THE ACT LEGISLATIVE ASSEMBLY



## REPORT OF FACTUAL FINDINGS

### LEGAL AID COMMISSION (ACT)

#### To the Members of the ACT Legislative Assembly

#### Report on the statement of performance

The statement of performance of the Legal Aid Commission (ACT) (the Commission) for the year ended 30 June 2016 has been reviewed.

#### Responsibility for the statement of performance

The Chief Executive Officer is responsible for the preparation and fair presentation of the statement of performance of the Commission in accordance with the *Financial Management Act 1996*. This includes responsibility for maintaining adequate records and internal controls that are designed to prevent and detect fraud and error, and the systems and procedures used to measure the results of the accountability indicators reported in the statement of performance.

#### The auditor's responsibility

Under the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2016*, I am responsible for providing a report of factual findings on the statement of performance.

The review was conducted in accordance with Australian Auditing Standards applicable to review engagements, to provide assurance that the results of the accountability indicators reported in statement of performance have been fairly presented in accordance with the *Financial Management Act 1996*.

A review is primarily limited to making inquiries with representatives of the Commission, performing analytical and other review procedures and examining other available evidence. These review procedures do not provide all of the evidence that would be required in an audit, therefore, the level of assurance provided is less than that given in an audit. An audit has not been performed and no audit opinion is being expressed on the statement of performance.

The review did not include an assessment of the relevance or appropriateness of the accountability indicators reported in the statement of performance or the related performance targets.

No opinion is expressed on the accuracy of explanations provided for variations between actual and targeted performance due to the often subjective nature of such explanations.

As disclosed in the statement of performance, in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2016*, the Government Payment for Outputs and Total Cost information included in the statement of performance has not been reviewed.

### **Electronic presentation of the statement of performance**

Those viewing an electronic presentation of this statement of performance should note that the review does not provide assurance on the integrity of information presented electronically, and does not provide an opinion on any other information which may have been hyperlinked to or from the statement of performance. If users of the statement of performance are concerned with the inherent risks arising from the electronic presentation of information, they are advised to refer to the printed copy of the reviewed statement of performance to confirm the accuracy of this electronically presented information.

### **Independence**

Applicable independence requirements of Australian professional ethical pronouncements were followed in conducting the review.

### **Review opinion**

Based on the review procedures, no matters have come to my attention which indicate that the results of the accountability indicators, reported in the statement of performance of the Commission for the year ended 30 June 2016, are not fairly presented in accordance with the *Financial Management Act 1996*.

This review opinion should be read in conjunction with the other information disclosed in this report.




Bernie Sheville  
Director, Financial Audits  
14 September 2016

**Legal Aid Commission (ACT)  
Statement of Performance  
For the Year Ended 30 June 2016**

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**Statement of Responsibility**

In my opinion, the Statement of Performance is in agreement with the Commission's records and fairly reflects the service performance of the Commission for the year ended 30 June 2016 and also fairly reflects the judgements exercised in preparing it.



John Boersig  
Chief Executive Officer  
Legal Aid Commission (ACT)  
13 September 2016

**Legal Aid Commission (ACT)  
Statement of Performance  
For the Year Ended 30 June 2016**

Output Class 1 - Legal Aid Services			
Output 1.1 - Legal Aid Services Provided to the Community			
Description			
The Commission provides a full range of legal assistance services to the community through Commission staff and private legal practitioners. This output includes salaries and related costs of Commission staff as well as payments to private legal practitioners and the cost to the Commission of administering these arrangements. Private legal practitioners are paid professional fees and disbursements on the basis of agreed scales, up to a commitment level determined by the Commission on an individual case basis.			
	Original Target 2015-16	Actual Amount 2015-16	% Variance from Original Target
<b>Total Cost (\$'000)</b>	12,380	13,333	8%
<b>Government Payment for Outputs (\$'000)</b>	10,446	10,446	0%
<b>Accountability Indicators</b>			
Number of information and referral services provided.	72,000	77,220	7%
Number of legal advice and minor legal assistance services provided in person.	4,700	6,031	28%
Number of advocacy services provided.	650	493	(24%)
Number of legal information and advice services provided by the Legal Aid Helpline.	14,000	15,877	13%
Number of duty lawyer services provided.	2,600	3,062	18%
Number of legally assisted cases.	2,038	2,646	30%
Number of dispute resolution conferences held.	200	241	21%
Number of people attending community legal education sessions.	2,000	6,518	226%
Number of services provided to Aboriginal and Torres Strait Islander people.	1,150	751	(35%)
<b>Explanation of Material Variance</b>			
Total Cost exceeded the budget amount due mainly to higher than expected employee expenses resulting from a higher than estimated number of Full Time Equivalent (FTE) staff. This was driven by a strategic decision of the Commission to undertake more work in-house as well as providing additional services to the Community.			
An expanded community education program has improved awareness in the community of the availability of legal assistance which has resulted in the number of information and referral services exceeding the target. The higher than targeted number of information and referral services can also be attributed to the growth in the number of visits to information pages of the Commission website.			
The higher than targeted number of legal advice and minor legal assistance services provided in person is due to a higher than anticipated amount of advice requested in a number of civil law areas, particularly mental health, family, domestic violence orders and personal protection orders. There has also been a higher than expected number of people from culturally and linguistically diverse backgrounds attending the Commission for advice.			
The lower than targeted number of advocacy services provided is due to a greater number of advice and minor legal assistance services as well as grants of legal assistance being provided in place of advocacy services.			
The higher than targeted number of legal information and advice services provided by the Legal Aid Helpline reflects a higher than anticipated demand for this service and additional Helpline resourcing provided by the Commission.			
The higher than targeted number of duty lawyer services provided by the Commission reflects the allocation of additional resources to address the increasing demand for family and criminal law duty services at courts.			
The higher than targeted number of legally assisted cases provided reflects higher capacity as well as efficiencies in service delivery the Commission has mainly been able to achieve by increasing matters undertaken by Commission staff in all areas of the practice. This has been achieved by better allocating the case load to lawyers, employing more junior lawyers, using paralegal staff for managing more tasks in client work, and by improving listing and case management practices.			
The higher than targeted number of dispute resolution conferences held reflects a greater level of resourcing in response to a higher level of demand for family law litigation. This has resulted in faster resolution and lower costs in family law matters.			
The higher than targeted number of people attending community legal sessions can be attributed to having a full time community legal education officer throughout the year, as well as the development of a cultural liaison unit and improvements in the Commission's social media profile. The community education officer and cultural liaison unit's role is to coordinate the delivery of information sessions and outreach events. This includes liaising with stakeholders and attending community events to promote Legal Aid ACT's community legal education program and other services.			
The lower than targeted number of Aboriginal and Torres Strait Islander (ATSI) people using Commission services is primarily due to a vacancy in the ATSI client services officer position for 9 months of the year.			

The above Statement of Performance should be read in conjunction with the accompanying notes.

The above Accountability Indicators were examined by the ACT Audit Office in accordance with the *Financial Management Act 1996*. The Total Cost and Government Payment for Outputs measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2016*.

**Legal Aid Commission (ACT)  
Statement of Performance  
For the Year Ended 30 June 2016**

**Output Class 1 - Legal Aid Services**

**Output 1.1- Legal Aid Services Provided to the Community (Continued)**

**Explanation of Accountability Indicators**

*Number of information and referral services provided:* The Commission provides general information to individuals and groups about the law, legal system and availability of legal assistance. Where a person requires specialist legal assistance or help with a non-legal issue, they are referred to an appropriate legal or non-legal service provider. This indicator is measured by counting the number of occasions on which information has been provided, and referrals made to other providers.

*Number of legal advice and minor legal assistance services provided in person:* Free advice and minor assistance about most legal issues that affect people's everyday lives is available by appointment at the Commission's office and outreach services. This indicator is measured by counting the number of occasions on which face to face advice and minor assistance has been provided to clients.

*Number of advocacy services provided:* Advocacy without a grant of assistance is a service classification introduced by the National Partnership Agreement on Legal Assistance Services. These services are provided in cases where people are unable to adequately advocate their own case to a third party and may extend to representation at a court or tribunal.

*Number of legal information and advice services provided by the Legal Aid Helpline:* Free legal information, referral and limited advice is available through the Legal Aid Helpline. This indicator is measured by counting the number of calls handled by the Helpline.

*Number of duty lawyer services provided:* The Commission provides duty lawyer services at courts in the Territory for the purpose of advising and assisting people who are unrepresented. This indicator is measured by counting the number of occasions on which a person has been represented by a duty lawyer.

*Number of legally assisted cases:* Subject to clients satisfying the requirements of the *Legal Aid Act 1977* and the Commission's Guidelines, grants of assistance may be given for legal representation. This indicator is measured by counting the total number of grants approved.

*Number of dispute resolution conferences held:* The Commission provides a lawyer-assisted model of alternative dispute resolution in family law and child protection matters with the objective of settling disputes at an early stage without the need for recourse to the courts.

*Number of people attending community legal education sessions:* The Commission provides community programs of education about the law and legal processes, and the place of these in the structure of society.

*Number of services provided to Aboriginal and Torres Strait Islander people:* This indicator measures progress in encouraging Aboriginal and Torres Strait Islander people to access Commission services.

### COMMUNITY ENGAGEMENT AND SUPPORT

Community legal education (CLE) encompasses a range of activities. These activities include outreach, holding information stalls, free legal information, education, publications, social media and stakeholder engagement. CLE is the main method of promoting Legal Aid's services.

Staff from the community liaison unit visited 23 community organisations and agencies to talk about the work of Legal Aid and how we are able to assist clients. Organisations visited were: Canberra Community Law, Care Financial Counselling, Victim Support ACT, Canberra Rape Crisis Service, Domestic Violence Crisis Service, Karralika, Beryl Women's Refuge, Toora Women Inc, Aids Action Council, ACT Health, Child & Youth Protection Services, ACTCOSS, Companion House, Red Cross, Woden Community Service, Tenant's Union, Health Care Consumers Network, Advocacy for Inclusion, Mental Health Consumers Network, Marymead, Family Court Staff, and Belconnen Community Services.

Legal Aid Staff held stalls at a number of events. The events included, the Indigenous Expo, Careers Expo, Multicultural Festival, Seniors Week, Youth Week, Gugan Gulwan Youth Open Day, Belconnen High School, ANU Open Day, CIT Open Day at Reid, Woden and Bruce.

A series of legal education sessions were delivered to approximately 400 community sector workers under the banner of Law for Non-Lawyers. Sessions were delivered on the following topics: Modern Slavery, Consumer Law, the new Mental Health Act, Child & Youth Protection Services, the new Victims of Crime Compensation Scheme, How to spot a legal issue and make a warm referral, How to write a good support letter for a client and the NDIS. Feedback was excellent, evaluation summary at the end of report.

A number of other legal information sessions were delivered to groups in Canberra.

- Presentation on Wills & Estates and elder abuse were delivered to groups of older people at Lanyon, Gunghalin and Western Creek.
- Family law topics were delivered to staff at Relationships Australia, Conflict resolution Service, Marymead and Doris Women's Refuge.
- We worked with LA NSW and delivered a session on Child Support to workers in Queanbeyan.
- A number of sessions were delivered to people at MARSS and the Settlements Grants Program, Woden Community Service, on the Legal System in Australia.
- We spoke to around 80 student resident staff at ANU on a range of legal topics that impact on students.
- We spoke with workers at Beryl Women's refuge about the Airport Watchlist.

- A series of sessions on the law in Australia and employment law were delivered to around 500 students learning English at the NAVITAS School. These sessions were held at CIT in Reid, Gungahlin and Tuggeranong.

Presentations were delivered on Cyber Crime to High Schools & Colleges in the Tuggeranong area. These were a 3 hour training package that we delivered with the YWCA.

Sessions on various topics were also delivered at Harrison High School, Telopea Park, CIT YURAUNA Centre, Dickson College, Hawker College, Mackillop School and the Youth Coalition.

Staff at Legal Aid attended two African Soccer days during the year and spoke to a number of people about their legal problems.

A series of legal information sessions were delivered to young people at Belconnen Youth Centre.

Staff undertook outreach on a regular basis at the following organisations and places. We attended at: the Mental health Unit, Canberra Hospital, Advocacy for Inclusion, Communities @ Work, Council of the Aging, Gungahlin and Tuggeranong Child and Family Centre's, MARSS, Youth Engagement Team, Youth in the City, Belconnen Youth Service, Gowrie Court, Stuart Flats, George Street Flats, Bega Court, the early Morning Centre, the Muslim Women's Group in Gungahlin and Canberra College Cares. We also attend the Civic Library on a monthly basis. Some of the outreach undertaken involved the organisation making appointments for client's to see the Legal Aid staff member, other outreach operated as a 'drop in' service.

Legal Aid ACT's main presence on social media is through Facebook. Starting with 105 'likes' at the start of the financial year, at the time of writing, Legal Aid ACT's following has increased by approximately 554%. Whereas it was only used to publicise outreach stalls in the past, it is now used to increase awareness of important legal issues in Canberra, and Australia more broadly. As such, approximately two articles, events or videos are shared every day, and usually coincides with the high-traffic periods for the page. Sometimes up to four articles are shared, depending on the content available on the day. Given the increased following, and more frequent engagement with Legal Aid ACT's Facebook page, the ability to advertise events through Facebook has correspondingly increased. The success of this approach will be tested with the first event Legal Aid ACT will host through Facebook: "Freedom Stories" for Refugee Week.

Updated all of the current Legal Aid brochures and ensured these were placed in relevant locations across Canberra. Gained permission from Legal Aid Commissions to use some of their publications and make them ACT specific. Gained permission to use a QLD resource, Capacity Toolkit and to make an ACT specific version. Work was undertaken on producing and delivering information on Gender Dysphoria. We have commenced a resource on Fines and on self-representing in ACAT.

Work was undertaken in partnership with the Red Cross and The Salvation Army in the area of Modern Slavery. Several sessions were delivered to various community organisations on how to identify victims and help victims of modern slavery.

Several information sessions were delivered to around 90 workers and lawyers from various law firms and community organisations on the changes under the New Mental Health Act. One of these sessions was under the Law Week umbrella.

A legal briefing was delivered to a group of church leaders on the criminal implications of harbouring refugees.

We participated in a walk protesting against cuts to Legal Aid funding. We also participating in the National Sorry Day Bridge Walk.

We have been part of the ACTLAF CLE working group. The group consists of LA, CLC's and Justice and Community Safety and works together on CLE projects, outreach and information stalls.

*Contact - Coordinator of Community Education and Information Services - 6243 3475.*

Legislation	Relevant application to the Commission
<p><b><i>Emergencies Act 2004 (Section 85)</i></b></p>	<p><b>BUSHFIRE RISK MANAGEMENT</b></p> <p>The Commission is not required to report against this section has no notifications were received from Act Emergency Services Agency nor from the Minister.</p>
<p><b><i>Freedom of Information Act 1989 (FOI Act), sections 7, 8 and 79</i></b></p>	<p><b>FREEDOM OF INFORMATION</b></p> <p><b>Section 7 Statement</b></p> <p>The functions and operations of the Commission are set out earlier in this report in the Organisational Overview. The Commission’s main decision making power is whether to provide legal assistance under Part 5 of the <i>Legal Aid Act 1977</i> (the Act). Rights of reconsideration and review of decisions are set out in Part 6 of the Act.</p> <p>Members of the public may make submissions to the Commission on policy matters in relation to particular services. Submissions should be made in writing to the Chief Executive Officer.</p> <p>Part 11 of the Act enables the Minister to establish a consultative committee to assist the Commission in the exercise of its functions. None were established during the year.</p> <p>Categories of documents that the Commission makes available on request by an applicant, or under the FOI Act, are records and information concerning the affairs of that person (but not information relating to persons other than the applicant). The privacy of information held by the Commission concerning the affairs of people is protected by section 92 of the Act.</p> <p>Documents may be inspected at the Commission’s office which is close to public transport and has wheelchair access.</p>

Legislation	Relevant application to the Commission
<b><i>Human Rights Act 2004 (HRA)</i></b>	<p><b>HUMAN RIGHTS ACT</b></p> <p>One formal education and training session was provided for staff and informal information was disseminated to agency staff on a range of human rights issues. The Commission is in regular contact with the Human Rights advisor on human rights principles.</p> <p>No formal reviews or preparations for reviews of existing legislation for compatibility with the HRA have been undertaken.</p> <p>Several litigation cases involved notification to the Human Rights advisor.</p>
<b><i>Law Officers Act 2011</i></b>	<p><b>LEGAL SERVICES DIRECTIONS</b></p> <p>The Commission does not perform any Territory legal work, therefore no further disclosures is required.</p>

#### PUBLIC SECTOR STANDARDS AND WORKFORCE PROFILE

Legislation	Relevant application to the Commission
<b><i>Public Interest Disclosure Act 2012 (PID Act)</i></b>	<p><b>PUBLIC INTEREST DISCLOSURE</b></p> <p>No disclosures were made to the Commission during the reporting period.</p> <p>A pamphlet outlining the Commission's procedures can be accessed at:  <a href="http://www.legalaidact.org.au/pdf/publications_publicdisclosurepamphlet.pdf">http://www.legalaidact.org.au/pdf/publications_publicdisclosurepamphlet.pdf</a>.</p>

#### OTHER (DANGEROUS SUBSTANCES AND TERRITORY RECORDS)

Legislation	Relevant application to the Commission
<p><b><i>Dangerous Substances Act 2004, section 200</i></b></p> <p><b><i>Medicines, Poisons and Therapeutic Goods Act 2008, section 177</i></b></p>	<p><b>NOTICES OF NON COMPLIANCE</b></p> <p>There were NIL notices of noncompliance serviced to the Commission.</p>
<p><b><i>Territory Records Act 2002 (TRA)</i></b></p>	<p><b>TERRITORY RECORDS ACT</b></p> <p>The administrative records of the Commission are managed by a current Records Management Program approved by the CEO. This program also contains procedures that have been implemented throughout the Commission and where necessary training has been arranged for staff. A copy of the Records Management Program can be made available by contacting our office.</p> <p>The legal services records of the Commission are managed in accordance with section 69B of the <i>Legal Aid Act (1977)</i> (the Act).</p> <p>A list of the approved Records Disposal Schedules is included in the table following.</p> <p>Access to records in accordance with Part 3 and under section 28 of the <i>Territory Records Act 2002</i> are provided on request where appropriate.</p>

*The approved Records Disposal Schedules by name and Notifiable Instrument Number*

Record Disposal Schedule Name	Effective	Year & No.
Compensation Records	11/04/2012	NI2012-183
Corporate Governance Records	09/01/2009	NI2009-10
Financial Management Records	02/09/2011	NI2011-482
Government Insurance Services Records	11/12/2009	NI2009-630
Industrial Relations Records	08/03/2011	NI2011-90
Information Management Records	08/03/2011	NI2011-92
Occupational Health & Safety (OH&S) Records	11/09/2009	NI2009-444
Personnel Records	7/7/2015	NI2015-358
Procurement Records	09/10/2007	NI2007-312
Protection of records relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse	01/02/2013	NI2013-42
Workplace and Safety Policy Records	08/03/2011	NI2011-96

Contact – CEO– (02) 6243 3496

## LIST OF ABBREVIATIONS AND ACRONYMS

ACAT	ACT Civil and Administrative Tribunal
ACTELH	ACT Emergency Legal Help
ACTLAF	ACT Legal Assistance Forum
CEO	Chief Executive Officer
CLE	Community Legal Education
DR	Dispute Resolution
DCEO	Deputy Chief Executive Officer
FDR	Family Dispute Resolution
FLPN	Family Law Pathways Network
FTE	Full-Time Equivalent
ICT	Information and Communication Technology
LAMIS	Legal Aid Management Information Solution
NLA	National Legal Aid
NPA	National Partnership Agreement
NPALAS	National Partnership Agreement on Legal Assistance Services
PAWG	Payment Assurance Working Group

## GLOSSARY OF TECHNICAL TERMS

Amicus Curiae	Friend of the Court. Someone who is not a party to a proceeding who, with the approval of a court or tribunal, provides information that bears on the case to assist the court or tribunal.
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