

Legal Aid ACT

Promoting a just society in the
Australian Capital Territory

ANNUAL REPORT 2018-2019

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Contents

Transmittal Certificate	5
President's Report.....	6
The Commissioners	8
Organisational Overview and Performance.....	11
Organisational Overview.....	12
Independent Commission.....	12
Services	13
Reconsideration and Review of Decisions	22
Stakeholders and Partnerships	22
Governance Structure.....	24
Management Structure.....	25
Management Changes	26
Executive Remuneration.....	26
Significant Committees	26
Organisational Structure.....	27
Performance Analysis.....	28
Statement of Intent	28
Service and Statistical Data.....	30
Service Delivery Performance Analysis.....	39
Funding and Financial Performance	41
Outlook and Emerging Issues.....	42
Strategic Objectives 2019-2020	43
Priorities.....	44
Planning Framework	45
Scrutiny	45
Auditor-General's Report and Audit Management Report	45
Legislative Assembly Inquiries and Reports.....	46
ACT Ombudsman Inquiries and Reports.....	46
Risk Management	46
Internal Audit	46
Internal Audit Committee	46
Internal Controls and Internal Audits	47

Fraud Prevention.....	47
Community Engagement and Support.....	48
Work Health and Safety	50
Human Resources Management.....	51
Learning and Development.....	53
Aboriginal and Torres Strait Islander Reporting	54
Ecologically Sustainable Development	55
Financial Management Reporting	56
Management Discussion and Analysis.....	57
Financial Statements.....	64
ACT Audit Office – Report	65
Financial Statements and Attached Notes.....	67
Capital Works	110
Asset Management	110
Assets Managed	110
Office Accommodation	111
ACT Audit Office – Limited Assurance Report.....	112
Statement of Performance	114
Government Contracting	117
Whole of Government Annual Report.....	119
State of the Service Report	122
Workforce Profile	123
Culture and Behaviour	125
Public Interest Disclosure.....	125
List of Abbreviations and Acronyms	127
Alphabetical Index.....	129

Transmittal Certificate

26 September 2019

Mr Gordon Ramsay MLA
Attorney-General for the ACT
ACT Legislative Assembly
London Circuit
Canberra ACT 2601

Dear Mr Ramsay

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

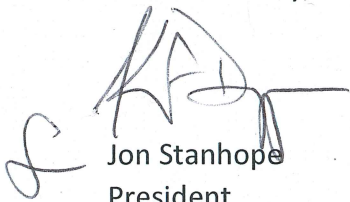
It has been prepared in accordance with other legislation applicable to the preparation of the Annual Report by the Legal Aid Commission (ACT).

We certify that the information in 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 2018 to 30 June 2019.

We hereby certify that fraud prevention has been managed in accordance with the *Public Sector Management Standards 2006*, Part 2.3.

Section 13 of the *Annual Reports (Government Agencies) Act 2004* requires that you present this Report to the Legislative Assembly within 15 weeks after the end of the reporting year.

Yours sincerely,



Jon Stanhope
President
26 September 2019



John Boersig
Chief Executive Officer
26 September 2019

President's Report

Over the past year the Commission has expanded its services, providing legal assistance to a greater number of vulnerable and disadvantaged individuals in the ACT. Growing demand for legal aid services has brought with it new challenges and exacerbated existing financial pressures.

This Annual Report documents the ongoing and urgent needs of the community for legal assistance of all kinds. The growth in calls made to the Helpline, the thousands of additional hits on the website and the popularity of the 'ACT Law Handbook', which was released late last year, illustrate the ever-increasing demand for legal information and a growing awareness of the services provided in the community. Similarly, demand for Duty Lawyer services continues to exceed expectations, reflecting the increased need for legal assistance at courts and tribunals. The ACT's growing population, combined with greater awareness about the services that the Commission provides is likely to maintain this trend into the future.

Importantly, this Report illustrates the variety of legal problems which people face, and why they seek help from the Commission. Inherent disadvantage is compounded by a difficult-to-navigate legal system and a lack of legal knowledge in the community, leaving many helpless and overwhelmed. It is in this space that the Commission must remain proactive, not only assisting victims of injustice, but also by identifying trends of disadvantage that will then inform the assistance which Legal Aid can provide. I am happy to report that increases in Aboriginal and Torres Strait Islander clients, as well as in services for to victims of domestic violence are two important examples of how the Commission is working to do just that.

This Report shows that the Commission remains the ACT justice system's 'heavy lifter'. Representation in Courts and Tribunals is a core service, but the Commission has also attempted to meet the community's increased need for legal assistance by developing a holistic approach to services to better address the many and varied needs of clients. The work of the Community Liaison Unit, and partnerships with community organisations and government, illustrate how the Commission takes a holistic approach to the problems which clients face. The partnerships with Canberra Hospital and The University of Canberra, referral pathways to the Domestic Violence Crisis Service, and an outreach program with Winnunga Nimmityjah are also examples of how need is identified and met through outreach programs.

Whilst the Commission strives for innovation, and endeavours to optimise service provision, this cannot replace the need for Government – at Commonwealth and Territory level – to make proportionate investment in Legal Aid services. In the lead up to the next National

Partnership Agreement government should listen to the needs of the community when setting the level of investment that the justice sector receives.

Finally, this Report stands as a testament to the diligent and compassionate work of the Commission's staff, and the generosity of its partners within the community.

It is heartening to see the Commission's continued good work, and I look forward to seeing the organisation meet the challenges that the coming year will bring.

Jon Stanhope
President

The Commissioners During 2018-2019

Jon Stanhope

Jon Stanhope was appointed as President of the Commission on 14 December 2014. Prior to his political career, Mr Stanhope served as Deputy Administrator of Norfolk Island, as Secretary of a major Parliamentary Committee, and as President of a number of community organisations. He was elected as an Australian Labor Party Candidate to the ACT Legislative Assembly in 1998, and was immediately elected leader of the opposition by the Caucus. In 2001 he was elected Chief Minister, a position he held until 2011. During this time he introduced a Human Rights Act, reduced budget expenditure, streamlined the bureaucracy and introduced a number of significant financial and administrative reforms. After his time in politics, Mr Stanhope accepted a professorial fellowship in the Australia and New Zealand School of Government at the University of Canberra, and served a two-year term as Administrator of the Indian Ocean Territories.

Gail Kinsella

Gail Kinsella was appointed as the Commissioner for financial management on 10 May 2010. Ms Kinsella is a Chartered Accountant, and a director of Kinsella Chartered Accountants. She has served as a board member and treasurer of Communities@Work, as well as on several professional advisory boards and committees at the local and national level.

Richard Glenn

Richard Glenn was appointed as Commissioner on 19 July 2017. Mr Glenn is the Deputy Director General of the ACT Justice and Community Safety Directorate. He has previously served as Deputy Commonwealth Ombudsman and as Assistant-Secretary of the Commonwealth Attorney-General's Department. He has worked in national security law, business and information law, securities reform, copyright, and native title. He holds a BA, LLB and LLM from The Australian National University, and is admitted as a Barrister and Solicitor of the Supreme Court of the ACT.

Kym Duggan

Kym Duggan was appointed as the Commissioner with special expertise on 20 May 2016. Mr Duggan currently works as a justice sector consultant to Commonwealth and State Governments. He has previously served as the First Assistant Secretary at the Commonwealth Attorney-General's Department and in the Department of Prime Minister and Cabinet. He has worked in national security law, social security law, indigenous justice, and native title. He holds an LLB from The University of Adelaide, and has been admitted to practice as a barrister and solicitor since 1978.

Marcus Hassall

Marcus Hassall was appointed as Commissioner on 23 January 2017. Mr Hassall is a Barrister at the Blackburn Chambers. He has a diverse practice, including in bankruptcy law, commercial law, administrative law, family law, criminal law, workers compensation and others. He has previously served as a prosecutor with the Commonwealth Director of Public Prosecutions and as a solicitor with the Australian Government Solicitor. He has served on the ACT Bar Association's sub-committees on Criminal Law and Continuing Professional Development. He is also a practice mentor in Commercial Law with the ANU Legal Workshop Program. He holds an LLB from The Australian National University.

Genevieve Bolton OAM

Genevieve Bolton was appointed as the Commissioner representing the social services sector from 24 July 2015 to 23 July 2018. Ms Bolton is the Co-ordinator and Principal Solicitor at Canberra Community Law. She was awarded the Australian Human Rights Commission Law Award in 2015 for her work in improving access to justice and advocating for systemic change and the Medal of the Order of Australia in 2016 for her service to the law. Her main areas of practice are in public housing and welfare rights. She holds an LLB from The Queensland University of Technology. The Commission is very grateful for her service.

Walter Hawkins

Walter Hawkins was appointed as Commissioner from 10 August 2012 to 9 August 2018. Mr Hawkins is the Principal and Practice Leader of Maurice Blackburn Canberra (previously Pamela Coward Higgins Lawyers), where he specialises in personal injury, work-related injury, and product liability litigation. He has previously worked with the Public Interest Advocacy Centre, where he conducted large-scale product liability litigation, and with a national personal injury firm. He has served as Chair of the ACT Law Society Access to Justice Committee, as a member of the ACT Law Society Civil Litigation Committee, as a member of the Law Council of Australia Access to Justice Committee, and as President of ACT Labor Lawyers. He has also been a contributing author to the Lawyers Practice Manual of NSW. He has a BA and LLB from Macquarie University, and an MBA from The University of Canberra. The Commission is very grateful for his service.

Susan Helyar

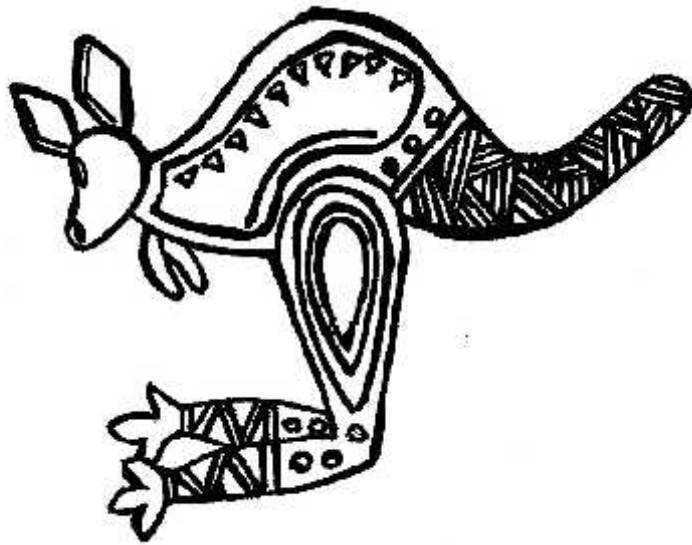
Susan Helyar was appointed as the Commissioner representing the social services sector on 21 March 2019. Ms Helyar is the Executive Director of the ACT Council of Social Services. She has previously worked in social policy development for the ACT and Commonwealth Governments, as the Leader of Services Development Advocacy for Uniting Care Australia, and as a social worker. She teaches in this field at the Australian Catholic University.

Lisa Sherman

Lisa Sherman was appointed as a Commissioner on 21 March 2019. Ms Sherman is a Special Counsel at HWL Ebsworth Lawyers, where she specialises in the law of public liability, workers compensation, motor vehicle accidents, medical negligence, and coronial inquests. She has previously worked as a lawyer at Sparke Helmore.

John Boersig

John Boersig was appointed as 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 Assistant 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 AND PERFORMANCE

2018-2019

Organisational Overview

The Legal Aid Commission (ACT) (**the Commission**) is an independent statutory authority established by the *Legal Aid Act 1977* (ACT) (**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 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.

Independent Commission

As an independent statutory authority, the Commission operates a legal practice with a high degree of autonomy, while remaining accountable to government for the exercise of our statutory functions. Our independence is necessary because many of the individuals we assist are parties to actions by, or against, the government. While the Commission's work is undertaken in the broader context of government justice policy, as is set out in the Act and in the ***National Partnership Agreement on Legal Assistance Services 2015-2020 (NPALAS)***, our lawyers are required to observe the same rules and standards of professional conduct as private lawyers, and are subject to the same professional duties. Their professional duties are owed to the law, the court and their clients, rather than to government.

Nature and Scope of Activities

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

The Commission helps people who live in the ACT or who are involved in proceedings in ACT courts and tribunals, and who are in need of legal advice or assistance but who are unable to access private legal services. Our clients are disadvantaged relative to the general population, often as a result of disability, illness, youth, old age, homelessness, language and cultural barriers, or financial difficulties.

Our services are wide-ranging and include the provision of information and referral services, legal advice and assistance, advocacy, duty lawyer services, grants of legal assistance and representation in Courts and Tribunals, dispute resolution services, Community Legal Education programs and submissions on issues of law reform.

Legal assistance services are provided free of charge, but means-tested grants of financial assistance and dispute resolution conferences may be subject to payment of a contribution.

The **NPALAS** is due to expire next year. Negotiations between the State, Territory and Commonwealth Governments have commenced in the lead up to the creation of a new agreement. The services provided by the Commission under the current agreement are described below.

Services

1 – Discrete Assistance Services

Discrete Assistance is the provision of unbundled and discrete legal and non-legal services to service users. These services are non-ongoing and intermittent. They differ substantially from Representation Services, where a Service Provider takes carriage of a matter in an ongoing representative capacity.

Discrete Assistance can be provided at any location (for example, in a Service Provider's office or in an outreach location). It can be delivered through the following mediums:

-) In person;
-) Over the telephone;
-) Through email, mail and fax; or
-) Through video conferencing and online chat.

Discrete Assistance can include provision of the following services:

Information Services

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

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

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 that the Commission provides will usually concern legal rights and responsibilities, court and tribunal processes, alternative mechanisms for dispute resolution, the availability of financial assistance, and referral to other community services appropriate to people's needs.

Information is provided through the Legal Aid Help desk, online through the Law Handbook, 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. It is also provided through the Commission's website, by dissemination of written materials about common legal issues to individuals and organisations, and 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

When a Service Provider determines that a Service User can be assisted by another individual or organisation, they will provide them with a Referral for that service. Referrals are 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 Health/Justice Partnership at Canberra Hospital, the Prisoners Legal Service, and at Communities@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, Cultural and Linguistically Diverse 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; and
-) 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

Minor legal assistance involves the provision of assistance that is greater than just information and legal advice, but falls short of direct representation that is designed to enable people to progress resolution of identified legal problems. It is often aimed at helping clients to self-represent, and might involve assistance in drafting a 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 to eligible people in relation to a range of legal matters, 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.

2 – Facilitated Resolution Process Services

A Facilitated Resolution Process is where a Service Provider conducts an activity (such as a conference) to assist the parties to resolve or narrow issues in dispute without going to court. Generally, it will involve a screening process and the provision of an independent and suitably qualified professional to facilitate the resolution of the issues in dispute.

This service category includes a number of activity types, including:

-) screening;
-) conferences; and
-) mediation and arbitration.

In family law and child protection matters the Commission provides a lawyer-assisted model of alternative dispute resolution with the objective of early-stage dispute resolution.

These Services can be provided in person at any location or by telephone or video conference.

3 – Duty Lawyer Services

Duty Lawyer Services are legal services that are provided by duty lawyers to Service Users at a court or tribunal. These services are provided free of charge to people who would otherwise be unrepresented in relation to an event or proceeding on that day.

The Commission provides duty lawyer services for:

-) criminal cases at the ACT Magistrates Court and the ACT Children’s Court;
-) domestic violence and personal protection matters at the ACT Magistrates Court;
-) family law and family violence related matters at the Canberra Registry of the Family Court and Federal Magistrates Court; and
-) various matters at the ACT Civil and Administrative Tribunal and the Administrative Appeals Tribunal

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.

4 – Representation Services

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. They 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.

This service category includes Dispute Resolution, Court/Tribunal Services, and other Representation.

Dispute Resolution

Representation can be provided to Service Users in a Facilitated Resolution or alternative dispute resolution process. This service type does not include court or tribunal based resolution services, which can be provided in 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. Services provided to self-representing parties preparing to attend Facilitated Resolution Processes are 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 or tribunal based alternative dispute resolution.

This 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 are any matter where the Service Provider takes carriage of a matter in an ongoing, representative capacity that does not proceed to the court, tribunal or inquiry, or is not required to.

5 – Community Legal Education Services

Community Legal Education (CLE) is provided to the general community, community services, community groups, schools and other organisations. CLE services enhance community understanding of the law, empowering people to better identify, prevent and solve problems that may arise. They also raise awareness of the assistance that legal and support services can provide in the community.

CLE involves the provision of information and education services concerning the law and legal processes to members of the community on an individual or group basis, with a focus on informing and educating the vulnerable and disadvantaged. Effective education teaches about the workings of the legal system, and shows them how to apply this knowledge to benefit their own lives and the lives of those around them.

The communities for which legal education are provided can be defined geographically, by issue or by need. This service category includes Community Legal Education Resources and Community Legal Education Activities.

Community Legal Education Resources

The Commission develops and amends publications that provide information about the law and legal system, about legal and support services, and about how to identify, prevent and solve legal problems. Some resources are provided for individuals who have the capacity to take significant action to resolve their own legal issues, but who require specific legal information in order to do so. Other resources are provided for individuals who are unable to independently navigate the legal system, and are targeted at the community support and social workers who assist them.

CLE Resources also increase the Commission's visibility in the ACT, ensuring that when individuals are in need of assistance they are more likely to be aware of the services that we can provide.

Community Legal Education Resources include:

-) booklets and pamphlets;
-) self-help kits;
-) legal information websites; and
-) modules, workshops and presentations.

Community Legal Education Activities

CLE Activities aim to raise awareness and educate other service providers, community groups, schools, and other organisations about how to recognise, prevent, and solve legal problems.

These Activities also aim to train the staff of organisations that assist vulnerable and disadvantaged members of the community in how to recognise when their clients have legal problems and how to refer them for appropriate help. This training can also include targeted information sessions on a range of specific legal issues.

CLE Activities can be delivered through workshops and presentations, or through the use of web-based and electronic media. Workshops and presentations can be held on the Commission's premises, at schools, or at community centres.

Community Liaison Unit

The Community Liaison Unit (CLU) provides a holistic model of care that addresses the multi-dimensional needs of our clients, recognising that people's legal problems interact with issues relating to their social, cultural and economic backgrounds. The CLU engages at the earliest opportunity to:

-) Connect clients and their families to appropriate supports and resources beyond those that can be provided by legal professionals; and
-) Provide continuity of care, with one social support worker engaged from first contact through to final hearing.

CLU has eight workers in the following non-legal support roles:

-) Cultural Liaison Officers;
-) ATSI Client Support Officers;
-) Family Violence Officer / Family Advocacy and Social Support Officer; and
-) Community Legal Education Officers.

Case Study – CLU Client Care

“ She was only 17 years old when she was forced to marry her 43-year-old husband...”

In 2018, a 21-year old woman of South Asian background contacted our Helpline service after she had fled her husband’s home in Adelaide due to family violence. She had come to Canberra to stay with a relative, away from her tight-knit family and community in Adelaide. She was only 17 years old when she was forced to marry her 43-year-old husband, who had paid a large sum of dowry to her family. Her husband had wanted to send her back to South Asia so that he could reclaim his money. If she did return, the client was at risk of being forced into another marriage by her family.

Using an interpreter, our female Community Liaison Officer (CLO) assisted her to complete an Application for Legal Assistance in her migration matter and linked her with our Domestic Violence Unit to obtain a Family Violence Order against her husband. In addition to these legal services, the client was also connected to other social supports in Canberra. Our CLO strongly advocated for her to be offered emergency accommodation through Onelink despite her lack of income and uncertain immigration status. Furthermore, as the client had not been allowed to seek medical treatment while she was with her husband, our CLO made an urgent referral to Companion House where a GP determined that she was pregnant. In addition, with the help of the Multicultural Services Officer at Centrelink, she also began receiving an ongoing Special Benefit payment.

During the course of the client’s migration and family violence matters, our CLO acted as a conduit between her legal representatives and support services. Through the evidence provided by Toora Women’s Refuge and Companion House, the client was ultimately granted a Permanent Resident Visa to remain in Australia. When she moved back to Adelaide for family support around the birth of her child, our CLO referred the client to local lawyers for ongoing safety planning and family law advice.

Older Persons ACT Legal Service

The Older Persons ACT Legal Service (OPALS) was launched in November 2018 and offers a range of services to address the legal and non-legal needs of older people in the ACT. OPALS provides information and referral services, legal advice and representation to individuals, and education to help prevent elder abuse and safeguard the rights, dignity and independence of older people. OPALS draws on the expertise of other practices in Legal Aid ACT to provide this support. OPALS plays a leadership role in policy development, law reform and education, and works with organisations to raise awareness of elder abuse in the community.

OPALS advises on a range of legal issues that disproportionately impact older people, with a particular focus on elder abuse. In 2018-2019, OPALS received 549 calls to its dedicated line, and provided 98 legal advice, minor assistance and representation services. These matters varied in nature depending on the circumstances of the older person. During the period, assistance was provided on such matters relating to elder abuse and family violence, misuse of enduring powers of attorney, family care arrangements, guardianship and financial management, age and disability discrimination, neighbourhood disputes and credit and debt.

Older people encounter significant barriers in accessing legal and justice services. OPALS works in partnership with other frontline community agencies to reach out to the people most isolated and vulnerable older people in the community. In 2018-2019, OPALS provided outreach services at the Council on the Ageing ACT and the Canberra Hospital, and provided flexible legal services to those unable to attend the office of Legal Aid ACT.

OPALS has a strong community legal and professional education component to support its prevention and empowerment model – providing resources, presentations and workshops to older people, family members, friends and community groups. OPALS also supports professionals working in the aged and community care, health and legal settings through professional education and secondary consultation services. In 2018-2019, OPALS delivered 60 community and professional education sessions. To promote OPALS and to deliver information on elder abuse, OPALS produced a bookmark on elder abuse which was distributed through the ACT Home Library Service. OPALS also produced seven booklets which are available online and in hard copy. These were titled: Care for your Assets; Adult children at home; Plan for your safety; Working with people at risk of abuse; Decision making and your rights; Concerned about someone; and Gifts, loans and debts.

OPALS works for positive change for and with older people. We collaborate with other agencies to raise awareness of older people's rights and engage in law reform and systemic advocacy initiatives. In 2018-2019, we participated in the Elder Law and Succession Law Committee of the ACT Attiety, the Ministerial Advisory Group on Ageing and the ACT Elder Abuse Prevention Network. We also contributed to consultations relating to reforms to enduring powers of attorney and worked with Legal Aid ACT's Aboriginal and Torres Strait Islander Client Support Officer to consult with older Aboriginal and Torres Strait Islander people to better identify their experiences of elder abuse. OPALS, along with Northside Community Services and Relationships Australia, hosted World Elder Abuse Awareness Day in June 2019 at the Theo Notoraz Multicultural Centre.

Helpline

The Legal Aid ACT Helpline operates every weekday from 8:30am - 4:30pm and can be contacted on 1300 654 314. The Helpline provides free confidential assistance over the phone to callers who have a legal problem or who need assistance identifying whether they have a legal issue. The Helpline provides immediate and accurate legal information to callers, which enables some callers to resolve

their legal issue independently. Callers who require legal advice or further assistance may be booked in for an appointment with a solicitor or referred to a duty service operated by the Commission. Callers with complex legal issues or particular vulnerabilities are provided with an application form for a Grant of Legal Assistance so that they may receive ongoing assistance.

The majority of the Commission's clients first make contact with the Commission via The Helpline. The Helpline has seen growth of 11.1% in the volume of calls in the past 12 months from 15,671 in 2017-2018 to 17,406 in 2018-2019. The Helpline assists a diverse range of clients, including those who do not speak English as a first language. Callers can request to speak with Helpline staff via an interpreter, whose services are free.

Legal Aid ACT launched two new frontline services this year to sit alongside the Helpline; the Legal Aid Chat Line and the ACT Law Handbook.

The Chat Line is a confidential web chat service that allows visitors to the Commission's website to connect and communicate with a Helpline paralegal. This service allows people to make contact with the Commission if they are unable to call the Helpline or find initiating contact via phone stressful.

The ACT Law Handbook is an online resource accessible through the Commission's website and provides information on a wide variety of legal topics and legislation specific to the ACT. It is a tool that can be used by people to research their legal issue independently.

Family Violence Unit

The Family Violence Unit (FVU), in Legal Aid's General Practice, consists of nine lawyers and two paralegals, with another five lawyers from General Practice working regularly in the Team. All lawyers have specialist family violence training. The Team work between the Legal Aid Office, the ACT Magistrates Court where Legal Aid's Family Violence and Protection Orders Unit is located, and the Family Courts where two lawyers are located to provide duty advice and assistance.

The legal team works closely with Legal Aid's Community Liaison team, which includes a social worker, the recently established position of a men's social support worker, two cultural liaison officers and two aboriginal support officers. The Team also work with Legal Aid's Older Persons Legal Service (OPALS) to provide advice and assistance in elder abuse cases. At the Magistrates Court, Legal Aid staff work collaboratively with the Domestic Violence Crisis Service court support team.

The services provided by the FVU include:

-) Advice and representation in applications for Interim Family Violence Orders;
-) Representation at Return Conferences;
-) Representation at contested hearings;
-) Advice, assistance and representation on family law matters where there are interrelated family violence issues (the Family Advocacy and Support Service);
-) Risk assessment and safety planning;
-) Warm referrals for assistance with issues related to housing, finances and trauma;
-) The Health Justice Partnership with Centenary Hospital for Women and Children, working onsite at the hospital to advise and assist women experiencing family violence, or who have family law, child protection, employment or discrimination problems;
-) A dedicated duty lawyer for parents in Child Protection matters; and

-) Training to government and community groups.

In 2018-2019 the FVU assisted 1,017 victims of family violence at the Magistrates Court, up from 932 in 2017-2018.

Lawyers and support workers in the Family Violence Team are uniquely placed to bring their experiences at the frontline of the legal response to family violence to bodies responsible for policy, law reform or procedural change in this area. As well as conducting regular training for various government and community groups and providing input to law reform submissions relevant to the legal response to family violence, lawyers from the Family Violence Team are members of the following organisations:

-) The Family Violence Intervention Program Coordinating Committee, chaired by the Victims of Crime Commissioner;
-) The Family Violence Interagency meeting chaired by a Registrar of the Magistrates Court;
-) The ACT Law Society Family Violence and Children's Committee; and
-) The Family Law Pathways Network.

Reconsideration and Review of Decisions

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.

Stakeholders and Partnerships

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 and educational agencies in the ACT.

Community Legal Centres

Under the **NPALAS** 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 the legal assistance providers in the ACT, namely, the 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** (CLC's) in the ACT (Tenants' Union, Consumer Law Centre, Environmental Defender's Office, Canberra Community Law 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. Their services complement those of other legal aid providers, including the Commission's. There is a high degree of cooperation between all the Centres 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 the agencies to improve the provision of legal advice and assistance to Aboriginal and Torres Strait Islander people 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. Private lawyers also participate in the provision of legal assistance in a number of important ways. These 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* (ACT);
-) 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; and
-) providing other pro bono assistance such as participation in the preparation of publications and other Community Legal Education activities.

The Commission publicly acknowledges and thanks the many members of the private legal profession who contribute to the provision of legal assistance in one or more of these ways.

Law Students and Volunteers

Law students play an important role in the provision of legal aid services. They provide research assistance, assist with client services, and support lawyers and paralegal staff in the provision of minor assistance, information and case work. The Commission accepts students from a number of universities as part of a placement or internship program, or as volunteers. Programs include the ANU Legal Workshop and the UC Law Internship course.

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.

The ACT Legal Assistance Forum (ACTLAF) meets regularly throughout the year. Membership is comprised of a range of legal and community sector assistance service providers. The Commission plays an active role in jurisdictional planning and collaboration between members.

The Commission 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 the **ACT Law Society**. Staff members are represented in a number of committees, including Access to Justice, Criminal law, Diversity, Pro Bono and the Ethics and Complaints. In addition we receive funding annually from the Statutory Interest Account 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 Commission supervises the **Canberra and ACT Regional Family Law Pathways Network** (ACTFLPN) covering 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 ACTFLPN Advisory Panel and the Steering Committee members who continue to facilitate planning.

Governance Structure

The Commission is a body corporate established under the *Legal Aid Act 1977* (ACT) (the Act). 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 Commission is governed by a board of eight Commissioners, seven of whom are appointed by the Attorney-General in a part time, supervisory role. The eighth Commissioner is the Chief Executive Officer, who is appointed by the Commission.

The functions of the Board of Commissioners 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.

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 statutory officeholders appointed by the Board. The Act deems the CEO and DCEO 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 functions of the board are to guide 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 daily affairs of the Commission. Qualifications for appointment to the board are set out in section 16 of the Act.

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

Commissioner	No. of meetings attended
Jon Stanhope	5
John Boersig	6
Gail Kinsella	5
Richard Glenn	5
Kym Duggan	5
Marcus Hassall	5
Genevieve Bolton	2
Walter Hawkins	2
Susan Helyar	1
Lisa Sherman	1

Management Structure

The Commission is divided into functional divisions, each headed by a senior manager who reports to the CEO. As the Commission holds confidential information relating to people's legal cases, there are strictly enforced information barriers between Client Services and the Legal Practices, and between the Litigation and General Practices.

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

Litigation Practice	Deputy CEO – Louise Taylor
General Practice	Derek Schild
Client Services	Amy Eager Jennifer Crawley
Corporate Services	Sharyn Giles (Human Resources) Brett Monger (Chief Finance Officer)

The Chief Executive Officer, Deputy Chief Executive Officer, Head of General Practice and Chief Finance Officer comprise the Commission's Executive Committee. The Legal Practice management committee includes the Executive and the Division heads.

Management Changes

The following changes have occurred during this year:

To the Board of Commissioners:

-) Genevieve Bolton's term expired on 24 July 2018
-) Walter Hawkins' term expired on 9 August 2018
-) Lisa Sherman was appointed as Commissioner representing the social services sector on 21 March 2019
-) Susan Helyar was appointed as Commissioner on 21 March 2019

To the Executive:

-) Louise Taylor, the Deputy CEO, resigned on her appointment to the ACT Magistrates Court in October 2018

Executive Remuneration

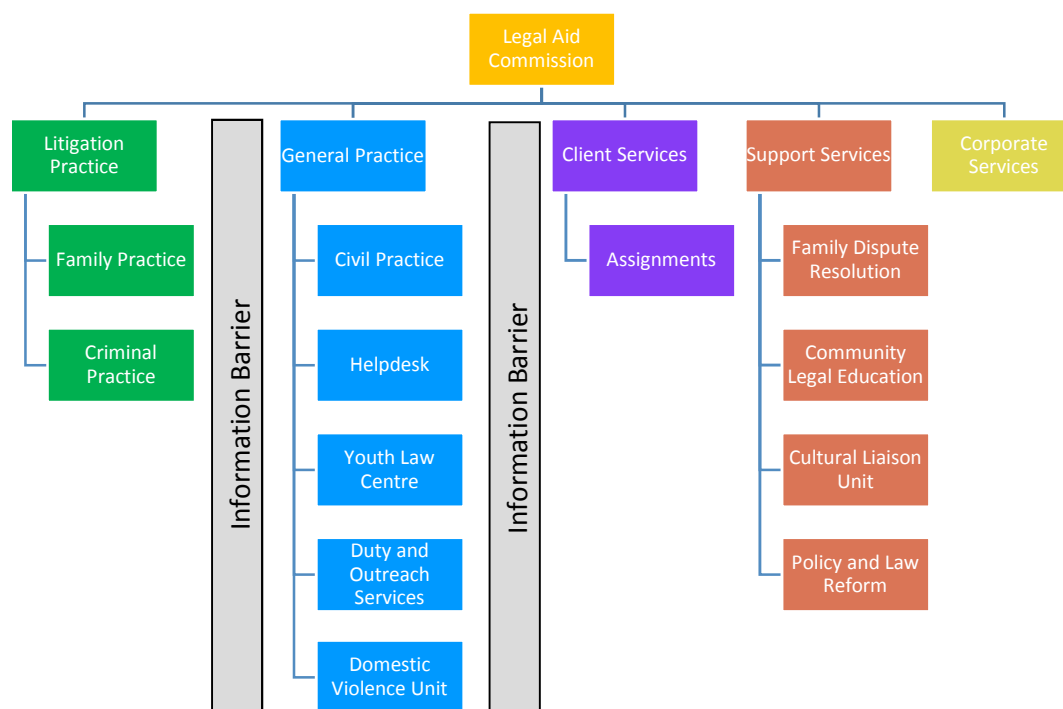
Remuneration for senior executives (CEO and DCEO) is determined by the ACT Remuneration Tribunal.

Significant Committees

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

-) The **Executive Committee** is responsible for the oversight of the Commission's 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 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 CEO (Convenor), the DCEO, the practice heads and a research assistant. Law reform issues are referred to specifically convened sub-committees comprising staff interested in the reform topic.

Organisational Structure of Legal Aid Commission (ACT)



Litigation Practice

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

General Practice

The General Practice, which combines the civil law section, the Helpdesk, the Domestic Violence Unit, the Family Advocacy Support Centre, the Youth Law Centre, and partnerships with Canberra Hospital and the University of Canberra, provides representation in criminal and family law matters.

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.

Support Services

The Commission's Support Services provide support to lawyers and clients in the areas of: Family Dispute Resolution, Community Legal Education, Cultural Liaison, and Policy and Law Reform.

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.

Performance Analysis

The performance analysis addresses the indicators (strategic objectives/indicators, output classes and accountability indicators) found in the Budget Paper Statements D. 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 next section an assessment of performance of the Commission's outputs for 2018-2019 is undertaken. In the final section the Commission's priorities, future outlook and emerging issues for 2018-2019 are discussed.

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. As a result of the 2015 amendments to the *Financial Management Act 1996*, the budget statement of the Legal Aid Commission (ACT) is its Statement of Intent.

In relation to the specific objectives and priorities set out in its 2018-2019 Statement of Intent the Commission is able to report as follows:

-) Support victims of family and domestic violence through the provision of legal assistance services.

The Commission provided 2,656 advice services, 1,741 duty lawyer services, and 798 grants of legal assistance to clients involving family violence.

-) 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 a total of 1,459 services to 436 Aboriginal and Torres Strait Islander clients.*

**includes information, referral, and Community Legal Education*

-) Provide support to victims of elder abuse in line with Government priorities.

The Commission established the Older Persons ACT Legal Service (OPALS) in November 2018, which had elder abuse as its focus. OPALS received 549 calls to its dedicated line and provided 98 legal advice, minor assistance and representation services. Across the Commission 689 services were provided to clients aged 65 and over, 152 of which involved family violence.*

**includes advice, duty lawyer, and grant services*

-) 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 spoke with and provided education services to staff at a number of community and government organisations, including Canberra hospital, Catholic

Care, ADACAS, CYPS, Calvary hospital, Toora Women, Red Cross and Justice & Community Safety, Rotary club, Lifeline, Directions ACT, Supported Tenancy Service, Canberra Recovery Service, ACT Victim Services, Onelink and the Family Court. The Commission also collaborated with the Red Cross, the Migrant and Refugee Settlement Service, and a number of other community organisations to deliver forums and presentations on refugee and migration law to migrants, refugees, and those who assist them. Finally, the Commission trialled a Health Services Partnership, which has involved the training of health services providers and the establishment of a better referral process.

-) 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 provided 405 Community Legal Education sessions, which had a total of 8,211 attendees.*

**includes Community Legal Education resources*

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

The Commission provided 7,885 legal advice, advocacy and minor legal assistance services, as well as hosting 278 dispute resolution conferences, 75% of which had a successful outcome.

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

The Commission provided 2675 legal advice services to clients seeking to obtain a Domestic Violence Order or Personal Protection Order.

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

The Commission provided grants of legal assistance to 2,304 clients. 6,149 clients received duty lawyer services.

-) Upgrade the Commission's information systems to reduce the level of risk associated with cyber-attacks.

The Commission engaged its IT service provider to undertake a comprehensive audit of the ICT environment. Following this the Commission began to upgrade its system, and the completion of this project is expected in October 2019.

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. The Commission also makes use of this data to identify service needs and gaps, and to ensure that service delivery is consistent with the strategic objectives.

Information and Referral Services

	INFORMATION^	REFERRAL
2018-2019	108,101	4,788
2017-2018	87,908	4,934

^ Includes website page views

	2018-2019	2017-2018
Website Page Views	83,585	68,075

Helpline and Chat-line Services

	2018-2019	2017-2018
Calls on Helpline	17,406	15,671
Chat-line assistance	140	0

Community Legal Education

	2018-2019^	2017-2018^
No. of CLE sessions (including resources)	405	322
People attending CLE sessions	8,211	7,184

^ Includes Community Legal Education resources (7 in 2017-18)

Legal Advice and Other Assisted services

		2018-2019		2017-2018	
		No.	%	No.	%
In-house	Criminal	646	8.19%	685	9.53%
	Family	2,463	31.24%	2,111	29.37%
	Civil	3,145	39.89%	2,827	39.33%
	Non-Legal Support	1,569	19.90%	1,481	20.61%
Total	In-house	7,823	99.21%	7,104	98.85%
Referred	Criminal	7	0.09%	5	0.07%
	Family	34	0.43%	34	0.47%
	Civil	21	0.27%	44	0.61%
Total	Referred	62	0.79%	83	1.15%
Grand Total		7,885	100%	7,187	100%

Legal Advice top 10 Matter Types 2018-2019

	Number of services	% of Total services
Domestic Violence Order and Personal Protection Order	2,675	33.93%
Employment	498	6.32%
Mental health	272	3.45%
Landlord / Tenant	227	2.88%
Immigration	224	2.84%
Tenant	208	2.64%
Traffic / Driving offence	182	2.31%
Drink Driving	155	1.97%
Contact	128	1.62%
Assault	96	1.22%
Total Advice	7,885	

Duty Lawyer

		2018-2019		2017-2018	
		Number of Duties	%	Number of Duties	%
In-house	Criminal	2,482	40.36%	2,300	41.28%
	Family	3,040	49.44%	2,412	43.29%
	Civil	493	8.02%	686	12.31%
Total	In-house	6,015	97.82%	5,398	96.88%
Referred	Criminal	83	1.35%	160	2.87%
	Family	43	0.70%	11	0.20%
	Civil	8	0.13%	3	0.05%
Total	Referred	134	2.18%	174	3.12%
Grand Total		6,149	100%	5,572	100%

Dispute Resolution conferences

	2018-2019	2017-2018
DR Conferences held	278	276
Matters fully settled at conference	36%	72%
Matters partially settled at conference	39%	11%
Matters with a successful outcome	75%	83%
FRP	374	403
# of FRPs going to Conference	74%	68%

Parties at Dispute Resolution conferences

Parties attending Dispute Resolution conferences	2018-2019
Total number of parties	762
Parties on Grants of assistance	431
Self-Represented or Private Represented	331

Applications Received

	2018-2019		2017-2018	
	No.	%	No.	%
Criminal	1,533	43.69%	1,568	41.98%
Family	1,607	45.80%	1,700	45.52%
Civil	369	10.52%	467	12.50%
Total	3,509	100%	3,735	100%

Applications Approved

	2018-2019		2017-2018	
	No.	%	No.	%
Criminal	1,140	49.48%	1,156	46.31%
Family	1,008	43.75%	1,147	45.95%
Civil	156	6.77%	193	7.73%
Total	2,304	100%	2,496	100%

Grants of Legal Assistance by Gender by Law Type

	Female	Female %	Male	Male %	Other	Other %
Criminal	280	12.15%	841	36.50%	19	0.82%
Family	665	28.86%	282	12.24%	61	2.65%
Civil	79	3.43%	76	3.30%	1	0.04%
Total	1,024	44.44%	1,199	52.04%	81	3.52%

Grants by Law and Law Type

		2018-2019		2017-2018	
		No.	%	No.	%
In-house	Criminal	831	36.07%	850	34.05%
	Family	630	27.34%	694	27.80%
	Civil	133	5.77%	151	6.05%
Total	In-house	1,594	69.18%	1,695	67.91%
Referred	Criminal	309	13.41%	306	12.26%
	Family	378	16.41%	453	18.15%
	Civil	23	1.00%	42	1.68%
Total	Referred	710	30.82%	801	32.09%
Grand Total		2,304	100%	2,496	100%

Applicant Profile

	2018-2019		2017-2018	
	No.	%	No.	%
Female applicants	1,553	44.26%	1,638	43.86%
Aged under 18 years	446	12.71%	508	13.60%
Aged over 65 years	79	2.25%	80	2.14%
Born overseas	496	14.14%	589	15.77%
Required Interpreter	123	3.51%	99	2.65%
ATSI	345	9.83%	276	7.39%

People Receiving Services as a Percentage of Population

	2018-2019		2017-2018	
	No.	%*	No.	%**
Grants	1,953	0.46%	2,107	0.51%
Legal Advice	4,372	1.03%	3,995	0.96%
Duty Lawyer	3,692	0.87%	3,574	0.86%
Helpline and Chat-line	17,406	4.11%	15,671	3.77%
Total	27,423	6.47%	25,347	6.09%

* Estimate population of Canberra = 423800. Source: 3101.0 - Australian Demographic Statistics, Dec 2018

** Estimate population of Canberra = 415900. Source: 3101.0 - Australian Demographic Statistics, Dec 2017

		Grants pre-2018-2019 and active through 18-19	Grants pre-2018-2019 and finalised in 18-19	New Grants	Total	Grand Total
In-house	Criminal	164	650	831	1,645	3,425
	Family	326	498	630	1,454	
	Civil	85	108	133	326	
Referred	Criminal	218	183	309	710	2,001
	Family	416	395	378	1,189	
	Civil	50	29	23	102	

Family Violence	Services that has Family Violence indicated	Total Services	Percentage of services that has Family Violence indicated
Advice	2,656	7,885	34%
Duty Lawyer	1,741	6,149	28%
Grant	798	2,304	35%

Senior Clients	Services where client >= 65	Total Services	Percentage of services provided to clients >= 65
Advice	487	7,885	6%
Duty Lawyer	172	6,149	3%
Grant	30	2,304	1%

Senior Clients	Services where client >= 65 and Family Violence is indicated	Total Services where Family Violence is indicated	Percentage of services provided to clients >= 65 where Family Violence is indicated
Advice	101	2,656	4%
Duty Lawyer	41	1,741	2%
Grant	10	798	1%

Reconsideration Requests

Reconsideration	Varied	Confirmed	Pending / Withdrawn	Total	% varied of total by Law Type
Criminal	35	19	0	54	65%
Family	56	59	1	116	48%
Civil	11	20	0	31	35%
Total	102	98	1	201	51%

Review Requests

Review	Varied	Confirmed	Pending / Withdrawn	Total	% varied of total by Law Type
Criminal	0	0	0	0	
Family	0	4	0	4	0%
Civil	0	2	0	2	0%
Total	0	6	0	6	0%

Domestic Violence and Personal Protection Order

Domestic Violence	2018-2019	2017-2018
New grants of assistance	164	153
Legal Advice	2,024	1,331
Duty Lawyer	515	505

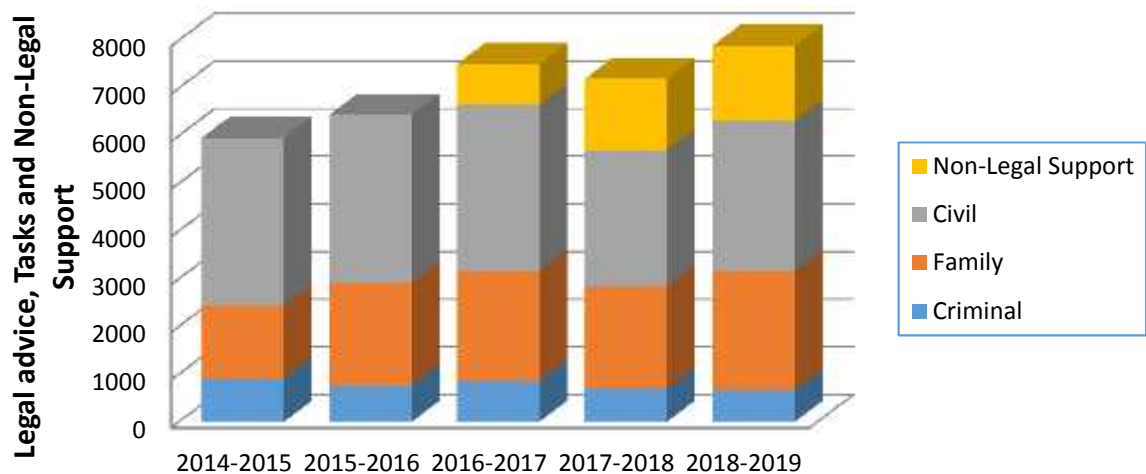
Personal Protection Orders	2018-2019	2017-2018
New grants of assistance	29	33
Legal Advice	616	475
Duty Lawyer	67	124

Number of Services provided to Aboriginal and Torres Strait Islanders

	2018-2019	2017-2018
Grants of Assistance	279	285
Duty Lawyer services	456	402
Information/Referral	63	35
Legal Advice	602	690
Community Legal Education	59	9
Total	1,459	1,421

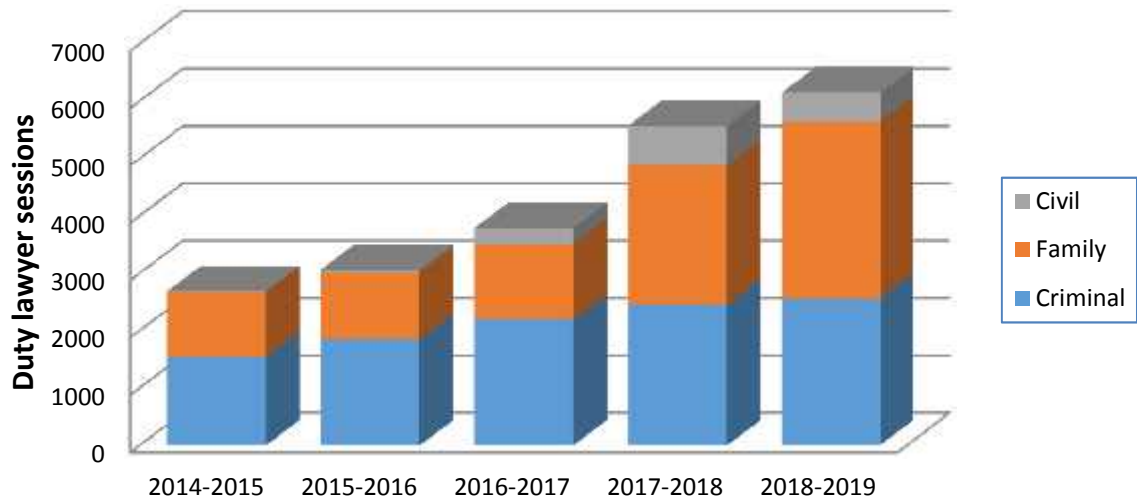
	2018-2019	2017-2018
Number of Aboriginal and Torres Strait Islander clients receiving services - Grants, Advice and Duty services	436	421

LEGAL ADVICE, TASKS and NON-LEGAL SUPPORT SERVICES BY FINANCIAL YEAR

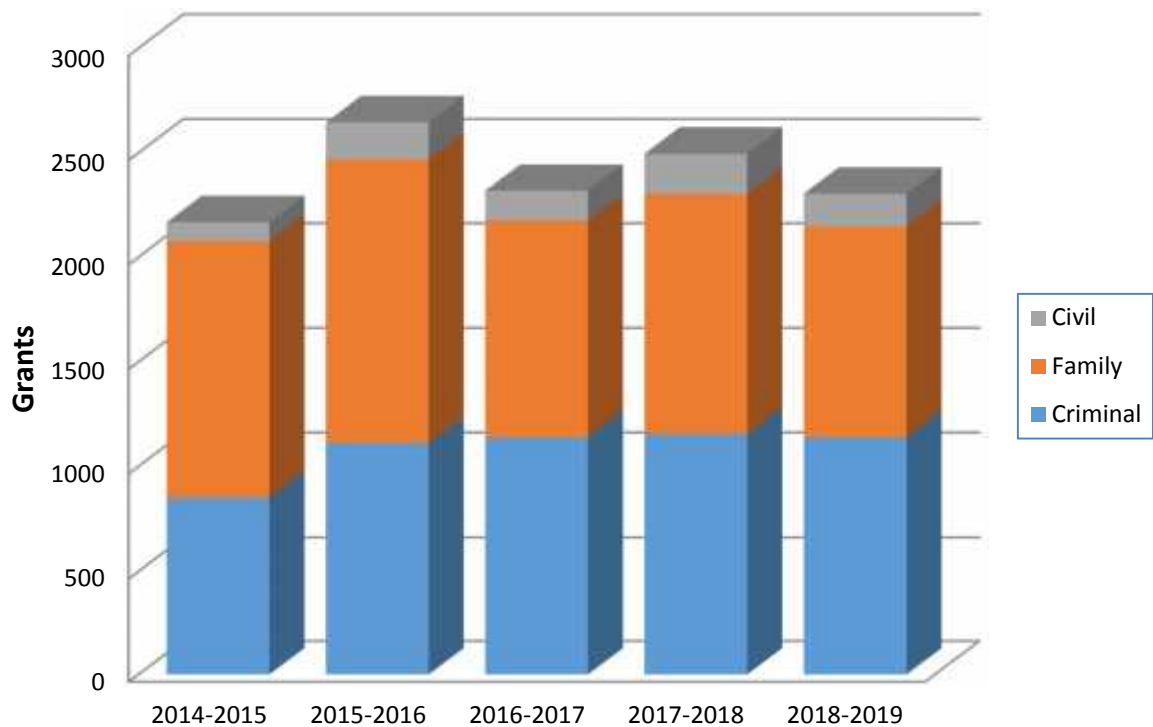


Note: Discrete 'Non-Legal Support' Services only commenced in 2016-17

DUTY LAWYER SERVICES BY FINANCIAL YEAR



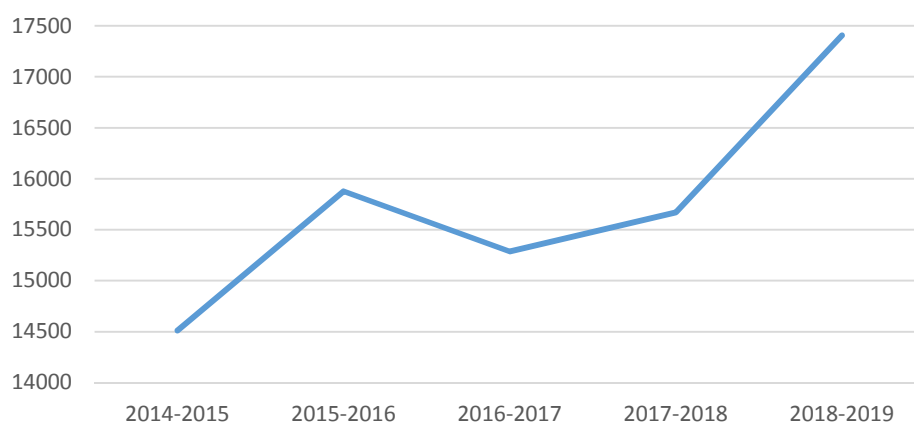
GRANTS BY FINANCIAL YEAR

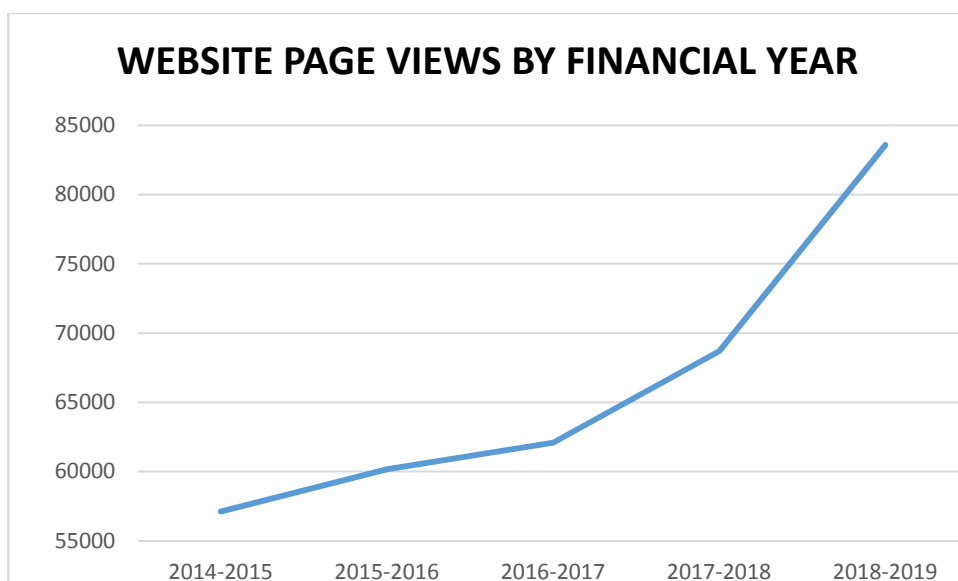


APPLICATIONS RECEIVED BY FINANCIAL YEAR



HELPLINE and CHAT-LINE SESSIONS BY FINANCIAL YEAR





Statement of Performance

	2018-2019 Targets	2018-2019 Outcomes	2019-2020 Targets
Number of Discrete Assistance services provided	35,000	37,297	37,000
Number of Duty Lawyer services provided	5,200	6,149	6,000
Number of Representation services	2,700	2,540	2,600
Number of Facilitated Resolution Process provided	400	374	400
Number of Community Legal Education services provided	320	405	400

Service Delivery Performance Analysis

Under the *National Partnership Agreement on Legal Assistance Services 2015-2020* all legal aid commissions are required to consistently report to government on their activities. We have aligned these reporting requirements to ensure a transparent and accountable explanation of our data is available to both the Territory and Commonwealth Governments.

The Commission has five key reporting outcomes.

-) Discrete Assistance services;
-) Duty Lawyer services;
-) Representation services;
-) Facilitated Resolution services; and
-) Community Legal Education services.

Additionally, the Commission considers a separate outcome – the delivery of Culturally Appropriate services – as key, but assesses this outcome independently of the others.

Discrete Assistance Services

Discrete Assistance combines a range of output activities – information, referrals, non-legal support, advices and legal task assistance (but not online information services) that were previously counted

in other categories. Discrete Assistance services increased by 7% to 37,297, of which 17,406 (46.7%) were delivered through our Helpline. This was an increase of 11.1% over the number of Helpline services provided in 2017-2018 (15,671).

Online information service access increased by 22.7% to 83,585. This large increase in online services can be largely attributed to our use of a new search engine that extracts and collates information from the website and the ACT Law handbook, which is hosted by the Australasian Legal Information Institute (AustLII).

Duty Lawyer Services

Duty Lawyer services are provided at the Magistrates Court and the Federal Court buildings, for criminal and domestic violence, and family law matters respectively. They are also provided at ACAT (mostly for mental health tribunal matters). The total number of duty lawyer services provided increased by 10.3% to 6,149 – well over our target of 5,200.

Each recent year has seen a significant, increase in the number of Duty Lawyer Services provided. This has largely been the result of the establishment of new services, for which there has been an enormous amount of demand. For instance, the Family Violence Unit at the Magistrates Court, which was established in 2015-2016, has seen a 48% increase over that baseline year, and this year helped 1,017 victims who would have been otherwise unable to access legal assistance.

Representation Services

Representation services include both grants of legal assistance and casework which would previously have been categorised as an ‘advocacy service’. The number of representation services provided decreased by 9.1% to 2,540. The number of grants of legal assistance also decreased by 7.7% to 2,304, and the number of applications for grants decreased by 6%.

Women received 44.3% of all grants of legal assistance, up slightly from 43.9% last year. Of all the grants provided, 69.2% were provided by the in-house practice, up from 67.9% last year.

The provision of Independent Children’s Lawyer (ICL) services remains one of the Commission’s main drivers of cost, with 172 grants for ICL services provided this year. Another strong driver is family dispute resolution services, for which 278 mediation conference services were provided, which represents a slight increase over last year (276), and almost double the number provided five years ago (156). The upward trend in pre-trial resolution is likely to continue due to the known efficacy of these services – 75% of all family disputes that we assist in mediation conference are involved the resolution of key issues.

Facilitated Resolution Process Services

Facilitated Resolution services include both family dispute mediations, and the intake screening and assessment that support them. There has been a decrease of 7.2% in the number of these services provided from 403 to 374. 74% of all requests for facilitated resolution services were approved to go to conference, up from 68% in 2017-2018.

Community Legal Education Services

Community Legal Education (CLE) services are reported by reference to the resources published and the activities delivered. The number of CLE services provided increased by 23.9% from 327 to 405. The number of participants in CLE services has increased by 14.3% to 8,211.

Delivery of Culturally Appropriate Services

The Commission maintains a strong commitment to the Culturally and Linguistically Diverse (CALD) communities in the ACT, acknowledging that these communities contain some of the most vulnerable and disadvantaged people, who are often very difficult to assist through traditional legal assistance services. The Commission maintains a particular commitment to the Aboriginal and Torres Strait Islander (ATSI) community. The data reflect this commitment – 436 ATSI clients received a grant of legal assistance, legal advice or duty lawyer service this year. The number of services provided to ATSI individuals increased by 2.7% from 1,421 to 1,459. Since the recruitment of a fulltime CALD liaison and support officer in February 2017 we have been able to dramatically increase the number of CALD individuals we can assist. This past year 333 CALD clients received non-legal support services from Legal Aid (ACT), which represents 43% of all such services provided. The added value of these services is the enhancement of the capacity of our staff to positively develop and provide culturally appropriate services.

Conclusion

The Commission has experienced significant growth in total service delivery. We continue to provide the ACT community with high quality legal and non-legal support services in accordance with our strategic objectives and our obligations under the NPA.

Funding and Financial Performance

The Commission receives funding from the ACT Government, as well as from the Commonwealth Government under the ***National Partnership Agreement on Legal Assistance Services 2015-2020*** (NPALAS). Commonwealth funding under the NPALAS is initially paid to the ACT Government, which in turn provides this amount to the Commission as Controlled Recurrent Payments (CRP). The ACT Government pays Territory CRP 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 in 2018-19 was:

Commonwealth Government NPA Funding	\$4.881 m
Direct Commonwealth Government Funding ¹	\$0.773 m

¹ Specific Commonwealth funding is for Family Advocacy Support Services, Family Law Pathways Network, Online Self Service Portal, Support for people with disability under National Disability Insurance Scheme, Discrete Legal Services and Family Violence Cross Examination.

ACT Government Funding	\$7.357 m
Specific ACT Government Funding ²	\$0.463 m
Grant from the Statutory Interest Account ³	\$1.133 m
Other Revenue ⁴	\$0.564 m

The Commission's operating result and cash position were much better than budgeted. This is mainly due to additional revenue by the ACT Law Society from the Statutory Interest Account, and lower than budgeted Employee Expenses. The 2018-19 Operating Result was a surplus of \$0.316m compared to a forecast deficit of \$0.507m.

The cash surplus for 2018-19 is \$1.966m compared to a forecast cash deficit of \$0.164m. This is due to receiving funding in 2018-19 which will be expended during 2019-20. Additionally, delays in the commencement of the Commission's Enterprise Agreement resulted in a large amount of cash retained in 2018-19 that will be required to be outlaid in 2019-20.

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

Outlook and Emerging Issues

Growth in demand for legal assistance, particularly in emerging areas, brings with it numerous challenges. Chief among these remains balancing new commitments to provide services in the civil law space, such as for family violence and elder abuse issues, without neglecting litigation services in the core family and criminal areas. Additionally, new justice initiatives in the ACT, such as the Drug and Alcohol Court, case conferencing in the Supreme Court, and the Therapeutic Care Court, will require the Commission to further expand and refine services in the future. Our capacity to continue in this direction, in particular to fund litigation in the future, is likely to be limited by financial constraints without significantly increased government investment.

Population growth and a greater awareness of the Commission's work in the community appear to have spurred the growth in demand for our services. We have met this demand where possible, expanding front-line triage assistance through duty lawyer services (though demand has been significantly higher than expected). We have also sought to use partnerships with community

² Specific ACT Government funding includes Drug & Alcohol Court, Health Justice Partnership, Safer Families Initiative and ATSI Elder Abuse Community Consultation.

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.

⁴ Other revenue includes interest, assisted person contributions, contribution for Youth Law Centre and revenue from the University of Canberra.

organisations and government to better utilise available resources. However, further capacity for expansion in this space is limited without a corresponding increase in base funding for the Commission. Partnership arrangements are contingent on the ability of the community partner to support the Commission's activities in that area.

Funding and resource allocation issues are exacerbated by the fact that where funding increases to accommodate growth in demand, it does not maintain pace with the growth itself (such as with the provision of duty lawyer services). Our funding to assist the most vulnerable through programs like the Safer Families Levy has increased, but at a rate that has not matched the growth in demand since its inception.

In this context the Commission has actively trialled new programs, such as the Extended Family Duty Service and the Health Services Partnership. These new Services are provided to people who would otherwise have been unable to access the services which they need. Mostly primary victims of domestic violence, they require legal services which go beyond minor assistance but which fall short of full representation. Their personal circumstances (such as poverty, language issues and trauma) also complicate access. The Health Services Partnership has also involved the establishment of a referral process and the training of Health providers. The aim of this program is to ensure a smoother transition between the mental and physical injury that often accompanies or precedes a legal problem and the provision of legal assistance. These programs and others (such as the endeavour to expand Family Dispute Resolution services for small property matters) have been very successful. Unfortunately, expiring trial funding from the Territory and Commonwealth Governments threaten all of these programs.

Improving staff conditions has been a key aim of the Commission. Staff and the Union recently endorsed the new Enterprise Bargaining Agreement, which will come into effect in the latter half of 2019. This agreement sets increased wages and improved conditions for all staff, and in particular provides a framework for a new legal structure, moving from 3 lawyer classifications to 6. In turn, this facilitates promotional prospects, clarifies roles and expectations and embeds stronger career pathways.

Finally, the Commission continues to face risk of cyber-attack. Upgrading the Commission's information systems remains a priority moving forwards, and this will require further investment in future budgets.

Strategic Objectives 2019-2020

Consistent with the ***National Partnership Agreement on Legal Assistance Services 2015-2020*** we have maintained our current key strategic objectives. The following 3 objectives will be used to guide our services for 2019-2020:

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's disadvantage does not prevent them from obtaining the legal services they need to protect their rights and interests. Enhancing someone's capacity 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.

Priorities

To achieve the strategic outcomes sought in the three key objectives the Commission will continue to focus its major efforts on the provision of **front-line** services.

The Commission's priorities for 2019-20 are to:

-) support 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;
-) provide support to victims of elder abuse in line with Government priorities;
-) 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; and
-) upgrade the Commission's information systems to reduce the level of risk associated with cyber-attacks.

During 2019-20 the Commission will continue to 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 continue to consolidate front-line services by:

-) Promoting a front-line 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;
-) 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 the ACT Legal Assistance Forum and by collaboration on joint projects and support services;
-) Consolidate services in family violence related matters, particularly through the Domestic and Family Violence Unit but also through Community Legal Education;
-) Improving IT support to the legal practices by developing the functionality of the intake forms, better utilising the visual files system and continue to reduce reliance on paper files;
-) Improve the efficiency of work practices with a comprehensive skills training program and individualised Development and Performance Plans; and
-) Develop a deeper awareness amongst staff of the need to consider psychological and mental health care, and to review the Commission's employee assistance program.

Planning Framework

The Commission is operating under the three-year Strategic Plan for 2017-2020: ***On the Frontline of Legal Services to the Community***. The Plan provides a 'map' for the organisation and allows the Commission to proactively shape and prioritise activities; and its focus is on enhancing 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. New staff performance plans are under development, with the aim of linking individual performance to our operational and strategic plans.

Scrutiny

Auditor-General's Report and Audit Management Report

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 unmodified audit report for the Commission's 2018-19 audited financial statements.

There were no significant new matters identified in the 2018-19 Audit Management Report. A previous finding in the 2017-18 Audit Management Report was resolved in 2018-19.

The Commission appeared before the Standing Committee which scrutinised the Commission's 2017-18 Annual Report and the 2019-20 Budget Statements.

Legislative Assembly Inquiries and Reports

The Commission had no additional inquiries or reports by Legislative Assembly Committees during the reporting year.

ACT Ombudsman Inquiries and Reports

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

Contact – Chief Finance Officer – (02) 6243 3445

Risk Management

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 mitigates the risk of fraud and corruption across the organisation. 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

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 three times during the reporting period, in July, October and February.

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
Gail Kinsella, Commissioner	Member	Full Year	1, 2, -
Louise Taylor, Deputy Chief Executive Officer	Member	Part Year	-
Paul Ogden	Member	Full Year	-, 2, 3
Dan Ticehurst	Member	Full Year	1, 2, 3
John Boersig, Chief Executive Officer	Observer	Full Year	1, -, 3
Brett Monger, Chief Finance Officer	Observer	Full Year	1, 2, 3

Chinthaka Leelarathna, Financial Accountant	Observer	Full Year	1, -, 3
Karen Muga, Assistant Accountant	Observer	Full Year	1, 2, 3
Victoria Lennon, Finance Administrator and Committee Secretariat	Observer	Part Year	-, 2, 3

During the year, the Audit, Performance and Risk Committee undertook the following activities:

Monitoring the:

-)] Legislative Compliance Register;
-)] Legal Aid Business Continuity Plan;
-)] Audit Office list of proposed audits for 2019-20 and beyond; and
-)] ACT Government guidelines for Audit Committees.

Reviewing the:

-)] Strategic Audit Work Plan
-)] Audit, Performance and Risk Committee Charter;
-)] Chief Executive Financial Instructions;
-)] Internal Audit Charter;
-)] Audit, Performance and Risk Committee Self-Assessment questionnaire;
-)] Risk Register and Fraud Control Register;
-)] Legal Aid Delegations; and
-)] 2017-18 Financial Statements and Management Discussion & Analysis.

Internal Controls and Internal Audits

The Commission held regular 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.

Contact – Chief Finance Officer – (02) 6243 3445

Fraud Prevention

The Commission managed Fraud Prevention through the Fraud Control Plan. This is linked to the Chief Executive Financial Instructions and complements the Commission's policies and procedures.

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 financial behaviour was reported or identified during 2018-19.

Contact – Chief Finance Officer – (02) 6243 3445

Community Engagement and Support

Community Legal Education (CLE) is the provision of information and education to members of the community on an individual or group basis to build legal capacity and enhance the understanding of legal rights in the community especially amongst vulnerable and disadvantaged people. The 'community' may be defined geographically, by issue or by need. Effective CLE provides information and education to increase legal capacity through the delivery of legal information and the development of self-help resources, as well as targets non-legal support workers. CLE sets out to ensure that people understand and apply legal 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.

CLE is provided to the general community, community services, community groups, organisations and schools. CLE builds individual and community resilience by enhancing:

-) awareness and understanding about the law;
-) the ability of vulnerable and disadvantaged communities to prevent, identify and take action on legal problems; and
-) awareness of the help available from legal and non-legal support services.

Law for Non-Lawyers

Our regular CLE sessions include Law for Non-Lawyers, a series of training sessions aimed at the community sector. The sessions were well attended with approximately 500 people attending overall, with topics such as: Family Law; Family Violence; Homelessness Laws; Youth Law; Who is a Parent?; Workplace Bullying and Sexual Harassment; E-safety; and Animal law 101.

Free Legal Information Sessions

We regularly deliver CLE on family law including the topics of children, divorce and property. These CLE sessions have two purposes. The first is to increase the overall understanding of individuals who may have a matter in the Family Court. The second is to be preventative by providing individuals with information to increase their capacity to navigate the family law legal system independently, where possible.

We also deliver CLE every month through a live radio show on Valley 89.5. These topics have included Youth Law; Elder Abuse; Homelessness laws; Drink Driving; Victims of Crime; and Visa Issues.

Elder Abuse

This year we delivered a number of sessions on elder abuse in response to emerging recognition of this issue in our community. Sessions were delivered to medical staff, community sector workers and residents of a rehabilitation centre. We attended the seniors week expo and worked in collaboration with a number of services for a world elder abuse awareness day event. We held an outreach service and Canberra Hospital each week and at COTA once a month. Through our CLE work, we were able to reach community workers on the frontline of identifying elder abuse as well as vulnerable individuals who may be experiencing elder abuse themselves.

Outreach

The Commission understands that accessibility to legal services is a significant issue for many vulnerable people in our community, and so outreach forms a significant part of our work. We provided legal assistance to people in the Adult Mental Health Unit at Canberra Hospital, the Alexander Maconochie Centre, Canberra College Cares, Migrant and Refugee Settlement Service, and at Winnunga Nimmityjah Aboriginal Health Service. These outreach locations enable Legal Aid ACT to provide a friendly and accessible face to the community while engaging with hard-to-reach and vulnerable community groups such as newly-arrived migrants and older people.

We formed a partnership with Libraries ACT to allow us to provide legal services on their premises each week, another method of giving members of the community access to legal assistance and increasing the visibility of Legal Aid ACT in the community.

We delivered CLE to 13 high schools during the year, reaching over 1,400 students. Our discussions ranged from criminal justice to employment law. Young people are particularly vulnerable members of our community and can experience significant barriers in accessing legal services. Our youth related work also involved a number of CLE presentations at ANU, ACU, U3A and CIT. We participated in several community days and spoke to over 200 apprentices about employment law.

We also undertook regular outreach programs to the Muslim community in the ACT, visiting different mosques to provide information about the services that Legal Aid can provide.

Refugee and Migration Law

We worked collaboratively with the Red Cross, the Migrant and Refugee Settlement Service, Companion House, the Settlement Council of Australia and the Migrant Youth Service to deliver a number of forums and presentations including a celebration held on Harmony Day. At the UNHCR Annual Consultation with Australian Non-Government Organizations, Zouheir Dalati represented Legal Aid at the forum 'Identifying Protection Gaps In 2018 And Navigating the Fast-Track Assessment Process for the Legacy Caseload Clients'.

We are also part of the National Migrant Council of Australia group which looking at how to better support young men and fathers from migrant and refugee backgrounds.

Inter-Agency Collaboration

Networking is an important component of the work we do, we attended the following network meetings: the ACT Legal Assistance Forum, CLE network, National Legal Aid CLE Group, Elder Abuse Prevention Network, Humanitarian Settlement Network, Refugee & Asylum Seekers Humanitarian Coordination Committee, and the Family Law Pathways Network.

We spoke to staff at a number of services, including Canberra hospital, Catholic Care, ADACAS, CYPs, Calvary hospital, Toora Women, Red Cross and Justice & Community Safety, Rotary club, Lifeline, Directions ACT, Supported Tenancy Service, Canberra Recovery Service, ACT Victim Services, Onelink and the Family Court.

We had a stall at the NAIDOC Family Day, delivered cross cultural training, participated in an event at the Supreme Court for Indigenous students, and spoke at an event titled “Reconciliation in the ACT—Are We There Yet?”

CLE Resources

A number of resources were produced through the year to increase the ability of community members to identify legal issues, take action to resolve those issues and access legal assistance.

These resources included a suite of resources on the work of an Independent Children’s Lawyer, the Family Law Service Directory, and a resource about the family violence provisions in the migration regulations. These resources were developed in response to an identified need within the community to better understand the role of Independent Children’s Lawyers and to better navigate the Family Law system itself. A bookmark on elder abuse was also created to be distributed by Libraries ACT in their home delivery service as part of our ongoing partnership. This bookmark provided an effective way to deliver information on elder abuse and our helpline number to vulnerable and predominantly home-bound older people in the ACT.

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

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.

The Commission maintains a contract with Benestar, as the employee assistance provider. Legal staff who are members of the ACT Law Society have additional access to a service called Acacia. 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 employees, Commissioners, student placements/volunteers and external committee members.

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*.

Injury Prevention

-)] 58 staff (60.42%) voluntarily received the flu vaccination in April 2019
-)] The Commission has two first aid officers
-)] The Commission has four staff who volunteer as fire wardens
-)] The Commission has one Health and Safety Representative
-)] The Commission provides regular and systematic updates on Workplace Health and Safety
-)] Workplace Safety responsibilities and reporting requirements are part of the Commission's Induction Program

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*.

A new Agreement for the period 2017 – 2021 was finalised and successfully voted in by staff during February 2019. The 'made' Agreement was lodged with the Fair Work Commission (FWC) for approval on 29 March 2019. There was no outcome on the success of this submission in the reporting period.

As at 30 June 2019 the Commission employed 96 staff of which there were 48 practising lawyers, including one Executive.

The HR priorities for the reporting period involved:

-)] finalising Enterprise Agreement bargaining and submission to the Fair Work Commission
-)] implementing procedures for Open Access Information compliance, in accordance with the Freedom of Information Act 2016
-)] centralising and overseeing Intern and Volunteer intakes
-)] bulk administrative merit selection recruitment rounds for ongoing employment offers

Workforce Profile

FTE and headcount by division/branch

Branch/Division	FTE	Headcount
General Practice	29.5	34
Client Services	7.7	9
Corporate Services	7.8	8
Executive	9.8	11
) Executive & Policy	(1.6)	(2)
) Community Legal Education	(6.2)	(7)
) FDR	(2)	(2)
Litigation Practice	32.4	34
) Litigation	(1)	(1)
) Criminal	(17.0)	(18)
) Family	(14.4)	(15)
Total	87.3	96

FTE & headcount by gender

	Female	Male	Total
Full Time Equivalent	61.2	26.0	87.3
Headcount	69	27	96
% of Workforce (headcount)	72	28	100

Headcount by classifications and gender

Classification group	Female	Male	Total
Executive		1	1
Senior Officers	1	3	4
Legal Officers	30	17	47
Administrative Service Officers	38	6	44
TOTAL	69	27	96

Headcount by employment category and gender

Employment Category	Female	Male	Total
Casual	1	1	2
Permanent Full-time	26	11	37
Permanent Part-time	6		6
Temporary Full-time	26	15	41
Temporary Part-time	10		10
TOTAL	69	27	96

Headcount by diversity group

	Headcount	% of Total Staff
Aboriginal and Torres Strait Islander	2	2
Culturally & Linguistically Diverse (CALD)	13	14
People with a disability	1	1

Headcount by length of service, age group 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		7		18	7	19	5	46	12
2-4			1	1	3		5	5	2		11	6
4-6								2				2
6-8				1	1		3				4	1
8-10						3	1				1	3
10-12			1	1	2						3	1
12-14			1			1					1	1
14 plus			2		1	1					3	1

Learning and Development

Specific Initiative Reporting

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.

One staff member sought approval as a student under the Studies Assistance Guidelines in the current reporting year.

Supported Work Placements

The Commission supports workplace transfers into and out of the Commission. During the reporting period the Commission continued to engage in workplace transfers for staff with the ACT DPP (DPP), the ACT Government Solicitors Office (ACTGS), the Women's Legal Centre (WLC) and other organisations. These transfers provide development opportunities that might otherwise not be available to staff. As at the reporting date, five staff were on leave without pay to undertake a placement.

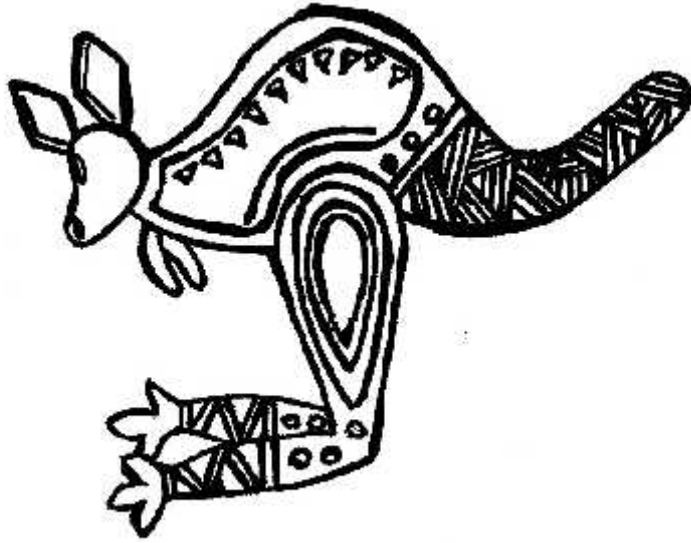
Aboriginal and Torres Strait Islander Reporting

The Commission maintains a strong commitment to the Aboriginal and Torres Strait Islander (ATSI) Community within the ACT, and to members of that broader community who come to the ACT. Over 2018-2019 436 ATSI people received a grant of legal assistance, legal advice, or duty lawyer services, which represents a small increase from 421 in 2017-2018. Recent years have seen an increase in ATSI clients, likely due to the increase in capacity created by the appointment of a fulltime liaison and support officer in 2017, as well as a heightened staff awareness of how to tailor service delivery to the particular needs of ATSI people in the ACT. There is a tremendous need in the ATSI community for legal assistance services.

The Commission recognises that the improvement of services to the ATSI community is an important territory commitment, as well as a Territory/Commonwealth priority under the NPALAS.

Ecologically Sustainable Development

Indicator as at 30 June	Unit	Current FY	Previous FY	Percentage change
Stationary energy usage				
Electricity use	Kilowatt hours	150,834	166,312	-9.3%
Natural gas use	Megajoules	0	0	0%
Diesel	Kilolitres	0	0	0%
Transport fuel usage				
Electric vehicles	Number	0	0	0%
Hybrid vehicles	Number	0	0	0%
Other vehicles (that are not electric or hybrid)	Number	2	2	0%
Total number of vehicles	Number	2	2	0%
Total kilometres travelled	Kilometres	14,458	13,343	8.4%
Fuel use – Petrol	Kilolitres	0.8	0.8	0%
Fuel use – Diesel	Kilolitres	0	0	0%
Fuel use – Liquid Petroleum Gas (LPG)	Kilolitres	0	0	0%
Fuel use – Compressed Natural Gas (CNG)	Cubic Metres (Cm ³)	0	0	0%
Water usage				
Water use	Kilolitres	n/a	n/a	n/a
Resource efficiency and waste				
Reams of paper purchased	Reams	2,000	1,600	25.0%
Recycled content of paper purchased	Percentage	100	100	0%
Waste to landfill	Litres	13,872	12,320	12.6%
Co-mingled material recycled	Litres	42,240	42,240	0%
Paper & Cardboard recycled (incl. secure paper)	Litres	37,169	34,571	7.5%
Organic material recycled	Litres	0	0	0%
Greenhouse gas emissions				
Emissions from stationary energy use	Tonnes CO ₂ -e	131.2	166.3	-21.1%
Emissions from transport	Tonnes CO ₂ -e	1.9	1.9	0%
Total emissions	Tonnes CO ₂ -e	133.1	168.2	-20.9%



FINANCIAL MANAGEMENT REPORTING

2018-2019

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2019

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.

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

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.

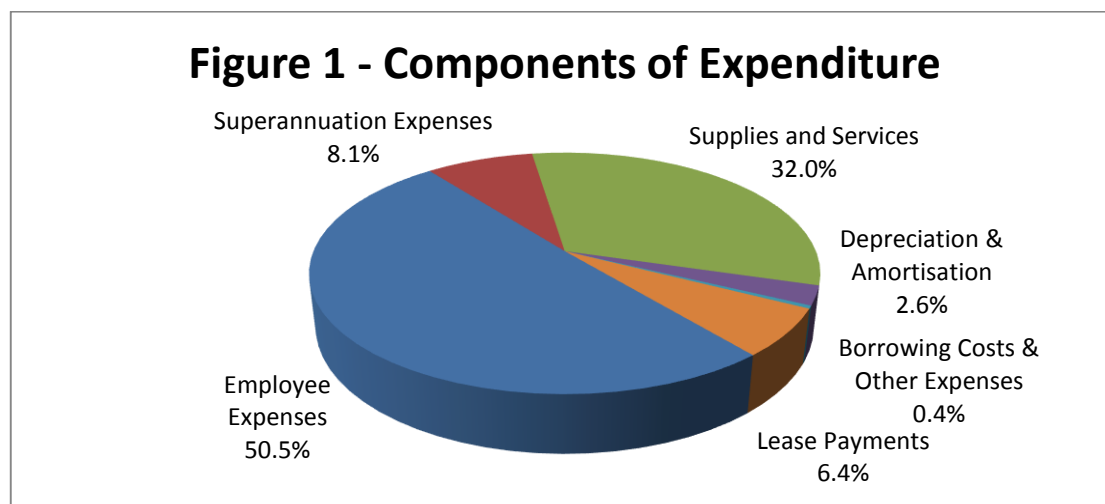
Financial Performance

The following financial information is based on audited Financial Statements for 2017-18 and 2018-19, and the budget estimates contained in the 2018-19 Statement of Intent (in the Budget Papers).

Total Expenditure

1. Components of Expenditure

Figure 1 below shows the components of the Commission's expenditure for 2018-19 with the largest being Employee Expenses, which represents **50.5 percent** of total expenditure or **\$7.508 million** and Supplies and Services at **32.0 percent** of total expenditure or **\$4.750 million**.



Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2019

2. Comparison to Budget

Expenditure

Total expenditure of **\$14.855 million** was **\$0.273 million (1.8 percent)** lower than the 2018-19 Budget due to the following factors:

- Lower than budgeted Employee Expenses of **\$0.316 million (4.0 percent)**, due to savings related to position classification re-profiling, and delays in filling positions for new staff during 2018-19.
- The above savings were slightly offset by higher than budgeted Supplies and Services (**\$0.090 million, or 1.9 percent**).

3. Comparison with 2017-18 Actual Expenditure

Total expenditure was **\$0.205 million (1.4 percent)** lower than the 2017-18 actual result due principally to a decrease in Supplies and Services of **\$0.235 million (4.7 percent)**. This was as a result of lower Legal Disbursements (**\$0.155 million**) due mainly to the early completion of the Eastman Trial during 2018-19. Additionally, there were lower expenses in 2018-19 than in 2017-18 for Referrals to Private Legal Practitioners (**\$0.089 million**) resulting from a reduction in the number of matters undertaken by external Legal Practitioners.

4. Future Trends

Total expenditure for 2019-20 is budgeted to increase by **\$1.123 million (7.5 percent)** from the actual amount of **\$14.855 million** in 2018-19 to **\$15.978 million** in 2019-20. This is due to higher budgeted employee expenses (**\$0.976 million**) and associated superannuation expenses (**\$0.150 million**) from a number of new initiatives to commence in 2019-20.

Total Income

1. Components of Income

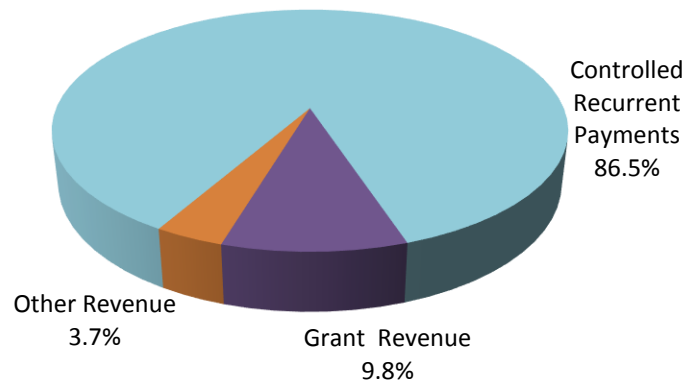
Figure 2 below shows that for the financial year ended 30 June 2019, the Commission received **86.5 percent** of its total income of **\$15.171 million** from Controlled Recurrent Payments (this appropriation includes Commonwealth funding under the *National Partnership Agreement on Legal Assistance Services*) and **9.8 percent** from Grant Revenue. Other Revenue comprises User Charges (contributions made by assisted persons), Interest, and Other Revenue.

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2019

Figure 2 - Components of Income



2. Comparison to Budget

Income

Income for the financial year ended 30 June 2019 of **\$15.171 million** was higher than the 2018-19 Budget of **\$14.621 million** by **\$0.550 million (3.8 percent)** due principally to the following factors:

- A large increase in Grant Revenue (**\$0.832 million**) due to more revenue from the ACT Law Society (**\$0.533 million**), funding for the Health Justice Partnership which commenced during 2018-19 (**\$0.120 million**), funding from Department of Social Services (DSS) for the National Disability Insurance Scheme (**\$0.055 million**) and funding received for the provision of discrete legal services (**\$0.060 million**).
- This was partially offset by a reduction of **\$0.280 million** from controlled recurrent payments which was not required and unused in the Eastman Trial. This amount, to fund the Legal Aid IT Upgrade, is recorded as capital injections with an approval received from the Treasurer under the *Financial Management Act 1996*.

3. Comparison to 2017-18 Actual Income

There was an increase in 2018-19 total income over 2017-18 actual income by **\$0.445 million (3.0 percent)**, the major line item variations were:

- A large increase in Grant Revenue (**\$0.693 million**) resulting from additional funds from the ACT Law Society (**\$0.521 million**), funding for the Health Justice Partnership (**\$0.120 million**) which commenced in 2018-19, and commencement of a Commonwealth program to provide discrete legal services to low income clients (**\$0.060 million**).

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2019

- This was partially offset by reduced revenue in Other Revenue – User Charges (**\$0.218 million**) due to a lower Assisted Person Contributions and Recovered Costs.

4. Future Trends

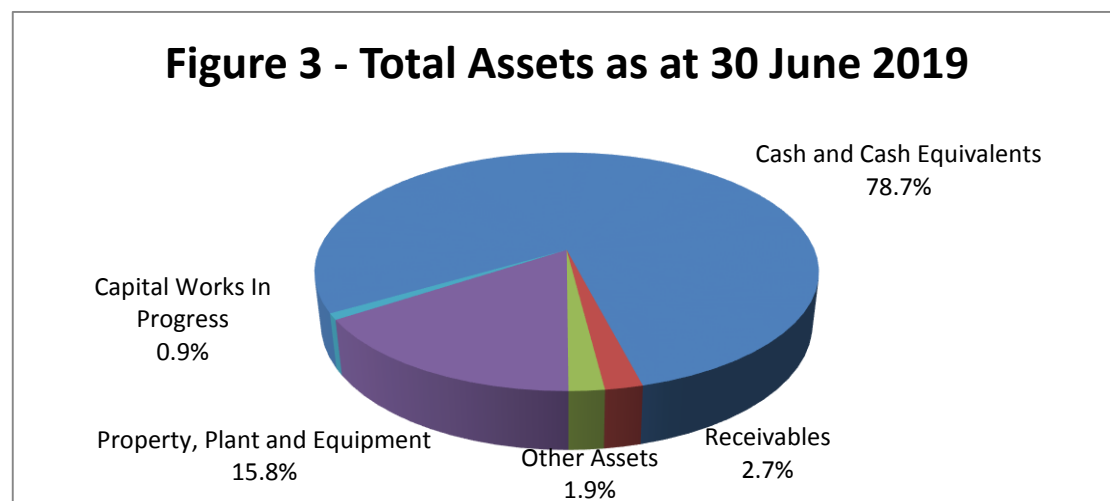
Total income for 2019-20 is budgeted to increase by **\$0.299 million (2.0 percent)** from the actual amount of **\$15.171 million** in 2018-19 to **\$15.470 million** in 2019-20. This is largely due to increases in funding of new initiatives which will commence in 2019-20.

Financial Position

Total Assets

1. Components of Total Assets

Figure 3 below shows that at 30 June 2019, the Commission held **78.7 percent** of its assets in Cash and Cash Equivalents and **15.8 percent** in Property, Plant and Equipment.



2. Comparison to Budget

The total asset position as at 30 June 2019 is **\$7.574 million** which exceeded the 2018-19 Budget of **\$5.363 million** by **\$2.211 million (41.2 percent)**. Cash and Cash Equivalents increased due to additional unbudgeted receipts stemming from grants and new initiatives.

Specifically, the Commission received additional funding from the ACT Law Society's Statutory Interest Account (**\$0.533 million**), Commonwealth Attorney General's Department (**\$0.200 million**) for Discrete Legal Services for low income applicants,

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2019

payment from the Expensive Commonwealth Criminal Cases Fund (**\$0.284 million**), Department of Social Services for grants of legal assistance related to National Disability Insurance Scheme (**\$0.475 million**), Community Services Directorate (**\$0.120 million** to establish the Health Justice Partnership), and the retention of cash to be back-paid under the Enterprise Agreement (approximately **\$0.300 million**).

With the exception of the ACT Law Society funding and the Health Justice Partnership, the remainder of the above-mentioned initiatives will commence in 2019-20.

3. Comparison to 2017-18 Actuals

The Commission's total asset position at 30 June 2019 is **\$1.521 million (25.1 percent)** higher than the actual result of **\$6.053 million** at 30 June 2018. This is primarily due to the increase in Cash and Cash Equivalents of **\$1.967 million**, due to receiving funding for a number of matters that will not commence until 2019-20 (see above for detail).

Additionally, Current Receivables were **\$0.123 million** lower than 2017-18, mainly due to a lower level of Assisted Person Contributions and Recovered Costs Receivable in 2018-19.

Property, Plant and Equipment was also lower in 2018-19 (by **\$0.373 million**) due to the depreciation of Office and Computer Equipment, Leasehold Improvements, and Furniture and Fittings.

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 2017-18	Current Year Budget \$'000s 2018-19	Current Year Actual \$'000s 2018-19	Forward Year Budget \$'000s 2019-20	Forward Year Budget \$'000s 2020-21	Forward Year Budget \$'000s 2021-22
Current Assets	4,484	4,206	6,314	4,624	4,281	3,821
Current Liabilities	2,287	2,589	3,241	3,145	3,117	2,279
Current Ratio	1.96:1	1.62:1	1.95:1	1.47:1	1.37:1	1.68:1

Source of Forward Year Budgets: 2019-20 ACT Budget Papers

The current ratio was **1.95:1** at 30 June 2019 which is higher than the budgeted current ratio of **1.62:1**. The Commission expects the current ratio to steadily decline over the

Management Discussion and Analysis

Legal Aid Commission (ACT)

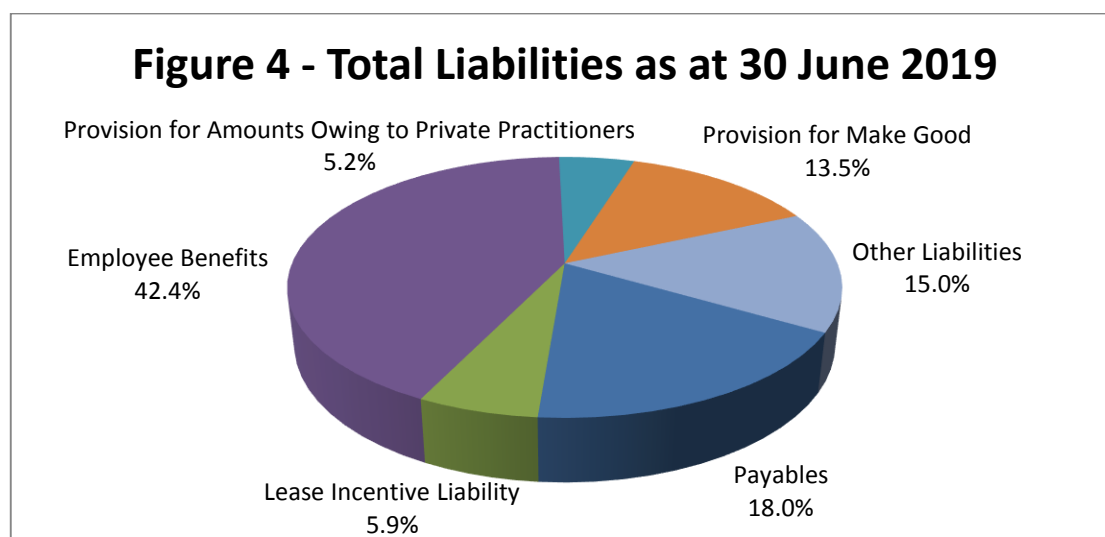
For the Year Ended 30 June 2019

2019-20 Budget and following two years, with an increase in forward year 3. The actual and forecast current ratio suggest that the Commission will be able to pay its debts as and when they fall due, albeit requiring careful management.

Total Liabilities

1. Components of Total Liabilities

Figure 4 below shows that at 30 June 2019, **42.4 percent** of the liabilities of the Commission were represented by Employee Benefits, **18.0 percent** by Payables, **15.0 percent** by Other Liabilities, **13.5 percent** by the Provision for Make Good, **5.9 percent** by Lease Incentive Liability and **5.2 percent** by the Provision for Amounts Owing to Private Legal Practitioners.



2. Comparison to Budget

The Commission's total liabilities at 30 June 2019 of **\$4.886 million** exceeded the 2018-19 Budget of **\$4.102 million** by **\$0.784 million (19.1 percent)**. This is due to the following variations:

- Higher employee benefits, largely related to the delay in implementation of the Legal Aid Enterprise Agreement (**\$0.394 million**).
- Higher other liabilities relating to revenue received in advance (**\$0.611 million**).
- Higher provision for make good (**\$0.105 million**).
- Lower payables (**\$0.199 million**).
- Lower provision for amounts owing to private legal practitioners (**\$0.127 million**).

Management Discussion and Analysis

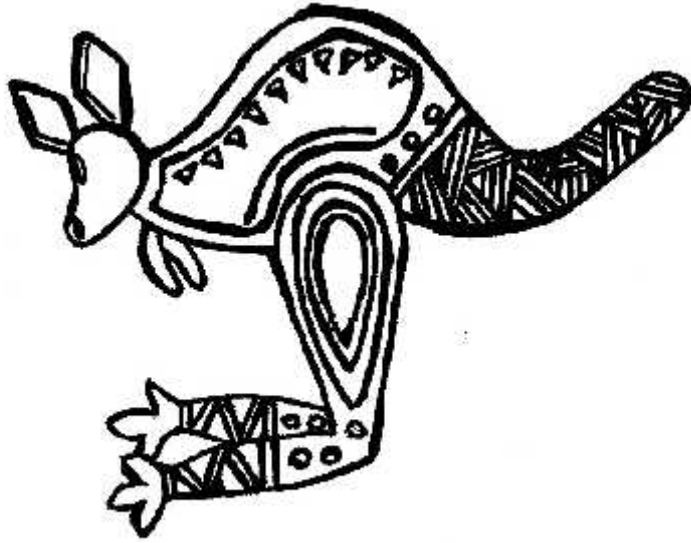
Legal Aid Commission (ACT)

For the Year Ended 30 June 2019

3. Comparison to 2017-18 Actuals

Total liabilities at 30 June 2019 of **\$4.886 million** are **\$0.841 million (20.8 percent)** higher than the actual result at 30 June 2018 of **\$4.045 million**. This is mainly due to the following:

- An increase in employee benefits, largely related to the delay in implementation of the Legal Aid Enterprise Agreement (**\$0.477 million**).
- An increase in other liabilities relating to revenue received in advance (**\$0.632 million**).
- A reduction in the provision for amounts owing to private legal practitioners (**\$0.104 million**).
- A reduction in payables (**\$0.090 million**).
- A reduction in the lease incentive liability (**\$0.090 million**).



FINANCIAL STATEMENTS

2018-2019

INDEPENDENT AUDITOR'S REPORT

LEGAL AID COMMISSION

To the Members of the ACT Legislative Assembly

Opinion

I have audited the financial statements of the Legal Aid Commission (ACT) (the Commission) for the year ended 30 June 2019 which comprise the operating statement, balance sheet, statement of changes in equity, cash flow statement, statement of appropriation and notes to the financial statements, including a summary of significant accounting policies and other explanatory information.

In my opinion, the financial statements:

- (i) present fairly, in all material respects, the Commission's financial position as at 30 June 2019 and its financial performance and cash flows for the year then ended; and
- (ii) are presented in accordance with the *Financial Management Act 1996*, *Legal Aid Act 1977* and comply with Australian Accounting Standards.

Basis for opinion

I conducted the audit in accordance with the Australian Auditing Standards. My responsibilities under the standards are further described in the 'Auditor's responsibilities for the audit of the financial statements' section of this report.

I am independent of the Commission in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code). I have also fulfilled my other ethical responsibilities in accordance with the Code.

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

Responsibilities of the Commission for the financial statements

The Chief Executive Officer of the Commission is responsible for:

- preparing and fairly presenting the financial statements in accordance with the *Financial Management Act 1996*, *Legal Aid Act 1977* and relevant Australian Accounting Standards;
- determining the internal controls necessary for the preparation and fair presentation of the financial statements so that they are free from material misstatements, whether due to error or fraud; and
- assessing the ability of the Commission to continue as a going concern and disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting in preparing the financial statements.

Auditor's responsibilities for the audit of the financial statements

Under the *Financial Management Act 1996* and *Legal Aid Act 1977* the Auditor-General is responsible for issuing an auditor's report that includes an independent opinion on the financial statements of the Commission.

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion.

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

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal controls relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for expressing an opinion on the effectiveness of the Commission's internal controls;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commission;
- conclude on the appropriateness of the Commission's use of the going concern basis of accounting and, based on audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in this report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. I base my conclusions on the audit evidence obtained up to the date of this report. However, future events or conditions may cause the Commission to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether they represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Chief Executive Officer of the Commission regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

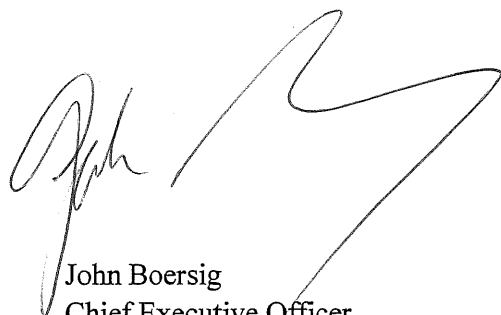


Ajay Sharma
Assistant Auditor-General, Financial Audit
29 August 2019

**Legal Aid Commission (ACT)
Financial Statements
For the Year Ended 30 June 2019**

Statement of Responsibility

In my opinion, the financial statements are in agreement with the Legal Aid Commission's (Commission) accounts and records and fairly reflect the financial operations of the Commission for the year ended 30 June 2019 and the financial position of the Commission on that date.

A handwritten signature in black ink, appearing to read 'John Boersig', is written over the printed name and title.

John Boersig
Chief Executive Officer
Legal Aid Commission (ACT)
15 July 2019

Legal Aid Commission (ACT)
Financial Statements
For the Year Ended 30 June 2019

Statement by the Chief Finance Officer

In my opinion, the financial statements have been prepared in accordance with the Australian Accounting Standards, and are in agreement with the Legal Aid Commission's (Commission) accounts and records and fairly reflect the financial operations of the Commission for the year ended 30 June 2019 and the financial position of the Commission on that date.



Brett Monger
Chief Finance Officer
Legal Aid Commission (ACT)
15 July 2019

Legal Aid Commission (ACT)
Operating Statement
For the Year Ended 30 June 2019

	Note No.	Actual 2019 \$	Original Budget 2019 \$	Actual 2018 \$
Income				
Controlled Recurrent Payments	4	13,130,000	13,410,000	13,168,000
Grant Revenue	5	1,481,946	650,000	788,928
User Charges	6	217,339	266,000	434,897
Other Revenue	7	342,127	295,000	334,752
Total Income		15,171,411	14,621,000	14,726,577
Expenses				
Employee Expenses	8	7,507,982	7,824,000	7,471,960
Superannuation Expenses	9	1,206,414	1,249,000	1,217,241
Supplies and Services	10	4,749,628	4,660,000	4,984,312
Depreciation and Amortisation	11	382,693	381,000	381,875
Borrowing Costs		27,067	27,000	25,753
Lease Expenses	12	955,497	955,000	955,497
Other Expenses	13	25,865	32,000	23,895
Total Expenses		14,855,147	15,128,000	15,060,533
Operating Surplus/(Deficit)		316,264	(507,000)	(333,956)
Total Comprehensive Surplus/(Deficit)		316,264	(507,000)	(333,956)

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 therefore 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 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 2019

	Note No.	Actual 2019 \$	Original Budget 2019 \$	Actual 2018 \$
Current Assets				
Cash and Cash Equivalents	14	5,962,663	3,863,000	3,996,075
Receivables	15	206,354	143,000	329,852
Prepayments	16	144,558	200,000	157,952
Total Current Assets		6,313,575	4,206,000	4,483,879
Non-Current Assets				
Property, Plant and Equipment	17	1,195,361	1,157,000	1,568,787
Capital Works in Progress	18	65,099	-	-
Total Non-Current Assets		1,260,461	1,157,000	1,568,787
Total Assets		7,574,036	5,363,000	6,052,667
Current Liabilities				
Payables	19	305,115	504,000	304,076
Lease Incentive Liability	20	89,615	90,000	89,615
Employee Benefits	21	1,859,693	1,492,000	1,434,849
Provision for Amounts Owing to Private Legal Practitioners	22	256,430	383,000	360,078
Other Liabilities	24	730,530	120,000	98,614
Total Current Liabilities		3,241,382	2,589,000	2,287,231
Non-Current Liabilities				
Payables	19	571,997	572,000	662,870
Lease Incentive Liability	20	201,633	201,000	291,248
Employee Benefits	21	210,172	184,000	158,357
Provision for Make Good	23	660,902	556,000	645,019
Total Non-Current Liabilities		1,644,704	1,513,000	1,757,495
Total Liabilities		4,886,086	4,102,000	4,044,726
Net Assets		2,687,950	1,261,000	2,007,941
Equity				
Accumulated Funds		2,687,950	1,261,000	2,007,941
Total Equity		2,687,950	1,261,000	2,007,941

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 2019

		Accumulated Funds Actual 2019 \$	Original Budget 2019 \$	Accumulated Funds Actual 2018 \$
Balance at the Beginning of the Reporting Period		2,007,941	1,733,000	2,341,897
Change in accounting policy	Appendix D	48,744	-	-
Restated Balance at the Beginning of the Reporting Period		2,056,685	1,733,000	2,341,897
Comprehensive Surplus/(Deficit)				
Operating Surplus/(Deficit)		316,264	(507,000)	(333,956)
Total Comprehensive Surplus/(Deficit)		316,264	(507,000)	(333,956)
Transactions Involving Owners Affecting Accumulated Funds				
Capital Injections		315,000	35,000	-
Total Transactions Involving Owners Affecting Accumulated Funds		315,000	35,000	-
Balance at the End of the Reporting Period		2,687,950	1,261,000	2,007,941

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 2019

	Note No.	Actual 2019 \$	Original Budget 2019 \$	Actual 2018 \$
Cash Flows from Operating Activities				
Receipts				
Controlled Recurrent Payments		13,130,000	13,410,000	13,168,000
User Charges		352,210	236,000	262,035
Grants Received		2,112,893	650,000	788,928
Goods and Services Tax Input Tax Credits from the Australian Taxation Office		454,572	400,000	513,651
Goods and Services Tax Collected from Customers		147,283	110,000	85,127
Other ¹		343,096	295,000	296,355
Total Receipts from Operating Activities		16,540,054	15,101,000	15,114,096
Payments				
Employees		7,031,168	7,688,000	7,395,336
Superannuation		1,206,569	1,254,000	1,221,229
Supplies and Services		5,974,829	5,798,000	6,254,534
Goods and Services Tax Paid to Suppliers		590,350	510,000	597,050
Total Payments from Operating Activities		14,802,916	15,250,000	15,468,149
Net Cash Inflows/(Outflows) from Operating Activities	29 (b)	1,737,139	(149,000)	(354,054)
Payments				
Purchase of Property, Plant and Equipment		85,551	50,000	63,416
Total Payments from Investing Activities		85,551	50,000	63,416
Net Cash (Outflows) from Investing Activities		(85,551)	(50,000)	(63,416)
Cash Flows from Financing Activities				
Receipts				
Capital Injections		315,000	35,000	-
Total Receipts from Financing Activities		315,000	35,000	-
Net Cash Inflows from Financing Activities		315,000	35,000	-
Net Increase/(Decrease) in Cash and Cash Equivalents		1,966,588	(164,000)	(417,468)
Cash and Cash Equivalents at the Beginning of the Reporting Period		3,996,075	4,027,000	4,413,543
Cash and Cash Equivalents at the End of the Reporting Period	29 (a)	5,962,663	3,863,000	3,996,075

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

¹ The "Other" item for receipts also includes "Interest". "Interest" in 2018-19 was \$183,560, although it was a separate line item in the 2017-18 Cash Flow Statement (\$168,404). See Note 7 - Other Revenue.

Legal Aid Commission (ACT)
Statement of Appropriation
For the Year Ended 30 June 2019

	Original Budget 2019 \$	Total Appropriated 2019 \$	Appropriation Drawn 2019 \$	Appropriation Drawn 2018 \$
Controlled Recurrent Payments	13,410,000	13,130,000	13,130,000	13,168,000
Capital Injections	35,000	315,000	315,000	-
Total Appropriation	13,445,000	13,445,000	13,445,000	13,168,000

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

Column Heading Explanations

The *Original Budget* column shows the amount that appears in the Cash Flow Statement in the Budget Papers. 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 appropriation received by the Commission during the year. These amounts appear in the Cash Flow Statement of the Commission.

Variances between 'Original Budget', 'Total Appropriated' and 'Appropriation Drawn'

Reconciliation of Appropriation for 2018-19	Controlled Recurrent Payments \$	Capital Injections \$
Original Appropriation for 2018-19	13,410,000	35,000
Transfer of funds under Section 14B of the <i>Financial Management Act 1996</i>	(280,000)	280,000
Total Appropriated	13,130,000	315,000
Appropriation Drawn	13,130,000	315,000

The difference between the Original Budget and the Total Appropriated is due to transferring of \$280,000 from Controlled Recurrent Payments to Capital (FMA s.14B) to fund the Legal Aid IT upgrade in 2018-19.

LEGAL AID COMMISSION (ACT) NOTE INDEX

Note 1	Objectives of the Legal Aid Commission (ACT)
Note 2	Significant Accounting Policies (See Appendices A, B and C)
Note 3	Change in Accounting Policy & Accounting Estimates (See Appendix D)

Income Notes

Note 4	Controlled Recurrent Payments
Note 5	Grant Revenue
Note 6	User Charges
Note 7	Other Revenue

Expense Notes

Note 8	Employee Expenses
Note 9	Superannuation Expenses
Note 10	Supplies and Services
Note 11	Depreciation and Amortisation
Note 12	Lease Expenses
Note 13	Other Expenses

Asset Notes

Note 14	Cash and Cash Equivalents
Note 15	Receivables
Note 16	Prepayments
Note 17	Property, Plant and Equipment
Note 18	Capital Works In Progress

Liability Notes

Note 19	Payables
Note 20	Lease Incentive Liability
Note 21	Employee Benefits
Note 22	Provision for Amounts Owing to Private Legal Practitioners
Note 23	Provision for Make Good
Note 24	Other Liabilities

Other Notes

Note 25	Financial Instruments
Note 26	Commitments
Note 27	Third Party Monies
Note 28	Related Party Disclosures
Note 29	Cash Flow Reconciliation
Note 30	Budgetary Reporting

Appendix A - Basis of Preparation of the Financial Statements

Appendix B - Significant Accounting Policies

Appendix C - Impact of Accounting Standards Issued But Yet to Be Applied

Appendix D - Change in Accounting Policy & Accounting Estimates

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

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.

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

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

Refer to the following appendices for the notes comprising significant accounting policies and other explanatory information.

Appendix A - Basis of Preparation of the Financial Statements

Appendix B - Significant Accounting Policies

Appendix C - Impact of Accounting Standards Issued But Yet to Be Applied

NOTE 3. CHANGE IN ACCOUNTING POLICY & ACCOUNTING ESTIMATES

Refer to Appendix D - Change in Accounting Policy & Accounting Estimates.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$

NOTE 4. CONTROLLED RECURRENT PAYMENTS

Controlled Recurrent Payments (CRP) are revenue received from the ACT Government to fund the costs of delivering outputs. A component of the CRP is Commonwealth Government funding. Commonwealth funding under the *National Partnership Agreement on Legal Assistance Services* is paid to the ACT Government who then provides this amount to the Commission as CRP. Commonwealth funding is primarily provided for legal assistance services for Commonwealth matters.

Revenue from the ACT Government

Controlled Recurrent Payments	13,130,000	13,168,000
Total Controlled Recurrent Payments	13,130,000	13,168,000

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.

Grant Revenue from ACT Government Entities

Grant from the Community Services Directorate ¹	126,000	21,542
Total Grant Revenue from ACT Government Entities	126,000	21,542

Grant Revenue from Non-ACT Government Entities

Grant from the ACT Law Society ²	1,133,109	612,269
Grant from Illawarra Retirement Trust (IRT) Foundation	4,984	4,984
Commonwealth Grants		
- Family Law Pathways Network in the ACT	49,500	49,500
- Online Self Service Portal	44,767	59,633
- National Disability Insurance Scheme Appeals Grant	54,531	41,000
- Discrete Legal Services ³	60,055	-
- Family Violence Cross-examination ⁴	9,000	-
Total Grant Revenue from Non-ACT Government Entities	1,355,946	767,386
Total Grant Revenue	1,481,946	788,928

¹The Commission received one-off funding of \$120,000 for legal assistance under the Health and Justice Partnership, and \$6,000 funding for 2018-19 from the Community Services Directorate (Office for Seniors and Veterans) to undertake research on elder abuse in the Aboriginal and Torres Strait Islander community.

²The increase in the Grant from the ACT Law Society of \$520,840 is due to the significantly larger than expected grant resulting from additional funding available in the ACT Law Society's Statutory Interest Account.

³The Commission received funding from the Commonwealth Government to establish and pilot an advice and legal task service for the provision of discrete legal services to low income applicants in Federal Circuit or Family Court proceedings.

⁴The Commission received funding under the Family Violence and Cross-examination Parties Scheme to provide representation for victims of family violence.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$

NOTE 6. USER CHARGES

User charges revenue is derived by providing legal assistance services to the public. It is legally retained by the Commission and is driven by the amount of legal assistance provided to clients, and is not appropriated.

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 the unsuccessful party to pay costs.

User Charges - Non-ACT Government

Assisted Person Contributions and Recovered Costs ¹	217,339	434,897
Total User Charges - Non-ACT Government	217,339	434,897

¹The decrease in Assisted Person Contributions and Recovered Costs is due to lower reassessed contributions in 2018-19 compared to 2017-18. See Appendix D Notes 5, 6, 15 and 24 for further details.

NOTE 7. OTHER REVENUE

Other Revenue arises from the core activities of the Commission.

Revenue from ACT Government Entities

Revenue from Justice and Community Safety Directorate ¹	5,765	38,254
Total Other Revenue from ACT Government Entities	5,765	38,254

Revenue from Non-ACT Government Entities

Contribution to Youth Law Centre	66,507	65,299
Rent - Environmental Defender's Office	17,793	9,468
Interest ²	183,560	168,404
University of Canberra - provision of legal services ³	35,259	14,384
Other	33,243	38,943
Total Other Revenue from Non-ACT Government Entities	336,362	296,498
Total Other Revenue	342,127	334,752

¹The decrease of \$32,489 in 2019 is due a change in the delivery of translation services in domestic violence matters. As an efficiency measure, a new system took effect in 2019 wherein the Justice and Community Services Directorate (JACS) is directly billed for this type of service, instead of the previous model where the Commission incurs the expense and is then reimbursed by JACS.

²Interest revenue from the Commission's General Fund Account (\$168,404 in 2017-18) is now included in Other Revenue, but was disclosed as a separate line item in the 2017-18 Operating Statement.

³The line item "University of Canberra - provision of legal services" was previously included in line item "Other" in the 2017-18 Other Revenue note. The increase in this revenue item is due to the full-year effect of this activity in 2018-19, compared to the part-year effect in 2017-18.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$
NOTE 8. EMPLOYEE EXPENSES		
Wages and Salaries	7,172,081	7,248,356
Annual Leave Expense ¹	114,507	94,998
Long Service Leave Expense ²	145,201	44,889
Commissioners' Remuneration	22,591	26,352
Workers' Compensation Insurance Premium	53,602	57,366
Total Employee Expenses	7,507,982	7,471,960

^{1,2} The increase in total employee expenses is due to higher liabilities. The rates used to estimate the present value of the future Annual and Long Service Leave Expenses payments has changed. Rates are provided by the ACT Treasury with the rate for annual leave in 2018-19 being 101.60% (99.70% in 2017-18). The rate for long service leave in 2018-19 is 110.10% (100.90% in 2017-18).

NOTE 9. SUPERANNUATION EXPENSES

Superannuation Contributions to the Territory Banking Account	316,906	351,049
Productivity Benefit	35,155	38,789
Superannuation to External Providers	854,353	827,403
Total Superannuation Expenses	1,206,414	1,217,241

NOTE 10. SUPPLIES AND SERVICES

Financial and Audit Fees	51,054	49,567
Referrals to Private Legal Practitioners	2,420,259	2,509,561
Legal Disbursements ¹	1,271,921	1,427,003
Transportation ²	50,447	29,425
Office Requisitions	94,347	103,592
Computer Services	359,711	388,726
Contractors and Consultants ³	3,499	25,801
Other Supplies and Services ⁴	498,388	450,638
Total Supplies and Services	4,749,628	4,984,312

¹The Legal Disbursements decreased in 2018-19 mainly due to the completion of the Eastman Trial during 2018-19.

²The increase in Transportation expenditure is due to increased travel related to the National Legal Aid, as well as an increase in local travel to locations where new initiatives are being delivered.

³The decrease in Contractors and Consultants expenditure is due to expenditure relating to a one-off project in 2017-18, which did not happen in 2018-19.

⁴"Other Services" in the 2017-18 Note 10 (\$191,681) has been reclassified as "Other Supplies and Services" in 2018-19. Further, this line item now also includes other items such as Postage and Telephone Services (\$72,378 in 2017-18), Office Services (\$157,968 in 2017-18), and Library (\$28,611 in 2017-18), all of which were separately disclosed in 2017-18. The variation in this line item in 2018-19 is due to the increase in other office-related expenses.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019 \$	2018 \$
NOTE 11. DEPRECIATION AND AMORTISATION		
Depreciation		
Office and Computer Equipment	92,411	100,429
Leasehold Improvements	237,007	227,754
Motor Vehicles	1,091	1,705
Furniture and Fittings	52,185	51,987
Total Depreciation	382,693	381,875

NOTE 12. LEASE EXPENSES

In 2009-10, the Commission entered into an agreement to lease office space at 2 Allsop Street, Canberra City ACT for 12.5 years. The Lease Expenses were calculated to include a 3.7% annual increase, which was apportioned across the lease period to present a straight line payment schedule. See Deferred Rent Payable in Note 19: *Payables*.

Lease Expense - office accommodation	955,497	955,497
Total Lease Expenses	955,497	955,497

NOTE 13. OTHER EXPENSES

Other Expenses is made up of impairment losses and write-offs.

	2019 No.	2018 No.		
Impairment Losses				
<i>Impairment Loss from Receivables</i>				
Assisted Person Contributions and Recovered Costs Receivable	180	212	25,865	23,895
<i>Total Impairment Loss from Receivables</i>			25,865	23,895
Total Impairment Losses			25,865	23,895

There were no waivers during the reporting period (Nil in 2017-18).

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$

NOTE 14. CASH AND CASH EQUIVALENTS

The Commission hold one bank account with Westpac. The operating bank account with Westpac earned a weighted average interest rate of 2.33% in 2018-19 (2.35% in 2017-18).

Funds from the Westpac operating account can be withdrawn upon request.

Cash at Bank ¹	5,962,328	3,995,735
Cash on Hand	335	340
Total Cash and Cash Equivalents	5,962,663	3,996,075

¹The increase in Cash at Bank is due to receipts from the ACT Law Society (an additional \$520,000 from the Statutory Interest Account), Commonwealth Attorney General's Department (\$200,000 for Discrete Legal Services for low income applicants and \$284,000 payment from the Expensive Commonwealth Criminal Cases Fund), Department of Social Services (\$475,000 for grants of legal assistance related to National Disability Insurance Scheme), Community Services Directorate (\$120,000 to establish the Health Justice Partnership), and retention of cash to be backpaid under the new Enterprise Agreement (approximately \$300,000).

NOTE 15. RECEIVABLES

Current Receivables

Assisted Person Contributions and Recovered Costs Receivable ¹	117,805	274,079
Less: Allowance for Impairment Losses	(33,944)	(78,226)
	83,860	195,853
Net GST Receivable	122,239	133,744
Other Trade Receivables	255	255
Total Current Receivables	206,354	329,852
Total Receivables	206,354	329,852

All receivables above are with Non-ACT Government entities.

¹The decrease in Assisted Person Contributions and Recovered Costs Receivable is due to lower reassessed contributions in 2018-19 compared to 2017-18. See Appendix D Notes 5, 6, 15 and 24 for further details.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 15. RECEIVABLES - CONTINUED

Ageing of Receivables

		Days Past Due				
	Total	Not Overdue	1-30 days	31-60 days	61-90 days	> 90 days
	\$	\$	\$	\$	\$	\$
30 June 2019						
Expected credit loss rate		0.00%	18.59%	28.89%	28.23%	30.96%
Estimated total gross carrying amount at default	118,060	0	18,654	7,966	4,863	86,577
Expected credit losses	(33,944)	0	(3,468)	(2,301)	(1,372)	(26,802)
1 July 2018 (remeasurement)						
Expected credit loss rate		0.00%	18.59%	28.89%	28.23%	30.96%
Estimated total gross carrying amount at default	274,334	174,400	9,321	7,565	5,370	77,678
Expected credit losses	(29,481)	0	(1,733)	(2,185)	(1,516)	(24,047)

The Commission's trade receivables is made up of GST receivables and clients' standard initial contributions of \$120. Initial client contributions are a condition of grant of legal assistance. The vast majority of client contribution payments are made through Centrepay, making up 90% of the Commission's client contributions receivable in the previous three-year period.

Impairment losses from receivables were recognised in 2017-18 and prior years on an incurred loss basis. From 2018-19, an 'Expected Credit Loss Expense' is recognised as the movement in the allowance for expected credit losses. The allowance for expected credit losses of receivables is measured at the lifetime expected credit losses at each reporting date. The Commission has established a provision matrix based on its historical credit loss experience, with forward looking factors specific to the debtors and the economic environment considered but not adjusted. As the transactions were fairly consistent, the same credit loss rates were used across 2018-19 and 2017-18.

The Net GST Receivable is excluded from the loss rate calculation. As the non-GST receivables are solely client contributions, loss rates are calculated on the one basis. The calculations reflect historical observed client contribution default rates calculated using credit losses experienced on past client contribution transactions during the last three years preceding 30 June 2019.

	2019	2018
	\$	\$
Reconciliation of the Allowance for Impairment Losses		
Allowance for Impairment Losses at the Beginning of the Reporting Period	78,226	129,360
Remeasurement under AASB 9	(48,744)	-
Restated Allowance for Impairment Losses at the Beginning of the Reporting Period	29,481	129,360
Additional Allowance Recognised During the Reporting Period	25,865	23,895
Reduction in Allowance from Amounts Written-off During the Reporting Period	(21,403)	(75,029)
Allowance for Impairment Losses at the End of the Reporting Period	33,944	78,226

The maximum exposure to credit risk at the end of the reporting period for Receivables is the carrying amount of the asset inclusive of any allowance for impairment as shown in the table above.

There was no remeasurement of the beginning of the reporting period balance as a result of AASB9.

Also refer to Appendix B (Note 15) and Appendix D (Note 15) for the impact of the change in accounting policy following the adoption of AASB 9.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019 \$	2018 \$
NOTE 16. PREPAYMENTS		
Current Prepayments		
Prepayments	144,558	157,952
Total Current Prepayments	144,558	157,952
NOTE 17. PROPERTY, PLANT AND EQUIPMENT		
Property, plant and equipment includes the following classes of assets:		
<i>Motor Vehicles</i> are 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.		
Motor Vehicles		
Motor Vehicles at Cost	24,083	24,083
Less: Accumulated Depreciation	(6,805)	(5,714)
Total Written Down Value of Motor Vehicles	17,279	18,369
Office and Computer Equipment		
Office and Computer Equipment at Cost	750,903	733,440
Less: Accumulated Depreciation	(630,237)	(537,827)
Total Written Down Value of Office and Computer Equipment	120,666	195,614
Leasehold Improvements		
Leasehold Improvements at Cost	2,952,324	2,963,508
Less: Accumulated Depreciation	(1,982,701)	(1,745,694)
Total Written Down Value of Leasehold Improvements	969,623	1,217,814
Furniture and Fittings		
Furniture and Fittings at Cost	524,508	521,520
Less: Accumulated Depreciation	(436,714)	(384,529)
Total Written Down Value of Furniture and Fittings	87,794	136,991
Total Written Down Value of Property, Plant and Equipment	1,195,361	1,568,787

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 17. 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 23: *Provision for Make Good*.

Reconciliation of Property, Plant and Equipment

The following table shows the movement of Property, Plant and Equipment during 2018-19.

		Leasehold Improvements	Motor Vehicles	Office and Computer Equipment	Furniture and Fittings	Total
	Note	\$	\$	\$	\$	\$
Carrying Amount at the Beginning of the Reporting Period		1,217,814	18,369	195,614	136,991	1,568,787
Additions		-	-	17,463	2,988	20,451
Disposals		-	-	-	-	-
Depreciation		(237,007)	(1,090)	(92,411)	(52,185)	(382,693)
Other Movements ¹	23	(11,184)	-	-	-	(11,184)
Carrying Amount at the End of the Reporting Period		969,623	17,279	120,666	87,794	1,195,361

¹This variation is from an amendment to the Provision due to a Change in Accounting Estimates.

Reconciliation of Property, Plant and Equipment

The following table shows the movement of Property, Plant and Equipment during 2017-18.

		Leasehold Improvements	Motor Vehicles	Office and Computer Equipment	Furniture and Fittings	Total
		\$	\$	\$	\$	\$
Carrying Amount at the Beginning of the Reporting Period		1,328,981	11,892	240,808	188,977	1,770,659
Additions		-	8,182	55,235	-	63,416
Disposals		-	-	-	-	-
Depreciation		(227,754)	(1,705)	(100,429)	(51,987)	(381,875)
Other Movements ¹	23	116,586	-	-	-	116,586
Carrying Amount at the End of the Reporting Period		1,217,814	18,369	195,614	136,991	1,568,787

¹This variation is from an amendment to the Provision due to a Change in Accounting Estimates.

NOTE 18. CAPITAL WORKS IN PROGRESS

	2019 \$	2018 \$
Software Works in Progress ¹	65,099	-
Total Capital Works in Progress	65,099	-

¹The increase in Software Works in Progress is due to the commencement of the Commission IT upgrade.

Reconciliation of Capital Works in Progress

The following table shows the movement of Software Works in Progress during 2018-19 and 2017-18.

Carrying Amount at the Beginning of the Reporting Period	-	-
Additions	65,099	-
Carrying Amount at the End of the Reporting Period	65,099	-

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019 \$	2018 \$
NOTE 19. PAYABLES		
Payables are invoices received that were unpaid at 30 June 2019.		
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.		
<i>See Note 12: Lease Expenses</i>		
Current Payables		
Trade Payables	20,578	14,102
Other Payables ¹	3,525	27,607
Private Legal Practitioner Payables ²	99,761	67,682
Accrued Expenses	181,251	194,686
Total Current Payables	305,115	304,076
Non-Current Payables		
Deferred Rent Payable - 2 Allsop Street	571,997	662,870
Total Non-Current Payables	571,997	662,870
Total Payables	877,111	966,946

¹The decrease in Other Payables is mainly due to the completion of the Eastman Trial.

²The increase in Private Legal Practitioner Payable is mainly due to the timing difference between the last payment made to legal practitioners for the year and the last day of submitting invoices to the Commission for legal work completed as at 30 June 2019.

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

Classification of ACT Government/Non-ACT Government Payables

Payables with ACT Government Entities

Accrued Expenses	51,054	49,567
Total Payables with ACT Government Entities	51,054	49,567

Payables with Non-ACT Government Entities

Trade Payables	20,578	14,102
Other Payables	3,525	27,607
Private Legal Practitioner Payables	99,761	67,682
Accrued Expenses	130,197	145,119
Deferred Rent Payable - 2 Allsop Street	571,997	662,870
Total Payables with Non-ACT Government Entities	826,057	917,379
Total Payables	877,111	966,946

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$

NOTE 20. 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	201,633	291,248
Total Lease Incentive Liability	291,248	380,863

The Present Value of the Lease Incentive Liability is as follows:

Within one year	89,615	89,615
Later than one year but not later than five years	201,633	291,248
Total Present Value of Lease Incentive Liability	291,248	380,863

The movement in the Lease Incentive Liability in 2018-19 is due to the recognition of the current year portion of the cash payment in lieu of a rent free period as per the lease agreement.

NOTE 21. EMPLOYEE BENEFITS

Current Employee Benefits

Annual Leave ¹	548,753	485,280
Long Service Leave ²	772,367	686,216
Accrued Salaries	91,326	90,559
Employee expenses relating to in-principle agreement to the Enterprise Agreement ³	447,247	172,794
Total Current Employee Benefits	1,859,693	1,434,849

Non-Current Employee Benefits

Long Service Leave	210,172	158,357
Total Non-Current Employee Benefits	210,172	158,357
Total Employee Benefits	2,069,865	1,593,206

^{1,2}The rates used to estimate the present value of the future Annual and Long Service Leave Expenses payments has changed. Rates are provided by the ACT Treasury with the rate for annual leave in 2018-19 being 101.60% (99.70% in 2017-18). The rate for long service leave in 2018-19 is 110.10% (100.90% in 2017-18).

³The increase in Employee expenses relating to in-principle agreement to the Enterprise Agreement is due to the Commission accruing the upcoming obligation arising from the Enterprise Agreement, which is currently being negotiated by the Commission.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019 \$	2018 \$
NOTE 21. EMPLOYEE BENEFITS - CONTINUED		
Estimate of When Leave is Payable		
Estimated Amount Payable within 12 Months		
Annual Leave	317,372	303,262
Long Service Leave	63,131	67,672
Accrued Salaries	91,326	90,559
Employee expenses relating to in-principle agreement to the Enterprise Agreement ¹	447,247	172,794
Total Employee Benefits Payable within 12 months	919,076	634,287
Estimated Amount Payable after 12 Months		
Annual Leave	231,381	182,018
Long Service Leave	919,407	776,901
Total Employee Benefits Payable after 12 Months	1,150,788	958,919
Total Employee Benefits	2,069,865	1,593,206

The annual average FTE staff for 2018-19 was 83.6 compared to 82.8 in 2017-18.

¹The Commission's new Enterprise Agreement is currently being reviewed. The new agreement is anticipated to be finalised in 2019-20.

NOTE 22. 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 once the Commission is invoiced. Invoices from private legal practitioners received by the Commission that relate to work done up to 30 June 2019 are included in accrued expenses in Note 19: *Payables*.

Provision for Amounts Owing to Private Legal Practitioners	256,430	360,078
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	360,078	305,225
Add: Amount Transferred to Accrued Expenses in the Previous Reporting Period	34,030	77,576
(Decrease)/Increase in Provision for the Reporting Period	(55,426)	11,307
Reduction in Provision due to Transfer to Accrued Expenses	(82,252)	(34,030)
Provision for Amounts Owing to Private Legal Practitioners at the End of the Reporting Period¹	256,430	360,078

¹The decrease in Provision for Amounts Owing to Private Legal Practitioners is mainly due to a reduction in the average delay between the provision of services and receipt of invoices. Further, the amount of the provision transferred to accrued expenses in 2018-19 was higher when compared to the amount transferred in 2017-18. This is due to a higher number of invoices from private legal practitioners received in the period up to and including 10 July 2019 relating to work done up to 30 June 2019, compared to invoices received in the equivalent period in 2017-18.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$

NOTE 23. 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 analysis conducted in July 2018 by Helga Maynier, BSc (QS) MAIQS MRICS, Director, mbmpl PTY LTD.

Provision for Make Good	660,902	645,019
Reconciliation of the Provision for Make Good		
Provision for Make Good at the Beginning of the Reporting Period	645,019	502,680
Increase in Provision due to Unwinding of Discount	27,067	25,753
(Decrease)/Increase in Provision due to a Change in Accounting Estimates	(11,184)	116,586
Provision for Make Good at the End of the Reporting Period	660,902	645,019

NOTE 24. OTHER LIABILITIES

Other Liabilities relate to Revenue Received in Advance by the Commission. These are provided on the basis that the Commission delivers particular services commensurate to the value of funding, across a number of financial years.

Current Other Liabilities		
Revenue Received in Advance ¹	730,530	98,614
Total Current Other Liabilities	730,530	98,614
Total Other Liabilities	730,530	98,614

¹The increase in Other Liabilities is mainly due to revenue received in 2018-19 but not recognised in 2018-19. The funds are for initiatives that will commence in 2019-20 (National Disability Insurance Scheme, funding for an expensive case, and funding for the delivery of discrete legal services).

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 25. 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 (see Appendix B - *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 slightly higher amount of interest revenue in 2018-19 when compared to 2017-18 due to the increase in cash inflows relating to new initiatives funding.

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 the previous 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 the assisted persons' income, assets and liabilities. In matters where the assisted person's financial position changes and the Commission reassesses the substantial contribution amounts, the Commission may impose a caveat as a security over the assisted person's land holding.

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 significant changes in credit risk exposure since the last reporting period.

Trade receivables are always measured at lifetime expected credit losses (the simplified approach). The vast majority of the Commission's unsecured receivable items is made up of client contributions on grants of legal assistance paid through Centrepay. The total dollar amount of this particular type of receivable is deemed to be immaterial.

The Commission's allowance for impairment losses changed following the adoption of the expected credit loss approach under AASB 9. Refer to Note 15 and Appendix B and D for the impact of this change in accounting policy.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 25. 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 and employee expenses, which is the largest expenditure of the Commission.

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 payment from the ACT Law Society from the Statutory Interest Account. 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.

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 2019 \$	Fair Value 2019 \$	Carrying Amount 2018 \$	Fair Value 2018 \$
Financial Assets				
Cash and Cash Equivalents	5,962,663	5,962,663	3,996,075	3,996,075
Receivables ¹	84,115	84,115	196,108	196,108
Total Financial Assets	6,046,778	6,046,778	4,192,183	4,192,183
Financial Liabilities				
Payables ¹	877,111	877,111	966,946	966,946
Total Financial Liabilities	877,111	877,111	966,946	966,946

¹In 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 2019

NOTE 25. 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 2019. 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 \$		
Financial Instruments								
Financial Assets								
Cash and Cash Equivalents	14	2.33%	5,962,328	-	-	-	335	5,962,663
Receivables ¹	15		-	-	-	-	84,115	84,115
Total Financial Assets			5,962,328	-	-	-	84,450	6,046,778
Financial Liabilities								
Payables ¹	19		-	-	-	-	877,111	877,111
Total Financial Liabilities			-	-	-	-	877,111	877,111
Net Financial Assets/(Liabilities)			5,962,328	-	-	-	(792,661)	5,169,666

¹In the table above Receivables and Payables exclude Net GST Receivables/Payables. As such, the Receivables included in the above table of \$84,115 are calculated by taking the Net GST Receivables of \$122,239 from Total Receivables of \$206,354 included in Note 15.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 25. 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 2018. 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 \$		
Financial Instruments								
Financial Assets								
Cash and Cash Equivalents	14	2.35%	3,995,735	-	-	-	340	3,996,075
Receivables ¹	15		-	-	-	-	196,108	196,108
Total Financial Assets			3,995,735	-	-	-	196,448	4,192,183
Financial Liabilities								
Payables ¹	19		-	-	-	-	966,946	966,946
Total Financial Liabilities			-	-	-	-	966,946	966,946
Net Financial Assets/(Liabilities)			3,995,735	-	-	-	(770,498)	3,225,237

¹In the table above Receivables and Payables exclude Net GST Receivables/Payables. As such, the Receivables included in the above table of \$196,108 are calculated by taking the Net GST Receivables of \$133,744 from Total Receivables of \$329,852 included in Note 15.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019	2018
	\$	\$
<hr/>		
NOTE 25. FINANCIAL INSTRUMENTS - CONTINUED		
Carrying Amount of Each Category of Financial Asset and Financial Liability		
Financial Assets		
Financial Assets Measured at Amortised Cost ¹	84,115	196,108
Financial Liabilities		
Financial Liabilities Measured at Amortised Cost	877,111	966,946

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.

¹The decrease in 'Financial Assets Measured at Amortised Cost' is mainly due to lower reassessed client contributions in 2018-19 compared to 2017-18. Further information is at Note 6: *User Charges* and Note 15: *Receivables*.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

2019 **2018**
\$ **\$**

NOTE 26. 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 term of the operating lease is 12.5 years 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 23: *Provision for Make Good*.

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

Non-cancellable operating lease commitments are payable as follows:

Within one year	1,051,046	1,051,046
Later than one year but not later than five years	2,364,854	3,415,900
Total Operating Lease Commitments	3,415,900	4,466,946

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

NOTE 27. THIRD PARTY MONIES

The Commission holds money in trust on behalf of clients, whilst awaiting instructions for disbursement of those funds. Section 9(5) of the *Legal Aid Act 1977* states that the provisions of the *Legal Profession Act 2006* concerning keeping and auditing of accounts do not apply in relation to money held by the Commission on trust. Nevertheless, the Commission follows, where practicable, the trust account rules as best practice for the administration of its trust account.

Third Party Monies held by the Commission

Balance at the Beginning of the Reporting Period	131,681	260,842
Cash Receipts	493,543	779,855
Cash Payments	(572,027)	(909,016)
Balance at the End of the Reporting Period	53,197	131,681

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 28. RELATED PARTY DISCLOSURES

A related party is a person that controls or has significant influence over the reporting entity, or is a member of the Key Management Personnel (KMP) of the reporting entity or its parent entity, and includes their close family members and entities in which the KMP and/or their close family members individually or jointly have controlling interests.

KMP are those persons having authority and responsibility for planning, directing and controlling the activities of the Commission, directly or indirectly.

KMP of the Commission are the Chief Executive Officer and the Deputy Chief Executive Officer.

The Head of Service and the ACT Executive comprising the Cabinet Ministers are KMP of the ACT Government and therefore related parties of the Commission.

This note does not include typical citizen transactions between the KMP and the Commission that occur on terms and conditions no different to those applying to the general public.

(A) CONTROLLING ENTITY

The Legal Aid Commission (ACT) is an independent statutory authority within the ACT, established under the *Legal Aid Act 1977* and is an ACT Government controlled entity.

(B) KEY MANAGEMENT PERSONNEL

Compensation of Key Management Personnel

Compensation of all Cabinet Ministers is disclosed in the note on related party disclosures included in the ACT Executive's financial statements for the year ended 30 June 2019.

Compensation of the Head of Service is included in the note on related party disclosures included in the Chief Minister, Treasury and Economic Development Directorate's (CMTEDD) financial statements for the year ended 30 June 2019.

Compensation by the Commission to KMP is set out below.

	2019	2018
	\$	\$
Short-term employee benefits	355,764	559,956
Post employment benefits	67,060	101,227
Other long-term benefits	(7,990)	15,796
Total Compensation by the Commission to KMP¹	414,834	676,979

¹The decrease in Total Compensation by the Commission to KMP in 2018-19 is due to the departure of the Commission's Deputy Chief Executive Officer in September 2018. The position remained vacant for the 2018-19 financial year. The negative Other long-term benefits balance is due to the transfer of the Long Service Leave associated with the position.

Transactions with Key Management Personnel

There were no transactions with KMP that were material to the financial statements of the Commission.

Transactions with parties related to Key Management Personnel

There were no transactions with parties related to KMP, including transactions with KMP's close family members or other related entities that were material to the financial statements of the Commission.

(C) TRANSACTIONS WITH OTHER ACT GOVERNMENT CONTROLLED ENTITIES

All transactions with ACT Government controlled entities are disclosed in the relevant notes to the financial statements of the Commission.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

	2019 \$	2018 \$
NOTE 29. CASH FLOW RECONCILIATION		
(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.		
Total Cash and Cash Equivalents Recorded in the Balance Sheet	5,962,663	3,996,075
Cash and Cash Equivalents at the End of the Reporting Period as Recorded in the Cash Flow Statement	5,962,663	3,996,075
(b) Reconciliation of the Operating (Deficit) to the Net Cash (Outflows)/Inflows from Operating Activities		
Operating Surplus/(Deficit)	316,264	(333,956)
Add/(Less) Non-Cash Items		
Depreciation and Amortisation	382,693	381,875
Cash Before Changes in Operating Assets and Liabilities	698,957	47,919
Changes in Operating Assets and Liabilities		
Decrease/(Increase) in Receivables	172,242	(147,239)
Decrease in Prepayments	13,394	74,583
(Decrease) in Payables	(89,835)	(354,544)
Increase in Employee Benefits	476,659	72,635
Increase in Provision for Make Good	27,067	25,753
(Decrease) in Lease Incentive	(89,615)	(89,615)
(Decrease)/Increase in Provision for Amounts Owing to Private Legal Practitioners	(103,648)	54,853
Increase/(Decrease) in Other Liabilities	631,917	(38,397)
Net Changes in Operating Assets and Liabilities	1,038,181	(401,973)
Net Cash Inflows/(Outflows) from Operating Activities	1,737,139	(354,054)

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2019

NOTE 30. BUDGETARY REPORTING

	Actual 2018-19 \$	Original Budget¹ 2018-19 \$	Variance \$	Variance %	Variance Explanation
Operating Statement Line Items					
Grant Revenue	1,481,946	650,000	831,946	127.99%	Grant Revenue increased due to the additional funding from the ACT Law Society, funding for new initiatives from the Commonwealth Attorney General's Department and the Community Services Directorate.
Balance Sheet Line Items					
Cash and Cash Equivalents	5,962,663	3,863,000	2,099,663	54.35%	Cash and Cash Equivalents increased due to additional unbudgeted receipts stemming from grants and new initiatives. Specifically, the Commission received an additional funding from the ACT Law Society (\$533,000 from the Statutory Interest Account), Commonwealth Attorney General's Department (\$200,000 for Discrete Legal Services for low income applicants and \$284,000 from the Expensive Commonwealth Criminal Cases Fund), Department of Social Services (\$475,000 for grants of legal assistance related to National Disability Insurance Scheme), Community Services Directorate (\$120,000 to establish the Health Justice Partnership), and the retention of cash to be backpaid under the Enterprise Agreement (approximately \$300,000). The above items, with the exception of the ACT Law Society monies and Health Justice Partnership funding, relate to initiatives commencing in 2019-20.
Current Employee Benefits	1,859,693	1,492,000	367,693	24.64%	Current Employee Benefits exceeded the budget amount due to the delay in the implementation of the new Enterprise Agreement.
Current Payables	305,115	504,000	(198,885)	(39.46%)	Current Payables were below the budget due to a lower level of Trade Payables and Accrued Expenses, mainly as a result of the completion of the Eastman Trial in late 2018.
Current Other Liabilities	730,530	120,000	610,530	508.78%	Other Liabilities increased as a result of the new revenue received in advance for the new initiatives commencing after 2018-19.

¹Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2018-19 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 2019

NOTE 30. BUDGETARY REPORTING - CONTINUED

	Actual 2018-19 \$	Original Budget¹ 2018-19 \$	Variance \$	Variance %	Variance Explanation
Balance Sheet Line Items - continued					
Non-Current Employee Benefits	210,172	184,000	26,172	14.22%	The increase in Non-Current Employee Benefits is due to higher liabilities. The rates used to estimate the present value of the future Annual and Long Service Leave Expenses payments has changed. Rates are provided by the ACT Treasury with the rate for annual leave in 2018-19 being 101.60% (99.70% in 2017-18). The rate for long service leave in 2018-19 is 110.10% (100.90% in 2017-18).
Provision for Amounts Owing to Private Legal Practitioners	256,430	383,000	(126,570)	(33.05%)	The decrease in Provision for Amounts Owing to Private Legal Practitioners is mainly due to a reduction in the average delay between the provision of services and receipt of invoices. Further, the amount of the provision transferred to accrued expenses in 2018-19 was higher when compared to the amount transferred in 2017-18. This is due to a higher number of invoices from private legal practitioners received in the period up to and including 10 July 2019 relating to work done up to 30 June 2019, compared to invoices received in the equivalent period in 2017-18.
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	85,551	50,000	35,551	71.10%	The increase in Purchase of Property, Plant and Equipment is due to the IT upgrade.

¹Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period (2018-19 Statement of Intent). These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

Legal Aid Commission (ACT)
Appendix A - Basis of Preparation of the Financial Statements
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Basis of Preparation of the Financial Statements

LEGISLATIVE REQUIREMENT

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 the Commission's financial statements to include:

- (i) an Operating Statement for the reporting period;
- (ii) a Balance Sheet at the end of the reporting period;
- (iii) a Statement of Changes in Equity for the reporting period;
- (iv) a Cash Flow Statement for the reporting period;
- (v) a Statement of Appropriation for the reporting period;
- (vi) an Operating Statement for each class of output for the reporting period;
- (vii) the significant accounting policies adopted for the reporting period; 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 reporting period.

These general-purpose financial statements have been prepared to comply with Australian Accounting Standards 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.

ACCRUAL ACCOUNTING

The financial statements have been prepared using the accrual basis of accounting. The financial statements have also been prepared according to the historical cost convention.

CURRENCY

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

INDIVIDUAL REPORTING ENTITY

The Commission is an individual reporting entity.

REPORTING PERIOD

These financial statements state the financial performance, changes in equity and cash flows of the Commission for the year ending 30 June 2019 together with the financial position of the Commission at 30 June 2019.

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 2018-19 matches the budget information contained in the Commission's Statement of Intent (included in the 2018-19 Budget Papers).

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.

The Commission has applied AASB 9 *Financial Instruments* retrospectively but has elected not to restate comparative information. Changes from the adoption of AASB 9 have been recognised against the opening equity at 1 July 2018.

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.

GOING CONCERN

The 2018-19 financial statements have been prepared on a going concern basis as the ongoing functions, activities and funding of the Commission are set out in the 2019-20 Statement of Intent.

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies

SIGNIFICANT ACCOUNTING POLICIES - INCOME

REVENUE RECOGNITION

Revenue is recognised at the fair value of the consideration received or receivable in the Operating Statement.

Note 4 Controlled Recurrent Payments

Controlled Recurrent Payments are recognised as revenue when the Commission gains control over the funding. Control over appropriated funds is normally obtained upon the receipt of cash.

Note 5 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.

Note 6 User Charges

Assisted Person Contributions

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

Note 7 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.

SIGNIFICANT ACCOUNTING POLICIES - EXPENSES

Note 8 Employee Expenses

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.

Note 9 Superannuation Expenses

Employees of the Commission have different superannuation arrangements due to the type of superannuation scheme available at the time of commencing employment, including both defined benefit and defined contribution superannuation scheme arrangements. For employees who are members of the defined benefit Commonwealth Superannuation Scheme (CSS) and Public Sector Superannuation Scheme (PSS), the Commission makes employer superannuation contribution payments to the Territory Banking Account at a rate determined by the Chief Minister, Treasury and Economic Development Directorate. The Commission also makes productivity superannuation contribution payments on behalf of these employees to the Commonwealth Superannuation Corporation, which is responsible for administration of the schemes.

For employees who are members of defined contribution superannuation schemes (the Public Sector Superannuation Scheme Accumulation Plan (PSSAP) and schemes of employee choice), the Commission makes employer superannuation contribution payments directly to the employee's relevant superannuation fund.

All defined benefit employer superannuation contributions are recognised as expenses on the same basis as the employer superannuation contributions made to defined contribution schemes. The accruing superannuation liability obligations are expensed as they are incurred and extinguished as they are paid.

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies - Continued

SIGNIFICANT ACCOUNTING POLICIES - EXPENSES - CONTINUED

Note 9 Superannuation Expenses - Continued

Superannuation Liability Recognition

For Commission employees who are members of the defined benefit CSS or PSS, the employer superannuation liabilities for superannuation benefits payable upon retirement are recognised in the financial statements of the Superannuation Provision Account.

Note 10 Supplies and Services

Insurance

In 2018-19 the Commission insured all of its major risks through Allianz Australia Insurance Ltd, 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*).

Operating Leases

The Commission has an operating lease. 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.

Legal Expenses

The Commission's cases are categorised as either inhouse and referred matters. The expenditures related to these matters are recognised on an accrual basis. Expenditure on inhouse matters arise when external experts need to be engaged. Expenditure on referred matters arise when cases are handled by private legal practitioners and are incurred on a per-action basis as per the Commission's schedule of fees.

Note 11 Depreciation and Amortisation

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:

Class of Asset	Depreciation / Amortisation Method	Useful Life (Years)
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.

Note 13 Other Expenses

Other Expenses is made up of impairment losses, and write-offs.

Impairment Losses - Assets

Impairment losses of assets include: plant and equipment, leasehold improvements and intangible assets (see Appendix B - Note 17 *Property, Plant and Equipment*).

Impairment Losses and Write-offs - Receivables

The impairment losses are expensed during the year in which the receivable was impaired.

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies - Continued

SIGNIFICANT ACCOUNTING POLICIES - ASSETS

ASSETS - CURRENT AND NON-CURRENT

Assets are classified as current when they are expected to be realised within 12 months after the reporting date.

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

Note 14 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.

Note 15 Receivables

Accounts receivable 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.

Impairment Loss - Receivables

The allowance for expected credit losses represents the amount of assisted person contributions (excluding Contributions and Recovered Costs receivable from the Department of Social Services) that the Commission estimates will not be repaid. The allowance for impairment losses is based on objective evidence of impairment. An entity shall measure expected credit losses of a financial instrument in a way that reflects:

- (a) an unbiased and probability-weighted amount that is determined by evaluating a range of possible outcomes;
- (b) the time value of money; and
- (c) reasonable and supportable information that is available **without undue cost or effort** at the reporting date about past events, current conditions and forecasts of future economic conditions (AASB 9.5.5.17).

The amount of the expected credit loss 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.

For receivables the Commission applied the simplified approach under AASB 9, which uses a lifetime expected loss for all receivables.

A provision matrix is used to calculate the expected credit loss.

Where the Commission has no reasonable expectation of recovering an amount owed by a debtor and ceases action to collect the debt, as the cost to recover the debit is more than the debt is worth, the debt is written-off by directly reducing the receivable against the loss allowance.

Caveats - Receivables

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.

The Commission will only receive the reassessed amount tied to a caveat on a real property when that asset is sold. While the Commission holds a small number of caveats on clients' real properties, it does not recognise the caveats as a receivable as predicting the timeframe between the reassessment of a receivable amount on a case and the realisation of the capital asset is impossible.

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies - Continued

SIGNIFICANT ACCOUNTING POLICIES - ASSETS - CONTINUED

Note 15 Receivables - Continued

Significant Judgements and Estimates - Allowance for Impairment Losses for Receivables

The Commission has made a significant estimate in the calculation of the allowance for impairment losses for receivables in the Financial Statements. The significant estimate is based on the categorisation of receivables and the use of an expected credit loss provision matrix. These categorisations are considered by management to be appropriate and accurate, based upon the pattern demonstrated in collecting receivables in the past financial years, general economic conditions and an assessment of both the current and forecast direction of conditions at the reporting date.

Note 17 Property, Plant and Equipment

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.

Where the Commission undertakes a major maintenance on its infrastructure which lead to increasing the service potential of the existing infrastructure asset, the cost is capitalised.

Measurement of Property, Plant and Equipment after Initial Recognition

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

Impairment Loss - 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.

Although the Commission had no impairment losses for property, plant and equipment and intangible assets, they would have been 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.

Significant Judgements and Estimates - 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 Appendix B - Note 11 *Depreciation and Amortisation*.

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies - Continued

SIGNIFICANT ACCOUNTING POLICIES - LIABILITIES

LIABILITIES - CURRENT AND NON-CURRENT

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.

Liabilities which do not fall within the current classification are classified as non-current.

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.

Note 19 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.

Grants of Legal Assistance - Payables

In accordance with the *Legal Aid Act 1977* 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 22.

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 are reclassified from the Provision for Amounts Owing to Private Legal Practitioners to Accrued Expenses.

See further disclosure at Appendix B - Note 22 *Provision for Amounts Owing to Private Legal Practitioners*.

Note 20 Lease Incentive Liability

When the Commission entered into an agreement for lease for the tenancy of 2 Allsop Street, Canberra City commencing 1 April 2010, it took advantage of cash in lieu of a rent free period from the landlord. The Commission has recognised the total lease incentive value as a liability. This liability is apportioned on a straight line basis over the term of the rental agreement (12.5 years).

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies - Continued

SIGNIFICANT ACCOUNTING POLICIES - LIABILITIES - CONTINUED

Note 21 Employee Benefits

Employee benefits are listed in Appendix B - Note 8 Employee Expenses.

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.

Annual leave liabilities have been estimated on the assumption that they will be wholly settled within three years. In 2018-19, the rate used to estimate the present value of future annual leave payments is 101.60% (99.7% in 2017-18).

In 2018-19, the rate used to estimate the present value of future payments for long service leave is 110.1% (100.9% in 2017-18).

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.

Significant Judgements and Estimates - 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.

The significant judgements and assumptions included in the estimation of annual and long service leave liabilities include an assessment by an actuary. Cumpston Sarjeant, Consulting Actuaries, performed this assessment in June 2018. 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. The next actuarial review is expected to be undertaken by 2023.

Legal Aid Commission (ACT)
Appendix B - Significant Accounting Policies
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Significant Accounting Policies - Continued

SIGNIFICANT ACCOUNTING POLICIES - LIABILITIES - CONTINUED

Note 22 Provision for Amounts Owing to Private Legal Practitioners

Significant Judgements and Estimates - 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.

Note 23 Provision for Make Good

Significant Judgements and Estimates - 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. An independent external property expert was engaged to analyse the level of Provision for Make Good in the Legal Aid leased office space. This analysis was not a revaluation, rather an update to the previous cost analysis conducted in 2010. The analysis of the Provision for Make Good factored current estimations of relevant items, including demolition, ceilings, flooring, paint, blinds, cooling system, electrical services, fire services and signage. The revised increase in Provision (from \$250 per m² in 2010 to \$324 per m² in 2018) has been included in these 2017-18 financial statements. The analysis was conducted by Helga Maynier, BSc (QS) MAIQS MRICS of mbmpl Pty Ltd (independent valuers) in July 2018.

Note 24 Other Liabilities

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. The Commission had three main items that have been recorded as revenue received in advance due to the nature of the funding models. No work occurred on these matters during 2018-19, with all expenditure to occur in 2019-20.

Note 25 Financial Instruments

Financial assets are classified as subsequently measured at amortised cost, fair value through other comprehensive income or fair value through profit or loss on the basis of both:

- (a) the business model for managing the financial assets; and
- (b) the contractual cash flow characteristics of the financial assets.

Financial liabilities are measured at amortised cost.

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.

SIGNIFICANT ACCOUNTING POLICIES - OTHER NOTES

Note 30 Budgetary Reporting

Explanation of Major Variances between Actual Amounts and Original Budget Amounts

Explanations of major variances between the 2018-19 original budget and the 30 June 2019 actual results are discussed in Note 30: *Budgetary Reporting*. The definition of 'major variances' is provided below.

Significant Judgements and Estimates - Budgetary Reporting

Significant judgements have been applied in determining what variances are considered as 'major variances' requiring explanations in Note 30: *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: where either the line item actual amount accounts for more than 10% of the relevant associated category (Income, Expenses and Equity totals) or more than 10% of the 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.

Legal Aid Commission (ACT)
Appendix C - Impact of Accounting Standards Issued But Yet to Be Applied
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

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.

- AASB 15 Revenue from Contracts with Customers (application date 1 January 2018 for profit entities, 1 January 2019 for not-for-profit entities);
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. Some revenue may need to be deferred to a future reporting period if the Commission has received cash and has not met its associated performance obligations (this would create a liability until the performance obligations are met). The Commission will make a 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. This will result in the Commission recognising its operating lease as an asset alongside the associated liability, rather than accounting as operating lease expenditure. The right-of-use asset will initially be recognised at cost and will give rise to a depreciation expense. The lease liability will initially be recognised as the present value of the lease payments during the term of the lease. Lease payments made will reduce this liability over time and also result in an interest expense.
The Commission only has one lease (office accommodation) and it is affected by this accounting standard amendment. The present value of this right-of-use asset (and the corresponding liability) over the 39 months remaining in the term of the lease (July 2019 to September 2022) is estimated to be \$3,700,000 for right-of-use and \$3,550,000 for lease liability. The impact on the operating statement is approximately \$256,000.
- AASB 1058 Income for Not-for-Profit (application date 1 January 2019);
This standard clarifies and simplifies the income recognition requirements that apply to not-for-profit entities in conjunction with AASB 15 Revenue from Contracts with Customers. These standards supersede all the income recognition requirements relating to private sector not-for-profit entities, and the majority of income recognition requirements relation to public sector not-for-profit entities, previously in AASB 1004 Contributions. The Commission has commenced consideration of the new revenue recognition requirements and has yet to finalise its assessment of their impact. Possible future impacts apparent at this time include:
 - Grants received to construct non-financial assets controlled by the Commission will be recognised as a liability and subsequently recognised as revenue progressively as the Commission satisfies its performance obligation under the terms of the grants.
 - Other grants currently recognised as revenue upfront may be eligible to be recognised as progressively as the associated performance obligations are satisfied, if the performance obligations are enforceable and sufficiently specific. The Commission has not yet evaluated its grants arrangements as to whether revenue from those grants could be deferred under the new requirements.
 - Grants that are not enforceable and/or not sufficiently specific will continue to be recognised as revenue (no change to current treatment).The Commission will make a detailed assessment of the impact over the next 12 months.

Legal Aid Commission (ACT)
Appendix C - Impact of Accounting Standards Issued But Yet to Be Applied
Forms Part of Note 2 of the Financial Statements
For the Year Ended 30 June 2019

Impact of Accounting Standards Issued But Yet to Be Applied - Continued

- AASB 2016-8 Amendments to Australian Accounting Standards - Australian Implementation Guidance for Not-for-Profit Entities [AASB 9 & 15] (application date 1 January 2019);
This standard inserts Australian requirements and authoritative implementation guidance for not-for-profit entities into AASB 9 and AASB 15. This guidance assists not-for-profit entities in applying those standards to particular transactions and other events. The amendments to AASB 9 address the initial measurement and recognition of non-contractual receivables arising from statutory requirements (including taxes, rates and fines). The amendments to AASB 15 address the following aspects of accounting for contracts with customers: identifying a contract with a customer; identifying performance obligations; and allocating the transaction price to performance obligations. The Commission will make a detailed assessment of the impact over the next 12 months.
- AASB 2018-7 Amendments to Australian Accounting Standards - Definition of Material [AASB 2, 101, 108, 110, 134, 137, the *Framework*, and AASB Practice Statement 2] (application date 1 January 2020).
This standard principally amends AASB 101 Presentation of Financial Statements and AASB 108 Accounting Policies Changes in Accounting Estimates and Errors. The amendments refine the definition of material in AASB 101 and clarify the definition of material and its application across AASB Standards and other publications.
There is no material impact to the Commission.
- AASB 2018-8 Amendments to Australian Accounting Standards - Right-of-Use Assets of Not-for-Profit Entities [AASB 1, AASB 16, AASB 117, 1049 & 1058 (application date 1 January 2019)]
AASB 1058 Income for Not-for-Profit Entities made amendments to AASB 16 to require not-for-profit agencies to measure right-of-use assets at initial recognition at fair value in respect to leases that have significantly below market terms and conditions principally to enable the agency to further its objectives.
However, the AASB has decided to provide a temporary option for not-for-profit agencies to not measure a class or classes of such right-of-use asset at initial recognition at fair value, since further guidance is expected to be developed to assist not-for-profit agencies measuring right-of-use assets at fair value. The Commission will seek further guidance when preparing a financial impact analysis.

Legal Aid Commission (ACT)
Appendix D - Change in Accounting Policy & Accounting Estimates
Forms Part of Note 3 of the Financial Statements
For the Year Ended 30 June 2019

CHANGE IN ACCOUNTING POLICY & ACCOUNTING ESTIMATES

The Commission had the following change in accounting estimates during the reporting period:

Note 5 Grant Revenue, Note 6 User Charges, Note 15 Receivables & Note 24 Other Liabilities

The Department of Social Services (DSS) provides legal assistance funding for eligible cases under the National Disability Insurance Scheme (NDIS).

At the commencement of 2017-18 revenue was recognised from DSS for NDIS matters on a per case basis. An amount of \$174,720 was received in early July 2018 under the initial scheme which was for NDIS matters that were conducted during 2017-18. This revenue was recorded as 'User Charges' (Assisted Person Contributions and Recovered Costs).

In late 2017-18 the funding model was amended and revenue of \$41,000 was recognised as 'Grant Revenue' (NDIS) relating to NDIS matters.

The amended funding model was continued in 2018-19 and payments totalling \$300,000 was received in advance which was to cover expected cases during 2018-19. Depending on the timing of the individual matters, this funding was recorded as 'Grant Revenue' (NDIS) for matters conducted, or 'Other Liabilities' (Revenue Received in Advance) if there had not been any costs incurred.

Note 8 Employee Expenses & Note 21 Employee Benefits

As disclosed in Note 8: *Employee Expenses* & Note 21: *Employee Benefits*, the rates used to estimate the present value of the future Annual and Long Service Leave Expenses have changed in 2018-19 (these rates are provided by ACT Treasury). The annual leave rate in 2018-19 is 101.60% (99.70% in 2017-18). The long service leave rate in 2018-19 is 110.10% (100.90% in 2017-18). The rate increase has resulted in an increase of approximately \$82,000 and \$10,000 respectively to the Commission's estimated annual leave and long service leave liability and expense in the current reporting period.

Note 15 Receivables

AASB 9 Financial Instruments replaces AASB 139 Financial Instruments: Recognition and Measurement for annual reporting periods beginning on or after 1 January 2018, bringing together all three aspects of the accounting for financial instruments: classification and measurement; impairment and hedge accounting.

The Commission applied AASB 9 prospectively with initial application date of 1 July 2018. The adoption of AASB 9 has resulted in changes in accounting policies and adjustments to the amounts recognised in the financial statements. In accordance with AASB 9.7.2.15, the Commission has not restated the comparative information which continues to be reported under AASB 139. Differences arising from adoption have been recognised in the opening Accumulated Funds.

The effect of adopting AASB 9 as at 1 July 2018 was, as follows:

	At 1 July 2018
Assets	\$
Receivables (1,2)	48,744
Total Assets	48,744
Total Adjustments on Equity	
Accumulated Funds (1,2)	48,744

Legal Aid Commission (ACT)
Appendix D - Change in Accounting Policy & Accounting Estimates
Forms Part of Note 3 of the Financial Statements
For the Year Ended 30 June 2019

CHANGE IN ACCOUNTING POLICY & ACCOUNTING ESTIMATES - CONTINUED

Note 15 Receivables - Continued

The nature of the adjustment is described below:

1. Classification and Measurement

Under AASB 9, financial assets are subsequently measured at amortised cost, fair value through other comprehensive income (fair value through OCI) or fair value through profit or loss (fair value through P/L). The classification is based on two criteria: the Commission's business model for managing the assets; and whether the asset's contractual cash flows represent 'solely payments of principal and interest' on the principal outstanding.

The assessment of the Commission's business model was made at the date of initial application, on 1 July 2018. The assessment of whether contractual cash flows on financial assets are comprised solely of principal and interest was made based on the facts and circumstances at the initial recognition of the assets.

The classification and measurement requirements of AASB 9 had a financial impact on the Commission as identified below. The following are the classification of the Commission's financial assets under AASB 9:

Items	Business Model	Solely for payment of principal and interest	Classification
Cash and Cash Equivalents	Held to collect	Yes	Amortised cost
Receivables	Held to collect	Yes	Amortised cost

Upon adoption of AASB 9, the Commission had the following required (or elected) reclassifications as at 1 July 2018:

	AASB 139	AASB 9		
	Amortised cost	Amortised cost	Fair value through	Fair value through P/L
Receivables	\$	\$		
Receivables*	78,226	29,481	-	-
	78,226	29,481	-	-

*The change in the carrying amount is a result of a reassessment of the impairment allowance. See discussion on impairment below.

2. Impairment

The adoption of AASB 9 has changed the Commission's accounting for impairment losses for financial assets by replacing AASB 139's incurred loss model with a forward-looking expected credit loss (ECL) approach. AASB 9 requires the Commission to recognise an allowance for ECLs for all financial assets other than those held at fair value through profit or loss.

Upon adoption of AASB 9, the Commission recognised a decrease in the impairment on the Commission's Receivables which resulted in an increase in the Accumulated Funds of \$48,744.

Set out below is the reconciliation of the ending impairment allowances in accordance with AASB 139 to the opening loss allowance in accordance with AASB 9:

	Impairment under AASB 139 at 30 June 2018	Remeasurement	ECL under AASB 9 at 1 July 2018
Receivables under AASB	\$	\$	\$
Financial assets at amortised cost under AASB 9	78,226	(48,744)	29,481

Capital Works

The Commission has had one capital works project ongoing in 2018-19. The Commission engaged its IT service provider to undertake a comprehensive audit of the ICT environment. This audit highlighted the fact that the Commission's systems had not been upgraded in the last three years, and concluded that this posed a risk to the Commission's business continuity. The audit also noted areas of the ICT system that could be modified to improve efficiencies and reduce overall costs.

Where upgrades are necessary, projects have been designated according to priority as either immediate, short-term or future. The immediate projects are already underway, and the estimated end-date for all upgrades is early-to-mid October 2019. The total cost is estimated to reach \$360,000. This cost will include the cost of extending existing warranties, and purchasing new server and desktop software licenses, application software licences and the cost of technical consultants delivering the projects.

The Commission has already extended warranties on current hardware infrastructure where possible, moved existing hardware from the offsite disaster recovery site to on-premises, upgraded all server and desktop operating systems, application and database software to the vendor-recommended versions. The Commission is in the process of making its cyber-security infrastructure more secure in line with the every-changing cyber threats organisations face.

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 2019 was \$1,195,361.

The Commission had Software Works in Progress of \$65,099 at 30 June 2019. This relates to the Commission's IT upgrade, due to be completed in 2019-20.

The assets added to the Commission's asset register in 2018-19 consisted of office and computer equipment of \$17,463 and furniture and fittings of \$2,988.

There was \$29,663 spent on repairs and maintenance in 2018-19, \$24,914 relating to leasehold improvements and \$4,749 relating to office equipment.

Office Accommodation

The Commission had up to 96 employees and 20 additional placements at any one time in leased accommodation at 2 Allsop Street, Canberra during 2018-19. The placements consisted of staff from the Environmental Defender's Office, university students, student supervisors and volunteers. The total space occupied by all persons is approximately 1,300 m². The average space per person is approximately 11.20m². 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

INDEPENDENT LIMITED ASSURANCE REPORT

To the Members of the ACT Legislative Assembly

Conclusion

I have undertaken a limited assurance engagement on the statement of performance of the Legal Aid Commission (ACT) (the Commission) for the year ended 30 June 2019.

Based on the procedures performed and evidence obtained, nothing has come to my attention to indicate the results of the accountability indicators reported in the statement of performance for the year ended 30 June 2019 are not in agreement with the Commission's records or do not fairly reflect, in all material respects, the performance of the Commission, in accordance with the *Financial Management Act 1996*.

Basis for conclusion

I have conducted the engagement in accordance with the Standard on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*. My responsibilities under the standard and legislation are described in the 'Auditor-General's responsibilities' section of this report.

I have complied with the independence and other relevant ethical requirements relating to assurance engagements, and the ACT Audit Office applies Australian Auditing Standard ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, Other Assurance Engagements and Related Services Engagements*.

I believe that sufficient and appropriate evidence was obtained to provide a basis for my conclusion.

Commission's responsibilities for the statement of performance

The Chief Executive Officer of the Commission is responsible for:

- preparing and fairly presenting the statement of performance in accordance with the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2019*; and
- determining the internal controls necessary for the preparation and fair presentation of the statement of performance so that the results of accountability indicators and accompanying information are free from material misstatements, whether due to error or fraud.

Auditor-General's responsibilities

Under the *Financial Management Act 1996* and *Financial Management (Statement of Performance Scrutiny) Guidelines 2019*, the Auditor-General is responsible for issuing a limited assurance report on the statement of performance of the Commission.

My objective is to provide limited assurance on whether anything has come to my attention that indicates the results of the accountability indicators reported in the statement of performance are not in agreement with the Commission's records or do not fairly reflect, in all material respects, the performance of the Commission, in accordance with the *Financial Management Act 1996*.

In a limited assurance engagement I perform procedures such as making inquiries with representatives of the Commission, performing analytical review procedures and examining selected evidence supporting the results of accountability indicators. The procedures used depend on my judgement, including the assessment of the risks of material misstatement of the results reported for the accountability indicators.

Limitations on the scope

The procedures performed in a limited assurance engagement are less in extent than those required in a reasonable assurance engagement and consequently the level of assurance obtained is substantially lower than the assurance that would have been obtained had a reasonable assurance engagement been performed. Accordingly, I do not express a reasonable assurance opinion on the statement of performance.

This limited assurance engagement does not provide assurance on the:

- relevance or appropriateness of the accountability indicators reported in the statement of performance or the related performance targets;
- accuracy of explanations provided for variations between actual and targeted performance due to the often subjective nature of such explanations; or
- adequacy of controls implemented by the Commission.




Ajay Sharma
Assistant Auditor-General, Financial Audit
16 September 2019

**Legal Aid Commission (ACT)
Statement of Performance
For the Year Ended 30 June 2019**

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 2019 and also fairly reflects the judgements exercised in preparing it.

A handwritten signature in black ink, appearing to read 'John Boersig', with a long, sweeping horizontal stroke extending to the right.

John Boersig
Chief Executive Officer
Legal Aid Commission (ACT)
16 September 2019

Legal Aid Commission (ACT)
Statement of Performance
For the Year Ended 30 June 2019

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 2018-19	Actual Result 2018-19	% Variance from Original Target
Total Cost	15,128,000	14,855,147	(2%)
Controlled Recurrent Payments	13,410,000	13,130,000	(2%)
Explanation of Material Variances (+/- 5% or greater than \$200,000)			
Total Expenditure was below the budget amount mainly due to lower than budgeted Employee Expenses as a result of reclassifying position levels on vacancy and delays in filling positions for new staff. This was slightly offset by higher than budgeted expenses relating to Supplies and Services.			
Controlled Recurrent Payments was below the budget amount due to reclassifying \$280,000 as a capital injection to fund the Commission's IT Upgrade project. The transfer relates to funds not required for the Eastman Trial, and was approved by the Treasurer under the <i>Financial Management Act 1996</i> .			
Accountability Indicators			
Number of Discrete Assistance services provided.	35,000	37,297	7%
The high number of discrete assistance services provided in 2018-19 is largely due to increases in Helpline calls and Chat-line services, as well as increases in Legal Advice, Legal Tasks and Non-Legal Support services.			
Number of Duty Lawyer services provided.	5,200	6,149	18%
The higher than targeted number of duty lawyer services provided is mainly due to increases in Family Duty for Contact, Dissolution and Property matters at the Family Advocacy Support Services, Family Law Duty Extension Services and Family Law Duty Lawyer Services locations.			
Number of Representation services provided.	2,700	2,540	(6%)
The lower number of Representation services provided than target is due to fewer grants of legal assistance than estimated. The increase in Discrete Assistance services and Duty Lawyer services have meant that matters are resolved prior to becoming a grant of legal assistance.			
Number of Facilitated Resolution Process provided.	400	374	(7%)
There was a slightly lower outcome than targeted on the number of facilitated resolution process provided in 2018-19. The lower number of grants of legal assistance has impacted this indicator.			
Number of Community Legal Education services provided.	320	405	27%
The number of Community Legal Education (CLE) services provided is higher than the original target due to more outreach sessions conducted (Winnunga, Hospitals, Libraries, Red Cross) than expected; and additional free information sessions (Divorce, Property, Driving offences).			

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 Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the *Financial Management (Statement of Performance Scrutiny) Guidelines 2019*.

Legal Aid Commission (ACT)
Statement of Performance
For the Year Ended 30 June 2019

Output Class 1 - Legal Aid Services

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

Explanation of Accountability Indicators

Number of Discrete Assistance services provided: This indicator collates the number of information, referrals, non-legal support, legal advice, and legal task services. This indicator does not include website page views.

Number of Duty Lawyer services provided: This indicator consists of advising the person and, in appropriate circumstances, appearing on their behalf, in relation to the proceeding or event. Duty lawyer services includes Criminal law, Domestic Violence, Mental Health, Family law and Civil law duty services.

Number of Representation services provided: This indicator collates the number of legal assistance services provided for representing people at court/tribunals, in dispute resolution processes and where the carriage of the matter requires ongoing assistance.

Number of Facilitated Resolution Process provided: This indicator collates the number of specific processes undertaken that are aimed at resolving disputes without going to court.

Number of Community Legal Education services provided: This indicator collates the number of educational resources produced (e.g. booklets, pamphlets, self-help kits, website amendments etc) and the number of activities undertaken.

Government Contracting

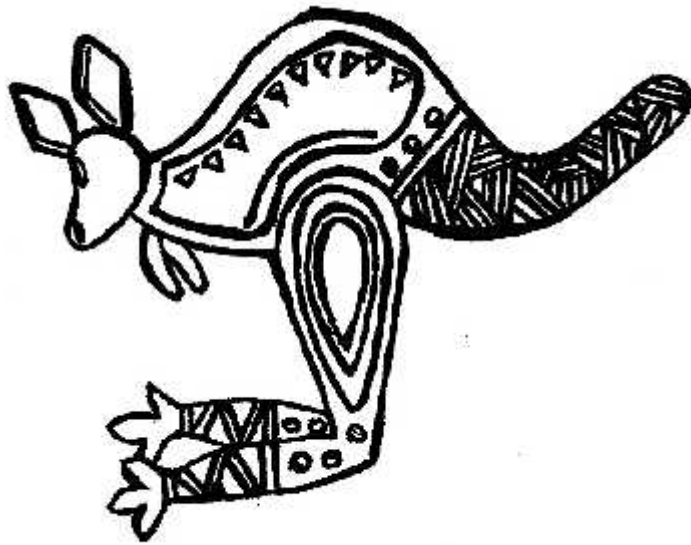
The Commission utilises the services of contractors to carry out its business operations. The Commission executed four contracts throughout 2018-19 with non-ACT Government entities with an estimated value of \$25,000 or more per contract. There were NIL Social Procurement outcomes during the year due to the Commission being a smaller size.

The table below shows the details of contracts the Commission has executed in 2018-19 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 (incl GST)	Execution Date	Expiry Date	Small to Medium Enterprise (SME)
3023	Office Cleaning Services	Tender	Services (non-consultancy)	No	Norris Cleaning Company Pty Ltd	\$169,008.40 (over three years)	20/12/2018 (Contract Execution date may differ from contract commencement date).	13/01/2022	Yes
3024	Visualfiles Annual Maintenance	Single Select	Services (non-consultancy)	Yes	Reed International Books Australia Pty Limited T/A Lexis Nexis	\$59,917.04 (Total value of this particular contract only).	01/01/2019 (Contract Execution date may differ from contract commencement date).	31/12/2019	No

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)
3025	Finance Management Software Support and Maintenance	Single Select	Services (non-consultancy)	Yes	Technology One Limited	\$32,343.51 (Total value of this particular contract only).	19/01/2019 (Contract Execution date may differ from contract commencement date).	18/01/2020	No
3026	Online subscription to Australian Law reports and Lawyers practice manual	Single Select	Services (non-consultancy)	Yes	Thomson Reuters (professional) Australia Limited	\$25,257.23 (Total value of this particular contract only).	07/08/2018 (Contract Execution date may differ from contract commencement date).	06/08/2019	No

Contact – Chief Financial Officer – (02) 6243 344



WHOLE OF GOVERNMENT ANNUAL REPORT

2018-2019

The table below identifies the Commission's Whole of Government Annual Reporting obligations:

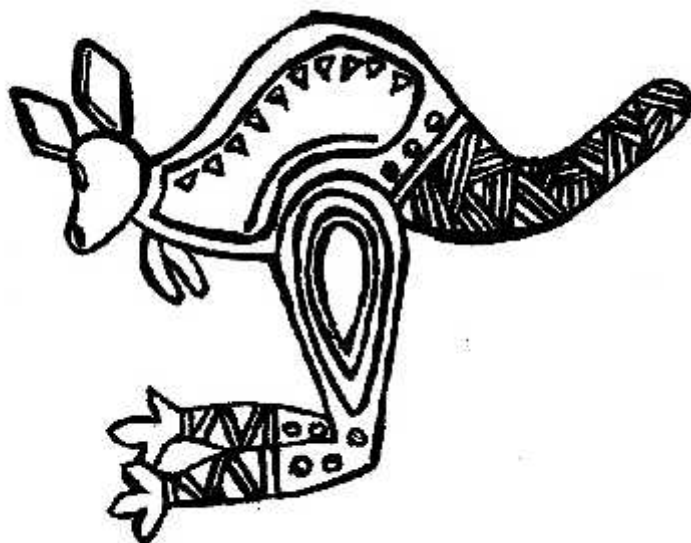
Legislation	Relevant Application to the Commission
<i>Emergencies Act 2004, Section 85</i>	<p>Bushfire Risk Management</p> <p>The Commission is exempt from the reporting requirement under this Act as the Commission is not a manager or owner of unleased Territory land.</p>
<i>Freedom of Information Act 2016 (the FOI Act), Section 96</i>	<p>Freedom of Information</p> <p>The Commission is required by the FOI Act to provide individuals asking for the information that it holds about them with documents containing this information, and to change or annotate any information that is incomplete, incorrect, out of date or misleading. The Commission is currently in the process of developing its Open Access program.</p>
<i>Human Rights Act 2004 (HRA)</i>	<p>Human Rights Act</p> <p>The Commission endeavours to comply with this Act when undertaking its functions and services to the ACT community and its surroundings.</p> <p>There were no cabinet submissions or human rights issues identified or consulted with any human rights advisors. There was one matter brought before the court which involved arguments concerning this Act in the reporting period.</p>
<i>Law Officers Act 2011</i>	<p>Legal Services Directions</p> <p>The Commission does not perform any Territory legal work. There is no information to disclose under this section.</p>
<i>Territory Records Act 2002 (TRA)</i>	<p>Territory Records Act</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>.</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> <p>A list of the approved Records Disposal Schedules is included in the table below.</p>
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The approved Records Disposal Schedules by name and Notifiable Instrument Number

Record Disposal Schedule Name	Effective	Year & No
Corporate Governance Records	9/1/2009	NI2009-10
Finance and Treasury Management Records	27/2/2017	NI2017-83
Government and Stakeholder Records	27/2/2017	NI2017-84
Human Resources Records	27/2/2017	NI2017-79
Information and Communications Technology Records	27/2/2017	NI2017-85
Procurement Records	9/10/2007	NI2007-312
Property Equipment and Fleet Records	27/2/2017	NI2017-86
Protection of Records relevant to the Royal Commission into Institutional Responses to Child Sexual Abuse	1/2/2013	NI2013-42
Public Sector Commissioner Records	25/7/2017	NI2017-396
Public Service Management Records	25/7/2017	NI2017-393
Records and Information Management Records	27/2/2017	NI2017-87
Solicitor and Legal Services Records	27/2/2017	NI2017-88
Strategy and Governance Records	27/2/2017	NI2017-89
Workplace Health and Safety Records	8/3/2011	NI2011-96

Contact – CEO – (02) 6243 3496



STATE OF THE SERVICE REPORT

2018-2019

Workforce Profile

FTE & Headcount by Gender

	Female	Male	Total
Full Time Equivalent	61.2	26.0	87.3
Headcount	69	27	96
% of Workforce (Headcount)	72	28	100

Headcount by Classifications and Gender

Classification Group	Female	Male	Total
Executive		1	1
Senior Officer	1	3	4
Legal Officers	30	17	47
Administrative Service Officers	38	6	44
Total	69	27	96

Headcount by Employment Category and Gender

Employment Category	Female	Male	Total
Casual	1	1	1
Permanent Full-Time	26	11	37
Permanent Part-Time	6		6
Temporary Full-Time	26	15	41
Temporary Part-Time	10		10
Total	69	27	96

FTE and Headcount by Division/Branch

Branch/Division	FTE	Headcount
General Practice	29.5	34
Client Services	7.7	9
Corporate Services	7.8	8
Executive	9.8	11
) Executive & Policy	(1.6)	(2)
) Community Legal Education	(6.2)	(7)
) FDR	(2)	(2)
Litigation Practice	32.4	34
) Litigation	(1)	(1)
) Criminal	(17.01)	(18)
) Family	(14.40)	(15)
Total	87.3	96

Headcount by Division/Branch and Employment Type

Branch/Division	Permanent	Temporary	Casual
General Practice	12	22	

Client Services	9		
Corporate Services	6	1	1
Executive	2	9	
) Executive & Policy		(2)	
) Community Legal Education	(1)	(6)	
) FDR	(1)	(1)	
Litigation Practice	14	19	1
) Litigation	(1)		
) Criminal	(9)	(8)	(1)
) Family	(4)	(11)	
Total	43	51	2

Headcount by Age Group and Gender

Age Group	Female	Male	Total
<20	1		1
20-24	17	4	21
25-29	18	5	23
30-34	8	5	13
35-39	6	3	9
40-44	2	1	3
45-49	4	3	7
50-54	6	4	10
55-59	4		4
60-64	3	2	5
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		7		18	7	19	5	46	12
2-4			1	1	3		5	5	2		11	6
4-6								2				2
6-8				1	1		3				4	1
8-10						3	1				1	3
10-12			1	1	2						3	1
12-14			1			1					1	1
14 plus			2		1	1					3	1

Generation	Birth Years Covered	Generation	Birth Years Covered
Pre-Baby Boomers	Prior to 1946	Generation X	1965-1979 inclusive
Baby Boomers	1946-1964 inclusive	Generation Y	1980-1993 inclusive
		Generation Z	From 1994 and onwards

Average Length of Service by Gender (Headcount)

	Female	Male	Total
Average Years of Service	3.36	4.12	3.58

Headcount by Diversity Group

	Headcount	% of Total Staff
Aboriginal and Torres Strait Islander (ATSI)	2	2
Culturally & Linguistically Diverse (CALD)	13	14
People with a disability	1	1

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.

Culture and Behaviour

The Commission is committed to creating a positive, supportive and fair work environment where employee differences are respected, valued and used to create a productive and collaborative workplace.

In order to support staff, the Commission has a Development and Performance Plan (DaPP) that is aimed at providing all employees the opportunity to plan, discuss and review their development and performance needs.

The Commission has culture and behavioural expectations outlined in the relevant Enterprise Agreement.

Public Interest Disclosure

In accordance with the Public Interest Disclosure Act 2012 (the PID Act), during the reporting period there were:

-) no PID requests received or investigated
-) no PIDs were referred by other agencies; and
-) no PIDs were referred to other agencies.

A pamphlet outlining the Commission's procedures can be accessed at:

<http://www.legalaidact.org.au/publication/do-you-want-to-make-a-complaint-about-an-official-or-agency-in-the-act-public-sector>

Workplace Relations

Description	No. of Individual SEAs	No. of Group SEAs*	Total employees covered by group SEAs	TOTAL
	A	B	C	D
SEAs				

Number of SEAs as at 30 June 2019	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
Number of SEAs providing for privately plated vehicles as at 30 June 2019	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 2019
Individual SEAs	Legal 3	\$140,752
AWAs (includes AWAs ceased during period)	N/A	N/A

Contact – Human Resources Manager – (02) 6243 3426

List of Abbreviations and Acronyms

ACAT	ACT Civil and Administrative Tribunal
ACT DPP	Australian Capital Territory Department of Public Prosecutions
ACT	Australian Capital Territory
ACTFLPN	Australia Capital Territory Family Law Pathways Network
ACTGS	Australian Capital Territory Government Solicitor
ACTLAF	Australian Capital Territory Legal Assistance Forum
ADACAS	ACT Disability, Aged and Carer Advocacy Service
ANU	Australian National University
ATSI	Aboriginal and Torres Strait Islander
AWA	Australian Workplace Agreements
CALD	Culturally and Linguistically Diverse
CEO	Chief Executive Officer
CIT	Canberra Institute of Technology
CLC	Community Legal Centre
CLE	Community Legal Education
CLU	Community Liaison Unit
CPD	Continuing Professional Development
CYPS	Child and Youth Protection Services
DaPP	Development and Performance Plan
DCEO	Deputy Chief Executive Officer
DPP	Department of Public Prosecutions
FDR	Family Dispute Resolution
FOI	Freedom of Information
FTE	Full Time Equivalent
FVU	Family Violence Unit
ICT	Information and Communication Technology
IT	Information Technology

N/A	Not Available
NAIDOC	National Aboriginal and Islanders Day of Celebration
NPALAS	National Partnership Agreement on Legal Assistance Services 2015-2020
NSW	New South Wales
OPALS	Older Persons ACT Legal Service
PID	Public Interest Disclosure
SEA	Special Employment Arrangements
U3A	University of the Third Age
UC	University of Canberra
UNHCR	United Nations High Commissioner for Refugees
WLC	Women's Legal Centre
The Act	<i>Legal Aid Act 1977 (ACT)</i>
The Commission	The Legal Aid Commission (ACT)

Alphabetical Index

A

Aboriginal and Torres Strait Islander – 6, 14, 20, 23, 28, 36, 41, 44, 45, 49, 53, 76, 125,

Aboriginal Legal Service – 22, 23

ACT Auditor-General – 45, 47

ACT Civil and Administrative Tribunal – 16, 40

ACT Disability, Aged and Carer Advocacy Service – 29, 50

ACT Law Society – 22, 24, 41, 42, 50, 59, 60, 61, 76, 80, 89, 96,

Attorney-General, ACT – 22, 24

Attorney-General, Commonwealth – 24, 60, 80, 96

Australia Capital Territory Family Law Pathways Network – 24

Australian Capital Territory Department of Public Prosecutions – 54

Australian Capital Territory Government Solicitor – 54

Australian Capital Territory Legal Assistance Forum – 22, 24

C

Canberra Community Law – 23

Child and Youth Protection Services – 29, 50

Commissioners – 24, 25, 26, 46, 50, 78,

Community Legal Centres – 23, 45

Community Legal Education – 17, 18, 26, 30, 41, 48, 49, 50,

Community Liaison Unit – 18, 19,

Consumer Law Centre – 23

Culturally and Linguistically Diverse – 41, 53, 125

D

Discrete Assistance Services – 13, 14, 39, 40, 59, 60, 76, 80, 87, 96,

Duty Lawyer Services – 6, 13, 16, 17, 21, 22, 23, 27, 28, 29, 32, 34, 35, 36, 37, 39, 40, 42, 43, 54, 57, 75,

E

Environmental Defender's Office – 23, 77, 111

F

Facilitated Resolution Process Services – 15, 16, 39, 40

Family Dispute Resolution – 23, 27, 40, 43, 111

Family Violence – 16, 19, 20, 21, 22, 28, 29, 34, 42, 44, 45, 48, 50, 76

Family Violence Unit – 21, 45,

H

Helpline – 6, 14, 19, 20, 21, 30, 34, 38, 40, 50

J

Justice and Community Safety Directorate – 22, 24, 77

L

Legislative Assembly – 46, 96, 97

N

National Partnership Agreement on Legal Assistance Services 2015-2020 – 12, 13, 22, 41, 54

O

Older Persons ACT Legal Service – 20, 21, 28

Ombudsman, ACT – 46

On the Frontline of Legal Services to the Community, Report – 45

R

Representation Services – 6, 13, 15, 16, 17, 20, 21, 28, 29, 39, 40, 43, 76

S

Students – 23, 49, 50, 111

T

Tenants' Union – 23

V

Volunteers – 23, 50, 111

W

Women's Legal Centre – 23, 54

Y

Youth Law Centre – 23, 27, 42, 48, 77

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