



Legal Aid ACT

ANNUAL REPORT

2022-2023

2 ALLSOP STREET
CANBERRA ACT 2601

PROMOTING ACCESS TO JUSTICE TO THE MOST VULNERABLE
PEOPLE IN THE AUSTRALIAN CAPITAL TERRITORY SINCE 1977

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TRANSMITTAL CERTIFICATE

25 September 2023
Mr Shane Rattenbury MLA
Attorney General
ACT Legislative Assembly
London Circuit
Canberra, ACT 2601

Dear Attorney-General,

2022-23 Legal Aid ACT Annual Report

This report has been prepared in accordance with section 7(2) of the *Annual Reports (Government Agencies) Act 2004* and in accordance with the requirements under the Annual Report Directions.

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

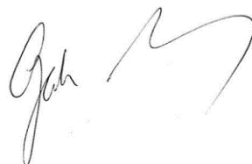
We certify that information in the attached annual report, and information provided for whole of government reporting, is an honest and accurate account and that all material information on the operations of Legal Aid Commission (ACT) has been included for the period 1 July 2022 to 30 June 2023.

We hereby certify that fraud prevention has been managed in accordance with the *Public Sector Management Standards 2006* (repealed), Part 2.3 (see section 113, *Public Sector Management Standards 2016*).

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



Karen Fryar AM
President
Legal Aid ACT



Dr John Boersig PSM
Chief Executive Officer
Legal Aid ACT

PRESIDENT'S REPORT

The Commission has continued to serve the ACT community throughout 2022-2023, providing invaluable support to disadvantaged and vulnerable people who engage with the justice system. I am very proud of the reputation the Commission has built within the community, continuing to deliver legal services of the highest standard in a compassionate and understanding way.

That reputation is maintained because of the Commission's ability to pivot and innovate services that best address the emerging needs of the community, as well as meeting the challenges of core family and criminal work. One such example over the past year involved the Commission continuing to see a significant increase in the need for legal assistance regarding family violence, urgent family law matters and the care and protection of children. In response, the Early Intervention Legal Practice (EILP) was created to enhance capacity and rationalise resourcing. The EILP now includes our Domestic and Family Violence Unit, Health Justice Partnership (located at Canberra Hospital), Family Advocacy and Support Services duty lawyers, Care and Protection duty lawyers, and Family Law Duty Service. This restructure has meant more staff added to the team, and accordingly more people in crisis assisted in the community.

The cost-of-living crisis is adding pressure to already vulnerable clients. Our challenge is finding ways to increase the number of grants of legal assistance that can be made to assist such clients, and we were pleased to receive some additional funding (for 60 grants) from government to do so. The Commission has historically aspired to an allowable income to qualify for legal assistance at 120% of the poverty line, however limitations of funding mean that the actual level is often lower. This 'missing middle' of people unable to afford legal assistance is growing due to the increase in the ACT population and cost of living. Despite the Commission's best endeavours in helping those most in need, increased long-term funding is actually what is required.

The Commission appreciates the role private practitioners, both solicitors and barristers, play in the delivery of legal aid. We have a necessary and healthy partnership with the private profession, and it was good to see the increase in scale of fees this year. I underline that the rise in fees, long overdue, is about access to justice. Our ongoing concern is the decline in lawyers who are taking on legal aid work – in part a legacy of COVID-19 and in part a decrease in the number of lawyers entering the profession or continuing in this work.

2022-23 was not without its challenges. In November, Legal Aid ACT was subject to a cyber security incident affecting private and confidential information. Due to the sensitive nature of the Commission's work, the immediate focus was the safety of clients and staff. I wish to wholeheartedly thank the CEO, Dr Boersig, and staff who worked long hours and on weekends to determine who was at risk and to offer further legal and non-legal support where needed. Many clients (1077) were personally contacted, and 32 were supported by the Commission for their safety and security.

Moving forward, the ACT community should feel assured that the Commission and its staff are committed to providing legal and non-legal support that promotes equal access to justice for the most vulnerable and disadvantaged.

A handwritten signature in blue ink, appearing to read 'Karen Fryar'.

Karen Fryar AM
President

MEET THE COMMISSIONERS

Karen Fryar AM

Karen Fryar was appointed as President of the Commission on 28 January 2020. From 1989 to 1993, Ms Fryar was the Assistant Executive Officer of the Legal Aid Commission (ACT). In 1993, Ms Fryar became the first woman appointed as a magistrate of the ACT Magistrates Court.

Between 2000 and 2010, Ms Fryar presided over the dedicated Family Violence list and also supervised the ACT's Family Violence Intervention Program.

On 1 March 2010, Ms Fryar became the ACT Children's Court Magistrate, where she pursued a variety of initiatives such as the Youth Drug and Alcohol Court to assist young offenders experiencing substance abuse problems. During this period, Ms Fryar was a member of the South Pacific Council of Youth and Children's Courts.

She received the Order of Australia in 2010 for her service to the community as a magistrate and for contributing to the prevention of family violence.

Brian Thomas

Brian Thomas was appointed as the Commissioner for financial management on 9 August 2022.

Mr Thomas had an extensive career in the public service, working across the Snowy Mountains Authority, Attorney-General's Department, Defence, Prime Minister and Cabinet, Aboriginal Affairs, Health, Education, Employment and Industrial Relations. In 1995, he became the Chief Financial Officer of the College of Law Australia and went on to work as a private financial consultant from 2002 to 2022.

He holds a Bachelor of Arts in Political Science and Government from the Australian National University, as well as a Diploma in Accountancy from the Department of Technical Education NSW.

Richard Glenn

Richard Glenn was appointed as a Commissioner on 19 July 2017. Mr Glenn is the 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.

Mr Glenn ceased to be a Commissioner in June 2023. The Commission wishes to acknowledge the hard work and expertise Mr Glenn brought to the Board over his 6 years.

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 the 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.

Prue Bindon

Prue Bindon was appointed as a Commissioner on 9 August 2022. Ms Bindon is a Barrister at the Key Chambers. She has a diverse practice, including administrative law, commercial law, constitutional law, employment, industrial and WHS law, discrimination law and coronials and inquiries.

Before joining the Bar, Ms Bindon worked for Linklaters and King & Wood Mallesons in Australia and Hong Kong. She served as President of the Women's Lawyers Association and is an Associate Lecturer at the Australian National University law school.

She holds a LLB (Hon) from the Australian National University and a Bachelor of Civil Law from the University of Oxford.

Lisa Gooneratne

Lisa Gooneratne was appointed as a Commissioner on 21 March 2019. Ms Gooneratne 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.

Ms Gooneratne has previously worked as a lawyer at Sparke Helmore and was also the chair of the ACT Law Society Young Lawyers Committee.

She holds a Bachelor of Arts in Political Science and English Literature and a LLB from the Australian National University, and a Master of Laws from the University of Sydney.

Cathi Moore

Cathi Moore was appointed as a Commissioner on 19 August 2020. Ms Moore has contributed to leadership positions in key community service organisations and government boards for over 30 years.

Ms Moore began her career at the ACT Council of Social Service and the Young Women's Christian Association, later going on to become president of the YWCA ACT division. She has also served as a Board Member and Treasurer of YWCA Australia, where she successfully campaigned for the introduction of the 30% quota for young women under 30 in governance positions in the YWCA both nationally and locally.

She has also worked with Marymead, ACT Council of Social Service, Community Housing Canberra, Parentline ACT, and is a founding member of My Coaching My Future, which provides free coaching for women who have moved on from violent relationships.

John Boersig

Dr John Boersig was appointed as Chief Executive Officer of the Commission on 1 December 2013 and holds a position as a Commissioner on the Board.

He brings to the Commission extensive experience in legal aid, legal education, and public administration. He commenced in legal aid practice in 1983, initially with the Aboriginal Legal Service and later as a senior lecturer and director of the University of Newcastle Legal Centre where he ran the clinical and professional program for the Faculty of Law. He was a presiding member of the Guardianship Tribunal of New South Wales 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, 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 and was awarded the Public Service Medal in 2008.



ORGANISATIONAL OVERVIEW AND PERFORMANCE

2022-2023



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 Australian's with access to justice through a range of legal aid services in accordance with the Act.

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 Legal Assistance Partnership 2020-2025* (NLAP), 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.

Vision, Mission and Values

VISION

Our vision is to be a leading legal aid services provider in achieving just outcomes for vulnerable and disadvantaged people.

MISSION

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

Excellence

- We strive to deliver legal aid services of the highest standard with compassion and understanding, and to continually improve ourselves and the organisation.

Respect

- We respect the inherent dignity of those we assist and those we work with and are always culturally empathetic.

Innovation

- We always seek new and innovative ways to improve the quality of our services and the effective use of our resources.

Dedication

- We are dedicated to helping disadvantaged people achieve justice and to upholding the rule of law and the highest ethical standards.

Role, Functions and Services

NATURE AND SCOPE OF ACTIVITIES

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 often disadvantaged relative to the general population as a result of disability, illness, youth, old age, homelessness, language and cultural barriers, or financial difficulties.

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.

SERVICES

Our services are wide-ranging and include the provision of:

- ✓ Information and referral services;
- ✓ Legal advice and assistance;
- ✓ Minor legal assistance;
- ✓ 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.

Most 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. Below is an explanation of the main services we provide.

DISCRETE ASSISTANCE SERVICE	
<p>Discrete Assistance is the provision of unbundled and discrete legal and non-legal services to service users. These services are non-ongoing and intermittent.</p> <p>Discrete Assistance can be provided in-person or remotely and can include provision of the following services:</p>	
<i>Information Services</i>	<p>An Information Service is the provision of information of general application to a Service User in response to an enquiry about:</p> <ul style="list-style-type: none"> the law, legal systems and processes; or legal and other support services to assist in the resolution of legal and related problems. <p>Information Services do not include administrative tasks such as booking appointments for legal advice sessions or information obtained from a Service Provider's website.</p> <p>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.</p> <p>Information is provided through the Legal Aid telephone and internet Helpline, Older Person's ACT Legal Service (OPALS), the Tenancy Advice Service (TAS), online through the Law Handbook, and by other Commission staff in person at the Commission's office and at courts, and outreach services. 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.</p> <p>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.</p>
<i>Referral</i>	<p>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.</p>
<i>Legal Advice</i>	<p>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.</p>

	<p>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 Helpline, OPALS, TAS, 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 through community partners such as Directions ACT. 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.</p>
<i>Non-Legal Support</i>	<p>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.</p> <p>Non-Legal Support Services may be recorded as either a Discrete or an Ongoing Non-Legal Support Service.</p>
<i>Legal Task</i>	<p>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:</p> <ul style="list-style-type: none"> • 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. <p>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.</p>
<i>Minor Legal Assistance</i>	<p>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.</p> <p>Legal advice and minor legal assistance are provided free of charge to eligible people in relation to a range of legal matters, including:</p> <ul style="list-style-type: none"> • criminal and traffic charges; • family separation, parenting and property disputes;

	<ul style="list-style-type: none"> • domestic violence and personal protection; • mental health; • victims of crime assistance; • contract and debt; • employment; and • administrative decisions.
FACILITATED RESOLUTION PROCESS SERVICES	
<p>A Facilitated Resolution Process is where a Service Provider conducts an activity to assist the parties to resolve or narrow issues in dispute without going to court.</p> <p>This service category includes a number of activity types that can be provided in person or remotely, including:</p> <ul style="list-style-type: none"> • screening; • conferences; and • mediation and arbitration. 	
DUTY LAWYER SERVICES	
<p>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.</p> <p>The Commission provides duty lawyer services for:</p> <ul style="list-style-type: none"> • 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 Federal Circuit and Family Court of Australia and Federal Magistrates Court; and • various matters at the ACT Civil and Administrative Tribunal and the Administrative Appeals Tribunal. 	
REPRESENTATION SERVICES	
<p>Representation Services are where a Service Provider takes carriage of a matter in an ongoing, representative capacity.</p> <p>In determining applications for grants of legal assistance, the Commission examines whether the application satisfies the eligibility requirements of the <i>Legal Aid Act 1977</i> and guidelines set by the Commission under the Act.</p> <p>This service category includes:</p>	
<i>Dispute Resolution</i>	This includes preparation for, and representation at, a Facilitated Resolution Process. It also includes the work involved in recording agreement following a Facilitated Resolution Process.
<i>Court/Tribunal Service</i>	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.

<i>Other Representation</i>	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.
COMMUNITY LEGAL EDUCATION SERVICES	
<p>Community Legal Education is provided to the general community 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.</p> <p><i>Community Legal Education Resources and Activities</i></p> <p>The Commission develops publications and runs activities that provide information about the law and legal system, about legal and support services, and about how to identify, prevent and solve legal problems.</p> <p>Community Legal Education Resources 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. The resources include but are not limited to booklets and pamphlets, self-help kits, online legal information resources, and workshops.</p> <p>The activities aim to raise awareness and educate other service providers, community groups, schools, and organisations about how to recognise, prevent and solve legal problems. They also 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.</p>	
COMMUNITY LIAISON UNIT SERVICES	
<p>The Community Liaison Unit 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:</p> <ul style="list-style-type: none"> • 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. <p>CLU has workers in the following non-legal support roles:</p> <ul style="list-style-type: none"> • Cultural Liaison Officer; • Aboriginal and Torres Strait Islander Client Support Officer; • Family Violence Officer / Family Advocacy and Social Support Officer; • Disability Justice Liaison Officer; and • Mental Health Liaison Officer. 	

OLDER PERSONS ACT LEGAL SERVICE
The Older Persons ACT Legal Service (OPALS) offers a range of services to address the legal and non-legal needs of older people in the ACT. OPALS advises on a range of legal issues that disproportionately impact older people, with a particular focus on elder abuse. 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.
HELPLINE AND CHATLINE SERVICES
The Helpline provides free confidential information and referral 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.
TENANCY ADVICE SERVICE
<p>The Tenancy Advice Service assists residential tenants and occupants of the ACT to understand and enforce their legal rights and responsibilities under the <i>Residential Tenancies Act 1997</i> (ACT), and to address legal issues related to their tenancy and occupancy. The service experienced a high demand, receiving 3,924 calls during 2022-23.</p> <p>The assistance takes multiple forms:</p> <ul style="list-style-type: none"> • legal advice, assistance with other legal tasks, representation services, information and referrals; • support through walk-in services, clinics and referral to social services, website resources and Community Liaison Unit; • community legal education for residential tenants and tenant advocates; and • reform by pursuing positive policy and legal reform that serves the interests of disadvantaged residential tenants.

FAMILY VIOLENCE UNIT

The FVU assists people seeking support in the Magistrates Court and the Federal Circuit and Family Court of Australia. They also provide specific outreach services at Canberra Hospital.

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.

YOUTH LAW CENTRE

The Youth Law Centre (YLC) provides free legal services to young people aged 12-25 in person and/or over the phone by appointment or on a walk-in basis.

YLC provides assistance in many areas, including:

- drink driving and drunk driving;
- other minor criminal matters;
- employment;
- motor vehicle accidents;
- contracts;
- residential tenancy;
- consumer and debt issues;
- traffic fines and other infringements;
- driver licensing in the ACT;
- discrimination; and
- cyberbullying.

CASE STUDY – COMMUNITY LIAISON UNIT

Case Study - How a Cultural Liaison Officer assisted in addressing client's cultural needs in court proceedings.

Maryam (pseudonym) is a hijab-wearing Muslim woman who experienced domestic violence from her ex-husband and was seeking to get a final Family Violence Order (FVO).

For the court proceedings, her ex-husband had filed to play a recording of Maryam without her hijab and modest clothing on, that had been filmed without her knowledge many years ago in their family home.

For Maryam, wearing the hijab is an important part of her cultural and religious identity that she chooses to wear every day in public. It is a fundamental part of how she practices her faith. The Cultural Liaison Officer (CLO) understood the cultural and religious ramifications of playing the video in court showing Maryam without her Hijab and wrote a compelling letter to the Court to question its appropriateness.

The Magistrate responded by announcing 'this Court respects the cultural sensitivities of those who come before this court, and I certainly share the cultural concerns'.

The letter, in combination of the illegality of the video, was given significant weight by the court to stand down the hearings and ask the other party to receive legal advice. After extensive legal advice, the other party agreed to mutual undertakings. This was a very favourable outcome for Maryam.

Maryam's lawyer noted that this type of cultural respect is very rarely seen in family violence proceedings and attributed the success to the CLO's letter.

Reconsideration and Review of Decisions

ACT Residents and other people coming before the courts and tribunals in the ACT can apply for a grant of legal assistance for representation. Grants of legal assistance for representation are subject to both a financial means test and a merit test. Applicants must meet the criteria in these tests as a condition of receiving financial aid.

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
<p>There are five Community Legal Centres in the ACT: Consumer Law Centre; Environmental Defender's Office; Animal Defender's Office; Canberra Community Law and the Women's Legal Centre. 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.</p> <p>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 First Nations people in the Canberra region.</p>
PRIVATE LEGAL PROFESSION
<p>Many law firms, private lawyers and barristers 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. These forms of participation, some of which are remunerated by the Commission and some of which are voluntary and provided <i>pro bono publico</i> (for the public good), include:</p> <ul style="list-style-type: none"> - providing representation in Courts and Tribunals, and duty lawyer and advice services when Commission lawyers cannot act due to a conflict of interest; - convening family dispute resolution (FDR) conferences;

<p>reviewing decisions of the Commission relating to the provision of legal assistance as members of the review panels established under the <i>Legal Aid Act 1977</i> (ACT);</p> <ul style="list-style-type: none"> - 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.
LAW STUDENTS AND VOLUNTEERS
<p>Law students 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. The Commission works collaboratively with the Australian National University's (ANU) clinical law course to deliver services in the Youth Law Centre. The Commission also has a successful partnership with the University of Canberra (UC) through College of Law's Graduate Development Legal Program and the Small Business Clinic. Additionally, UC students are placed throughout the Commission as part of their work experience program.</p>
JUSTICE AGENCIES AND THE ACT LAW SOCIETY
<p>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 Chief Executive Officer (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.</p> <p>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.</p> <p>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. Additionally, the Commission usually receives funding annually from the Statutory Interest Account administered by the Law Society.</p> <p>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.</p> <p>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 Federal Circuit and Family Court of Australia.</p>

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 ACT Attorney-General in a part time, supervisory role. The eighth Commissioner is the Chief Executive Officer (CEO), who is appointed by the Commission.

The CEO manages the operations and affairs of the Commission, assisted by members of the executive. The CEO is a statutory officeholder. The Act deems the CEO 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 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 board met five times during the reporting period, and attendances were as follows:

COMMISSIONER	NO. OF MEETINGS ATTENDED
Karen Fryar	4
John Boersig	5
Brian Thomas	5
Prue Bindon	5
Kym Duggan	5
Richard Glenn	5
Cathi Moore	4
Lisa Gooneratne	3

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 Legal Practices.

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

<i>Criminal Practice</i>	Tamzin Lee
<i>Family Practice</i>	Jessica Cruise
<i>Civil Justice Legal Practice</i>	Derek Schild
<i>Early Intervention Legal Practice</i>	Amy Begley
<i>Client Services</i>	Megan Lane Michelle Bryant-Smith
<i>Corporate Services</i>	Sharyn Giles (People and Culture) Lisa Bleyerveld (People and Culture) Brett Monger (Chief Financial Officer)

The Executive Leadership Team includes the CEO, CFO, Heads of Practice and the Client Services Manager (as mentioned above). They meet on a fortnightly basis to offer collective leadership and advice on staffing, finances, work health and safety, and broader organisational performance.

Management Changes

The following changes occurred during this year to the Board of Commissioners:

- Richard Glenn and Cathi Moore's appointments to the Board expired in June 2023. Cathi Moore was reappointed to the board, meaning her appointment will expire in August 2026.

Executive Remuneration

Remuneration for the CEO is determined by the ACT Remuneration Tribunal.

Significant Issues and Legislation

The Board of Commissioners was consulted on all matters of policy and legislation that were relevant to the operation of the Commission. Some of the issues and legislation consulted on during 2022-23 included:

- raising the minimum age of criminal responsibility in the ACT;
- the operation of consent laws;
- the regulation of voluntary assisted death;
- dangerous driving, road safety and the unauthorised entry of a motor vehicle;
- cost of living pressures;
- minor tenancy law amendments;
- offences against vulnerable people, including minor penalties;
- majority Juries;

- Court attendance notices; and
- good behaviour orders.

Ethical Standards

Per the Commission's Enterprise Agreement, the Commission abides by the *ACT Public Sector Code of Ethics 2010* and *ACT Public Sector Code of Conduct 2013*.

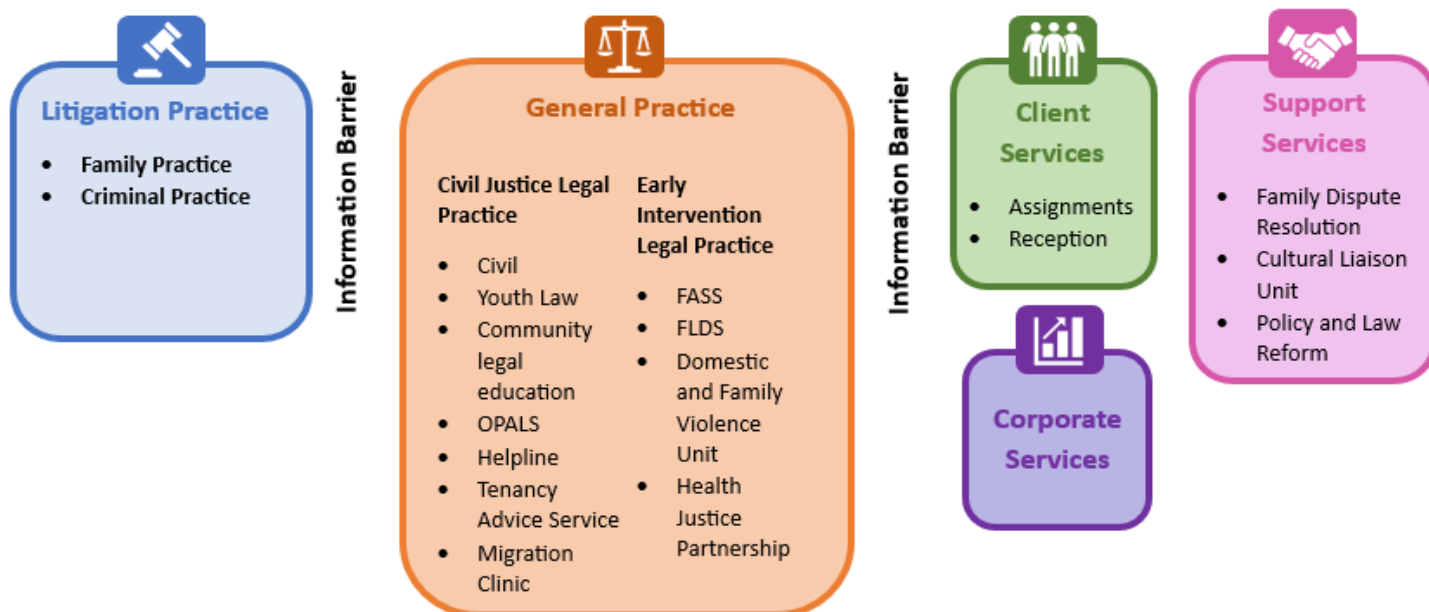
The *Legal Aid Act 1977* (ACT) sets out the Commission's professional standards. The Commission's Enterprise Agreement sets out the Commission's workplace values in behaviour.

Significant Committees

Several internal committees inform the work of the Commission:

<i>Executive Committee</i>	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.
<i>Legal Practice Management Committee</i>	Provides advice, oversight and direction about the daily and strategic operation of the legal practices to the CEO
<i>Finance Committee</i>	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.
<i>Community Legal Education Program Committee</i>	Assists in the planning and delivery of CLE programs. The CLE comprises a cross-section of staff.
<i>Law Reform Committee</i>	Provides focus for the Commission's law reform activities. The committee comprises the CEO (Convenor), the practice heads and a research assistant. Law reform issues are referred to specifically convened sub-committees comprising staff interested in the reform topic.
<i>Audit, Performance and Risk Committee</i>	Is responsible for the oversight and preparation of the financial statements and internal controls. This Committee is responsible for the identification of significant risk and undertakes monitoring measures.

Organisational Structure of Legal Aid Commission (ACT)



LITIGATION PRACTICE

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

CIVIL JUSTICE LEGAL PRACTICE

The Civil Justice Legal Practice encompasses NDIS, migration, human rights, tenancy, and employment law. In their Community Legal Services Team, they cover the OPALS service, college program, youth law clinic and helpline.

EARLY INTERVENTION LEGAL PRACTICE

The EILP covers domestic and family violence, family advocacy and support services (FASS), family law duty service (FLDS) and the health justice partnership (located at Canberra Hospital).

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 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.

Outlook and Emerging Issues

The integral role played by Legal Aid ACT in the justice system is underlined by the workload (and data), as well as the quality of that support identified by courts, tribunals, and other key agencies in the recent Stakeholder Information Survey. It was very pleasing to be reassured that we are providing a quality service – the independent survey concluded that the Commission’s services to the courts and tribunals are client centred, timely, targeted to those most in need and responsive to the needs of the courts and tribunals. Commensurate with their experience, Legal Aid ACT lawyers were found to have a good knowledge of relevant laws and procedures and to be effective advocates.

Maintaining high quality and high volume is at the heart of legal aid services. Our innovations and strategies should reflect a central goal: optimising services to as many of the vulnerable and disadvantaged as can be provided for within the envelope of funding provided by Territory and Federal Governments and the Law Society. It is notable that, quite apart from the funds provided under the National Legal Assistance Partnership 2020-2025 (NLAP), we administer 26 contracts on behalf of other bodies for a whole range of work. There is a reason Legal Aid ACT is a central provider of justice services in the ACT – we are agile and able to pivot swiftly to address emerging needs of client and staff.

Looking forward, it is crucial to the community and government that Legal Aid ACT continues to have the capacity to play an agile role in the provision of services, pushing out to unearth pockets of legal need. It is no understatement to say that without the provision of Legal Aid in the justice system, there would be a grinding shortfall in productivity. Part of the issue is that Legal Aid ACT quietly gets on with our work, and much remains unseen to the public apart from the benefit to individual clients. An integral part played by Legal Aid ACT is to ensure, along with the Courts and Tribunals, police and Department of Public Prosecutions (DPP), that litigation is ethically and properly conducted. It is incumbent on all government institutions to exemplify best professional practice. These high standards are expected from our lawyers and monitored by the standard bearers – Courts, Tribunals, Bar Association, Law Society, and importantly through open complaint processes.

This means we must continue to practice law as a holistic enterprise for each client, and often in concert with allied professionals within and outside our organisation, to ensure client needs are better understood and addressed. The role of our Community Liaison Unit and Community Legal Education team exemplifies this approach.

Legal problems are only part of the difficulties faced by vulnerable and disadvantaged people, and increasingly this is being recognised and understood by government. Consequently, we are expecting to provide more complex services as we see clients present with a multitude of problems – our Health Justice Partnership (HJP) and Family Advocacy and Support Services (FASS) work highlights this type of service, but increasingly mental health and addictions are meaning diverse skills are integral to the conduct of litigation. Legal Aid ACT conducts a poverty law legal practice. Assisting government to understand the result of social disadvantage upon individuals is an ongoing challenge – in this context, we often talk of the ‘justice’ gap - closing the gap between those people who are able to receive legal aid assistance and those people

who are actually able to fund their legal rights. This requires moving our means test higher to provide services to people who are on 120% of the poverty line.

While much of our work sits within the NLAP priorities, our primary commitment is to ensure services to children – in family, care proceedings and civil law – are readily available. Also, in relation to criminal matters, we must still prioritise people facing the possibility of incarceration. Overlaying the provision of service is an emphasis on improving access for a range of people with particular and special needs – disability, mental health, and those suffering addiction. We also emphasise the importance of providing dedicated support to First Nations people, and the Culturally and Linguistically Diverse community, but also the elderly and those involved in family violence. Emerging needs include coronial work and civil law more broadly.

Being available to our clients requires a range of strategies in the way we engage with clients and their supporters, and in the physically safe space we can provide. While the COVID-19 pandemic has opened the possibility to remote work, best practice, and the demands of appearance work in the courts and tribunal mean we need to maintain high numbers of staff and space within the city precinct. As an essential service provider, Legal Aid lawyers and allied staff must be available at short notice to represent people in courts and tribunals, and to provide urgent ancillary assistance. Entering a new lease this year on our current space in Allsop Street and moving to expand our footprint in the building means that clients and staff will have the necessary environment to optimise the quality of interaction. We are well underway in procurement processes for additional space, refurbishments, and renovations to the office.

Another key issue will be consolidating IT capacity with the new SharePoint/Dynamics platform as the basis for all our systems, including new case management system, data recording, and finances. The development and delivery of IT projects is always challenging but this was exacerbated by a cyber incident in November 2022 – amongst other immediate actions, we had to accelerate the Information and Communication Technology (ICT) project Cloud. Our primary concern at the time, given that information had been exfiltrated, was personal welfare of client and staff. We took immediate action, including setting up teams to ensure vulnerable people were protected. Particular note should be made of staff who went above and beyond to protect our clients. There were immediate and longer-term lessons to be drawn from this difficult experience and the resonance of the event continues.

Importantly, Legal Aid ACT must discharge transparency and accountability to government that funds have been expended for the purpose for which they have been provided. We received an unmodified report for our finances. I also reference here the Auditor-General's modified report for our statement of performance. This was because only 9 months of data could be extracted and tested by the Auditors. The legal advice to us is that, as a result, we are unlikely to be able to comply with the legislation. Legal Aid ACT must continue as a trusted provider, helping government address the needs of the ACT community.

Performance Analysis

The performance analysis addresses the indicators (strategic objectives/indicators, output classes and accountability indicators) found in the Budget 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 2022-23 is undertaken. In the final section, the Commission's priorities 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 2022-23 Statement of Intent, the Commission reports as follows:

OBJECTIVE / PRIORITY	OUTCOME / DELIVERABLE
Support victims of family and domestic violence through the provision of legal assistance services; including the Health Justice Partnership which is operating from the Canberra Hospital.	The Commission provided 4,717 advice services, 565 duty lawyer services, 1,020 grants of legal assistance and 812* non-legal support services to clients indicating family violence. *Provided by the Client Liaison Unit.
Address the cost-of-living pressures in the provision of legal aid assistance.	The Commission increased the scale of fees paid to private legal practitioners undertaking legal assistance work on behalf of the Commission.
Improve the provision of legal assistance services to First Nations people in the ACT community and culturally and linguistically diverse (CALD) communities.	The Commission provided a total of 2,089* services to First Nations clients, and 5,164 services to CALD individuals. *Includes information and referral services.
Provide support to victims of elder abuse in line with Government priorities.	Across the Commission, 930 services were provided to clients aged 65 and over, of which 266 involved family violence.
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	The Commission provided 653 Community Legal Education sessions, which had a total of 10,220 attendees. The Commission spoke with and provided education services to staff at a number of community and government organisations,

OBJECTIVE / PRIORITY	OUTCOME / DELIVERABLE
<p>them. This includes having a presence at Colleges across Canberra.</p>	<p>including the Education Directorate and the School Youth Support Worker Network. The Commission also collaborated with the Red Cross, the Migrant and Refugee Settlement Service, NAVITAS and several other community organisations to deliver forums and presentations on refugee and migration law to migrants, refugees, and those who assist them.</p> <p>The Commission also developed several resources during the reporting period. This included OPALS materials, college videos, factsheets, PowerPoint presentations, podcast episodes, pamphlets, and other media. Finally, the Commission continued the Health Services Partnership, which has involved the training of health services providers and the establishment of a better referral process.</p>
<p>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.</p>	<p>The Commission provided 730 referral services and 653 Community Legal Education Sessions, with a total of 10,220 attendees. The Commission's website was accessed 177,573 times. 12,137 legal advice and other assisted services were provided.</p>
<p>Promote the early resolution of legal problems through providing legal advice, advocacy, minor legal assistance dispute resolution services.</p>	<p>The Commission provided 12,137 legal advice and other assisted services, and 505 facilitated resolution processes (FRPs). 171 of the FRPs resulted in the need for a lawyer assisted dispute resolution conference.</p>
<p>Advise and assist people appearing unrepresented before courts and tribunals, particularly those persons experiencing family violence and in care and protection matters in the Children's Court.</p>	<p>The Commission provided 5,129 instances of duty assistance to people appearing before the courts and tribunals. The Commission provided 3,531 legal advice and duty services to clients seeking to obtain a Family or Domestic Violence Order, or Personal Protection Order. The Commission also provided 607 instances of legal advice and duty service in Care and Protection Proceedings.</p>
<p>Provide legal representation to people in need to enable them to assert or defend their legal rights, including for those people appearing in the drug and alcohol court.</p>	<p>The Commission provided 3,426 grants of legal assistance and 5,129 duty lawyer services. The Commission provided assistance to 41 clients in the drug and alcohol court.</p>

OBJECTIVE / PRIORITY	OUTCOME / DELIVERABLE
Maintain the high level of service on the Legal Aid Helpline and Tenancy Advice Service.	The Commission's Helpline and Chatline provided 24,535 services.
Maintain and build the capacity of the Commission's IT infrastructure to meet new demand.	The Commission transitioned into its new case management system in October 2022 and finalised a procurement exercise for a new IT provider in December 2022.
Finalise the fitout of the Commission's office accommodation.	The Commission is progressing procurement for the fit out of its office accommodation and is expecting to finalise the fitout during 2023-24. The delay is mainly due to lease negotiations for the Commission's long-term accommodation taking longer than anticipated due to the requirement for the lease to align with the Government green policy.

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.

Table 1: Information and Referral Services

	Information*	Referral
2022-23	184,124	730
2021-22	166,295	925

* Includes website page views

	2022-23	2021-22
Website Page Views	177,573	161,109

Table 2: Helpline and Chat-line Services

	2022-23	2021-22
Calls on Helpline	24,364	24,688
Chatline assistance	171	323

Table 3: Community Legal Education

	2022-23	2021-22
No. of CLE sessions (including resources)	653	335
People attending CLE sessions including social media, web sessions etc.	10,220	2,906

Table 4a: Legal Advice and Other Assisted Services

		2022-23		2021-22	
		No.	%	No.	%
In-house	Criminal	233	2.0	274	2.3
	Family	5,320	43.8	4,155	34.6
	Civil	4,215	34.7	4,228	35.2
	Non-Legal Support	2,154	17.7	3,108	25.9
TOTAL	IN-HOUSE	11,922	98.2	11,765	98.0
Referred	Criminal	2	—	6	0.1
	Family	175	1.5	174	1.5
	Civil	38	0.3	53	0.4
TOTAL	REFERRED	215	1.8	233	2.0
GRAND TOTAL		12,137	100.0	11,998	100.0

Table 4b: Most Common Types of Legal Advice and Other Assisted Services 2022-23

	Number of services	% of Total Legal Advice and Other Assisted Services
Family or Domestic Violence Order	3,141	25.9
Non-legal Support	1,648	13.6
Personal Protection Order	1,076	8.9
Family Advocacy and Support Service	1,028	8.5
Tenant	601	5.0
Care and Protection – Childrens Court	490	4.0
Family Law Duty Extended	458	3.8
Other Family Issues	415	3.4
Other – Civil Matter not listed	349	2.9
Employment	334	2.8

Table 5: Duty Lawyer Services

		2022-23		2021-22	
		Number of duties	%	Number of duties	%
In-house	Criminal	3,680	71.8	2,831	58.1
	Family	581	11.3	1,150	23.6
	Civil	780	15.2	774	15.9
TOTAL	IN-HOUSE	5,041	98.3	4,775	97.6
Referred	Criminal	80	1.6	111	2.3
	Family	2	—	3	0.1
	Civil	6	0.1	2	—
TOTAL	REFERRED	88	1.7	116	2.4
GRAND TOTAL		5,129	100.0	4,871	100.0

Table 6a: Dispute Resolution Conferences

	2022-23	2021-22
Dispute Resolution Conferences held	171	285
Matters fully settled	44%	38%
Matters partially settled at conference	27%	29%
Matters with a successful outcome	72%	66%
Number of Facilitated Resolution Processes (FRP)	505	418
Percentage of FRPs going to Conference	34%	68%

Table 6b: Parties at Dispute Resolution Conferences

	2022-23	2021-22
Total number of parties	244	697
Parties on Grants of assistance	130	584
Self-Represented or Private Represented	114	113

Note – the data for 2022-23 is understated due to data not being collected for 3 months of the year, not including outcomes.

Table 7: Grant Applications Received

	2022-23		2021-22	
	No.	%	No.	%
Criminal	1,718	44	1,408	39
Family	1,602	41	1,565	44
Civil	585	15	608	17
TOTAL	3,905	100	3,581	100

Table 8: Grant Applications Approved

	2022-23		2021-22	
	No.	%	No.	%
Criminal	1,468	48	1,174	45
Family	1,192	39	1,084	41
Civil	407	13	374	14
TOTAL	3,067	100	2,632	100

Table 9: Grant Applications Approved by Gender and Law Types 2022-23

	Female		Male		Other		Total	
	No.	%	No.	%	No.	%	No.	%
Criminal	329	11	1,049	34	90	3	1,468	48
Family	649	21	323	11	220	7	1,192	39
Civil	202	7	164	5	41	1	407	13
TOTAL	1,180	39	1,536	50	351	11	3,067	100

Table 10: Grant Applications Approved by Assignment and Law Type

		2022-2023		2021-2022	
		No.	%	No.	%
In-house	Criminal	987	32	746	28
	Family	606	20	558	21
	Civil	343	11	335	13
TOTAL	IN-HOUSE	1,936	63	1,639	62
Referred	Criminal	481	16	428	16
	Family	586	19	526	20
	Civil	64	2	39	2
TOTAL	REFERRED	1,131	37	993	38
GRAND TOTAL		3,067	100	2,632	100

Table 11: Grant Applicant Profile

	2022-23		2021-22	
	No.	% of Applications Received	No.	% of Applications Received
Female applicants	1,526	39	1,584	44
Aged under 18 years	472	12	455	13
Aged over 65 years	121	3	120	3
Culturally and Linguistically Diverse	878	22	750	21
First Nations	452	12	432	12

Table 12: People Receiving Services as a Percentage of Population

	2022-23*		2021-22**	
	No.	%	No.	%
Grants	2,459	0.5	2,209	0.5
Legal Advice	6,037	1.3	5,059	1.1
Duty Lawyer	3,349	0.7	2,529	0.6
Helpline and Chatline	24,535	5.3	25,011	5.5
TOTAL	36,380	7.8	34,808	7.7

* Estimate population of Canberra = 460,900. Source: ABS National State and Territory Population, December 2022 Release

** Estimate population of Canberra = 453,558. Source: 3101.0 - Australian Demographic Statistics, Jun 2021 Release

Table 13: Services with Family Violence Indicated 2022-23

Service Type	No. of services with Family Violence indicated	Total Services	% of services with Family Violence indicated
Advice	4,717	9,023	52
Duty Lawyer	565	5,129	11
Grant	1,020	3,426	30

Table 14a: Services Provided to Senior Clients 2022-23

Service Type	No. of services where client aged 65 or over	Total Services	% of services provided to clients aged 65 or over
Advice	719	9,023	8
Duty Lawyer	121	5,129	2
Grant	90	3,426	3

Table 14b: Services Provided to Senior Clients where Family Violence is Indicated 2022-23

Service Type	No. of services where client aged 65 or over and Family Violence is indicated	Total Services where Family Violence is indicated	% of services provided to clients aged 65 or over where Family Violence is indicated
Advice	226	4,717	5
Duty Lawyer	13	565	2
Grant	27	1,020	3

Table 15: Reconsideration Requests 2022-23

Reconsideration	Varied	Confirmed	Pending / Withdrawn	Total	% of total varied by Law Type
Criminal	21	25	—	46	46
Family	26	52	—	78	33
Civil	27	53	—	80	34
TOTAL	74	130	—	204	36

Table 16: Review Requests 2022-23

Review	Varied	Confirmed	Pending / Withdrawn	Total	% of total varied by Law Type
Criminal	—	—	—	—	—
Family	1	4	1	6	17
Civil	1	4	2	7	14
TOTAL	2	8	3	13	15

Table 17: Family Violence and Personal Protection Orders

Service Type	Family Violence Orders		Personal Protection Orders	
	2022-23	2021-22	2022-23	2021-22
New grants of assistance	343	311	132	102
Legal Advice	2,502	2,401	678	927
Duty Lawyer	300	498	51	120

Table 18a: Number of First Nations Clients Receiving Services

2022-23*	2021-22**
817	649

Table 18b: Number of Services Provided to First Nations People

	2022-23	2021-22
Grants of Assistance	310	374
Duty Lawyer services	628	591
Information/Referral	163	—
Legal Advice, Legal task and Non-legal support	988	1,276
Community Legal Education (CLE)*	—	81
TOTAL	2,089	2,322

*Specific CLE data for First Nation's clients is not available for 2022-23.

Serving the Community



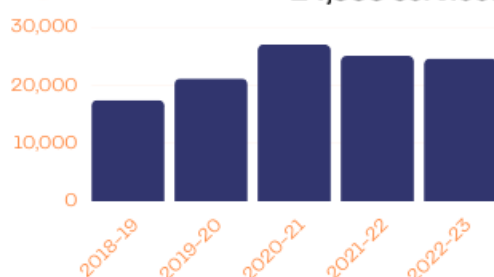
The Commission provided services to 7.89% of the population.

* Estimated population of Canberra = 460,900. Source: ABS December 2022

Helpline & Chatline



The Helpline and Chatline provided 24,535 services.



Women & Family Law

In Family law, 57% of advice services, 56% of duty services and 54% of approved grants of legal assistance were provided to women



Family Violence

Family violence was indicated for 52% of advice services, 11% of duty lawyer services and 30% of grant of legal assistance.

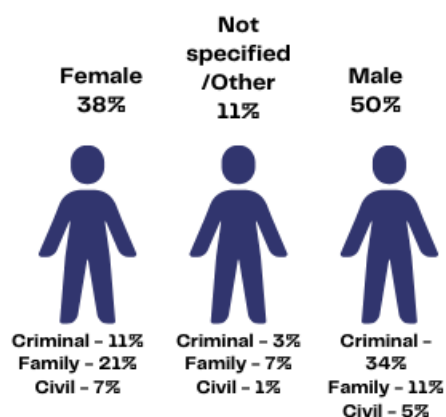


First Nations Clients

The Commission provided 2,089 services to First Nations clients.

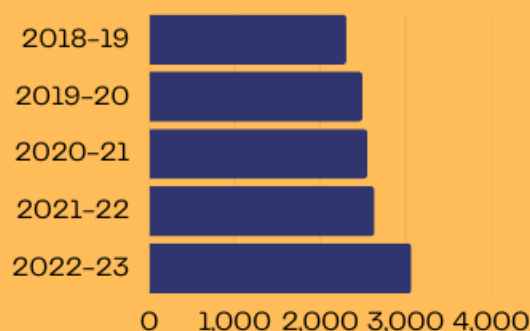


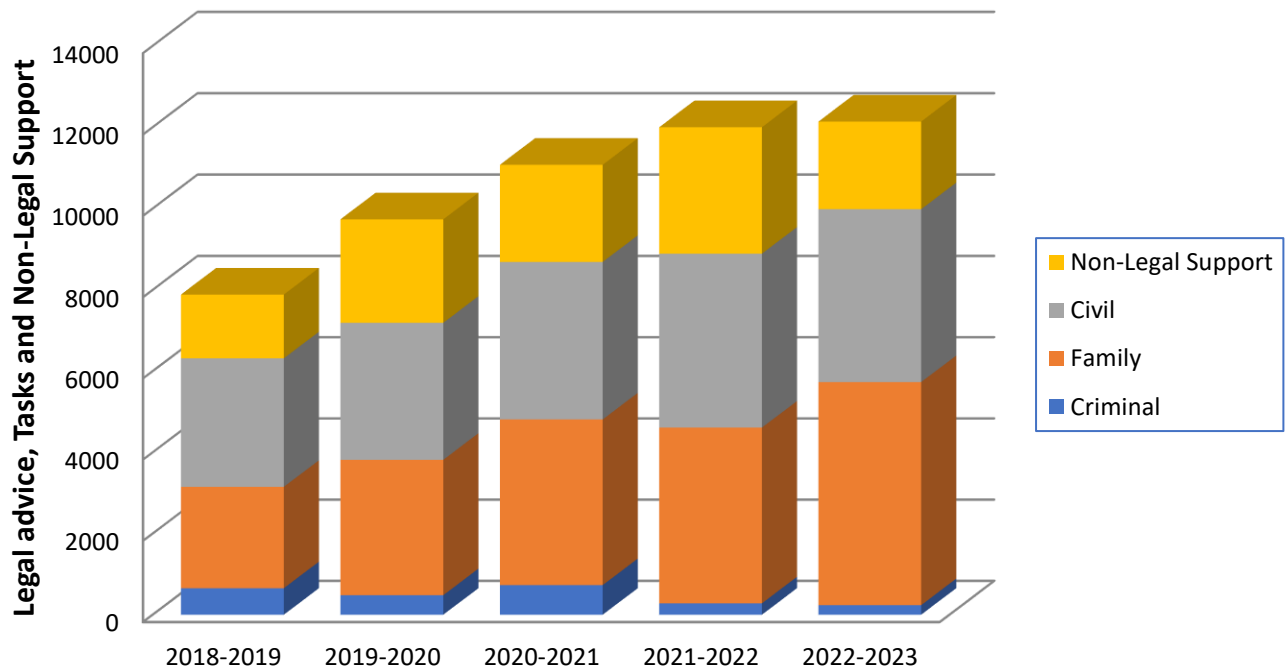
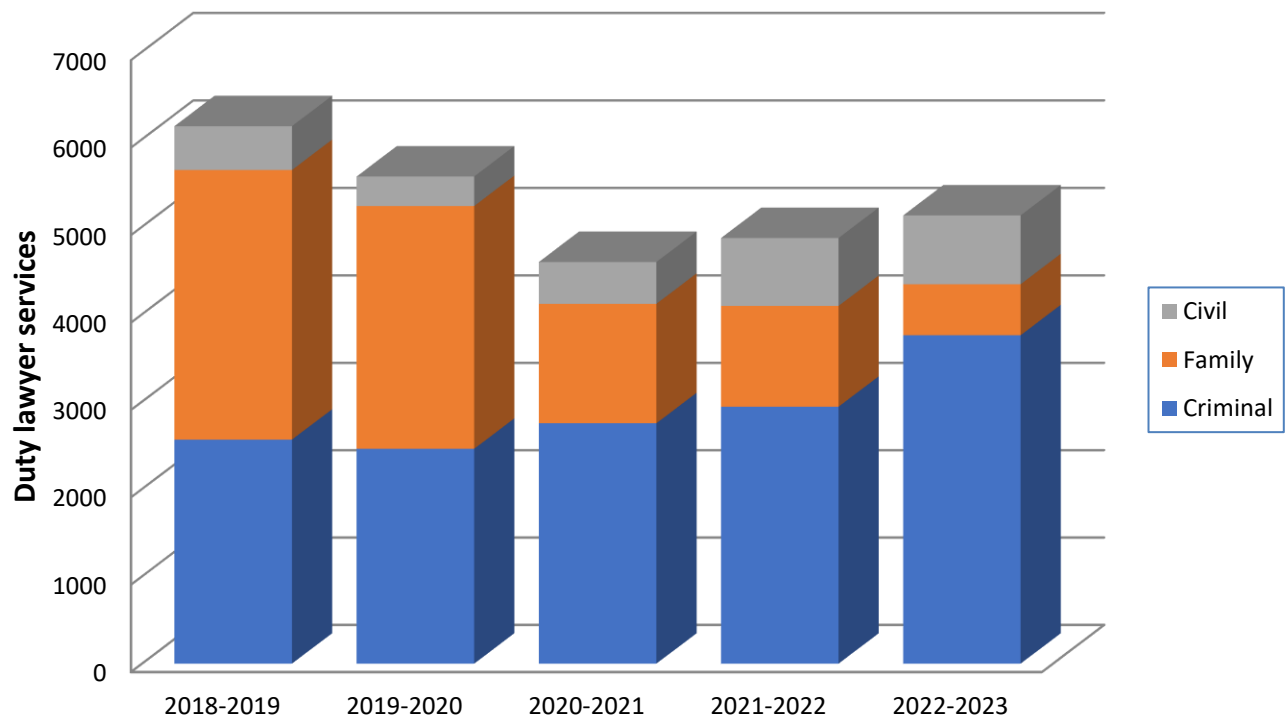
Grants of Assistance By Gender & Law Type

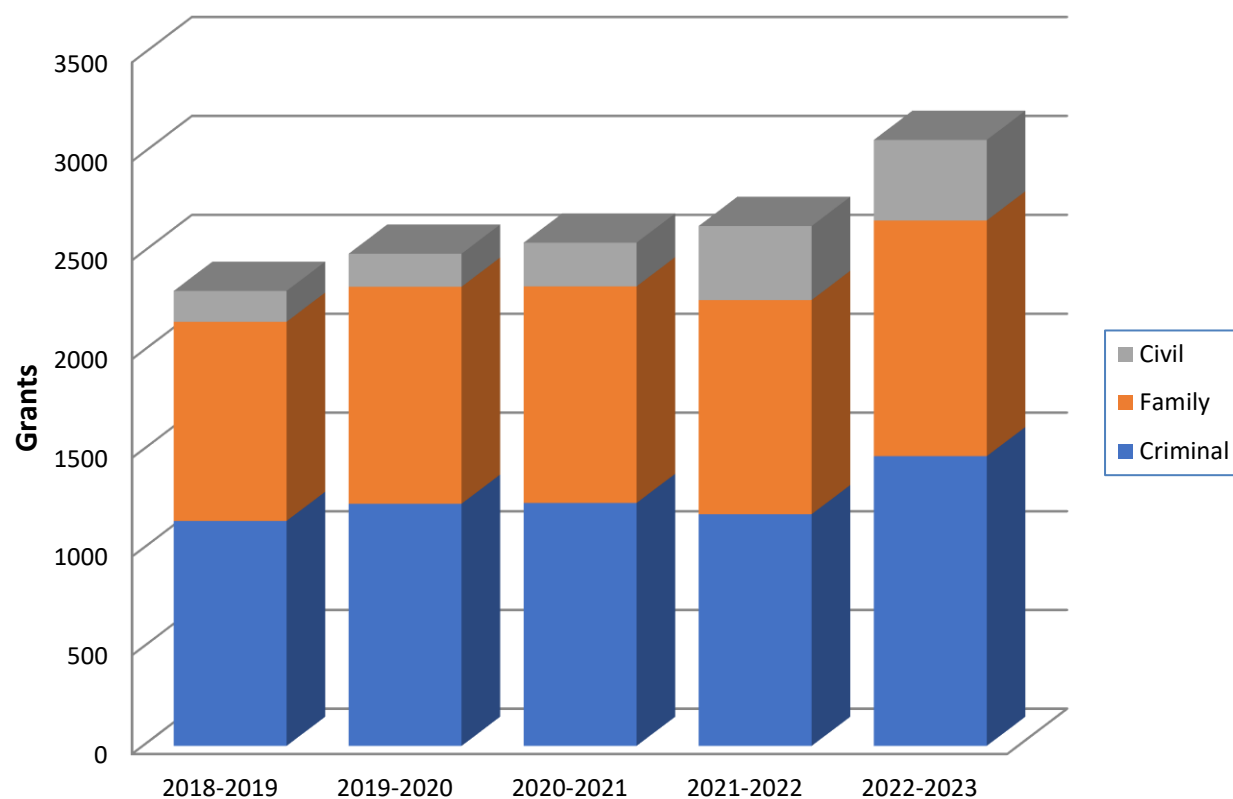
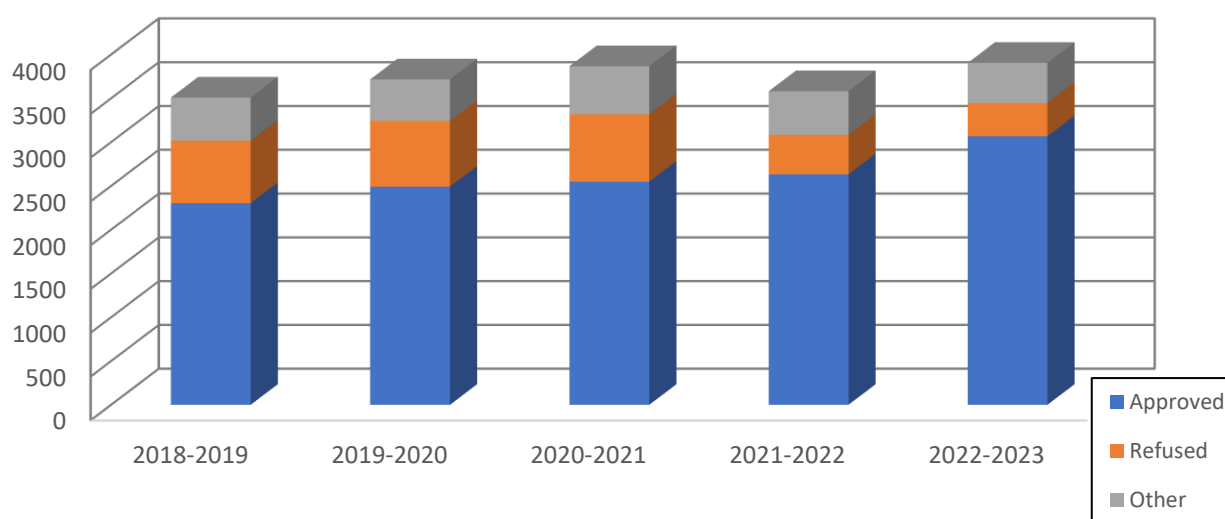


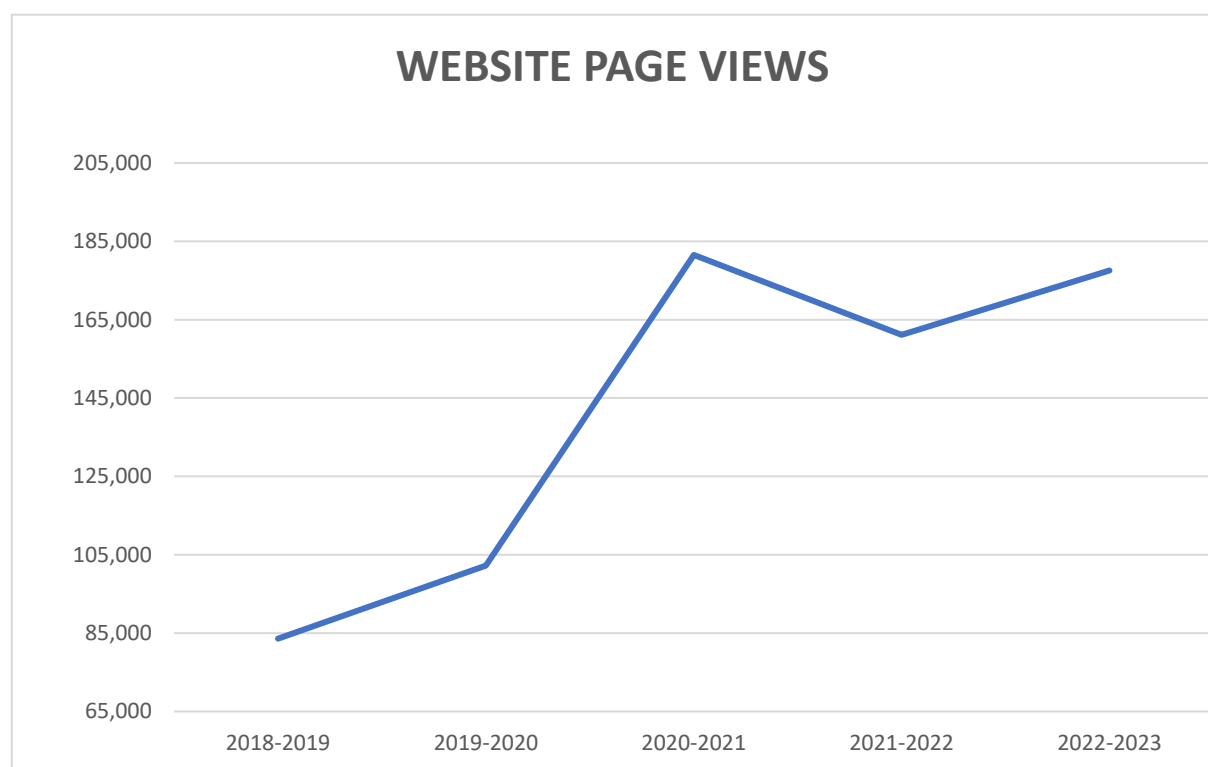
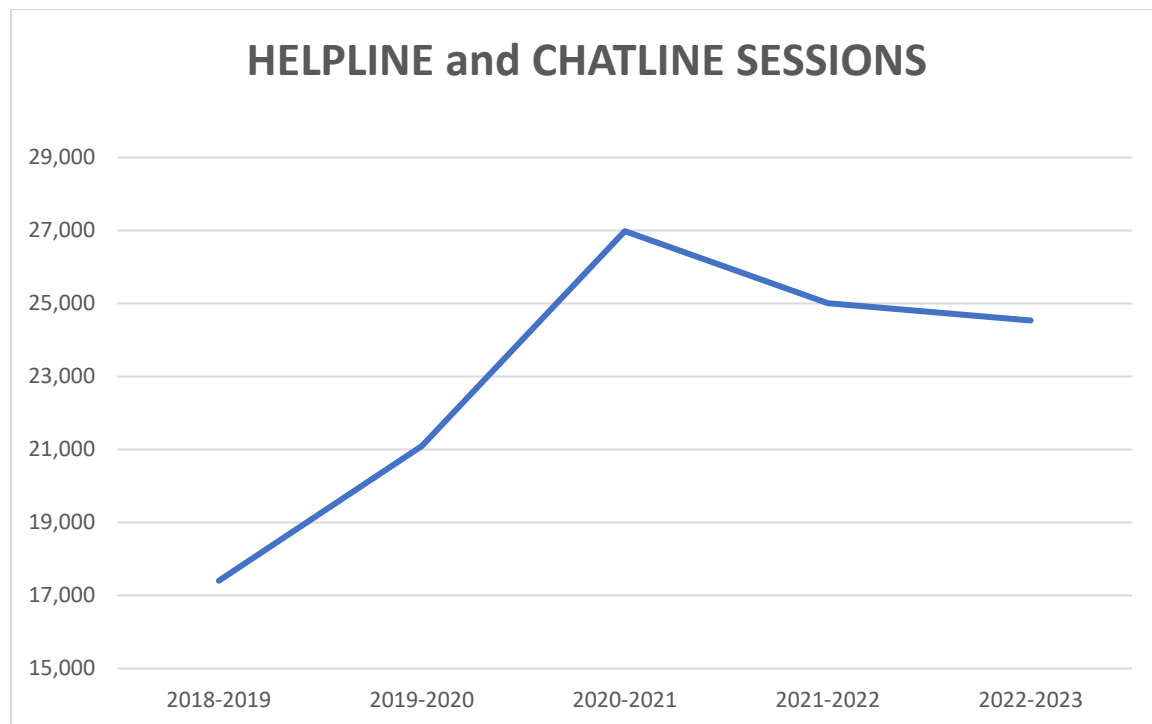
Grants of Legal Assistance

The Commission approved 3,067 of a total of 3,905 applications.



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

GRANT APPLICATIONS APPROVED BY FINANCIAL YEAR**APPLICATIONS RECEIVED BY FINANCIAL YEAR**



Statement of Performance

	2022-23 TARGETS	2022-23 OUTCOMES*	2023-24 TARGETS
NUMBER OF DISCRETE ASSISTANCE SERVICES PROVIDED	47,900	43,782	48,550
NUMBER OF DUTY LAWYER SERVICES PROVIDED	4,600	5,129	5,200
NUMBER OF REPRESENTATION SERVICES PROVIDED	3,000	3,426	3,200
NUMBER OF FACILITATED RESOLUTION PROCESS PROVIDED	450	505	550
NUMBER OF COMMUNITY LEGAL EDUCATION SERVICES PROVIDED	550	653	650

*Due to a cyber incident and an accelerated IT transition the Commission does not have access to detailed service information for three months of 2022-23 for all service types except for representation services. For this reason, full year service numbers include an estimate for those three months.

Service Delivery Performance Analysis

Under the NLAP, 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.

Due to a cyber incident and an accelerated IT transition, the Commission does not have access to detailed service information for three months of 2022-23 for all service types except for representation services. For this reason, full year service numbers include an estimate for those three months. Service numbers for nine months only are shown in brackets below.

For discrete assistance services, the three-month estimate is based on the average number of Information and Referrals for the last three years.

For Duty Lawyer, Facilitated Resolution Process and Community Legal Education Services, the three-month estimate includes actual information recorded in the retired IT systems.

DISCRETE ASSISTANCE SERVICES

Discrete Assistance combines a range of output activities – information, referrals, non-legal support, advice and legal task assistance (but not online information services). At 43,782 (25,941) Discrete Assistance remains a major aspect of services delivered by the Commission. Similarly, Helpline and Chatline services remain significant with 24,535 services delivered, even though this was a decrease of 1.9% over the 25,011 Helpline and Chatline services provided in 2021-22.

Online information service access increased by 10.2% to 177,573. Our referrals to outside services decreased from 925 in 2021-22, to 730 in 2022-23. This may partly be due to community members being able to more readily access information about other service providers online.

DUTY LAWYER SERVICES

Duty Lawyer services are provided at the Magistrates Court and the Federal Circuit and Family Court of Australia buildings, for criminal and domestic violence, and family law and administrative matters respectively. They are also provided at the ACT Civil and Administrative Appeals Tribunal (ACAT) for matters such as tenancy, guardianship and mental health tribunal. The total number of duty lawyer services increased in 2022-23 by 5.3% to 5,129 (3,786) which was above our target of 4,600.

REPRESENTATION SERVICES

Representation services include both grants of legal assistance and casework. The number of representation services provided increased by 9.2% to 3,426 from 3,137 in 2021-22. The number of applications for grants of legal assistance increased by 9.1% from last year and the number of grants of legal assistance approved increased by 16.5% to 3,067 from 2,632 in 2021-22. Together, this indicates that there is a growing demand for legal services in the ACT. Approved grants in 2022-23 was 78.5% of applications received, compared to 73.5% in 2021-22.

Overall, of the total grants provided, 63.1% were provided by the in-house practice, slightly up from 62.3% last year. The proportions of in-house and referred grants of legal assistance for all law types remained relatively steady year on year.

There was an increase in the number of applicants aged under 18 years seeking a grant of legal assistance to 472 from 455 in 2021-22 (3.7%). Grants of assistance for people aged over 65 remained steady year on year.

A disaggregation of our services shows that women are highly represented in approved grants of legal assistance in family law where family violence is indicated (56% of clients). Other and unknown gender make up a further 10% of clients. In all family law grants of assistance, women comprise 54.4% of total clients. Other or not disclosed gender is a further 18.5%.

There was an increase for grants of legal assistance (3.7%) provided to persons over the age of 65 that involved family violence.

FACILITATED RESOLUTION PROCESS SERVICES

The provision of the Commission's family dispute resolution services is a strong driver of cost mitigation in the justice system. In 2022-23, 171 mediation conferences were held, which is a decrease from last year (285). There was an increase in the percentage of dispute resolution conferences resulting in a successful outcome – 72% in 2022-23 up from 66% in 2021-22.

Facilitated resolution services include both family dispute mediations, and the intake screening and assessment that support them.

There has been an increase of 21% in the number of these services provided to 505 from 418 in 2021-22. However, only 34% of all requests for facilitated resolution services were approved to go to conference, down from 68% in 2021-22. This is in part due to some conferences being scheduled across financial years.

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 to 653 from 335 in 2021-22. The number of participants in CLE increased to 10,220 from 2,906 in 2021-22. This large increase is mainly due to the CLE team returning to present more activities face-to-face post the COVID-19 restrictions.

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.

Since the recruitment of fulltime CALD liaison and support officers, we have been able to dramatically increase the number of CALD individuals we can assist. This past year saw an increase in services with the Commission providing 5,164 services to CALD individuals, up from 4,893 in 2021-22. The added value of these services is the enhancement of the capacity of our staff to positively develop and provide culturally appropriate services.

The Commission maintains a particular commitment to the First Nations people in our community. The data reflect this commitment – 719 First Nations clients received a grant of legal assistance, legal advice or duty lawyer service this year, up 26.6% from last year.

CONCLUSION

The Commission has seen growth and diversification in service provision this year. We continue to provide the ACT community with high quality legal and non-legal support services in accordance with our strategic objectives and obligations under the NLAP.

CASE STUDIES – FASS

Through FASS services clients can better access and navigate the legal system, empowering them to make independent decisions

Case Study 1 - FASS Mental Health Liaison Officer

A 43-year-old woman, Jessica (pseudonym), accessed FASS for legal support with a family violence order and family law. Jessica has four children with her spouse, whom she recently separated from. Jessica has physical and intellectual disabilities, autism spectrum disorder, anxiety, and depression. This makes it difficult for Jessica to articulate her needs, understand legal and community processes, and to make decisions unaided. Jessica did not require a litigation guardian.

Jessica was referred to the FASS Mental Health Liaison Officer (FMHLO) by her lawyer and was assisted to navigate a child support application, government agencies (ATO and Centrelink), utilities and financial services (Care Financial), accommodation providers, family support services, mental health, and wellbeing.

From engagement with the FASS team and liaison with Jessica's own strengths and resources, Jessica obtained child support, an interim family violence order resulting in an undertaking, a parenting plan, and further plans for FDR for property settlement. Liaison with the FMHLO and her NDIS support services enabled Jessica to access the Disability Support Pension, strengthen and better understand her own support networks, re-engage with her counsellor, make an appointment with her psychiatrist, engage with DVCS for safety planning and increased home security, and increase her understanding of resources to support her children's mental health. Jessica was empowered throughout the process and increased her own capacity and independence.

Some challenges were presented in Jessica's case. Jessica was apprehensive about accepting referrals and was hesitant to address barriers due to anxiety. She previously accessed services for similar needs and found they were not helpful. This was overcome by increased understanding and facilitated referrals made alongside the client. Other barriers were addressed by immediate action of tasks and follow-up from FMHLO.

Without access to FASS, the client would not have been able to access or navigate the legal system. The client was empowered and increased their skills and knowledge and can now better self-advocate and navigate complex systems.

CASE STUDIES – FASS (continued)

Case Study 2 – FASS Men's Support Worker

FASS received a referral from the Family Dispute Resolution Practice. Support from FASS Solicitor and FASS dedicated men's worker requested.

The client was male, late 30's, who had separated from his family. He was seeking support to amend and navigate a Parenting Plan for his 2 children. Prior to this, the client had been self-representing in all court matters and mediation processes. Client had been the Respondent to a FVO which has now expired.

Client claimed the ex-partner had repeatedly contravened the current Parenting Plan. Multiple pathways forward were explored with the assistance of the FASS Solicitor. The dedicated men's worker intervened when the client was emotionally triggered about the unfairness of court processes. Client generally took these interventions well and the matter was progressed to the point where the client could articulate clear directions and follow next few steps, including a self-care plan for his emotional mental health.

Outcome: Client sought assistance from Beyond Blue and accepted a referral to a psychologist. Both parties have agreed to small changes in the Parenting Agreement. Another mediation has been set prior to the Family Law Hearing

CASE STUDIES — HEALTH JUSTICE PARTNERSHIP

Integrating on-site lawyers to Canberra Hospital, to help alleviate the compounded health and legal problems of vulnerable clients

Case Study 1

Carol (pseudonym) was referred to the Health Justice Partnership (HJP) after disclosing family violence to a social worker at the hospital. At the time of the referral, Carol had been admitted to hospital for a number of days and was likely to remain in hospital for at least two weeks.

Carol was from a culturally and linguistically diverse background and had a child with special needs. She disclosed to the HJP lawyers extensive family violence, with the perpetrator preventing her from seeing her child for over two months. In addition, the perpetrator had recently obtained a Family Violence Order against her which effectively excluded Carol from her home. As such, Carol was facing homelessness if/when she was discharged from the hospital.

The HJP lawyers visited Carol over a number of consecutive days and provided her with advice regarding family law and family violence matters. Lawyers also liaised with her care team and the Domestic Violence Crisis Service to ensure that Carol had sufficient supports and a safety plan in place when she was discharged.

The HJP team assisted Carol in obtaining a Family Violence Order, which resulted in her being able to return to her home safely from hospital, with the perpetrator excluded from living in the property. In addition, whilst Carol remained a patient at the hospital, the HJP team drafted an application for orders to have her child returned to her care. Carol's child was ultimately returned to her care, after being separated for a number of months.

CASE STUDIES – HEALTH JUSTICE PARTNERSHIP (continued)

Case Study 2

Sarah (pseudonym) was referred to the HJP after presenting to hospital on a number of occasions with various injuries and health conditions. She had hinted to her social worker that she was experiencing family violence but was reluctant to disclose details because she knew that it could result in a mandatory report to child protective services. Sarah's social worker referred her to the Health Justice Partnership because they knew that Sarah could speak freely with the lawyers, without a report being made to child protection.

The Health Justice Partnership lawyers visited Sarah on the ward on multiple occasions, over a number of weeks. The HJP team gradually gained Sarah's trust and it became apparent that Sarah had experienced life-threatening family violence. The HJP team provided Sarah with extensive advice in relation to child protection, family violence and family law and advocated for her with child protective services, police and family violence agencies.

The HJP's advocacy, support and advice enabled Sarah to make informed decisions regarding her family situation.

Through the HJP (and whilst she was still in hospital), Sarah was assisted to obtain an urgent grant of Legal Aid. Due to the significant risk of lethality to Sarah (that was identified by the HJP), the HJP lawyers successfully advocated for Sarah to be allocated the most senior family and civil lawyers within the Legal Aid Commission. Sarah has been extensively represented in the Children's Court, ACT Magistrates Court and in family law matters. She has also been assisted to separate from her partner whilst keeping her children safe, obtain the specialist mental health assistance that she requires and extensive safety and estate planning advice.

CASE STUDIES – COURT NAVIGATOR

Identifying clients who are at high risk of family violence, informing applicants of the availability of services that may be critical to their ongoing safety and escorting them to the place where they can receive that assistance.

Whilst the number of Court Navigator clients may not be considered high, it is important to note the stories of the clients who received assistance through the Court Navigator and the possible consequences had they not received that assistance.

Case Study 1

A young girl attended the Court with a family member and approached the Court registry to enquire about applying for a protection order. The young person and her family were directed to the Court Navigator.

The client was highly vulnerable, and the Court Navigator recognised that she presented with a number of risk factors. She was under the age of 18, pregnant to her former partner and from a culturally and racially marginalised group. She reported extensive family violence including serious physical assault and use of a knife. The respondent was also known to have used violence towards other family members. In addition, child protection authorities were involved with the family due to the client's age.

As such, it was important that the client was given advice regarding her legal options (including Family Violence Orders and family law matters) and to quickly assure her that her lawyer is not a mandatory reporter, and she could therefore speak freely without the risk of reports being made to child protection. The Court Navigator explained the availability of free legal assistance through Legal Aid ACT and non-legal support of DVCS.

The client accepted the assistance of Legal Aid ACT and was assisted in drafting an application for a family violence order that would keep her safe and not antagonise the situation. A Legal Aid lawyer appeared before a Deputy Registrar and successfully advocated for an interim Family Violence Order.

CASE STUDIES — COURT NAVIGATOR (continued)

Case Study 2

A young woman attended the ACT Magistrates Court with her mother. She was approached by the Court Navigator and offered assistance. The Court Navigator explained the availability of Legal Aid ACT and DVCS and the client expressed gratitude for the availability of both services.

The client had experienced significant physical violence, threats to kill and verbal abuse by a non-intimate family member. Police had charged the perpetrator with a number of offences, however the client remained frightened of the family member and what he might do to her. She received extensive assistance from Legal Aid ACT in drafting an application for a family violence order and was represented by Legal Aid in Court. She also received advice and support from DVCS whilst at court and accepted the offer of further support and case tracking from DVCS.

Case Study 3

A 35-year-old woman attended the ACT Magistrates Court to obtain a Family Violence Order against her former partner. She was directed to the Court Navigator, and she explained that her ex-partner's behaviour had recently escalated. She shared a child with her ex-partner who had been sending her abusive and threatening text messages. In the past, he had self-harmed in her presence (to prevent her from leaving the relationship), taken their child away from her and had damaged her property. She was highly vulnerable and in need of urgent assistance.

The Court Navigator escorted the client to the Legal Aid ACT Family Violence and Personal Protection Unit, where lawyers drafted her application for a Family Violence Order, successfully appeared in court to obtain an interim Family Violence Order and referred her to the Legal Aid ACT Family Advocacy and Support Service (FASS) for family law advice. The client was concerned that the respondent would react poorly to a Family Violence Order that named her son as a protected person. As such, the client was advised on ways in which she could protect her son, without naming him on the Family Violence Order. She also received safety planning from DVCS whilst she waited at court for her matter to be heard.

Funding and Financial Performance

The Commission receives funding from the ACT Government, as well as from the Commonwealth Government under the NLAP (National Legal Assistance Partnership). Commonwealth funding under the NLAP 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 NLAP, the Commission also receives direct grant funding from the Commonwealth for specific front-line services. During 2022-23, the Commission did not receive grant funding from the ACT Law Society's Statutory Interest Account.

Funding received in 2022-23:

	\$ m
Commonwealth Government NLAP Funding	5.323
Specific Commonwealth Government Funding ¹	3.327
ACT Government Funding	11.418
Specific ACT Government Funding ²	1.602
Grant from the Statutory Interest Account ³	—
Other Revenue ⁴	1.594
Total	23.264

In 2022-23, the Commission's operating result was a deficit of \$0.228 million. The vast majority of this was planned due to the recognition of nearly \$1 million of revenue in 2021-22 when the cash was received (in line with Accounting Standard AASB 1058) while the matching expense didn't occur until 2022-23. This was offset by Other Gains of \$0.652 million associated with the derecognition of makegood under the previous building lease contract.

Other areas contributing to the operating results were increases in ICT costs partially offset by delays in the office fitout.

¹ Specific Commonwealth funding is for Family Advocacy Support Services, Men's Social support Worker, Mental Health Support Worker, National Disability Insurance Scheme, Family Law Pathways Network, Family Violence and Cross Examination, Family Law Property Mediation Trial, Disability Royal Commission, Provision of legal services to Jervis Bay, Expensive Commonwealth Criminal Cases Fund, Defence and Veterans Legal Service and Legal Assistance for Resolution of Status Visa.

² Specific ACT Government funding includes Health Justice Partnership, Tenancy Advice Service, Legal Assistance Services in ACT Colleges, Third Person Support Trial, Court Navigator Pilot and Family Domestic and Sexual Violence.

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, Revenue from the University of Canberra, Revenue from the Australian National University, Volunteer services and Other Gain associated with derecognition of makegood provision.

The cash surplus for 2022-23 is \$0.579m compared to a forecast cash deficit of \$1.775m. This is mainly due to delay in the office fit out for the Commission's accommodation, funding received for specific projects that are yet to be expended, additional interest earned, and lower market rate negotiated in the new lease contract.

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

Strategic Objectives 2023-24

Consistent with the NLAP, we have maintained our current key strategic objectives. The following three objectives will be used to guide our services for 2023-24.

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, the elderly, First Nations people, and members of culturally and linguistically diverse communities, would particularly benefit from early intervention services.

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

STRATEGIC OBJECTIVE 2: PROVIDE LEGAL INFORMATION AND REFERRAL SERVICES

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

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

STRATEGIC OBJECTIVE 3: PROVIDE EFFICIENT AND COST-EFFECTIVE LEGAL AID SERVICES

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

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

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 2023-24 and the next three financial years are to:

- support victims of family and domestic violence through the provision of legal assistance services, including the Health Justice Partnership which is operating from the Canberra Hospital;
- address the cost of living pressures in the provision of legal aid assistance;
- improve the provision of legal assistance services to First Nations people and 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. This includes having a presence at Colleges across Canberra;
- 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 and in care and protection matters in the Children's Court;
- provide legal representation to people in need to enable them to assert or defend their legal rights, including for those people appearing in the Drug and Alcohol Court;
- maintain the high level of service on the Legal Aid Helpline and Tenancy Advice Service;
- maintain and build the capacity of the Commission's IT infrastructure to meet demand; and
- finalise the fitout of the Commission's office accommodation.

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 2022-23 audited financial statements.

Due to the cyber incident and accelerated IT transition, the Commission does not have access to detailed service information for three months of four of the five accountability indicators. The Commission is unlikely to be able to fully comply with Section 68 of the *Financial Management Act 1996*. The Auditor-General provided a modified audit report for the Commission's 2022-23 Statement of Performance.

There were two new audit findings identified in the 2022-23 Audit Management Report. Further, the report indicated that two previous findings in the 2021-22 Audit Management Report were resolved during 2022-23 by the Commission.

The Commission appeared before the Standing Committee which scrutinised the Commission's 2021-22 Annual Report and the 2022-23 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.

Integrity Commission Reports

No inquiries or reports were undertaken by the Integrity Commission in relation to the Legal Aid Commission.

Contact – Chief Financial 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 identifies actions to mitigate 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 Financial 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 five times during the reporting period in July, October, November, February and May.

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

NAME OF MEMBER/OBSERVER	POSITION	DURATION	MEETINGS ATTENDED
David Fox	Independent Chair	Full Year	1,2,3,4,5
Paul Ogden	Member	Full Year	1,2,3,4,-
Mercy Wilkie	Member	Full Year	-,2,-,4,-
Brian Thomas, Commissioner	Member	Part Year	-,2,3,4,5
John Boersig, Chief Executive Officer	Observer	Full Year	1,2,3,-,5
Brett Monger, Chief Financial Officer	Observer	Full Year	1,2,-,4,5
Chinthaka Leelarathna, Financial Accountant	Observer	Full Year	1,2,3,4,5
Karen Muga, Reporting Accountant	Observer	Full Year	1,-,3,4,5
Sayaneat Hang, Junior Assistant Accountant	Observer	Full Year	1,2,3,4,-
Rosanna O'Young, Finance and Corporate Administration Officer	Observer	Part Year	-, -, -,4,5
Waheed Khan, Finance and Corporate Administration Officer	Observer		1,2,3,4,5

Audit, Performance and Risk Committee Activities

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

Monitored the:

- office lease negotiations;
- IT Procurement;
- ACT Audit update/Status of Audit Activity 2022-23;
- Internal Audit Charter;
- Risk Register and Fraud Control Register;
- Legislative Compliance Register;
- Legal Aid grant funding;
- timing of ACT and Commonwealth Budgets;
- Audit, Performance and Risk Committee Charter; and
- Legal Aid Business Continuity Plan.

Reviewed the:

- 2022-23 Financial Statement and Management Discussion & Analysis;
- Strategic Audit Work Plan;
- Chief Executive Financial Instructions;
- Legal Aid Delegations;
- IT and Cyber Security; and
- Tax Compliance and Revenue assessment.

Internal Audit Arrangements

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.

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 2022-23.

Contact – Chief Financial Officer – (02) 6243 3445

Freedom of Information

The Commission is required by the Freedom of Information (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 has developed its Open Access program and has documents published through the ACT Open Access portal. 23 documents in total are published.

There were nil requests for information under the FOI Act. There were nil requests to update personal information held by the Commission.

All references to sections under this heading refer to the *Freedom of Information Act 2016*.

FOI APPLICATIONS RECEIVED AND DECISION TYPE

FOI APPLICATIONS RECEIVED AND DECISION TYPE	
Number of access applications received	Nil
Number of applications where access to all information requested was given	N/A
Number of applications where access to only some of the information requested was given (partial release)	N/A
Number of applications where access to information was refused	N/A

FOI PROCESSING TIMEFRAME

FOI PROCESSING TIMEFRAME	
Total applications decided within the time to decide under s 40	N/A
Applications not decided within the time to decide under section 40	N/A
Number of days taken to decide over the time to decide in s 40 for each application	N/A

REVIEWS

REVIEWS	
Number of applications made to ombudsman under s 74 and the results of the application (e.g. affirmed, varied, set aside and substituted, withdrawn, other)	Nil
Number of applications made to ACAT under s 84 and the results of the application (e.g. affirmed, varied, set aside and substituted, withdrawn, other)	Nil

FEES

FEES	
Total charges and application fees collected from access applications	Nil

Community Engagement and Support

Community Legal Education (CLE) is the provision of information and education to members of the community to build legal capacity and enhance the understanding of legal rights, especially amongst vulnerable and disadvantaged people.

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 targeting 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.

COMMUNITY ENGAGEMENT ACTIVITY	DESCRIPTION
<i>Law for non-lawyers</i>	A series of training sessions aimed at the community sector. They cover a wide range of topics, such as: Family Law; Family Violence; Migration; Youth Law; Tenancy Law; Criminal Law; Social Security Law and Employment Law.
<i>Free-legal information sessions</i>	<p>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.</p> <p>We also deliver CLE regularly on a live radio show on 2XX Radio. These topics have included Youth Law; Elder Abuse; Tenancy Law; Migration; the Colleges Program; Criminal law and more.</p>
<i>Elder Abuse</i>	<p>This year we delivered a number of sessions on elder abuse. Sessions were delivered to medical staff, community sector workers and residents of a rehabilitation centre. We held an outreach service at 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.</p> <p>We also launched the 2023 OPALS Diary to spread awareness about legal and social issues that commonly affect older people in the ACT</p>

COMMUNITY ENGAGEMENT ACTIVITY	DESCRIPTION
	including scams and elder abuse, and referral information for accessing free legal and non-legal services.
<i>Outreach</i>	<p>We provided legal assistance to people in the Adult Mental Health Unit at Canberra Hospital, the Alexander Maconochie Centre, Canberra Colleges, Bimberi Youth Justice Centre, Ted Noffs Program for Adolescent Life Management, Communities at Work, the Salvation Army, Yeddung Mura Aboriginal Corporation, Ainslie Village, Meridian ACT, Belconnen Library, Lake Tuggeranong Library, Oaks Estate, University of Canberra 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, young people, people at risk of incarceration and older people.</p> <p>We delivered CLE sessions to several high schools during the year. 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 participation in several community days at schools and higher education providers.</p> <p>We undertook regular outreach programs to the Muslim community in the ACT, visiting different mosques to provide information about the services that the Commission can provide.</p> <p>We delivered CLE sessions to CALD communities living in the ACT through multicultural organisations. We covered topics like Family Violence, Tenancy, Wills and estate, Cyber harassment and more.</p> <p>We also delivered information sessions to the Indian community in the ACT by providing sessions on a regular basis on various topics such as Domestic and Family Violence, Tenancy and NDIS.</p>
<i>Refugee and Migration Law</i>	We worked collaboratively with NAVITAS, the Red Cross and the Migrant and Refugee Settlement Service to deliver a number of presentations on a range of topics including family violence, family law and an introduction to the Australian Legal System.
<i>Inter-Agency collaboration</i>	Networking is an important component of the work we do at the Commission. We attended the following network meetings: the ACT Legal Assistance Forum, CLE network, National Legal Aid CLE Group, Humanitarian Settlement Network, Refugee & Asylum Seekers Humanitarian Coordination Committee, and the Family Law Pathways Network.

COMMUNITY ENGAGEMENT ACTIVITY	DESCRIPTION
<i>CLE Resources</i>	<p>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 materials on Family Violence, residential tenancy agreements and the changes made to tenancy legislation, and elder abuse.</p> <p>Resources continued to be delivered in a multimodal format to promote engagement with the information by our diverse community including online animations, infographics, social media content on Instagram and Facebook, factsheets, brochures, self-help kits and audio-visual resources including podcasts and recorded interviews.</p>

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

CASE STUDIES – ACT COLLEGES PROJECT

Case Study 1 – Legal Liaison Officer

A student from a culturally diverse background who was experiencing family violence at home was referred to the LLO by the deputy principal. The student lacked internet and phone access and was isolated from contacting her peers. Coercive control and parental monitoring further limited the student's activities.

Due to a history of physical and emotional abuse, there were concerns for the student's safety. The LLO decided to refer the student to the Domestic Violence Crisis Service (DVCS) for safety planning and support. However, the client could only communicate with services during school hours, and her parents monitored her phone, making it extremely difficult to contact DVCS.

To overcome this challenge, the LLO reached out to DVCS and requested an in-person meeting with a person from DVCS, together with the student and LLO. DVCS agreed to the request enabling them to directly meet with the client and develop a personalised safety plan. Additionally, they provided the client with a safety phone, ensuring her ability to communicate with appropriate services despite the parental monitoring and restrictions.

Case Study 2- Legal Liaison Officer

The well-being team referred a student to the LLO. She requested assistance with negotiating with Child and Youth Protection Services (CYPS), navigating child abuse and applying for a Family Violence Order (FVO).

The LLO provided her with support and understanding CYPS procedures and represented her at FVO hearings at the Magistrates Court. The student received assistance for a wide variety of issues to help the student transition to living independently. The student received advice and support on school record keeping practices, the removal of her parents as a contact person, domestic and family violence, and child and youth protection services.

During CYPS investigations, the agency decided to stop providing support to the student. The LLO was able to intervene and connect the student to other supports including access to Legal Aid's Community Liaison Unit. As part of assisting the student with living independently, the LLO wrote to various agencies notifying them that the student's parents are to be removed as a contact person from their files. Furthermore, the student was assisted with navigating the school records process as part of their preparation for court.

First Nations Reporting

The Commission maintains a strong commitment to the First Nations community within the ACT, and to members of that broader community who come to the ACT. In 2022-23, 719 First Nations people received a grant of legal assistance, legal advice, or duty lawyer services. This is a 27% increase on the 2021-22 levels. We continue to see an increase in First Nations clients, likely due to the increase in capacity created by the appointment of a full-time liaison and support officer in 2017, as well as a heightened staff awareness of how to tailor service delivery to the particular needs of First Nations people in the ACT. There is a tremendous need in the First Nations community for legal assistance services.

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

CASE STUDY

The power of building rapport and trust in providing better and culturally appropriate services to First Nations clients

A young Aboriginal mother presented to Legal Aid ACT looking for advice and support regarding her children being placed into CYPS care. It became apparent the woman had experienced domestic and family violence, and that it was because of this violence that her children had been put in the care of CYPS.

A First Nations Liaison Office ('FNLO') supported her with an application for a Family Violence Order. The FNLO connected her with ongoing Aboriginal support services in the community, like mental health services and supports for her children while they were in care. Having a strong support network that was interlinked with the Canberra Aboriginal community during this time was invaluable for this young mother.

Unfortunately, sometime later a new partner began to use violence and she was again no longer safe. She reached out to Legal Aid ACT who was able to support her in getting a new interim Family Violence Order.

CYPS had initially agreed to a 12-month care plan, with the end date being September 2023. Unfortunately, CYPS continue to prolong the care plan and delay the returning of the children, despite her following their instructions within the care plan.

The FNLO continues to support the young mother as she fights to have her children returned to her care. They often speak about their Aboriginal community, and what it means to be heard and respected as a young Aboriginal mother.

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.

COVID-19

The Commission continues to manage the effects of staff contracting COVID-19, through voluntary isolation and work from home arrangements where appropriate.

HEALTH AND SAFETY REPRESENTATIVES (HSRS)

The Commission had three HSRs representing work groups across the Commission during the reporting period.

The Commission had no instances or notices issued or enforceable under Part 2, Part 10 or Part 11 of the *Work Health and Safety Act 2011* in the reporting period.

In the reporting period:

- 62 staff (40%) voluntarily received the flu vaccination in April 2023
- there were three first aid officers
- there were five staff volunteering as fire wardens
- there were three Health and Safety Representatives
- workplace safety responsibilities and reporting requirements formed part of the Commission's Induction Program for all new staff

EMPLOYEE ASSISTANCE PROGRAM / DEBRIEFING

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 continues to offer twice-yearly psychological wellbeing checks through Psychsessions, to seek suitable supports for personal or workplace issues. In-house debriefing sessions were also continued for staff across the Commission during the reporting period. The Commission has entered a partnership with a Canberra-based debriefing service that attend the premises fortnightly to support work groups in managing and participating in regular debriefing sessions and strategies.

The Commission had no serious workplace injuries in the reporting period. No incidents required reporting in accordance with section 38 of the *Work Health and Safety Act 2011*.

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 2021-2022*.

As of 30 June 2023, the Commission employed 153 staff of which there were 70 practising lawyers, including one Executive.

The HR priorities for the reporting period included:

- Enterprise Agreement negotiation preparations;
- recruitment and staffing structures; and
- manager capability lift.

Twenty-seven students undertook individual internship placements with our legal practices during the reporting period. Our Youth Law Program placements are separate to the above.

Workforce Profile

The following statistics exclude board members and staff not paid by the Commission. Staff members who had separated from the Commission but received a payment have been included.

TABLE 1: FULL TIME EQUIVALENT AND HEADCOUNT BY GENDER

	<i>Female</i>	<i>Male</i>	<i>Unspecified</i>	<i>Total</i>
Full Time Equivalent	97.48	36.35	1.00	134.83
Headcount	111	41	1	153
% of Workforce (headcount)	72.55	26.80	0.65	100

TABLE 2: FULL TIME EQUIVALENT (FTE) AND HEADCOUNT BY DIVISION/BRANCH

<i>Branch/Division</i>	<i>FTE</i>	<i>Headcount</i>
Civil Justice Legal Practice	41.69	51
Criminal Practice	23.53	25
Early Intervention Legal Practice	21.23	24
Family Practice	14.60	16
Corporate Services including Executive	10.96	13
Client Services	15.19	16
Community Liaison Services	7.63	8
TOTAL	134.83	153

TABLE 3: HEADCOUNT BY CLASSIFICATIONS AND GENDER

<i>Classification group</i>	<i>Female</i>	<i>Male</i>	<i>Unspecified</i>	<i>Total</i>
Executive	—	1	—	1
Senior Officers	3	2	—	5
Legal Officers (Lawyers)	51	19	—	70
Administrative Service Officers	57	19	1	77
TOTAL	111	41	1	153

TABLE 4: HEADCOUNT BY EMPLOYMENT CATEGORY AND GENDER

<i>Employment Category</i>	<i>Female</i>	<i>Male</i>	<i>Unspecified</i>	<i>Total</i>
Casual	3	1	—	4
Permanent Full-time	58	20	—	78
Permanent Part-time	6	1	—	7
Temporary Full-time	19	11	1	31
Temporary Part-time	25	8	—	33
TOTAL	111	41	1	153

TABLE 5: HEADCOUNT BY DIVERSITY GROUP

	<i>Headcount</i>	<i>% of Total Staff</i>
First Nations	2	1.3
Culturally & Linguistically Diverse (CALD)	18	11.8
People with a disability	3	2.0

TABLE 6: HEADCOUNT BY LENGTH OF SERVICE, AGE GROUP AND GENDER

<i>Length of Service (years)</i>	<i>Baby Boomers 1946 - 1964</i>		<i>Generation X 1965 - 1979</i>		<i>Millennials 1980 - 1994</i>		<i>Generation Z 1995 - 2012</i>		<i>Total</i>	
	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>	<i>F</i>	<i>M</i>
0-2	1	2	6	2	20	5	53	17	80	26
2-4	—	—	—	—	9	2	5	3	14	5
4-6	—	—	2	—	3	3	1	—	6	3
6-8	—	1	1	—	3	—	1	—	5	1
8-10	—	—	—	2	1	—	—	—	1	2
10-12	—	1	—	—	—	—	—	—	—	1
12-14	—	—	—	3	—	—	—	—	—	3
14 plus	2	—	3	—	—	—	—	—	5	—

Unspecified Gender = 1 (not included in table above)

TABLE 7: RECRUITMENT AND SEPARATION RATES BY CLASSIFICATION GROUP

<i>Classification Group</i>	<i>Recruited</i>	<i>Separated</i>
Executive	—	—
Senior Officers	2	2
Legal Officers (Lawyers)	30	27
Administrative Service Officers	55	35
TOTAL	87	64

Gender Action Plan and Gender Impact Assessment Reporting

To promote gender equality within the Commission we maintain gender neutral position descriptions and policies, recruitment strategies, and training offerings. Our Gender Impact Assessment and Action Plan is being developed.

TABLE 8: WHOLE ORGANISATION BY CLASSIFICATION GROUP

		Total Salary \$	Average Salary \$
Female	111	9,265,683	83,474
Male	41	3,849,716	93,895
Non-binary	1	82,567	82,567

Classification – Legal 1		Total Salary \$	Average Salary \$
Female	20	1,501,878	75,093
Male	5	363,673	72,734
Non-binary	—	—	—
Classification – Legal 2		Total Salary \$	Average Salary \$
Female	13	1,143,947	87,996
Male	5	430,366	86,073
Non-binary	—	—	—
Classification – Legal 3		Total Salary \$	Average Salary \$
Female	8	846,654	105,831
Male	2	206,810	103,405
Non-binary	—	—	—
Classification – Legal 4		Total Salary \$	Average Salary \$
Female	6	858,254	143,042
Male	6	866,033	144,338
Non-binary	—	—	—
Classification – Executive Lawyer		Total Salary \$	Average Salary \$
Female	4	652,012	163,003
Male	1	165,878	165,878
Non-binary	—	—	—

Classification – Administration		Total Salary \$	Average Salary \$
Female	20	1,402,489	70,124
Male	8	544,848	68,106
Non-binary	1	82,567	82,567
Classification – Paralegal		Total Salary \$	Average Salary \$
Female	27	1,676,686	62,099
Male	11	671,569	61,051
Non-binary	—	—	—
Classification – Supervisor		Total Salary \$	Average Salary \$
Female	10	774,111	77,411
Male	—	—	—
Non-binary	—	—	—
Classification – Manager		Total Salary \$	Average Salary \$
Female	3	409,652	136,550
Male	2	280,911	140,455
Non-binary	—	—	—
Classification – Executive		Total Salary \$	Average Salary \$
Female	—	—	—
Male	1	319,628	319,628
Non-binary	—	—	—

Workplace Relations

<i>DESCRIPTION</i>	<i>No. of Individual SEAs</i>	<i>No. of Group SEAs*</i>	<i>Total employees covered by Group SEAs**</i>	<i>TOTAL</i>
	<i>A</i>	<i>B</i>	<i>C</i>	<i>(A+C)</i>
<i>SEAs</i>				
Number of SEAs as at 30 June 2022	3	—		3
Number of SEAs entered into during period	—	—	—	—
Number of SEAs terminated during period	1	—	—	1
Number of SEAs providing for privately plated vehicles as of 30 June 2022	—	—	—	—
Number of SEAs for employees who have transferred from AWAs during period	—	—	—	—

	<i>Classification Range</i>	<i>Remuneration as at 30 June 2023</i>
<i>Individual SEAs</i>	Legal 5 Senior Officer A Senior Officer B	\$154,662 – \$165,878 \$157,200 \$135,355 - \$152,376
<i>AWAs (includes AWAs ceased during period)</i>	N/A	N/A

Contact – People and Culture Manager – (02) 6243 3426

Learning and Development

SPECIAL INITIATIVE REPORTING

Legal staff continued to meet their mandatory continuing professional development (MCPD) necessary to remain eligible for practising certificates. The Commission also offered inhouse legal 'refreshers' including:

- aspects of the LPA and Solicitor Conduct rules;
- giving advice and managing client expectations;
- Evidence Act;
- drafting affidavits with a case theory in mind;
- drafting subpoena/summons;
- drafting pleadings;
- drafting applications in proceedings/originating applications;
- drafting notices of appeal;
- hearing advocacy;
- interviewing clients/witnesses;
- file management; and
- interim hearings.

In-house training offered to all staff over the reporting period consisted of:

- trauma informed training;
- REBUS forum theatre; and
- Accidental Counsellor.

Management Training was offered to new supervisors across the business:

- Aim Mate to Manager.

Additionally, the Commission has instigated mandatory cybersecurity training for all staff via online modules.

Ecological Sustainability Reporting

CURRENT AND PREVIOUS FINANCIAL YEAR

<i>Indicator as at 30 June</i>	<i>Unit</i>	<i>Current FY</i>	<i>Previous FY</i>	<i>Percentage change</i>
<i>Stationary energy usage</i>				
Electricity use	Kilowatt hours	154,272	152,569	1.12%
Natural gas use (non-transport)	Megajoules	—	—	—
Diesel (non-transport)	Kilolitres	—	—	—
<i>Transport fuel usage</i>				
Battery electric vehicles (BEV)	Number	—	—	—
Hydrogen fuel cell electric vehicles (FCEV)	Number	—	—	—
Plug-in hybrid electric vehicles (PHEV)	Number	—	—	—
Hybrid electric vehicles (HEV)	Number	—	—	—
Internal combustion engine (ICE) vehicles	Number	2	2	0%
Total number of vehicles	Number	2	2	0%
Fuel use – Petrol	Kilolitres	0.4	0.3	56%
Fuel use – Diesel	Kilolitres	—	—	—
Fuel use – Liquid Petroleum Gas (LPG)	Kilolitres	—	—	—
Fuel use – Compressed Natural Gas (CNG)	Gigajoules (Cm3)	—	—	—
<i>Water usage</i>				
Water use	Kilolitres	n/a	n/a	n/a
<i>Resource efficiency and waste</i>				
Reams of paper purchased	Reams	2,080	—	100%
Recycled content of paper purchased	Percentage	100	n/a	n/a
Waste to landfill	Litres	20,246	11,480	76%
Co-mingled material recycled	Litres	59,289	33,620	76%
Paper & Cardboard recycled (incl. secure paper)	Litres	27,177	22,981	18%
Organic material recycled	Litres	—	—	—
<i>Greenhouse gas emissions</i>				
Emissions from natural gas use (non-transport)	Tonnes CO2-e	134.2	132.7	1%
Emissions diesel use (non-transport)	Tonnes CO2-e	—	—	—
Emissions from transport fuel use	Tonnes CO2-e	0.9	0.6	56%
Emissions from refrigerants	Tonnes CO2-e	—	—	—
Total emissions	Tonnes CO2-e	135.1	133.3	1%



FINANCIAL MANAGEMENT REPORTING

2022-2023



Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2023

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 actual outcome financial information is based on audited Financial Statements for 2021-22 and 2022-23. The 2023-24 Budget and forward estimates are taken from the 2023-24 Budget Statements.

In 2022-23 the Commission's operating result was a deficit of **\$0.228 million**. The vast majority of this was planned due to the recognition of nearly \$1 million of revenue in 2021-22 when the cash was received (in line with Accounting Standard AASB 1058) while the matching expense didn't occur until 2022-23. This was offset by Other Gains of \$0.652 million associated with the derecognition of makegood under the previous building lease contract.

Other areas contributing to the operating results were increases in ICT costs partially offset by delays in the office fitout.

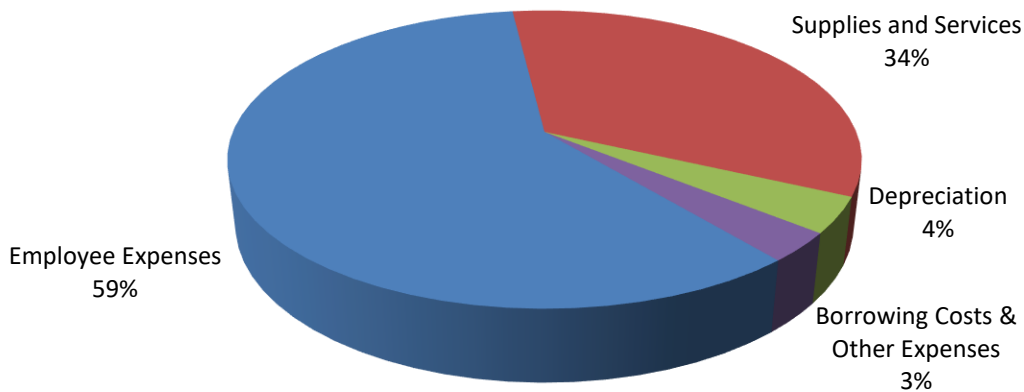
Total Expenses

1. Components of Expenses

Figure 1 below shows the components of the Commission's expenses for 2022-23 with the largest being Employee Expenses (including superannuation), representing **59 percent** of total expenses or **\$13.900 million**. Supplies and Services (largely comprising payment to private legal practitioners, legal disbursements and ICT costs) is **34 percent** of total expenses (**\$7.933 million**). Depreciation is **4 percent** (**\$0.909 million**) and Borrowing Costs & Other Expenses is **3 percent** of total expenses (**\$0.750 million**).

Management Discussion and Analysis
Legal Aid Commission (ACT)
For the Year Ended 30 June 2023

Figure 1 - Components of Expenses 2022-23



2. Comparison to Budget

Expenses

Total expenses of **\$23.492 million** was **\$2.282 million (11 percent)** higher than the 2022-23 Budget mainly due to the following factors:

- higher employee expenses (**\$0.552 million**), largely as a result of increased staffing for additional grants provided after the budget was determined;
- higher ICT costs (**\$1.055 million**) due to implementing a new ICT document management system and the bringing forward of ICT upgrades as a result of the cyber-security incident;
- higher legal expenses and disbursements (**\$0.237 million**) mainly due to supporting additional grants provided after the budget was determined;
- recognition of the impending repayment of funds to Commonwealth for services not delivered (**\$0.395 million**) which is due to the cessation of the existing Lawyer Assisted Family Law Property Mediation Trial where unused funds were required to be returned to the Commonwealth. This revenue was already recognised under accounting standard AASB 1058;
- higher consultants expenses to assist with procurement, internal audits and accounting advice (**\$0.136 million**); and
- lower depreciation (**\$0.322 million**) as a result of lower values for accommodation premises and furniture and fittings.

3. Comparison with 2021-22 Actual Expenses

Total expenses were **\$4.736 million (25 percent)** higher than the 2021-22 actual result due to:

- higher employee expenses (**\$2.340 million**) as a result of:
 - delivering the services from the revenue that was recognised in 2021-22 but didn't occur until 2022-23;
 - higher staffing due to the increase in grants provided by the Commonwealth and ACT Governments; and
 - recognising the effect of the proposed Enterprise Bargaining Agreement for 2022-23

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2023

- higher supplies and services (**\$2.458 million**) due to:
 - higher ICT costs (**\$0.534 million**) due to implementing a new ICT document management system and the bringing forward of ICT upgrades as a result of the cyber- security incident;
 - higher legal expenses and disbursements (**\$1.534 million**) from delivering the services from the revenue that was recognised in 2021-22 but didn't occur until 2022-23 and the increase in grants provided by the Commonwealth and ACT Governments;
 - the recognition of office fitout expenses that were purchased in 2022-23 (**\$0.136 million**)
 - additional expenses associated with consultants to assist with procurement, internal audits and accounting advice (**\$0.085 million**)
- higher other expenses due to the repayment of funds to Commonwealth for services not delivered (**\$0.395 million**); and
- higher borrowing costs (**\$0.266 million**) due to the expiration of the previous (almost extinguished) lease in 2021-22 compared to the new 10 year lease contracted in 2022-23
- This was partially offset by lower depreciation (**\$0.732 million**) due to the lower value of the new accommodation lease contracted in 2022-23 compared to the previous contract value.

4. Future Trends

The information presented is based on the 2023-24 Budget Statements.

The latest Commission forecast for 2023-24 expenses is a decrease of **\$1.881 million** (to **\$21.611 million**) over the 2022-23 levels. This is due to:

- decreases in legal expenses and disbursements (**\$1.010 million**) due to:
 - the cessation of the Family Violence and Cross Examination of Parties Scheme (**\$0.467 million**);
 - the cessation of the Lawyer Assisted Family Law Property Mediation Trial (**\$0.121 million**). Note a reduced funding was provided for this Trial after the budget was determined);
 - the reduction in funding for the National Disability Insurance Scheme (**\$0.270 million**); and
 - the reduced level of contract liabilities required in 2023-24.
- lower ICT expenses (**0.749 million**) as a result of having high expenses in 2022-23 associated with bringing forward the ICT plan as a result of the cyber security incident.

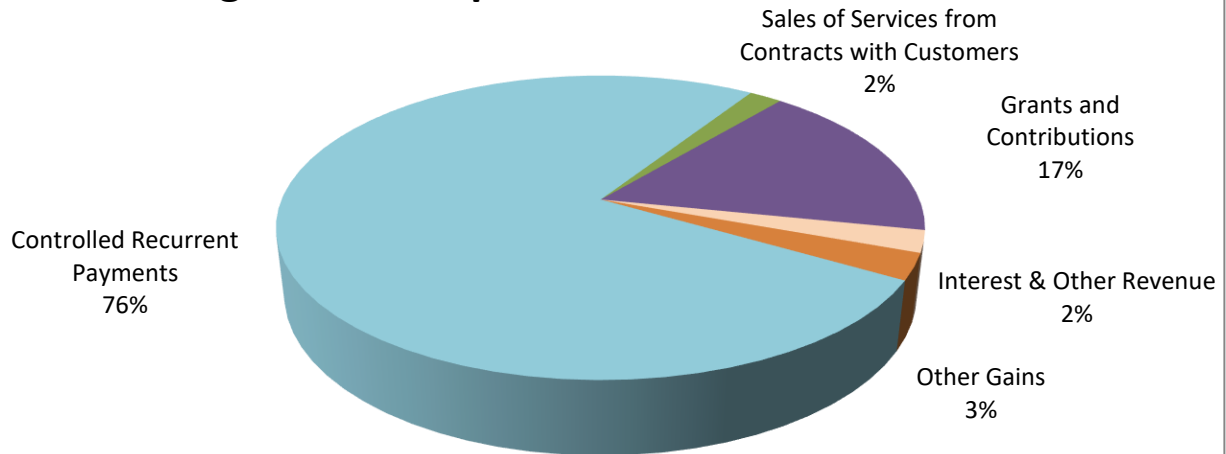
Total Income

1. Components of Income

Figure 2 below shows that for the financial year ended 30 June 2023, the Commission received **76 percent (\$17.638 million)** of its total income of **\$23.264 million** from Controlled Recurrent Payments (this appropriation includes Commonwealth funding under the *National Legal Assistance Partnership*). The income from Grants and Contributions was **\$3.979 million (17 percent)** and Sales of Services from Contracts with Customers is **\$0.454 million (2 percent)**. Interest & Other Revenue is **\$0.541 million (2 percent)** and Other Gains is **\$0.652 million (3 percent)**.

Management Discussion and Analysis
Legal Aid Commission (ACT)
For the Year Ended 30 June 2023

Figure 2 - Components of Income 2022-23



2. Comparison to Budget

Income

Total Income for the financial year ended 30 June 2023 of **\$22.612 million** was **\$2.161 million** higher than the 2022-23 Budget of **\$20.451 million** due to:

- receiving additional income after the budget was determined for:
 - the increased workload in the Commonwealth's Federal Circuit and Family Court of Australia (**\$0.512 million**);
 - ACT Government (**\$0.691 million**) and Commonwealth Government (**\$1.006 million**) specific legal projects after the original budget was determined;
 - higher interest than budgeted due to higher cash levels and high interest rates (**\$0.433 million**);
 - this was partially offset by reduced income from NDIS (**\$0.224 million**) and Lawyer Assisted Family Law Property Mediation Trial (**\$0.108 million**) and no income from the ACT Law Society where **\$0.300 million** was budgeted.

3. Comparison to 2021-22 Actual Income

There was an increase in 2022-23 total income over 2021-22 actual income by \$2.450 million (12 percent), with the major line item variations being:

- an increase in the level of Controlled Recurrent Payments (\$1.195 million) mainly due to additional Budget initiatives in 2022-23
- other Gains (\$0.652 million) due to derecognition of makegood provision under the previous building lease contract
- higher interest revenue (\$0.409 million) due to a higher cash balance and higher interest rates.

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2023

4. Future Trends

The latest Commission forecast for 2023-24 income is a decrease of **\$2.154 million** (to **\$20.458 million**) over the 2022-23 levels. This is due to:

- funding of **\$0.203 million** for specific projects are included in CRP in 2023-24 rather than in Grants & Contributions in 2022-23;
- less money in Sales of Services from Contracts with Customers due to for Third Person Support ceasing during 2023-24 (**\$0.156 million**) and the Court Navigator Pilot (**\$0.282 million**) which was provided after the budget was determined;
- a reduction of funding in Grants and Contributions **\$0.725 million** as a result of ceasing programs in 2023-24. This comprised of Expensive Commonwealth Criminal Cases Fund (**\$0.214 million**), Disability Royal Commission **\$0.141 million**, Resolution of Status Visa (**\$0.270 million**) Family Domestic Sexual Violence for Aboriginal and Torres Strait Islanders (**\$0.100 million**);
- a reduction in funding in Grants and Contributions **\$2.010 million** as a result of contracts for specific grants not being formalised at budget time but which have since been provided as a funding source in 2023-24. This comprised of NDIS (**\$0.216 million**), Family Violence and Cross Examination of Parties Scheme (**\$0.551 million**), Lawyer Assisted Family Law Property Mediation Trial (**\$0.313 million**), Tenancy Advice Service (**\$0.502 million**) and Defence and Veterans' Legal Service (**\$0.363 million**).
- This is partially offset by budgeting **\$1.000 million** to be received from the Statutory Interest Account in 2023-24 (based on interim advice from the ACT Law Society) compared to receiving no funding in 2022-23

Financial Position

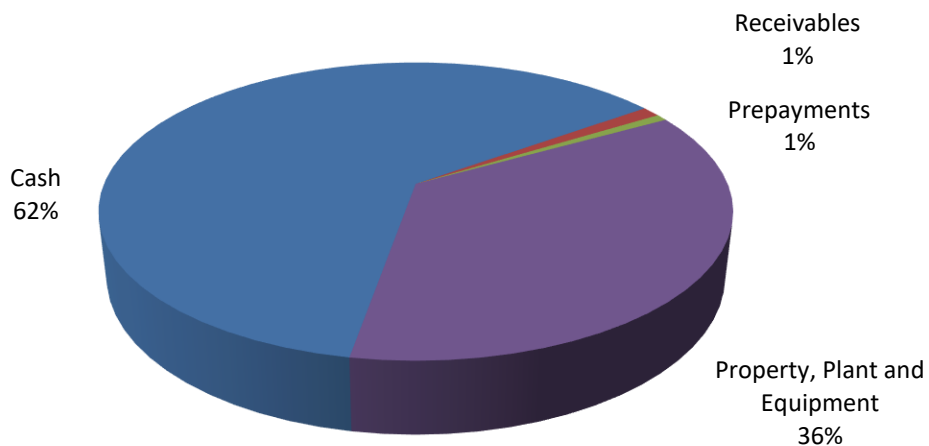
Total Assets

1. Components of Total Assets

Figure 3 below shows that at 30 June 2023, the Commission held **62 percent** of its **\$19.656 million** of assets in Cash, with **36 percent** in Property, Plant and Equipment. Receivables and Prepayments make up **1 percent** each.

Management Discussion and Analysis
Legal Aid Commission (ACT)
For the Year Ended 30 June 2023

Figure 3 - Total Assets as at 30 June 2023



2. Comparison to Budget

The total asset position as at 30 June 2023 is **\$19.656 million** which exceeded the 2022-23 Budget of **\$17.199 million** by **\$2.457 million (14 percent)**. High levels of cash (**\$4.163 million**) was the major reason for this increase, partially offset by lower Property, Plant and Equipment (**\$1.788 million**).

Specifically, the variations of cash in the Commission compared to the budget were:

- the increase of **\$4.163 million** in the 2022-23 outcome from the 2022-23 Budget is mainly due to the higher opening balance (**\$0.909 million**), delay in the office fit out for the Commission's accommodation (**\$0.950 million**), cash received in 2022-23 from specific projects that are planned to commence in 2023-24 (**\$0.700 million**), additional interest earned (**\$0.433 million**) and lower market rent negotiated in the new lease contract (**\$0.346 million**). Additionally a discontinuing grant from the Commonwealth required the repayment of **\$0.395 million** in unspent funds to be returned to the Commonwealth.

This is partially offset by lower than budgeted Property, Plant and Equipment (**\$1.788 million**) due to delays in the office accommodation fitout and the lower value of the Right-of-use asset on the office accommodation premises.

3. Comparison to 2021-22 Actuals

The Commission's total asset position at 30 June 2023 is **\$6.853 million (54 percent)** higher than the actual result of **\$12.803 million** at 30 June 2022. This is primarily from an increase in Property, Plant and Equipment of **\$6.451 million** which is due to the expiration of the previous office accommodation lease compared to the creation of the current 10 year lease entered into during 2022-23. Higher cash of **\$0.579 million** also contributed to this high asset position.

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

Management Discussion and Analysis

Legal Aid Commission (ACT)

For the Year Ended 30 June 2023

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 2021-22	Current Year Budget \$'000s 2022-23	Current Year Actual \$'000s 2022-23	Forward Year Budget \$'000s 2023-24	Forward Year Budget \$'000s 2024-25	Forward Year Budget \$'000s 2025-26
Current Assets	12,208	8,365	12,610	8,366	7,815	7,508
Current Liabilities	4,213	3,847	4,737	3,963	4,095	4,164
Current Ratio	2.89:1	2.17:1	2.66:1	2.11:1	1.9:1	1.8:1

Source of Forward Year Budgets: 2023-24 Budget Statements

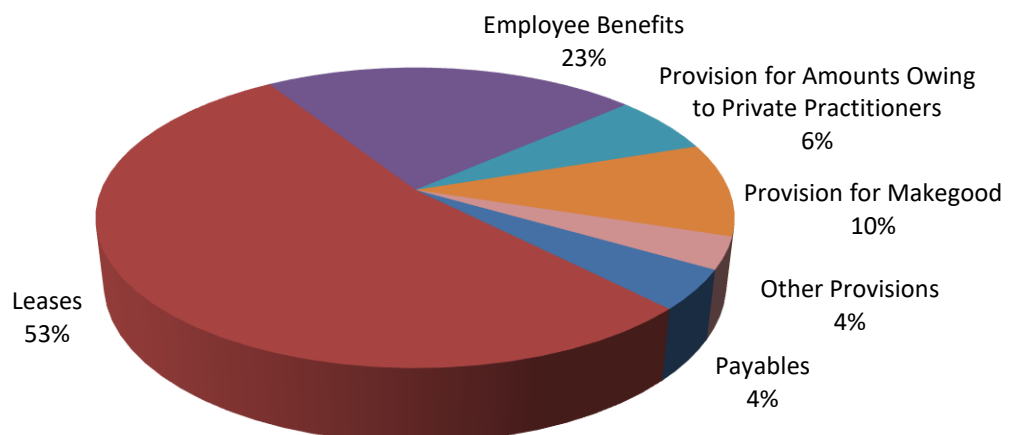
The current ratio was **2.66:1** at 30 June 2023 which is higher than the budgeted current ratio of **2.17:1** mainly due to the high level of cash and lower lease liabilities than budgeted. The Commission expects the current ratio to decrease in 2023-24 with a further decline in forward years two and three as a result of the reduced cash levels being managed by the Commission. The actual and forecast current ratios are all very positive and suggest that the Commission will be able to pay its debts as and when they fall due.

Total Liabilities

1. Components of Total Liabilities

Figure 4 below shows that at 30 June 2023, **53 percent** of the **\$11.552 million** total liabilities is due to the office accommodation lease with **23 percent** represented by Employee Benefits, with **10 percent** for Provision for Make Good. Provision for Amounts Owing to Private Legal Practitioners is **6 percent** with Other Provisions and Payables at **4 percent** each.

Figure 4 - Total Liabilities as at 30 June 2023



Management Discussion and Analysis
Legal Aid Commission (ACT)
For the Year Ended 30 June 2023

2. Comparison to Budget

The Commission's total liabilities at 30 June 2023 of **\$11.552 million** is slightly lower (**\$0.111 million** or **1 percent**) than the 2022-23 Budget of **\$11.663 million**. There were slight variations to the lease liabilities, employee benefits and other provisions.

3. Comparison to 2021-22 Actuals

Total liabilities at 30 June 2023 of **\$11.552 million** are **\$7.081 million (158 percent)** higher than the actual result at 30 June 2022 of **\$4.471 million**. This is due to the expiration of the previous office accommodation lease compared to the new 10 year lease signed in 2022-23 (**\$5.782 million**). Non-current Other provisions were also higher than 2021-22 (**\$1.161 million**) due to the revised make good on the office accommodation.

INDEPENDENT AUDITOR'S REPORT

To the Members of the ACT Legislative Assembly

Opinion

I have audited the financial statements of the Legal Aid Commission (ACT) (Commission) for the year ended 30 June 2023 which comprise the operating statement, balance sheet, statement of changes in equity, statement of cash flows, 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 2023, 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 (including Independence Standards)* (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 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 audit 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 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.



Tim Larnach
Audit Principal, Financial Audit
12 September 2023

Legal Aid Commission (ACT)
Financial Statements
For the Year Ended 30 June 2023

Statement of Responsibility

In my opinion, the Commission's financial statements fairly reflect the financial operations for the year ended 30 June 2023 and the financial position on that date.



John Boersig
Chief Executive Officer
Legal Aid Commission (ACT)
17 July 2023

Legal Aid Commission (ACT)
Financial Statements
For the Year Ended 30 June 2023

Statement by the Chief Finance Officer

In my opinion, the Commission's financial statements have been prepared in accordance with the Australian Accounting Standards, are in agreement with its accounts and records and fairly reflect the financial operations for the year ended 30 June 2023 and the financial position on that date.



Brett Monger
Chief Finance Officer
Legal Aid Commission (ACT)
17 July 2023

Legal Aid Commission (ACT)
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For the Year Ended 30 June 2023

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Legal Aid Commission (ACT)
Operating Statement
For the Year Ended 30 June 2023

		Actual	Original	
	Note	2023	Budget	Actual
	No.	\$'000	2023	2022
			\$'000	\$'000
Income				
Controlled Recurrent Payments		17,638	17,126	16,443
Sales of Services from Contracts with Customers ¹	5	454	2,645	89
Grants and Contributions Revenue ¹	6	3,979	581	4,160
Interest Revenue		531	98	122
Other Revenue		10	1	-
Other Gains ²		652	-	-
Total Income		23,264	20,451	20,814
Expenses				
Employee Expenses	7	13,900	13,348	11,560
Supplies and Services	8	7,933	6,373	5,475
Depreciation		909	1,231	1,641
Borrowing Costs		300	228	34
Other Expenses ³		450	30	46
Total Expenses		23,492	21,210	18,756
Operating Result		(228)	(759)	2,058

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

¹After a review of the Commission's contracts, some agreements identified under Sales of Services from Contracts with Customers in the 2022 published financial statements are now identified under Grants and Contributions in 2023. The 2022 Actual has been presented to be consistent across years. While there is no impact on total income, \$1.596 million has been moved from 2022 Sales of Services from Contracts with Customers to 2022 Grants and Contributions Revenue.

² This line item is associated with the derecognition of makegood under the previous building lease contract.

³The increase in this line item is due to recognising the repayment of unspent funds to the Commonwealth Government relating to a 2022-23 program which ceased in June 2023. The repayment will occur in October/November 2023.

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.

Legal Aid Commission (ACT)

Balance Sheet

As at 30 June 2023

		Actual	Original	
	Note	2023	Budget	Actual
	No.	\$'000	2023	2022
			\$'000	\$'000
Current Assets				
Cash	9	12,255	8,092	11,676
Receivables	10	218	87	352
Prepayments		137	186	180
Total Current Assets		12,610	8,365	12,208
Non-Current Assets				
Property, Plant and Equipment	11	7,046	8,834	595
Total Non-Current Assets		7,046	8,834	595
Total Assets		19,656	17,199	12,803
Current Liabilities				
Payables	12	495	321	793
Lease Liabilities	13	746	998	341
Employee Benefits	14	2,371	2,069	1,869
Other Provisions	15	1,125	459	1,210
Total Current Liabilities		4,737	3,847	4,213
Non-current Liabilities				
Lease Liabilities	13	5,416	6,947	39
Employee Benefits	14	238	143	219
Other Provisions	15	1,161	726	-
Total Non-current Liabilities		6,815	7,816	258
Total Liabilities		11,552	11,663	4,471
Net Assets		8,104	5,536	8,332
Equity				
Accumulated Funds		8,104	5,536	8,332
Total Equity		8,104	5,536	8,332

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 2023

	Accumulated Funds Actual 2023 \$'000	Original Budget 2023 \$'000	Accumulated Funds Actual 2022 \$'000
Balance at 1 July	8,332	6,295	6,274
Comprehensive Income			
Operating Result	(228)	(759)	2,058
Total Comprehensive Result	(228)	(759)	2,058
Balance as at 30 June	8,104	5,536	8,332

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

Legal Aid Commission (ACT)
Statement of Cash Flows
For the Year Ended 30 June 2023

Cash Flows from Operating Activities

Receipts

Controlled Recurrent Payments	17,638	17,126	16,443
Sales of Services from Contracts with Customers ¹	204	1,184	311
Grants and Contributions Receipts ¹	3,795	486	3,092
Goods and Services Tax Input Tax Credits from the Australian Taxation Office	463	450	436
Goods and Services Tax Collected from Customers	264	150	196
Interest Received	531	98	122
Other Receipts	10	0	0
Total Receipts from Operating Activities	22,905	19,494	20,600

Payments

Employee Payments	13,298	13,176	11,337
Supplies and Services	7,519	6,375	5,246
Goods and Services Tax Paid to Suppliers	787	600	627
Borrowing Costs	269	0	2
Total Payments from Operating Activities	21,873	20,151	17,212

Net Cash Inflows/(Outflows) from Operating Activities	9 (b)	1,032	(657)	3,388
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Cash Flows from Investing Activities

Payments

Purchase of Property, Plant and Equipment	-	950	-
Total Payments from Investing Activities²	-	50	-

Net Cash (Outflows) from Investing Activities²	-	(50)	-
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Payments

Repayment of Lease Liabilities - Principal	453	1,068	1,282
Total Payments from Financing Activities	453	1,068	1,282

Net Cash (Outflows) from Financing Activities	(453)	(1,068)	(1,282)
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Net Increase/(Decrease) in Cash²	579	(1,775)	2,106
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Cash at the Beginning of the Reporting Period	11,676	10,767	9,570
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Cash at the End of the Reporting Period²	9 (a)	12,255	8,092	11,676
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The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

¹As a result of reviewing the Commission's contracts, some agreements previously reported under Sales of Services from Contracts with Customers in 2022 are now under Grants and Contributions Receipts in 2023. A total of \$0.668m was moved between these two items in the 2022 figures for comparative purposes. There is no impact on total receipts.

²The budget figures presented in this statement are the figures as published in the 2022-23 Budget Papers. The Total Payments from Investing Activities, Net Cash (Outflows) from Investing Activities and Net Increase/(Decrease) figures presented in Cash totals are incorrect. The correct figures are 950 for Total Payments from Investing Activities, (950) for Net Cash (Outflows) from Financing Activities and (2,675) for Net Increase/(Decrease) in Cash. While these totals are incorrect, the Cash at the End of the Reporting Period total is correct.

Legal Aid Commission (ACT) Statement of Appropriation For the Year Ended 30 June 2023

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.

CRP is recognised as revenue when the Commission gains control over the funding which is obtained upon the receipt of cash, given they do not contain enforceable and sufficiently specific performance obligations defined by AASB 15 *Revenue From Contracts with Customers*.

Column Heading Explanations

The Original Budget column shows the amount that appears in the Statement of Cash Flows in the Budget Papers. This amount also appears in the Statement of Cash Flows.

The Total Appropriated column is inclusive of 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 Statement of Cash Flows.

	Original Budget 2023 \$'000	Total Appropriated 2023 \$'000	Appropriation Drawn 2023 \$'000	Appropriation Drawn 2022 \$'000
Controlled Recurrent Payments	17,126	17,638	17,638	16,443
Total Appropriation	17,126	17,638	17,638	16,443

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

Variances between '2022-23 Controlled Recurrent Payments Original Budget' and '2022-23 Controlled Recurrent Payments Appropriation Drawn'

The increase in CRP is due to receiving additional funds from the Commonwealth to support court reform in the implementation of and transition to a new case management approach at the Federal Court and Family Court of Australia (FCFCOA).

	Controlled Recurrent Payments (CRP) \$'000
Reconciliation of Appropriation for 2022-23	
Original Appropriation	17,126
Authorisation of appropriation for certain Commonwealth grants (<i>Financial Management Act (FMA) s.19B</i>)	512
Total Appropriated	17,638
Total Appropriation Drawn	17,638

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

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

Operations and Principal Activities

The Legal Aid Commission (ACT) (the Commission) is an independent statutory authority established by the *Legal Aid Act 1977* (the Act). The Commission is a not-for-profit entity and 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.

NOTE 2. BASIS OF PREPARATION OF THE FINANCIAL STATEMENTS

Legislative Requirements

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 Act, requires the Commission's financial statements to include:

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

These general-purpose financial statements have been prepared in accordance with:

- (i) Australian Accounting Standards (as required by the FMA); 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 with the valuation policies applicable to the Commission during the reporting period.

Currency

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

Individual Not-for-Profit Reporting Entity

The Commission is an individual not-for-profit reporting entity.

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.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 2. BASIS OF PREPARATION OF THE FINANCIAL STATEMENTS - CONTINUED

Reporting Period

These financial statements state the financial performance, changes in equity and cash flows of the Commission for the year ended 30 June 2023 together with the financial position of the Commission as at 30 June 2023.

Comparative Figures

Budget Figures

To facilitate a comparison with the Budget Papers, as required by the FMA, budget information for 2022-23 (from the 2022-23 Budget Papers) has been presented in the financial statements. Budget numbers in the financial statements are the original budget numbers that appear in the Statement of Intent.

Prior Year Comparatives

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

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

In 2022-23, the Commission reclassified some agreements from *Sales of Services from Contracts with Customers* to *Grant and Contributions Revenue*. The reclassification was also applied to the 2021-22 figures for comparative purposes. The reclassification had no impact on the total income recognised by the Commission for the two financial years.

Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000). Use of " - " represents zero amounts or amounts rounded down to zero.

Going Concern

The 2022-23 financial statements have been prepared on a going concern basis as the Commission has been funded in the ACT Government 2022-23 Budget. The Budget Papers include forward estimates for the Commission.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 3. IMPACT OF ACCOUNTING STANDARDS ISSUED BUT YET TO BE APPLIED

All Australian Accounting Standards and Interpretations issued but yet to be applied are either not relevant to the Commission or have been assessed as having an immaterial financial impact on the Commission.

These standards and interpretations are applicable to future reporting periods. The Commission does not intend to adopt these standards and interpretations early and as such they will be adopted from their application date.

NOTE 4. CHANGES IN ACCOUNTING ESTIMATE

Change in Accounting Estimate

Revision of Provision for Make Good

The Commission adjusted its 2023 Provision for Make Good to reflect the increase in construction costs since the original July 2018 cost per square metre make good estimate by mbmpl Pty Ltd. The rate of increase is based on the construction Producer Price Index published by the Australian Bureau of Statistics. This increased the original make good estimate per square metre cost from \$324 to \$440. For details, see Note 15 *Other Provisions*.

INCOME NOTES

Material Accounting Policies - Income Recognition

The following material accounting policies relate to each income note unless stated otherwise in the individual note.

Revenue is recognised in accordance with AASB 15 *Revenue from Contracts with Customers* where the contract is enforceable and contains sufficiently specific performance obligations, otherwise revenue is in the scope of AASB 1058 *Income of Not-for-Profit Entities*.

AASB 15

The core principle of AASB 15 is that revenue is recognised on a basis that reflects the transfer of promised goods or services to customers at an amount that reflects the consideration the entity expects to receive in exchange for those goods and services. Revenue is recognised by applying a five-step model as follows:

1. identify the contract with the customer;
2. identify the performance obligation;
3. determine the transaction price;
4. allocate the transaction price; and
5. recognise revenue as or when control of the performance obligation is transferred to the customer.

Generally, the timing of the payment for rendering of services corresponds closely to the timing of satisfaction of the performance obligations, however where there is a difference, it will result in the recognition of a receivable, contract asset or contract liability.

None of the revenue streams of the Commission have any material financing terms as there is an expectation of less than 12 months between receipt of funds and satisfaction of performance obligations.

AASB 1058

Where revenue streams are in the scope of AASB 1058, the Commission recognises the asset received (generally cash or other financial asset) at fair value, recognises any related amount (e.g., liability or equity) in accordance with an accounting standard and recognises revenue as the residual between the fair value of the asset and the related amount on receipt of the asset.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 5. SALES OF SERVICES FROM CONTRACTS WITH CUSTOMERS

Description and Material Accounting Policies Relating to Sale of Services from Contracts with Customers

The Commission earns revenue through the provision of legal services to the residents of the ACT. The Commission recognises revenue when the Commission satisfies its performance obligation, either over time or at a point in time, depending on how the service is delivered. Distinct services are separately identified as a performance obligation and allocated a transaction price. Key judgement is used in determining and allocating the transaction price.

Key judgement is also used when determining the satisfaction of the performance obligation. The Commission recognises revenue when the service has been delivered.

The majority of the Commission's revenue from providing legal services is recognised over time using the output method. The Commission is often engaged to deliver services to the public over a period of time, with payment provided at the commencement of the contract. The legal services revenue is incrementally recognised as the service is delivered, which corresponds to the point when the benefit of the legal service is received.

A small portion of the Commission's revenue for providing legal services is recognised at a point in time. For these types of contracts, the Commission recognises revenue when the output or service has been provided.

The Commission sometimes receives payment for its contracts in the same year the delivery of performance obligations is expected to occur. This means the revenue is fully recognised in the same year payment is received. Where there is a difference in the timing of the payment and delivery of the performance obligation, a receivable, contract asset or contract liability will be recognised.

	2023 \$'000	2022 \$'000
Sales of Services from Contracts with Customers		
Legal services delivered over time ¹	447	82
Legal services delivered at a point in time	7	7
Total Sales of Services from Contracts with Customers	454	89

¹After a review of the Commission's contracts, some agreements reported under Sales of Services from Contracts with Customers in 2022 are now reported under Grants and Contributions. The 2022 Actual has been reclassified to be consistent across years. While there is no impact on total income, \$1.596 million has been moved from 2022 Sales of Services from Contracts with Customers to 2022 Grants and Contributions Revenue.

NOTE 6. GRANTS AND CONTRIBUTIONS REVENUE

Description and Material Accounting Policies Relating to Grants and Contributions

Grants and Contributions are recognised as revenue when the Commission gains control over the funding. Control over grant revenue is obtained on receipt of the funds.

Where the Commission receives an asset or services for materially less than fair value then the transaction is in the scope of AASB 1058 and revenue is recognised on receipt of the asset / services. Where services are received, the expense is recognised in the line item to which it relates.

Services that are received free of charge are only recognised in the Operating Statement if they can be reliably measured and would have been purchased if not provided to the Commission free of charge.

Ongoing Specific Projects

The Commission entered into agreements for specific projects which do not satisfy the "sufficiently specific" performance obligation criteria under AASB 15. The revenue for these agreements is recognised on receipt in accordance with AASB 1058. Some of these projects cover multiple years.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 6. GRANTS AND CONTRIBUTIONS REVENUE – CONTINUED

While these specific project agreements are not contracts under AASB 15, the Commission consider these as enforceable agreements. The agreements require the Commission to only use these funds for the specific purpose and activities of the projects. Submission of regular progress reports and yearly financial acquittals are required. Further, if there are unexpended funds for any of these projects they are to be returned at the conclusion of these projects.

Other Grants and Contributions – 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.

Assisted Person Contribution and Recovered Costs 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 may be required to pay a contribution towards the services that they receive. When a service is provided by the Commission staff, the initial contribution is payable directly to the Commission. Recovered Costs arise when the Commission is successful in a matter and the Court orders the unsuccessful party to pay costs.

A receivable in relation to these services is recognised when the client is invoiced, as this is the point in time that the consideration is unconditional because only passage of time is required before the payment.

Other Grants and Contributions – Volunteer Service and Services Received Free of Charge

The Commission had one volunteer in the financial year. The value of this volunteer's time is reliably measured by the Commission based on the equivalent salary band of someone with the same work experience. The Commission also received a service free of charge from the ACT Government Solicitor in 2022 and 2023. These items are included in the Other Grants and Contributions Revenue line on the table below.

	2023 \$'000	2022 \$'000
Grants and Contributions Revenue		
Grant from the ACT Law Society ¹	-	313
Grants for Specific Projects ²	3,305	3,533
Other Grants and Contributions ³	674	314
Total Grants and Contributions Revenue	3,979	4,160

¹The Commission did not receive funds from the ACT Law Society in 2022-23. The amount received from the ACT Law Society in 2022 is based on interest generated on trust funds which were held in the ACT Law Society Statutory Interest Account.

²After a review of the Commission's contracts, some agreements reported under Sales of Services from Contracts with Customers in 2022 are now identified under Grants and Contributions. The 2022 Actual has been adjusted to be consistent across years. While there is no impact on total income, \$1.596 million has been moved from 2022 Sales of Services from Contracts with Customers to 2022 Grants and Contributions Revenue.

The Commission is required to return unexpended funds to the Commonwealth Government for one of the completed projects in 2023-24. See Note 15 – Other Provisions for details.

³The increase in this line item is due to receiving funding for mental health, vulnerable women and child sexual abuse, as well as grant funding from the ACT Government relating to family, domestic and sexual violence.

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Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

EXPENSE NOTES

NOTE 7. EMPLOYEE EXPENSES

Description and Material Accounting Policies Relating to 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;
- long-term benefits, such as long service leave, annual leave, and superannuation; 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.

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.

	2023 \$'000	2022 \$'000
Employee Expenses		
Wages and Salaries ¹	11,574	9,469
Annual Leave Expense	194	244
Long Service Leave Expense	8	60
Commissioners' Remuneration	26	27
Workers' Compensation Insurance Premium	75	94
Superannuation Contributions to the Territory Banking Account	504	453
Productivity Benefit	36	32
Superannuation to External Providers	1,483	1,181
Total Employee Expenses	13,900	11,560

¹The increase in 2022-23 is due to higher staffing to provide additional services under the contracts entered into by the Commission.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 8. SUPPLIES AND SERVICES

Description and Material Accounting Policies Relating to Supplies and Services

Insurance

In 2022-23 the Commission insured all its major risks through Allianz Australia Insurance Ltd, SURA Engineering Pty Ltd, Berkley Insurance Australia, 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*).

Legal Disbursements and Referrals to Private Legal Practitioners

The Commission's cases are categorised as either inhouse or referred matters. The expenditures related to these matters are recognised on an accrual basis. 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. Legal Disbursement expenditure on inhouse matters arise when external experts need to be engaged. Staff salaries for inhouse matters are included in Employee Expenses.

	2023	2022
	\$'000	\$'000
Supplies and Services		
Audit Fees ¹	70	68
Referrals to Private Legal Practitioners ²	3,898	2,655
Legal Disbursements	985	697
Transportation	47	27
Computer Services ³	1,725	1,191
Contractors and Consultants	180	103
Office Services	270	298
Other Supplies and Services	758	436
Total Supplies and Services	7,933	5,475

¹Audit Fees relates to financial audit services provided by the ACT Audit Office to conduct the financial audit. No other services were provided by the ACT Audit Office.

²The increase in Referrals to Private Legal Practitioners is due to higher expenses relating to the delivery of the various service agreements entered into by the Commission. This is mainly due to the Commission receiving funds in 2021-22 while the expenses occurred in 2022-23.

³The higher Computer Services is due to bringing forward some IT projects in 2023 which were originally planned to occur in 2024.

ASSET NOTES

Material Accounting Policies – Asset – 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.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 9. CASH

	2023	2022
	\$'000	\$'000
Cash		
Cash at Bank ¹	12,255	11,676
Total Cash	12,255	11,676

¹The increase in Cash at Bank is due to delay in the office fit out, higher interest earned, as well as retaining cash to be returned to the Commonwealth in October/November 2023.

	2023	2022
	\$'000	\$'000
(a) Reconciliation of Cash at the End of the Reporting Period in the Statement of Cash Flows to the Equivalent Items in the Balance Sheet.		
Total Cash Recorded in the Balance Sheet	12,255	11,676
Cash at the End of the Reporting Period as Recorded in the Statement of Cash Flows	12,255	11,676
(b) Reconciliation of the Operating Surplus to the Net Cash Inflows from Operating Activities		
Operating Result	(228)	2,057
Add Non-Cash Items		
Depreciation	909	1,641
Borrowing Costs	31	34
Cash Before Changes in Operating Assets and Liabilities	712	3,732
Changes in Operating Assets and Liabilities		
Decrease/(Increase) in Receivables	134	(183)
Decrease/(Increase) in Prepayments	43	(25)
(Decrease) in Payables	(298)	(420)
Increase in Employee Benefits	521	152
Increase in Other Provisions	(80)	132
Net Changes in Operating Assets and Liabilities	320	(344)
Net Cash Inflows from Operating Activities	1,032	3,388

(c) Non-Cash Financing and Investing Activities

Acquisition of Assets by Means of a Lease

No assets were acquired by means of a lease during 2022-23.

(d) Reconciliation of Liabilities Arising from Financing Activities

	2023	2022
	\$'000	\$'000
Lease Liabilities		
Carrying Amount at the Beginning of the Reporting Period	380	1,660
Cash Flow Changes	(453)	(1,282)
Non-Cash Changes:		
New Lease	6,235	-
Other Movements	-	2
Carrying Amount at the End of the Reporting Period	6,162	380

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 10. RECEIVABLES

Description and Material Accounting Policies Relating to Receivables and Contract Assets

Accounts receivables are measured at amortised cost, with any adjustments to the carrying amount recorded in the Operating Statement. The Commission's receivables are made up of GST receivables and Assisted Person Contributions.

Assisted Person Contributions

Assisted Person Contributions are levied at the time of granting legal assistance. Clients' standard initial contributions are one hundred and twenty dollars. These contributions are a condition of a grant of legal assistance and can be reassessed at any stage during the grant. These contributions are payable upfront. 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 that the Commission estimates will not be repaid. The allowance for impairment losses is based on objective evidence of impairment. The Commission measures 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.

Material Judgements and Estimates – Allowance for Expected Credit Loss for Receivables

The Commission applied the simplified approach under AASB 9 *Financial Instruments*, which uses a lifetime expected loss for all receivables. The Commission has established a provision matrix which is used to calculate the expected credit loss based on its historical credit loss experience, with forward looking factors specific to the debtors and the economic environment considered.

The Commission has made a material estimate in the calculation of the allowance for expected credit losses for receivables in the Financial Statements. The material 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 past financial years, general economic conditions and an assessment of both the current and forecast direction of conditions at the reporting date.

The amount of the expected credit loss is recognised in the Operating Statement (in *Other Expenses*). The allowance for impairment losses is written-off against the provision account when the Commission ceases action to collect the debt. This occurs when it is considered that it will cost more to recover the debt than the debt is worth. This is generally when the debts have been outstanding for over one year and attempts to recover the debts have been unsuccessful.

The loss rate calculation reflects historical observed client contribution default rates calculated using credit losses experienced on past client contribution transactions during the last three years preceding 30 June 2023. The Net GST Receivable is excluded from the loss rate calculation.

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)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 10. RECEIVABLES - CONTINUED

Contract Assets

When a performance obligation is satisfied by transferring a promised service to the customer before the customer pays consideration or before payment is due, the Commission presents the contract as a contract asset, unless the Commission's rights to that amount of consideration are unconditional, in which case a receivable is recognised.

There is no loss allowance for the other receivables and Net GST receivables of the Commission. These balances relate to transactions with Government and Government-related entities. As such, the Commission expects to fully collect the receivables from these entities.

	2023 \$'000	2022 \$'000
Receivables		
<i>Current Receivables</i>		
Assisted Person Contributions and Recovered Costs Receivable	110	41
Less: Expected Credit Loss Allowance	(51)	(18)
	59	23
Other Receivables	-	19
Work Performed on Contracts with Customers	-	211
Net GST Receivable	159	99
Total Receivables	218	352

Split of Receivables and Contract Assets

Current Receivables (without Contract Assets)	218	141
Current Contract Assets	-	211
Total Receivables and Contract Assets	218	352

Reconciliation of Contract Assets

Opening Balance of Contract Assets	211	2
Add: Additional Costs to be Recovered from Customers	-	920
Less: Contract Assets Transferred to Income	(211)	(711)
Closing Balance of Contract Assets	-	211

Ageing of Receivables

	Total \$'000	Not Overdue \$'000	Days Past Due			
			1-30 days \$'000	31-60 days \$'000	61-90 days \$'000	> 90 days \$'000
30 June 2023						
Expected credit loss rate		0.00%	29.52%	49.60%	44.57%	50.43%
Estimated total gross carrying amount at default	110	-	21	13	11	65
Expected credit loss allowance	(51)	-	(6)	(7)	(5)	(33)
30 June 2022						
Expected credit loss rate		0.00%	29.79%	32.21%	34.45%	43.94%
Estimated total gross carrying amount at default	41	-	3	4	2	32
Expected credit loss allowance	(18)	-	(1)	(1)	(1)	(15)

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 10. RECEIVABLES - CONTINUED

	2023 \$'000	2022 \$'000
Reconciliation of the Loss Allowance		
Accounts Receivable		
Expected Credit Loss Allowance at the Beginning of the Reporting Period	18	36
Net Additional Allowance Recognised During the Reporting Period	55	46
Reduction in Allowance from Amounts Written-off During the Reporting Period	(22)	(64)
Expected Credit Loss Allowance at the End of the Reporting Period	51	18

The Commission's maximum exposure to credit risk is low.

NOTE 11. PROPERTY, PLANT AND EQUIPMENT

Description and Material Accounting Policies Relating to 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 are acquired at no or minimal cost, cost is its fair value at the date of acquisition. Property, plant and equipment with an individual minimum value of \$5,000 is capitalised.

If the Commission undertook a major maintenance on its assets which leads 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.

Property, plant and equipment includes the following classes of assets.

- *Building Right-of-Use Asset* represents the Commission's leased building at 2 Allsop Street, Canberra.
- *Leasehold Improvements* represents capital expenditure incurred in relation to leased assets. The Commission has an office fit out.
- *Motor Vehicles* are the motor vehicles available to Commission staff for business use.
- *Office and Computer Equipment* includes personal computers, servers and network equipment, telephones, facsimile machines, and portable computing equipment. Right-of-Use Equipment is not included in this asset class.
- *Office Equipment Right-of-Use Asset* represents the Commission's leased multifunction devices.
- *Furniture and Fittings* includes desks, chairs, workstations and other furniture.

ACT Disclosure Policy is that Right-of-Use (ROU) Assets recognised under AASB 16 Leases are disclosed under the relevant class of property, plant and equipment.

Right-of-use assets are initially measured at cost where cost comprises the initial amount of the lease liability, initial direct costs, prepaid lease payments, estimated cost of removal and restoration less any lease incentives received. After the commencement date, right of use assets are measured at cost less any accumulated depreciation and accumulated losses and adjusted for any re-measurement of the lease liability. Right-of-use assets are presented in the property, plant and equipment under the relevant asset class.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 11. PROPERTY, PLANT AND EQUIPMENT – CONTINUED

Depreciation and Useful Life

Depreciation is applied to physical assets such as property, plant, and equipment.

Right-of-use building and office equipment 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 for non-current assets is determined as follows:

Class of Asset	Depreciation Method	Useful Life (years)
Building Right-of-Use Asset	Straight Line	10
Furniture and Fittings	Straight Line	10 to 20
Office and Computer Equipment	Straight Line	1 to 5
Office Equipment Right-of-Use Asset	Straight Line	4
Leasehold Improvements	Straight Line	10
Motor Vehicles	Straight Line	2 to 3

The Commission has made a material estimate in determining the useful lives of its Property, Plant and Equipment. The estimation of useful lives of Property, Plant and Equipment has been based on the historical experience of similar assets. For Right-of-Use-Assets, the useful life is the term of the lease agreement. The useful lives are assessed on an annual basis and any adjustments are made when considered necessary

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 11. PROPERTY, PLANT AND EQUIPMENT – CONTINUED

Reconciliation of Property, Plant and Equipment 2022-23	Building Right-of- Use Asset \$'000	Leasehold Improvements \$'000	Motor Vehicles \$'000	Office and Computer Equipment \$'000	Office Equipment Right-of-Use Asset \$'000	Furniture and Fittings \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	319	34	17	151	69	5	595
Additions	7,360	-	-	-	-	-	7,360
Depreciation	(749)	(34)	(17)	(81)	(27)	(1)	(909)
Carrying Amount at the End of the Reporting Period	6,930	-	-	70	42	4	7,046
 Gross Book Value	 11,429	 2,723	 24	 1,223	 105	 525	 16,029
Accumulated Depreciation	(4,499)	(2,723)	(24)	(1,153)	(63)	(521)	(8,983)
Carrying Amount at the End of the Reporting Period	6,930	-	-	70	42	4	7,046

The Building Right-of-Use Asset carrying amount in 2022-23 is significantly more than the 2021-22 balance due to the new building lease contract. This contract will expire on 30 June 2032

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 11. PROPERTY, PLANT AND EQUIPMENT – CONTINUED

Reconciliation of Property, Plant and Equipment 2021-22	Building Right-of- Use Asset \$'000	Leasehold Improvements \$'000	Motor Vehicles \$'000	Office and Computer Equipment \$'000	Office Equipment Right-of-Use Asset \$'000	Furniture and Fittings \$'000	Total \$'000
Carrying Amount at the Beginning of the Reporting Period	1,571	326	17	258	95	5	2,272
Additions	-	-	-	-	-	-	-
Depreciation	(1,252)	(256)	-	(107)	(26)	-	(1,641)
Other Movements	-	(36)	-	-	-	-	(36)
Carrying Amount at the End of the Reporting Period	319	34	17	151	69	5	595
 Gross Book Value	 4,069	 2,723	 24	 1,222	 105	 525	 8,668
Accumulated Depreciation	(3,750)	(2,689)	(7)	(1,071)	(36)	(520)	(8,073)
Carrying Amount at the End of the Reporting Period	319	34	17	151	69	5	595

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

LIABILITY NOTES

Material Accounting Policies – Liability

Liabilities – Current and Non-Current

Liabilities are classified as current when they are expected 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 12 months after the reporting date. Liabilities which do not fall within the current classification are classified as non-current.

NOTE 12. PAYABLES

Description and Material Accounting Policies Relating to Payables

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 (including amounts owing to private legal practitioners), other payables, and accrued expenses.

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 recognises a liability when approved legal services have been provided by private practitioners. A payable for private legal practitioners is recognised when an invoice is received from a solicitor for performing a legal service for approved clients.

A provision to estimate the cost of work performed by private practitioners but not invoiced as at the reporting date is recorded by the Commission in the Provision for Amounts Owing to Private Legal Practitioners (Note 15 - Other Provisions).

Contract Liabilities

Contract Liabilities relate to consideration received in advance from customers in respect of services. When an amount of consideration is received from a customer prior to the Commission transferring a service to the customer, the balance of the consideration which has not been transferred is presented as a contract liability.

The performance delivery for these contracts depends on the progress of the individual cases classified under each contract.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 12. PAYABLES - CONTINUED

	2023 \$'000	2022 \$'000
Current Payables		
Trade Payables	200	139
Other Payables	7	9
Accrued Expenses	268	161
Amounts Received Related to Contract with Customers where Performance Obligation has not yet been Satisfied	20	484
Total Current Payables	<u>495</u>	<u>793</u>
Total Payables	<u><u>495</u></u>	<u><u>793</u></u>

No payables are overdue.

Split of Payables and Contract Liabilities

Current Payables (without Contract Liabilities)	475	309
Current Contract Liabilities	20	484
Total Payables	<u>495</u>	<u>793</u>

The Commission expects that 100% of the transaction price allocated to the unsatisfied performance obligations as of 30 June 2023 will be recognised as revenue during the next reporting period (\$0.020 million).

	2023 \$'000	2022 \$'000
Revenue Recognised that was Included in the Contract Liability Balance at the Beginning of the Reporting Period	484	702
Transaction Price Allocated to Unsatisfied (or Partially Unsatisfied) Performance Obligations	20	484

NOTE 13. LEASE LIABILITIES

Commission as a Lessee

The Commission has leases for its office premises at 2 Allsop Street and office equipment (multifunctional devices). The new building lease contract is set to expire in June 2032. The office equipment lease will expire in 2024.

Terms and Conditions of Leases

There is a condition in the building lease agreement to restore the premises to a condition similar to that which existed prior to occupancy. The building lease also has a set annual pricing mechanism at each anniversary of the lease inception.

Description and Material Accounting Policies Relating to Lease Liabilities

Lease liabilities include the net present value of the following lease payments:

- fixed payments (including in-substance fixed payments), less any lease incentive receivables; and
- variable lease payments that are based on an index or a rate, initially measured using the index or rate as at the commencement date.

At inception of a contract, the Commission assess whether a lease exists - i.e. does the contract convey the right to control the use of an identified asset for a period of time in exchange for consideration.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 13. LEASE LIABILITIES - CONTINUED

This involves an assessment of whether:

- the contract involves the use of an identified asset - this may be explicitly or implicitly identified within the agreement. If the supplier has a substantive substitution right then there is no identified asset;
- the Commission has the right to obtain substantially all of the economic benefits from the use of the asset throughout the period of use; and
- the Commission has the right to direct the use of the asset, i.e. decision making rights in relation to changing how and for what purpose the asset is used.

At the lease commencement date, the Commission recognises a right-of-use asset and associated lease liability for the lease term.

The lease liability is initially measured at the present value of the remaining lease payments at the commencement of the lease. The lease payments are discounted using the rate implicit in the lease. However, where this rate cannot be readily determined the Commission uses the incremental borrowing rate published by the ACT Treasury which most closely matches the remaining lease term.

After the commencement date, lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities; reducing the carrying amount to reflect the lease payments made; and measuring the carrying amount to reflect any reassessment or lease modifications. Subsequent to initial recognition, the lease liability is measured at amortised cost using the effective interest rate method. The lease liability is remeasured when there is a lease modification, change in estimate of the lease term or index upon which the lease payments are based (e.g. CPI) or a change in the Commission's assessment of lease term.

Where the lease liability is remeasured, the right-of-use asset is adjusted to reflect the remeasurement or is recorded in the operating statement if the carrying amount of the right-of-use asset has been reduced to zero.

	2023	2022
	\$'000	\$'000
Current Lease Liabilities		
Building	719	314
Office Equipment	27	27
Total Current Lease Liabilities	<u>746</u>	<u>341</u>
Non-Current Lease Liabilities		
Building	5,403	-
Office Equipment	13	39
Total Non-Current Lease Liabilities	<u>5,416</u>	<u>39</u>
Total Lease Liabilities¹	<u>6,162</u>	<u>380</u>

	Buildings	Office	Total
	\$'000	Equipment	\$'000
	\$'000	\$'000	\$'000
Opening Balance as at 1 July 2022	314	66	380
Add: Additional Lease Liabilities taken up in the Current Reporting Period	6,504	-	6,504
Less: Payments to Reduce the Principal of the Liability	(427)	(26)	(453)
Less: Interest Expense	(269)	-	(269)
Balance as at 30 June 2023	<u>6,122</u>	<u>40</u>	<u>6,162</u>

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 13. LEASE LIABILITIES – CONTINUED

Lease liabilities

The maturity analysis of lease liabilities at 30 June 2023 based on contractual undiscounted cash flows is shown in the table below.

	2023 \$'000	2022 \$'000
< 1 year	746	341
1-5 years	3,997	39
6-10 years	2,722	-
Total undiscounted lease liabilities included in the Balance Sheet ¹	7,465	380

¹The increase in lease liabilities is due to a new 10-year contract for the Commission's offices at 2 Allsop Street.

NOTE 14. EMPLOYEE BENEFITS

Description and Material Accounting Policies Relating to Employee Benefits

Accrued 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 is 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 2022-23, the rate used to estimate the present value of future payments are:

- annual leave payments is 98.2% (101.8% in 2021-22); and
- payments for long service leave is 93.0% (95.3% in 2021-22).

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 considered in estimating the provision for long service leave and applicable on-costs. The long service leave liability for Commission employees aged 55 and over are recognised as a current liability in line with the ACT Government's AAPP 110 *Employee Benefits Policy*.

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 considered in estimating the liability for on-costs.

Significant judgement has been applied in estimating the annual and long service leave liabilities, using the ACT Government present value, probability factor and on-cost factors. These factors are issued by the ACT Treasury and apply to all agencies.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 14. EMPLOYEE BENEFITS – CONTINUED

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.

The Commission calculates employee benefits in line with the ACT Government's accounting policy.

Material 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 material judgements and assumptions included in the estimation of annual and long service leave liabilities include an assessment by an actuary, as presented by the ACT Treasury for whole of government purposes. ACT Treasury organises an actuarial review to be undertaken by the Australian Government Actuary to estimate these factors. The latest assessment was undertaken in December 2021, with the next review expected to be undertaken by late 2024.

	2023	2022
	\$'000	\$'000
Current Employee Benefits		
Annual Leave	708	694
Long Service Leave	827	883
Accrued Salaries ¹	836	292
Total Current Employee Benefits	2,371	1,869
Non-Current Employee Benefits		
Long Service Leave	238	219
Total Non-Current Employee Benefits	238	219
Total Employee Benefits	2,609	2,088
Estimate of When Leave is Payable		
Estimated Amount Payable within 12 Months		
Annual Leave	395	369
Long Service Leave	66	56
Accrued Salaries	836	292
Total Employee Benefits Payable within 12 months	1,297	717
Estimated Amount Payable after 12 Months		
Annual Leave	313	325
Long Service Leave	999	1,046
Total Employee Benefits Payable after 12 Months	1,312	1,371
Total Employee Benefits	2,609	2,088

¹The increase in Accrued Salaries is due to the recognition of back payments under the currently negotiated Enterprise Agreement, which the Commission expects to take effect in 2023-24.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 15. OTHER PROVISIONS

Description and Material Accounting Policies Relating to Other Provisions

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 expected to be 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 expected work will be paid once the Commission is invoiced. The provision is calculated by using historical data to determine the estimated amount of outstanding commitments that are yet to be invoiced, where work has been performed. Unpaid invoices from private legal practitioners received by the Commission that relate to work done up to 30 June 2023 is included in Note 12 Payables.

Provision for Make Good

The Commission has estimated the cost of returning the leased office premises occupied by the Commission to a similar condition to that which existed prior to occupancy. This cost will be borne on exiting the premises. An independent external property expert (mbmpl Pty Ltd) was engaged in July 2018 to assess the amount of the Provision for Make Good. The Provision for Make Good includes estimated costs for removing leasehold improvements and other rectification work.

The 2023 provision is based on the July 2018 independent expert valuation by mbmpl Pty Ltd, adjusted for the June 2023 construction Producer Price Index as published by the Australian Bureau of Statistics. An increase of 36% was applied to the original cost per square metre estimate to reflect the change in construction costs since the July 2018 review. The adjusted cost per square metre is \$440.

	2023 \$'000	2022 \$'000
Other Provisions - Current		
Provision for Amounts Owing to Private Legal Practitioners	730	552
Provision for Payments Owing to Commonwealth Government ¹	395	-
Provision for Make Good ²	-	658
Total Other Provisions - Current	<u>1,125</u>	<u>1,210</u>
Other Provisions - Non-Current		
Provision for Make Good ²	1,161	-
Total Other Provisions - Non-Current	<u>1,161</u>	<u>-</u>
Total Other Provisions	<u><u>2,286</u></u>	<u><u>1,210</u></u>

¹The Commission is required to return unspent funds to the Commonwealth Government relating to a program which ceased in June 2023. The return of funds is expected to occur in October/November of 2023.

²The increase in Provision for Make Good is to recognise the obligation to restore the current office space to its original state under the new office lease contract.

	Provision for:		
	Commonwealth Government	Private Legal Practitioners	Make Good
	\$'000	\$'000	\$'000
Reconciliation of Other Provisions - 2022-23			
Provision at the Beginning of the Reporting Period	-	552	658
Adjustment for Amount Transferred to Accrued Expenses in Previous Period		26	
Additional Provision Recognised	395	823	1,130
Reduction in Provision as a Result of Payments		(578)	
Provision reversed during the Year due to Transfer to Accrued Expenses		(93)	-
Decrease in provision due to early settlement			(6)
Unwinding of discount or change in discount rate		-	31
Provision reversed during the Year due to Transfer to Other Gains			(652)
Provision at the End of the Reporting Period	<u>395</u>	<u>730</u>	<u>1,161</u>

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

OTHER NOTES

NOTE 16. FINANCIAL INSTRUMENTS

Description and Material Accounting Policies Relating to Financial Instruments

Details of the material accounting 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 the note to which they relate. In addition to these policies, the following are also accounting policies relating to financial assets and liabilities.

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

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

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	Held to collect	Yes	Amortised cost
Trade Receivables	Held to collect	Yes	Amortised cost
Contract Assets	Held to collect	Yes	Amortised cost

Financial Liabilities are measured at amortised cost.

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 material portion of financial assets compared to financial liabilities are subject to floating interest rates. This means that the Commission is not materially 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 higher interest revenue in 2022-23 compared to 2021-22 due to a higher level of cash and higher interest rates. The 2022-23 average interest rate was 4.00% compared to 1.06% in 2021-22.

The maximum exposure of the Commission to interest rate risk is the interest received on its Cash. The details of Cash 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 in 2022-23.

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.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 16. FINANCIAL INSTRUMENTS - CONTINUED

Credit risk is managed by the Commission for cash at bank by holding bank balances with Westpac Banking Corporation (Westpac). Westpac holds an AA issuer credit rating with Standard and Poors. An 'AA' credit rating is defined as 'very strong capacity to meet financial commitments'.

The Commission's receivables are predominantly from other ACT Government entities and the Commonwealth Government. Inter-agency receivables between ACT Government agencies are generally expected to have low credit risks. As the Commonwealth Government has a AAA credit rating, it is considered that there is a very low risk of default for those receivables. 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 property.

Trade receivables are always measured at lifetime expected credit losses (the simplified approach).

There have been no material changes in credit risk exposure since the last reporting period.

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, lease payments, and employee expenses (which is the largest expenditure of the Commission).

The main sources of cash to pay these obligations are quarterly controlled recurrent payments received from the ACT Government under the agreement with the Commonwealth, and fortnightly payments of appropriation from the ACT Government. The Commission regularly monitors its financial position to determine whether there are any material 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 amount of financial assets and financial liabilities of the Commission approximate their fair value.

The Commission does not have any financial assets or liabilities in the 'Financial Assets/Liabilities at Fair Value through the Profit and Loss' categories.

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 2023

NOTE 16. 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 2023. 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.

2023	Note No.	Weighted Average Interest Rate	Floating Interest Rate \$'000	Fixed Interest Maturing In:			Non-Interest Bearing \$'000	Total \$'000
				1 Year or Less \$'000	Over 1 Year to 5 Years \$'000	Over 5 Years \$'000		
Financial Assets								
Cash ¹	9	4.00%	12,255	-	-	-	-	12,255
Receivables ²	10		-	-	-	-	59	59
Total Financial Assets			12,255	-	-	-	59	12,314
Financial Liabilities								
Payables ²	12		-	-	-	-	495	495
Lease Liabilities	13	4.26%	-	746	3,997	2,722	-	7,465
Total Financial Liabilities			-	746	3,997	2,722	495	7,960
Net Financial Assets/(Liabilities)			12,255	(746)	(3,997)	(2,722)	(436)	4,354

¹The Commission holds \$335 petty cash on premises.

²In the table above Receivables and Payables exclude Net GST Receivables/Payables. As such, the Receivables included in the above table of \$0.059m are calculated by taking the Net GST Receivables of \$0.159m from Total Receivables of \$0.218m included in Note 10. The Payables figure presented in this table excludes GST.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 16. 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 2022. 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 \$'000	Fixed Interest Maturing In:			Non-Interest Bearing \$'000	Total \$'000
				1 Year or Less \$'000	Over 1 Year to 5 Years \$'000	Over 5 Years \$'000		
Financial Assets								
Cash ¹	9	1.06%	11,676	-	-	-	-	11,676
Receivables ²	10		-	-	-	-	253	253
Total Financial Assets			11,676	-	-	-	253	11,929
Financial Liabilities								
Payables ²	12		-	-	-	-	793	793
Lease Liabilities	13	0.18%	-	341	39	-	-	380
Total Financial Liabilities			-	341	39	-	793	1,173
Net Financial Assets/(Liabilities)			11,676	(341)	(39)	-	(540)	10,756

¹The Commission holds \$335 petty cash on premises.

²In the table above Receivables and Payables exclude Net GST Receivables/Payables. As such, the Receivables included in the above table of \$0.253m are calculated by taking the Net GST Receivables of \$0.099m from Total Receivables of \$0.352m included in Note 10. The Payables figure presented in this table excludes GST.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 17. COMMITMENTS

Description and Material Accounting Policies Relating to Commitments

Commitments are a firm intention, but not a present obligation, at the end of the reporting period to incur future expenditure. As such, commitments do not constitute a liability. Commitments usually arise from contracts but can arise from other things like placing an order.

Commitments are measured at their nominal value and are inclusive of GST.

Other Commitments

Other Commitments contracted at reporting date that have not been recognised as liabilities, are payable as follows:

	2023 \$'000	2022 \$'000
Within one year	348	-
Later than one year but not later than five years	516	-
Total Other Commitments	864	-

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

NOTE 18. THIRD PARTY MONIES

Description and Material Accounting Policies Relating to 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 Professional 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.

	2023 \$'000	2022 \$'000
Third Party Monies		
Balance at the Beginning of the Reporting Period	16	19
Cash Receipts ¹	717	216
Cash Payments ¹	(166)	(219)
Balance at the End of the Reporting Period	567	16

¹The high trust account balance is due to funds held in trust for a client's property settlement matter. The funds was released in July 2023.

NOTE 19. RELATED PARTY DISCLOSURES

Description and Material Accounting Policies Relating to Related Party Disclosures

A related party is a person that controls or has material 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, when occupied, 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.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 19. RELATED PARTY DISCLOSURES – CONTINUED

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

B.1 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 2023.

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 2023.

Compensation by the Commission to KMP is set out below.

	2023 \$'000	2022 \$'000
Short-term employee benefits	364	349
Post-employment benefits	100	92
Other long-term benefits	15	(25)
Total Compensation by the Commission to KMP	479	416

B.2 Transactions with Key Management Personnel

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

B.3 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

The Commission has entered into transactions with other ACT Government entities in 2022-23 and 2021-22 consistent with day-to-day business operations provided under varying terms and conditions. Below is a summary of the material transactions with ACT Government Entities.

Revenue

- Appropriation (Statement of Appropriation) – The Commission received appropriation from the ACT Government which includes funding from both the Commonwealth Government and the ACT Government. The ACT Government-related component was \$10.906 million in 2023 and \$10.430 million in 2022.
- Sale of Services from Contracts with Customers (Note 5) – The Commission received \$0.375 million in 2023 and \$0.026 million (adjusted) in 2022 of revenue from ACT Government Entities for providing various legal services. The 2022 amount has been reclassified due to a review of the Commission's contracts. The difference in the 2022 Sales of Services from Contracts with Customer has been transferred to Grants and Contributions and Other.
- Grants and Contributions and Other (Note 6) – The Commission received \$1.227 million in 2023 and \$1.085 million in 2022 of revenue from ACT Government Entities for providing various legal services.

Legal Aid Commission (ACT)

Notes to and Forming Part of the Financial Statements

For the Year Ended 30 June 2023

NOTE 19. RELATED PARTY DISCLOSURES – CONTINUED

Expenses

- Employee and Superannuation Expenses (Note 7) – The Commission paid the ACT Insurance Authority \$0.075 million in 2023 and \$0.094 million in 2022 for Comcare insurance premiums. The Commission paid \$0.504 million in 2023 and \$0.453 million in 2022 as contribution for the PSS component of the superannuation expenses to the Territory Banking Account.
- Supplies and Services (Note 8) – The Commission paid the ACT Audit Office \$0.070 million in 2023 and \$0.068 million in 2022 for audit services. The Commission also received services free of charge from the ACT Government Solicitor of \$0.029 million in 2023 and \$0.040 million in 2022.

NOTE 20. BUDGETARY REPORTING

Description and Material Accounting Policies Relating to Budgetary Reporting

Material Judgements and Estimates - Budgetary Reporting

Material judgements have been applied in determining what variances are considered as 'major variances'. Variances are considered major if both of the following criteria are met:

- The line item is a material line item: where either the line-item actual amount accounts for more than 10% of the relevant associated category (Income, Expenses, Assets, Liabilities 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% and \$500,000 of the budget for the financial statement line item.

Original Budget refers to the amounts presented to the Legislative Assembly in the original budgeted financial statements in respect of the reporting period Budget Statements. These amounts have not been adjusted to reflect supplementary appropriation or appropriation instruments.

	Actual 2022-23 \$'000	Original Budget 2022-23 \$'000	Variance \$'000	Variance %
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Operating Statement Line Items

Grants and Contributions Revenue	3,979	581	3,398	585%
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The increase in this line item is due to the reclassification of revenue under Sales of Services from Contracts with Customers to Grants and Contributions Revenue, as well as receiving unbudgeted revenue relating to programs and agreements entered into in 2022-23.

Other Gains	652	-	652	N/A
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This line item is associated with the derecognition of makegood under the previous building lease contract.

Supplies and Services	7,933	6,373	1,560	24%
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The increase in Supplies and Services is due to bringing forward some IT projects in 2023 which were originally planned to occur in 2024.

Legal Aid Commission (ACT)
Notes to and Forming Part of the Financial Statements
For the Year Ended 30 June 2023

NOTE 20. BUDGETARY REPORTING – CONTINUED

Balance Sheet Line Items

Cash	12,255	8,092	4,163	51%
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The increase in Cash is due to a higher opening balance, delay in the office fit out, higher interest earned, as well as retaining cash to be returned to the Commonwealth in October/November 2023.

	Actual 2022-23 \$'000	Original Budget 2022-23 \$'000	Variance \$'000	Variance %
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Property, Plant and Equipment	7,046	8,834	(1,788)	(20%)
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Property, Plant and Equipment variance is due to the lower than budgeted right-of-use asset resulting from lower rent negotiated by the Commission's for its office premises under the new lease. The current lease will expire in June 2032.

Other Provisions - Current	1,125	459	666	145%
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The increase in this line item is due to a Commonwealth requirement to return unspent funds of a program which ceased in June 2023. The return of funds is expected to occur in October/November of 2023 and is unbudgeted. The Commission also recognised a higher provision for amounts owing to private legal practitioners. This is due to high outstanding commitments for ongoing work rendered by external lawyers for which the Commission is yet to be invoiced.

Lease Liabilities - Non-Current	5,416	6,947	(1,531)	(22%)
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Lease Liabilities – Non-Current were lower due to negotiating a lower rent for the Commission's new lease agreement. The current lease will expire in June 2032.

Statement of Cash Flows Line Items

Grants and Contributions Receipts	3,795	486	3,309	681%
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Grants and Contributions Receipts is higher than budget because of reclassification of the Commission's contracts between Sales of Services from Contracts with Customers and Grants and Contributions in 2022-23, as well as receipting cash for some unbudgeted grants revenue for agreements entered in 2022-23, offset by not receiving the budgeted ACT Law Society grant in 2022-23.

Supplies and Services	7,519	6,375	1,144	18%
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Supplies and Services is higher than budget due to bringing forward some IT projects in 2023 which were originally planned to occur in 2024.

Purchase of Property, Plant and Equipment	-	950	(950)	(100%)
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Purchase of Property, Plant and Equipment is lower than budget due to the delay in the acquisition of planned office fit out.

INDEPENDENT LIMITED ASSURANCE REPORT

To the Members of the ACT Legislative Assembly

Qualified Conclusion

I have undertaken a limited assurance engagement on the statement of performance of the Legal Aid Commission (ACT) (Commission) for the year ended 30 June 2023.

Based on the procedures performed and evidence obtained, except for the matters described in 'Basis for qualified conclusion' section of this report, 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 2023 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 qualified conclusion

As disclosed in the statement of responsibility and statement of performance, the Commission has not reported results for the full year for the following accountability indicators as required by Section 68(3) of the *Financial Management Act 1996*. The Commission has reported a result for 9 months due to the required data not being available from the Commission's systems to support the results for the full year.

Output Class 1 – Legal Aid Services

Output 1.1 – Legal Aid Services Provided to the Community

- a. Number of Discrete Assistance services provided
- b. Number of Duty Lawyer services provided
- d. Number of Facilitated Resolution Process provided
- e. Number of Community Legal Education services provided

Independence and quality control

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 ASQM 1 *Quality Management for Firms that Perform Audits or Reviews of Financial Reports and Other Financial Information, or Other Assurance or 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.



Tim Larnach
Audit Principal, Financial Audit
18 September 2023

Legal Aid Commission (ACT)
Statement of Performance
For the Year Ended 30 June 2023

Statement of Responsibility

In my opinion, except for the matter disclosed below, 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 2023 and also fairly reflects the judgements exercised in preparing it.

Due to the Cyber incident and accelerated IT transition, the Commission does not have access to detailed service information for 3 months of 4 of the 5 accountability indicators. The actual results for 2022-23 of the following accountability indicators are understated:

Output Class 1 – Legal Aid Services

Output 1.1 – Legal Aid Services Provided to the Community

- a. Number of Discrete Assistance services provided
- b. Number of Duty Lawyer services provided
- d. Number of Facilitated Resolution Process provided
- e. Number of Community Legal Education services provided

As the Commission is unable to provide a fully accurate report for the full year, it is unlikely able to fully comply with the relevant *Financial Management Act 1996* obligations.



John Boersig
Chief Executive Officer
Legal Aid Commission (ACT)
15 September 2023

Legal Aid Commission (ACT)
Statement of Performance
For the Year Ended 30 June 2023

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 the 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 bases of agreed scales, up to a commitment level determined by the Commission on an individual case basis.

	Original Target 2022-23	Actual Result 2022-23	% Variance from Original Target	Explanation of Material Variances (+/- 10% and greater than \$500,000)
Total Cost (\$'000)	21,210	23,492	11%	Total expenditure is higher than budget mainly due to higher employee, ICT and legal expenses
Controlled Recurrent Payments (\$'000)	17,126	17,638	3%	
Accountability Indicators				
a. Number of Discrete Assistance services provided	47,900	25,941	(46%)	Due to cyber incident and accelerated IT transition the Commission does not have access to detailed service information for 3 months and therefore results for 2022-23 only represent 9 months of the financial year. Based on the average number of Information and Referrals for last 3 years the Commission estimates the total number of Discrete Assistance services provided for the year is 43,782, a reduction of 9 percent from the original target.
b. Number of Duty Lawyer services provided	4,600	3,786	(18%)	Due to cyber incident and accelerated IT transition the Commission does not have access to detailed service information for 3 months and therefore results for 2022-23 only represent 9 months of the financial year. By including the actual information recorded in the retired IT systems the Commission estimates total number of Duty Lawyer services provided for the year is 5,129, an increase of 12 percent from the original target.
c. Number of Representation services provided	3,000	3,426	14%	The higher number of representation services provided is due to an increase in the number of grants approved in 2022-23, particularly in Criminal and Family Law matters.

Legal Aid Commission (ACT)
Statement of Performance
For the Year Ended 30 June 2023

d. Number of Facilitated Resolution Process provided	450	394	(12%)	Due to cyber incident and accelerated IT transition the Commission does not have access to detailed service information for 3 months and therefore results for 2022-23 only represent 9 months of the financial year. By including the actual information recorded in the retired IT systems the Commission estimates the total number of Facilitated Resolution Process provided during the year is 505, an increase of 12 percent from the original target.
e. Number of Community Legal Education services provided	550	536	(3%)	Due to cyber incident and accelerated IT transition the Commission does not have access to detailed service information for 3 months and therefore results for 2022-23 only represent 9 months of the financial year. By including actual information recorded in the retired IT systems the Commission estimates the total number of Community Legal Education services provided during the year is 653, an increase of 19 percent from the original target.

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*.

Explanation of Accountability Indicators

- a. *Number of Discrete Assistance services provided:* This indicator collates the number of information, referrals, non-legal support, legal advice and legal task services delivered through several channels including the Helpline and Chat-lines. This indicator does not include website page views.
- b. *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 are legal services provided at a court or tribunal to people who would otherwise be unrepresented in relation to an event or proceeding on that day. Duty lawyer services includes Criminal law, Domestic Violence, Mental Health, Family law, and Civil law duty services.
- c. *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.
- d. *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.
- e. *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, online sessions and information posts share via the Commission's Facebook page, LinkedIn and Twitter etc) and the number of activities undertaken and measured against the target for the year.

Capital Works

There were no new capital works undertaken during 2022-23

Contact – Chief Financial Officer – (02) 6243 3445

Asset Management

Assets Managed

The Commission's property, plant and equipment assets are mainly comprised of Building Right-of-Use Asset, represents the Commission's leased building at 2 Allsop Street, an office fit-out for above leased building, Office Equipment Right-of-Use Asset that represents the Commission's leased multifunction devices, 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 2023 was \$7.046 million.

The Commission has no intangible assets at 30 June 2023.

Total value of the assets added to Commission's asset register in 2022-23 was \$7.360 million. This represents Building Right-of-Use Asset, Commission's leased building at 2 Allsop Street Canberra.

There was \$0.038 million spent on repairs and maintenance in 2022-23, of which \$0.031 million related to leasehold improvements and \$0.007 million related to office equipment.

Office Accommodation

The Commission had a headcount of 153 employees and around 15 additional placements at any one time in leased accommodation at 2 Allsop Street, Canberra during 2022-23. The placements consisted of staff from 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 8.0m². This figure includes all areas where administrative functions are performed and excludes interview rooms, family dispute resolution conferencing facilities and circulation areas.

Contact – Chief Financial Officer – (02) 6243 3445

Government Contracting

The Commission utilises the services of contractors to carry out its business operations. The Commission executed five contracts throughout 2022-23 with non-ACT Government entities with an estimated value of \$25,000 or more per contract.

The table below shows the details of contracts the Commission has executed in 2022-23 with an estimated value of \$25,000 or more.

Contract #	Contract Title	Procurement Methodology	Procurement Type	Exemption from Quotation and Threshold requirements	Contractor name	Contract amount (incl GST)	Execution Date	Expiry Date	Small to Medium Enterprise (SME)
3040	Short Term Cyber Security Assistance	Single Select	Services	Yes	CyberCX Pty Ltd	\$ 80,383.00 (Total value of this particular contract only)	03/11/2022 (Contract execution date may differ from contract commencement date)	06/4/2023	No
3043	Variation to Agreement with Technology One	Single Select	Services (non-consultancy)	Yes	Technology One Limited	\$ 244,984.97 (Total value of this particular contract only)	21/6/2023 (Contract execution date may differ from contract commencement date)	27/3/2026	No
3045	Ring Central renewal	Single Select	Services (non-consultancy)	Yes	RingCentral Australia PTY LTD	\$ 148,704.48 (Total value of this particular contract only)	21/6/2023 (Contract execution date may differ from contract commencement date)	21/6/2025	No
3046	Services Agreement for Managed Payroll	Single Select	Services (non-consultancy)	Yes	Aurion Corporation Pty Ltd	\$ 178,656.33 (Total value of this particular contract only)	23/1/2023 (Contract execution date may differ from contract commencement date)	22/01/2025	No
3047	Canberra Consulting Pty Ltd	Single Select	Services	Yes	Canberra Consulting Pty Ltd	\$ 166,400.00 (Total value of this particular contract only)	30/5/2023 (Contract execution date may differ from contract commencement date)	30/11/2023	Yes



WHOLE OF GOVERNMENT ANNUAL REPORTING

2022-2023



Commission's Whole of Government Annual Reporting Obligations

LEGISLATION	RELEVANT APPLICATION TO THE COMMISSION
<i>Emergencies Act 2004, Section 85</i>	<p><i>Bushfire Risk Management</i></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>Human Rights Act 2004 (HRA)</i>	<p><i>Human Rights Act</i></p> <p>The Commission endeavours to comply with this Act when undertaking its functions and services to the ACT community and its surroundings.</p>
<i>Law Officers Act 2011</i>	<p><i>Legal Services Direction</i></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><i>Territory Records</i></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>

Approved Records Disposal Schedules by Name and Notifiable Instrument Number

<i>Record Disposal Schedule Name</i>	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

LIST OF ABBREVIATIONS AND ACRONYMS

ACAT	ACT Civil and Administrative Appeals Tribunal
ACT	Australian Capital Territory
ACTFLPN	Australian Capital Territory Family Law Pathways Network
ANU	Australian National University
AWA	Australian Workplace Agreements
CALD	Culturally and Linguistically Diverse
CEO	Chief Executive Officer
CLC	Community Legal Centre
CLE	Community Legal Education
CLU	Community Liaison Unit
CPD	Continuing Professional Development
CYPS	Child and Youth Protection Services
DPP	Department of Public Prosecutions
EILP	Early Intervention Legal Practice
FASS	Family Advocacy and Support Services
FDR	Family Dispute Resolution
FOI	Freedom of Information
FTE	Full Time Equivalent
FVO	Family Violence Order
FVU	Family Violence Unit
HJP	Health Justice Partnership
ICT	Information and Communication Technology
IT	Information Technology
MCPD	Mandatory Continuing Professional Development
N/A	Not Available
NLAP	National Legal Assistance Partnership 2020-2025
NSW	New South Wales
OPALS	Older Persons ACT Legal Service
SEA	Special Employment Arrangements
TAS	Tenancy Advice Service
UC	University of Canberra

The Act	<i>Legal Aid Act 1977 (ACT)</i>
The Commission	The Legal Aid Commission (ACT)

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