

Legal Services Commission of South Australia

22nd Annual Report

1999-2000

September 2000

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1999-2000

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Chairman's report

The Honourable KT Griffin LLM MLC
Attorney-General
Natwest Centre
45 Pirie Street
ADELAIDE SA 5000

28 September 2000

Dear Mr Attorney,

I have pleasure in presenting the Annual Report of the Legal Services Commission of South Australia for the year to 30th June 2000.

The year has been one of transition and consolidation with new Director Hamish Gilmore commencing his management of Commission work.

Many issues were addressed including the re-negotiation of the Commonwealth Agreement, the continued operational development of the Commission's information and technology systems and preparation for the Goods and Services Tax.

This was all in addition to the more usual work of the Commission in delivering advice and representation services to the South Australian community.

The Commission much appreciated the support of your Government in providing additional funds to enable it to continue its State Law Programs and commitments despite the loss of Commonwealth transitional funding.

Strategic development and planning has recommenced and is ongoing to ensure that the Commission continues to deliver quality services in the most cost effective and efficient manner possible.

The achievements of the Commission again reflect the dedication and expertise of its staff and the continuing positive support of the private profession.

Yours sincerely



B E Withers
Chairperson.

Director's report

After a year of significant change in 1998-99 it was important for the Legal Services Commission to have a year of consolidation in 1999-2000. However with the Commonwealth-State Funding Agreement to be renegotiated by 30 June 2000, the Y2K bug to be overcome and the GST to be implemented, 1999-2000 has also been a very busy year.

Members of the Commission

Stability within the Commission has been assisted with the re-appointment for three-year terms of four Commissioners, Mr David Meyer, Ms Deborah McCulloch, Mr Gordon Barrett Q.C. and Mr Brian Withers. Mr Withers has been re-appointed as Chair. Ms Dymphna Eszenyi a new Commissioner was appointed from 15 July 1999.

Service Delivery

Applications for aid and grants of aid continue the downward trend of recent years and telephone advice reduced in response to staff reductions. The budget ended in a positive position due to higher than expected receipts and expenditure being on target.

The Commission was delighted to receive an increased grant from the State Government to make up funding for State cases due to the cessation of transitional provisions whereby Commonwealth funds could be used to fund these matters.

The favourable budget outcome has put the Commission in a good position at the start of a new four-year funding agreement with the Commonwealth. It also enables the Commission to re-value its reserves to ensure adequate provision is made for committed payments to private practitioners and asset replacement funds.

In October 1999, in the area of family law only, the Commission approved an increase in the fee scale rates of payment. This was done by increasing the number of hours attributed to each stage of matter to more accurately reflect actual time taken to perform these stages. This increase was necessary to retain the services of members of the private profession who were becoming reluctant to undertake legal aid work at our previous rates.

Planning

A review of progress of the August 1998 Commission resolution to restructure the operations of the Commission was conducted at a major planning day in September 1999. Some outcomes of this day were resolution that work be undertaken to:

- Address perceived problems with technology in particular the LA Office Computer System and the newly installed telephone system
- Review the delivery of Regional Services and the management of Regional Offices
- Update corporate goals and objectives in a corporate planning exercise
- Investigate the need for a human resources manager/plan

The basic objective of the restructure, to adopt a program structure, was retained.

The consulting firm KPMG was commissioned to review implementation of the LA Office computer system and a project manager was appointed to implement the majority of their recommendations. Significant improvement in both performance and acceptance of LA Office has been achieved over the year.

Problems with the telephone system were quickly and cheaply overcome.

The Regional Services Review was not completed at 30 June 1999 but the Commission has met specifically on one occasion to consider an interim report and it is anticipated that a final report will be concluded by December 2000.

Limited progress has been made on the other objectives due to the need for management to focus on negotiating a new funding agreement, GST and Y2K issues. These complex logistical exercises were satisfactorily completed in a timely and cost effective manner and I must thank and congratulate the many staff who worked extremely hard to meet relentless deadlines.

Expensive Cases

A great deal of management time was spent in 1999-2000 negotiating for funds and

managing a small number of complex expensive cases. The Commonwealth Government has created a specific fund, which is available for such cases arising under Commonwealth law. In relation to State law, the State Government has determined that the Legal Services Commission must negotiate on a case-by-case basis. However the basic framework for meeting such costs in future is now much clearer than it has been in past years. It is unfortunate that 2000-2001 may see a number of very expensive cases proceed, necessitating funds beyond the Legal Services Commission cap being requested from government should insufficient reserves exist to enable the Commission to make additional contribution.

Other Highlights

In September 1999 the fourth edition of the Law Handbook was launched by the Attorney-General the Honourable K.T. Griffin. The Commission has been successful in obtaining a Law Foundation grant to make this valuable resource available through the Internet. Work is progressing on this project.

In October 1999 the Family Law Practice received the 'Children's Lawyer of the Year' award from the National Children's and Youth Law Centre for excellence in the legal representation of children.

On a lighter note I must record that on 13 February 2000 the Legal Services Commission defeated the Johnston Withers eleven at the Waite Institute Oval and on 14 April 2000 the Commission celebrated 21 years of service to South Australia with a party attended by

Commissioners and staff, past and present, and members of the justice community.

Negotiations regarding the new State Commonwealth Funding Agreement to provide for funding from the Commonwealth Government for the next four years have almost concluded. The agreement specifies a strict regime of reporting and accounting which will set the tone for accountability by the Commission over the next few years. With corporate planning in progress and continued improvement in systems and staff training, I am sure the Commission can look forward to next year and the years thereafter with renewed confidence in its ability to deliver essential legal services to the community

Special thanks

Many people and organisations contributed to the achievement of the organisation's objectives, to whom thanks are again due. In particular, I wish to thank the State Attorney-General, his staff and departmental officers for their support and assistance over the year; the senior management and staff of the Family Law and Legal Assistance Division of the Commonwealth Attorney-General's Department; all Commissioners who served during the year for their dedication and hard work; the Commission's staff for their application to the task during the year and the Law Society and members of the private legal profession for their continuing contribution to legal aid.

Hamish Gilmore

Director

The Legal Services Commission

Functions

The Legal Services Commission ('the Commission') was established under the *Legal Services Commission Act 1977* ('the Act'). Under section 10(1) of the Act, the Commission's functions are to

- a) establish an office to be called the 'Legal Services Office';
- b) provide, or arrange for the provision of, legal assistance in accordance with this Act;
- c) determine the criteria upon which legal assistance is to be granted in pursuance of this Act;
- d) conduct research with a view to ascertaining the needs of the community for legal assistance, and the most effective means of meeting those needs;
- e) establish such local offices and other facilities as the Commission considers necessary or desirable;
- f) initiate and carry out educational programs to promote an understanding by the public (and especially those sections of the public who may have special needs) of their rights, powers, privileges and duties under the laws of the Commonwealth or the State;
- g) inform the public by advertisement or other means of the services provided by the Commission, and the conditions upon which those services are provided;
- h) cooperate and make reciprocal arrangements with persons administering schemes of legal assistance in other States and Territories of the Commonwealth or elsewhere;
- ha) cooperate with any body established by the Commonwealth for the purpose of the administration of legal aid and provide it with such statistical and other information as it may reasonably require;
- hb) where it is practicable and appropriate to do so, make use of the services of interpreters, marriage guidance counsellors and social workers for the benefit of assisted persons;
- i) encourage and permit law students to participate, so far as the Commission

considers practicable and proper to do so, on a voluntary basis and under professional supervision, in the provision of legal assistance by the Commission;

- j) make grants to any person or body of persons carrying out work that will in the opinion of the Commission advance the objects of this Act; and
- k) perform such other functions as the Attorney-General may direct.

Eligibility for legal aid

Section 10(2) of the Act requires the Commission, in setting criteria for eligibility for legally aided representation, to have regard to the following principles:

- a) that legal assistance should be granted in pursuance of this Act where the public interest or the interests of justice so require; and
- b) that, subject to paragraph (a) of this subsection, legal assistance should not be granted where the applicant could afford to pay in full for that legal assistance without undue financial hardship.

Special considerations

Section 11 of the Act requires the Commission in the exercise of its powers and functions to:

- a) seek to insure legal assistance is provided in the most efficient and economical manner;
- b) use its best endeavours to make legal assistance available to persons throughout the State;
- c) have regard to the recommendations of any body established by the Commonwealth for the purpose of advising on matters pertaining to the provision of legal assistance;
- d) have regard to the following factors:-
 - i) the need for legal assistance to be readily available and easily accessible to disadvantaged persons;
 - ii) the desirability of enabling all assisted persons to obtain the services of legal practitioners of their choice;

- iii) the importance of maintaining the independence of the legal profession;
- iv) the desirability of enabling legal practitioners employed by the Commission to utilise and develop their expertise and maintain their professional standards by conducting litigation and doing other kinds of professional legal work.

What the Commission does

The Commission provides a range of legal services to members of the public:

- legal representation to people eligible under criteria set by the Commission in accordance with Section 10(2) of the Act
- free legal advice and minor legal assistance, either at a Commission office by appointment, in a gaol or over the telephone
- a free duty solicitor service to eligible people attending metropolitan and some country Magistrates and Youth Courts who have not yet consulted a legal practitioner
- a range of free publications explaining the law in simple terms, available from Commission offices and various community organisations
- the Law Handbook, published by the Commission, which can be purchased from Commission offices and some bookshops
- a range of legal education programs, some free and others fee-paying.

Public participation in developing Commission policy

Under the Act, the Commission is responsible for developing policy as to how the Act is applied. One Commissioner is appointed by the Attorney-General to represent the interests of assisted persons in that process. In addition, the Commission consults regularly with the State and Commonwealth Governments, the Courts, representative bodies of the legal profession, community legal centres and other community organisations.

Members of the public are allowed access to Commission documents available under the *Freedom of Information Act 1991*. Information about access arrangements is set out in **Appendix 1 Freedom of Information**.

Commission members

The membership of the Commission is prescribed in Section 6 of the Act. There are twelve members, eleven of whom are appointed by the Governor on the nomination of various bodies, the twelfth being the current Director. Members serving in 1999-2000 are listed in **Appendix 2 Members of the Legal Services Commission 1999-2000**.

Organisational structure

A chart showing the organisational structure of the Commission is shown as **Appendix 3**.

Community Involvement 1999-2000

During the year members of staff, in their own time contributed to the development of their respective professional associations as well as the other groups referred to in **Appendix 4**

Key facts

[Please note that the statistics reported in this annual report may appear inconsistent with previous reports. These differences relate to changes in reporting and recording requirements over the previous five years. The statistics recorded in this report are correct.]

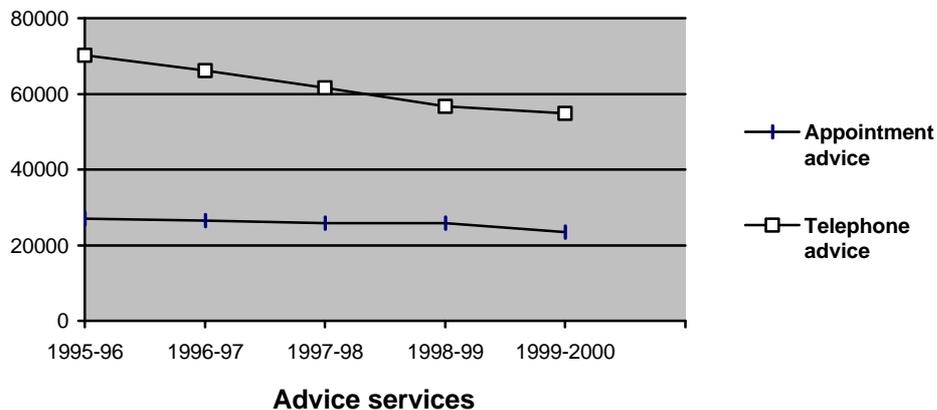
The Work of the Commission

The Commission provides 5 major services

- a free duty solicitor service
- eligibility tested legal representation
- free face to face interviews
- telephone advice (cost of local call)
- free and fee-paying community education and publications

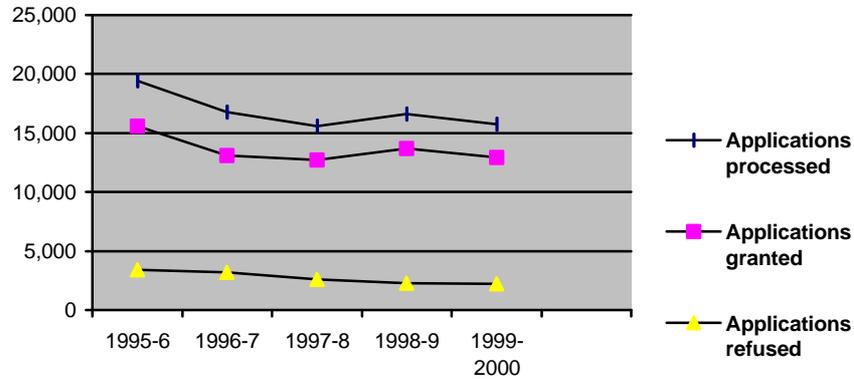
Advice services

78 321 direct advice services were provided this year. Of these 23 484 were advice interviews (a decrease of 2 366 or 9% from the previous year) and 54 837 were telephone advice (a decrease of 1 925 or 3.4% from those telephone information and advice services provided in 1998-99)



Applications

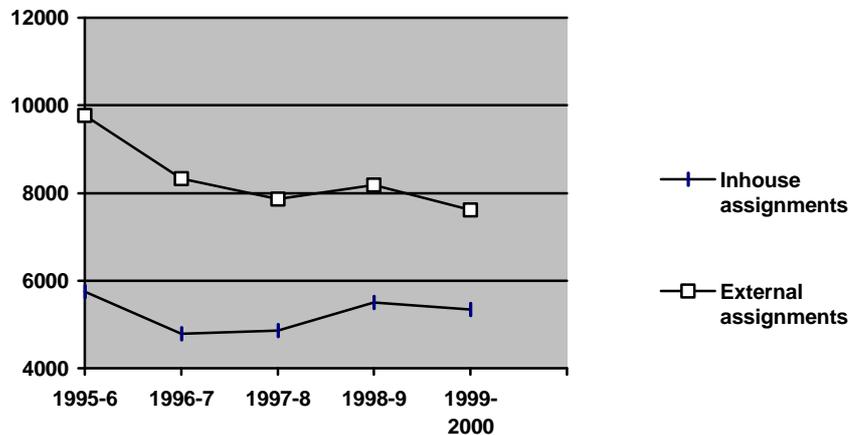
15 747 applications were processed this year, a decrease of 856 (or 5.2%) from the previous year. 12 951 (or 82.2%) of applications were approved, a decrease of 730 (or 5.3%) from the previous year. 2 219 (14%) applications were refused. The remaining applications were unverified, pending or withdrawn at the time of reporting. The main reasons for refusal were guidelines (54%) and a combination of guidelines and means (10%), with means alone accounting for (28%) of refusals.



Applications for legal aid

Assignments of grants of legal aid

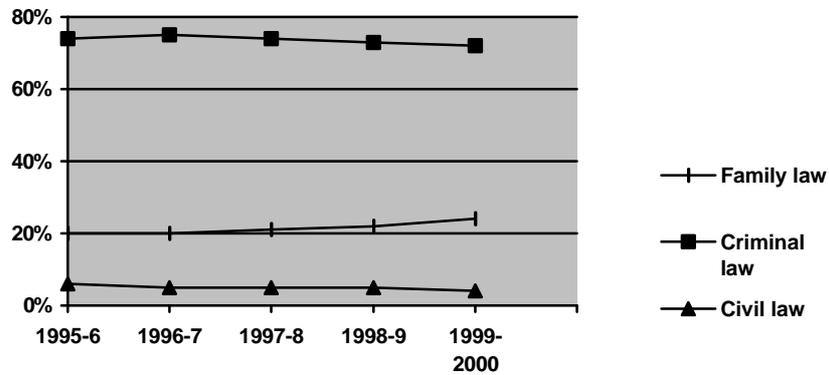
Of the 12 951 full grants of aid, 7 616 (or 58.8%) were assigned to private lawyers and 5 335 (or 41.2%) to staff lawyers. In relation to the previous year's assignments this is a decrease of 567 (or 6.9%) to private lawyers, and a decrease of 163 (or 3%) to staff lawyers.



Assignment of grants of aid

Applications approved by law type

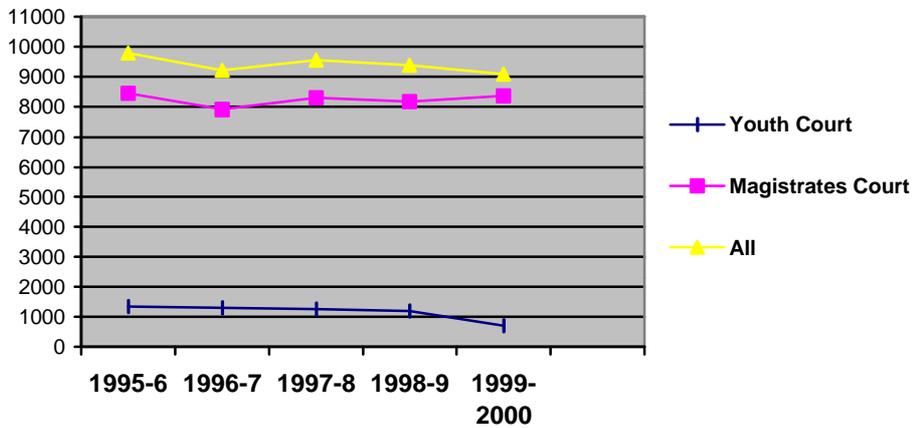
Of the 12 951 applications approved, 9 318 (or 72%) were in criminal law (down 710 or 7%) 3 157 (or 24%) in family law (down 104), and 648 (or 5%) in civil law (down 15 or 2%).



Grants of aid by law type

Duty solicitor services

Duty solicitors provided services on 9 079 occasions, a decrease of 371 (or 4%) from the previous year. Of these, 693 were in the Youth Court and 8 350 were in the Magistrates Court (with 36 services recorded without attribution to a particular court). Most of the services were provided at Adelaide and suburban courts as follows: Adelaide 39%, Elizabeth 15%, Holden Hill 16%, Christies Beach 11%, Port Adelaide 10%, and Whyalla 6%, with staff from the Whyalla office providing services to remote and rural courts 3%.



Duty solicitor services

Expenditure

Total accrual operating expenditure was \$18.93m, \$2.2m more than in 1998-99.

Expenditure was allocated to the following outputs

Output	%
Criminal external	22
Family external	20
Civil external	2
Criminal inhouse	22
Family inhouse	12
Civil inhouse	2
Child support inhouse	3
Protection applications inhouse	1
Legal advice	10
Education	1
Strategic services	5
Total	100

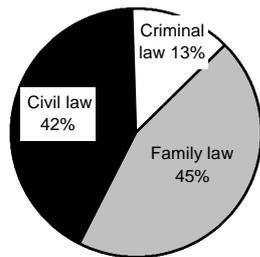
Focus of legal aid services

Advice and legal representation play complementary roles in the provision of legal aid services.

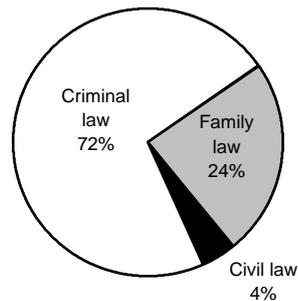
In 1999-2000 72% of legal representation grants were for criminal law, 24% for family law, and 4% for civil law. These figures generally accord with the pattern over the last five years.

Conversely, the greatest number of legal advice appointments (42%) was in the area of the fewest grants (civil law), and the least (13%) in the area of the greatest number of grants (criminal law). 45% of legal advice appointments were in family law.

Advice Services



Legal Representation



Legal representation

Objective

To arrange legal representation where required in the interests of justice for persons who are unable to pay the full cost of the legal services they require without undue hardship.

Legal representation is provided by private legal practitioners, providing their services within legal aid fee scales at discounted rates, and by the Commission's in-house practice.

Applications

Applications for legal representation decreased by 5.2% from 1998-99 (15 747 processed in 1999-2000 compared to 16 603 processed in 1998-1999).

12 951 or 82.2% of applications were approved, and decrease of 881 or 6.4% from the previous year. 2 219 applications (14.1%) were refused, as compared to the 13.8% refusal rate in 1998-99. In contrast to the last year, the main reasons for refusal were guidelines (54.1%) and means alone (28.7%), and a combination of means and guidelines accounting for 10.1% of refusals.

As in previous years, legal representation in criminal law matters exceeded representation in all other areas. 9 318 (or 72%) of grants of aid were in criminal law, 3 157 (24%) in family law, and 476 (4%) in civil law. This represents a 3% increase in family law applications, a 2% reduction in criminal law application, and a 1% reduction in civil law.

Of the applications approved, 3 602 or 28% were by females, and 9 006 or 69.5% by males, with the balance 343 or 2.6% by applicants of unstated gender.

Of the grants to males, the greatest number 7 612 or 59% of the total grants of aid, were in criminal law, with 1 166 or 9% in family law and 228 or 1.7% in civil law.

Of the grants to females, the greatest number 1 722 or 13.3% were for family matters, with 1 742 or 13% for criminal matters and 178 or 1.3% for civil matters.

There were 360 appeals against decisions to refuse, terminate or place conditions on grants of aid (309 or 46% less than in 1998-1999). The original decision was confirmed in 311 cases (86.4% of appeals), compared to 639 or 94% confirmations in 1998-99. The majority of appeals were in criminal applications 47%, with 44% of appeals in family and 9.4% in civil applications. Details of applications are shown in **Appendix 5**.

Grant guidelines and funding caps

There were no changes to grant guidelines or funding caps during the report period.

However, the current Commonwealth State legal aid funding agreement expired on 30 June 2000 and the issue of funding caps in family law matters was the subject of negotiations in relation to the new agreement which will take effect from 1 July 2000.

Under the new agreement the Commission may extend a grant of aid which has reached the funding cap by an amount determined by the director after taking into account certain advice about the matter.

Recovery of legal costs by statutory charge

Costs secured analysis

To secure repayment of legal costs by grant recipients having assets in the form of real estate, the Commission has since 1 July 1992 taken statutory charges over real estate where the costs of a matter exceed \$865.

As at 30th June 2000 the Commission has taken 1 271 Statutory Charges securing a total of \$3 342,730. In the 1999-2000 financial year 176 charges were taken.

653 of the total charges securing \$1 835,798 remain outstanding. An average of \$2 811 is secured by each charge.

Of the total charges outstanding 536 secure funds for legal proceedings, which have finalised or are no longer funded by the Commission. The balance of 117 secure costs of ongoing matters, therefore the costs secured by these matters will increase.

Of the charges taken in the reporting period 77 were taken for aid granted to male

applicants and 99 were taken for aid granted to female applicants.

45 charges were taken for criminal law matters and 131 were taken for family law matters. No charges were taken in civil matters.

Money recovered analysis

618 of the 1 271 charges taken have been removed. The Commission has received \$1 506,392 from payments. In the reporting period 109 charges were removed.

Costs have also been recovered from applicants who have elected to pay the charge in full in lieu of the charge being taken

Operations

As of 1st July 2000 the Goods and Services Tax is added to the amount of the charge.

Representation by private practitioners

The input of private lawyers in the legal aid system continues to be substantial. Of the 15 764 applications for aid received by the Commission in 1999-2000, 7 732 (49%) were lodged by private practitioners on behalf of their clients. These applications are known as 'claimed' applications because the client has nominated the solicitor of their choice. If approved, claimed applications in which a private practitioner is nominated are in most cases referred back to that solicitor, and those in which a solicitor from the Commission's in-house practice is nominated are in most cases assigned to that in-house solicitor.

Applications in which no solicitor is nominated ('unclaimed' applications) are, if approved, assigned to the in-house practice or to a private practitioner (if there is conflict or other reasons for external assignment).

Of the 12 951 applications for aid that were approved in 1999-2000, 7 616 or 59% of legal aid grants were assigned to private lawyers, and 41% to the in-house practice for full details see **Appendix 5 Applications.**

Consultation

As in previous years fee scales were again the subject of discussions with the Law Society during the year.

In October 1999 the number of hours of legal work allowed by the Commission in the initial stages of a family law matter was increased. The hourly rate payable in family law matters will also be increased when the new Commonwealth State legal aid funding agreement is finalised.

The criminal law fee scale was also the subject of discussions with the Law Society resulting in increases which will take effect from 1 August 2000.

Criminal law in-house practice

The criminal law in-house practice provides eligibility tested representation, free duty solicitor services in Adelaide, metropolitan and some country Magistrates Courts and the Youth Court, a free after hours custody advice service, a free prison advisory service, and an eligibility tested youth legal service. The in-house practice also provides expert advice on criminal matters to the advice and assignments sections, and is a major contributor to the Commission's publications and community education programs.

Representation

The Commission's in-house criminal practice, at its Adelaide and regional offices, acted for 43% of people who received legal aid for representation in the State's criminal courts, at all levels from the Youth Court to the Court of Criminal Appeal and the High Court. 4 044 grants of aid were made to the in-house practice in 1999-2000. The service extends from representation at police interview (under the after hours custody answering service), to advice and representation through committal, trial, sentence and appeal, to appearances before the Parole Board.

Duty solicitor service

In-house practitioners provide free legal advice and minor initial representation (for remand, bail and simple pleas) to people on their first appearance in court on criminal charges. The Commission's Adelaide and

regional offices provide the service in Magistrates Courts and Youth Courts.

In 1999-2000 a total of 9 079 people were assisted by the service, a decrease of 305 (or 3.2%) from the previous year.

Full details are set out in **Appendix 6 Criminal Law Services** & summary in **Key Facts** at page 12.

Prison advisory service

Free advice services are provided to prisoners in metropolitan and country prisons by in-house criminal solicitors from the Adelaide and Whyalla offices.

The service reached 692 prisoners (5 less people than the previous year).

After hours answering service

This service offers free legal advice to people in police custody outside ordinary working hours. The after hours service is provided voluntarily by in-house criminal solicitors and by solicitors from other sections of the Commission.

The youth legal service

This service provides representation to children appearing on criminal charges and involved in children's protection applications in the Adelaide Youth Court. The Commission is the major provider of such services in the State, using its own specialist criminal lawyers for representation for criminal charges.

The Commission also funds legal representation by private practitioners and its own counsel in children's protection applications. 387 children's protection applications were approved for funding by the Commission in 1999-2000 (178 less than the previous year). It appears that the explanation for this apparent drop in applications is due to a change in procedures using LA Office. Previously each child was treated individually as a separate application and given a separate file. Now all the children in a family are treated as the one application. Previously a new file was opened for each court matter but now the files for the parents and for children are kept open and legal aid is extended on that file. This aligns procedures to those used in family law child representative applications and files.

60% of applicants were represented by private practitioners and 37% by the in-house practice. For full details, see **Appendix 6 Criminal Law Services**.

Involvement with other agencies

The in-house practice liaises regularly with

- the court system through membership of the Adelaide Magistrates Court Users Group and the Criminal Court Committee
- the Intellectually Disabled Services Council to improve after hours services to the intellectually disabled by both organisations
- the Aboriginal Legal Rights Movement, providing a back up role in cases of conflict

The Manager has had meetings with the Magistrate managing each regional court to discuss issues relating to court procedures and the way in which the Commission's provision of services relates to the operation of the relevant court.

The Manager represented the Commission on a review process undertaken by the Chief Magistrate in relation to Magistrate's Court practices and procedures.

Training

For a number of years the Commission has had a practice of offering short-term contracts to newly admitted practitioners to work as duty solicitors. This involves initial intensive training and continuing supervision from staff of the section. This year the Commission has 2 first year and 5 second year practitioners acting as duty solicitors in the various city and suburban Magistrates Courts.

As in previous years, the criminal law section at its Adelaide and regional offices has been a major supervisor of Law Society's PLT student placements.

The criminal law practice also provided supervision for a final year law student on placement as part of the University of Adelaide's Clinical Legal Education program.

During the year several internal seminars have been held to provide training to in-house practitioners on new developments in court procedure and practice in the criminal law generally.

Drug Court

The criminal practice, through the Manager was represented in the planning process for the Drug Court, which commenced in May 2000. Considerable committee work was required in order to set up the procedural framework.

Publications

The criminal law practice continues to contribute considerable expertise in the development of the Commission's publications.

Family law in-house practice

The Commission's family lawyers, at its Adelaide and regional offices, provide advice and representation to people who qualify for legal aid in family law matters. As well, the practice provides specialist advice on child support through the Child Support Unit; child and family counselling; family mediation provided by in-house staff; counselling by arrangement with the Family Court Counselling Service, and an early intervention counselling service conducted by Family Court counsellors at the Adelaide, Whyalla and Modbury offices.

Issues

The practice has continued to provide a high quality service to clients including the separate representation of children

In October of 1999 the practice received the "**Children's Lawyer of the Year Award**" from the National Children's and Youth Law Centre for excellence in the legal representation of children.

The section has made submissions on various topics to the Family Law Council, the Regional Registrars' Advisory Panel (Child Support), the Australian Law Reform Commission, the Attorney-General's Department, and the Justice Research Centre.

Casework

In-house family lawyers were assigned 1 124 grants of aid in family law in 1999-2000 (36% of all family law grants). Of these, 49% related to parenting orders, 30% to

child support, 21% to separate representation.

Child Support Unit

The Commission's specialist Child Support Unit provides assistance in all child support matters by telephone advice, community education, limited assistance and representation in court, and outreach to suburban and country areas. There were 334 grants of aid in child support matters in 1999-2000. There have been significant changes to child support and social security legislation over the reporting period. The increasing complexity of the law in this area continues

to place a heavy demand and need for the Unit's services.

Separate representation

409 orders for the appointment of a child representative were accepted by the Commission in 1999-2000, compared with 406 in the previous financial year.

In 32% of these appointments, both parties were legally aided; in 38% one party was legally aided; and in 30% of cases no party was legally aided.

62% of child representative appointments were performed on legal aid assignment by the private profession, with 38% performed by Commission lawyers.

Child and family counsellors

The Commission employs two former Family Court counsellors on a part-time basis to provide counselling services, advise staff and to prepare reports in child representative matters for in-house and external family lawyers. This innovation has met with approval from all sections of the family law community.

Liaison

The practice maintains regular liaison with other sections of the Commission that deal with family law issues –

- Access Services (in joint seminars, training programs, provision of speakers, general assistance),
- Assignments (through funding conferences, fee scale reviews and attendances at Adelaide and regional

assignments meetings), and with regional offices (through monthly meetings and training sessions).

Other organisations

- Community legal centres with regular six-weekly meetings with CLC family lawyers
- Involvement in training sessions with interstate legal aid commissions (the National Family Law Working Group)
- The Children's Access Centre (representation on the board)
- The Family Court (regular meetings with Judges and involvement in the Court's Compliance Committee and Future Directions Committee)
- The Child Support Issues Group (involving the Child Support Agency, FAYS and Community Legal Centres)
- Family Court Counselling (outreach services provided at Adelaide, Modbury and Whyalla offices and reciprocal training sessions)
- The Law Society (through the Family Law Section membership and through the supervision on placement of Law Society PLT students).

Staff training

In-house training sessions at the Commission have involved speakers from the Child Support Agency, the Family Court, Centrelink, and in-house staff including the Client Relations Coordinator and the Child Support Unit. Staff have also attended training sessions on domestic violence, separate representation, new Family Court procedures, and the Commission's new information technology.

Community education

In-house lawyers and members of the Child Support Unit have given lectures or information sessions to the Child Support Agency, the Family Court, the private profession and other community groups. Family law training has been provided by video link from Adelaide to most major country centres, and a country outreach service (principally in child support) has been provided to a number of suburban and country areas.

Civil law in-house practice

The civil law in-house practice has been affected substantially by the imposition of further restrictions on grants of aid for representation in immigration/refugee and administrative law matters by the revised Commonwealth Priorities and Guidelines implemented on 1 July 1998.

In the restructure of the Commission along program lines late in 1998, the in-house civil practice ceased to operate as a casework section under its own manager.

The proposed new Commonwealth funding agreement further restricts grants of aid for Commonwealth matters.

There has been a decline in civil law grants (476 or 28% of all grants made in 1999-2000). A large component of the work performed by the Commission's civil law practice solicitors is the provision of advice and minor assistance in their areas of expertise from both the Adelaide and regional offices.

Access services

Objective

To ensure access to justice through the provision of a comprehensive range of legal information, advice and education services, according to social justice principles.

Advice

The advice program complements the legal representation program in assisting people in the early resolution or clarification of their legal problems.

Free legal advice, information and referral are provided by legal and paralegal staff in appointment interviews of 30 minutes and/or in telephone advice services of (on average) 5 minutes duration. Minor assistance is also provided in appropriate cases where the client cannot access alternative sources of help and has special needs.

In 1999-2000, 78 321 direct advice services were provided by telephone or appointment interview. Of these, 23 484 (30%) were advice interviews (a decrease of 2 366 or 9%), and 54 837 (70%) were telephone advice (a decrease of 1 925 or 3.4% from the telephone advice services provided in 1998-99).

Access Services is limited in all respects by the number of staff to assist clients. During the reporting period significant staff changes occurred. The allocation of staff resources is currently under review.

Appointment advice services

People seeking legal advice may arrange a free appointment for a 30 minute day time interview with an adviser at any Commission office. Regional offices provide extended services in the evening.

Advisers also deliver outreach services to country districts, by advice appointments given during regular visits to country areas of greatest demand, by toll free access to the advice line, and by telephone advice appointments, using free facsimile services.

In interviews, advice staff provides general legal advice, as well as specialist advice in areas of high demand, where funds permit. Specialist advice is given in domestic violence, disability discrimination and immigration matters.

The Family Court and the Central and Wesley Missions also offer free family and financial counselling through outreach placements at the Commission.

42% of matters for which advice was given by appointment concerned civil law matters, 45% family law matters and 13% criminal law matters. This represents a slight increase in civil law queries and a corresponding decrease in criminal law queries.

Just over 50% of people advised were female, 49% male, and 1% of unspecified gender. Compared to the previous three years, this is a slight increase in the percentage of females advised.

For further detail, see **Appendix 7 Advice Services**.

Primary Dispute Resolution

The Commission has always recognized that access to the Justice system at the earliest possible instance is of critical importance for people experiencing legal problems. The Access Services program is an early intervention strategy. Many of the initiatives employed within the Commission are inter-dependent and achieve their effectiveness through a mutuality of the services.

Rural and Remote Access to Services

The Commission has a commitment to service the needs of people in regional, rural and remote areas of South Australia.

Bushlink is a video conferencing consortium project between the Courts Administration Authority, Correctional Services and the Legal Services Commission.

The project is funded by the Federal Government under the Networking the Nation program.

The aim of the project is to remove the tyranny of distance as a barrier to justice for remote, regional and rural communities in South Australia by providing video links to the Courts, the Legal Services Commission and Correctional Services.

Bushlink is a pilot project for 12 months and is being used for prison visits, legal advice and court appearances.

Video conferencing is an effective and accessible tool for professionals and members of the public to use and is fast becoming an integral part of accessing justice services.

PSA Legal Expenses Scheme

Since 1991/92 the Commission has been responsible for the provision of a telephone legal advice and referral line to members of the Public Service Association of South Australia. It is a fully funded position which enables members to access advice and other services as required, subject to eligibility criteria established by the Association.

The scheme is dispute based and has a high resolution rate at first point of contact.

The scheme received favourable comment in a report entitled "Legal Expense Insurance – An experiment in access to justice " published by the Law Foundation of New South Wales in September 1999.

More than 8 000 issues have been dealt with to 30th June 2000.

Telephone advice services

The free telephone advice line provided through the Adelaide office is designed to provide brief simple advice. The service is the cost of a local call for country callers.

On average, 5 advisers are rostered to the advice line at any time. The telephone queue is limited to 5 callers, with a waiting time message facility.

To ensure Year 2000 compliance a new telephone system was installed in the reporting period.

Program staff required training on the new system.

Increased familiarity with the new technology is reflected in the increase in calls answered in the last six months of the financial year.

The Commission continues to provide structured work experience in telephone advice to final year law students undertaking the clinical component of the final year subject of Clinical Legal Education at the University of Adelaide law school (for details, see **Administration: Trainees** at page 24).

In 1999-2000 telephone assistance was provided on 54 837 occasions, a decrease of 1 925 or 3.4% from the previous year.

Full details of telephone advice services are set out in **Appendix 7 Advice Services**

Community Legal Education

Objective:

To initiate and carry out educational programs to promote an understanding by the public (especially those sections of the public who may have special needs) of their rights, powers, privileges and duties under the laws of the Commonwealth or the State.

This service is targeted at groups in need of particular legal education and information-for example people of a non-English speaking background, rural communities, young people, with disabilities, women and community workers working with disadvantaged groups. Programs include law courses and training, publications and other community projects.

Community Projects 1999-2000

Law Week

Launch and Open Day at the Courts

Commission staff organised displays of Commission publications at these functions.

Wills for Charity

The telephone advice line was the primary point of contact for this promotion. Private law firms provided the will service and the fee was donated to charity, raising over \$24,000 for the Channel 7 Appeal.

Seminars

A seminar on trader disputes and a Family Law seminar in Tanunda were presented during the week.

Guilty Plea Video

The Commission and the Adelaide Institute of Technical and Further Education have produced this video to assist unrepresented defendants charged with minor offences.

Elder Abuse Campaign

The staff of the Domestic Violence Unit were involved in a Statewide campaign targeting elderly people to raise community and individual awareness about potential risks of abuse especially in financial matters.

Law Handbook

A new edition of the Law Handbook was launched in September, 1999.

Law Handbook Online

In May 2000 the Commission successfully applied for a grant from the Law Foundation to assist with the development and implementation of the Law Handbook as an electronic resource over the Internet. It is anticipated that this project will be a major focus of the Community Legal Education service during the forthcoming year.

Publicity and Promotion

Section staff promote the Commission's activities through the media, promotional materials, talks to community groups and provide copy, design of advertisements and desk top publishing services to the rest of the Commission.

The services of the Noarlunga office were highlighted in this financial year.

Public Law Courses 1999-2000

Revenue from these fee paying courses on general law topics cross-subsidises the Commission's free and low cost courses.

Fees are waived or reduced for poorly funded community groups, and courses are available free to Commission staff.

A total of 3 920 people attended Commission courses and information sessions in 1999-2000.

Courses include:

Law Handbook Live

This is a two day course on topics such as family law, criminal law, employment law, negligence, health and consumer law. The courses are held on demand.

Law for Community Workers.

An accredited component of the TAFE Certificate in Justice Studies, this course is conducted at the Adelaide TAFE college in weekly two hour sessions over two semesters in a calendar year. The course uses video conference mode to reach country students. In 1999 students from Coober Pedy, Port Lincoln,

Ceduna, Berri and Kingston and in 2000 students from Berri, Ceduna, Gawler, Noarlunga, Port Pirie and Port Lincoln attended by video conference as well as the city class.

Free Information and Training Sessions

These sessions are provided to interest groups on request, Monthly family law information sessions using the TAFE video conferencing facility, relay to up to 19 different rural and remote sites around South Australia twice a year.

Staff of the Commission and Community Legal Centre and Aboriginal Legal Rights Movement staff are often invited participate in staff development sessions held for advice staff. Topics such as Uniform Road Rules, Family law children's issues and financial issues, resources for advisers available via the technology, Internet training & dealing with perpetrators of domestic violence.

Advisers attended an introductory session on the GST held by the Australian Taxation Office.

Consultancy Services

Consultancy services in legal training tailored to the specific needs of the organisation are provided on request. Electoral assistants to State members of Parliament and the staff of MALSSA, an advocacy group for multicultural people with disabilities were clients in 1999-2000.

Domestic Violence Training

The Commission organised two more professional development seminars at the Law Society on the effects of domestic violence on children and strategies for dealing with alleged perpetrators of domestic violence. The Unit is now invited to present a lecture on domestic violence in the Family Law module of the Practical Legal Training course organised by the Law Society.

For details see ***Appendix 8 Community Legal Education Publications***

Library

Objective

Bringing information and people together

The library provides reference and research services to Commission staff and advises them of new developments in the law. It also provides a reference service to private lawyers working on legal aid assignments

With the increased availability of and reliance upon materials in electronic format, the role of the library is certainly changing.

The emphasis is now on bringing people and information together regardless of the source or format of that material. 45% of all library requests now involve a search using CD-ROM resources, while 25% of inquiries require an online search, with most online resources now being accessible via the Internet.

A large number of Commission staff has access to the Internet. Library staff developed

basic training programs and also assists staff with their searches.

The Librarian has produced lists of recommended sites for staff convenience.

A new e-mail list has been set up to communicate to interested staff information about new and useful web sites and tips for searching particular sites.

The Library Bulletin, which provides extracts of articles in law journals received by the library, has also undergone a face-lift, with links being added to full text materials such as legislation and cases on the Internet.

The Legal Services Commission web site was updated to provide more user-friendly access to Commission pamphlets and general information. The web site is registering a steady stream of hits.

The following statistics document user sessions (hits averaging 9 minutes) over the financial year. A significant amount of pamphlets are being downloaded.

User sessions on Legal Services Commission Website

July 1999	August 1999	Sept 1999	Oct 1999	Nov 1999	Dec 1999
395	626	738	985	349	488
Jan 2000	Feb 2000	March 2000	April 2000	May 2000	June 2000
835	536	768	1017	937	971

Information technology system

LA Office and Finance One

LA Office is an online system which was implemented in December 1998 to record and report upon all data relating to Commission services. A major advantage of LA Office is that it facilitates direct data entry by the staff actually delivering services rather than information being recorded by data entry staff from handwritten forms.

Finance One is the software package used by the Commission to record and report upon all financial dealings.

Post implementation review

At the beginning of the reporting period, due to ongoing problems primarily with LA Office, a post implementation review was conducted by KPMG to assess whether the anticipated benefits of the introduction of LA Office and Finance One had been realised.

The review identified a number of key areas for improvement and made recommendations for change. Further training emerged as a major requirement. A consultant was engaged to implement the action plan produced by KPMG and, by the end of the reporting period, most of the recommendations had been carried out.

Year 2000 changes

The Commission's IT systems performed well at the turn of the century. A setting error within the database caused two incorrect date displays in LA Office. However, this was only a minor problem which was quickly identified and fixed.

Implementation of GST

The introduction of the GST necessitated significant changes to LA Office and Finance One.

Staff of the IT, Assignment and Finance sections were trained to use the new software prior to its implementation which was ultimately smooth and successful.

Software development

Work on the GST software changes resulted in some LA Office enhancements being deferred. However, during the year six full releases and three corrective patch releases were implemented. On each occasion this

occurred with minimal disruption to user access.

One new release of Finance One was also successfully implemented.

A new testing and training environment was set up to replicate the live environment. This has enabled new releases of LA Office to be tested on reliable representative data and in conjunction with Finance One.

Hardware upgrade

In February 2000, in anticipation of the increased database capacity requirements of the GST, a new Compaq Alpha Unix server was purchased. Had it not been for the GST a new server would not have been needed until February 2001.

Management reports online

A suite of online management reports was developed by IT staff using GQL report writing software. Authorised staff can now run reports from their own work stations by selecting the type of report they want from a menu of data models and entering the required date range. Additional data models can be developed and added to the menu where new reports are required on a regular basis and ad hoc reports are still written using GQL and Focus Desktop software.

Help Desk

Four staff of the IT section share responsibility for providing Help Desk services. Of the reported problems, 38% were user problems, indicating a need for further training, 15% related to LA Office or Finance One, and less than 1% related to server failures. The remaining reports related to other software used by the Commission and PCs and printers, most of which are now five years old and will be replaced in the coming financial year.

Corporate services

Strategic Management

The two major areas for strategic management during the reporting period were:

- implementation of the Goods and Services Tax and
- problems with LA Office

GST Implementation

The Commission's Resource Analyst led a small working group which identified and managed the implementation of all changes required to comply with the introduction of the GST.

Planning, training and the installation of new software in LA Office and Finance One were all successfully completed prior to the commencement of the new tax system.

LA Office problems

An LA Office task force, formed in December 1998 to address problems with the implementation of the new computer system, continued to operate during 1999-2000.

Following the post implementation review conducted by KPMG the task force was re-named the Strategic Response Group. The ongoing role of the group has been to oversee and manage improvements in the use of LA Office. This has included:

- monitoring the reporting and rectification of problems with the system
- supporting the Project Manager who was engaged to implement the KPMG action plan
- developing policies for Internet use and Information Technology security and
- adopting a strategic approach to Information Technology issues generally

Many of the problems with the computer system have been resolved during 1999-2000. It is envisaged that the functions of the group will ultimately devolve to the senior management group which will have ongoing responsibility for Information Technology planning and development.

Policy and research

The policy and research officer provides policy advisory and project management services to the Director, and in consultation with other staff, develops and implements Commission policies and procedures; prepares submissions and responses on issues relevant to legal aid, including Bills introduced into State Parliament, submissions to parliamentary enquiries into legal aid, discussion papers from the Australian Law Reform Commission; and papers from National Legal Aid, the Attorney-General's Departments (State and Commonwealth) and other Legal Aid Commissions. Part of the role is to represent the Commission on local and national working parties on legal aid issues, and to manage projects within the Commission.

The policy and research officer also writes and produces internal policy and procedure manuals, the Staff Handbook and the Annual Report; material for publication such as the Duty Solicitor Handbook, the Practitioner's Guide to Legal Aid, and, with Mr Kelvin Prescott SM, the Annotated Summary Offences Act.

The preparation and delivery of a range of legal training programs for staff, and clinical law training programs for law students was also part of the role.

Client relations

The Client Relations Co-Ordinator

The primary role of the Client Relations Coordinator is to act as a conduit or interface between the client and the Commission, particularly in regard to the Commission's assignment function. In this role, the Client Relations Coordinator deals with enquiries about the conditions of legal aid, the process of application for aid, allocation of solicitors and appeal procedures, in particular assisting people to present information to the Commission in their appeals against refusals of aid.

The second aspect of this service is the handling of all complaints. This process involves liaison with private practitioners and other agencies such as the Ombudsman's office, Members of Parliament, Attorney-General's Department, and Equal Opportunities. This function also includes

investigating complaints about the continuing eligibility of recipients of grants of legal aid.

Thirdly the Client Relations Coordinator provides a specialist service to assist those clients who may present particularly urgent demands or have special needs of some sort. Other ancillary functions include providing back-up for the advice section and dealing with all Freedom of Information requests.

Complaints

A full report and analysis of complaints received is contained in **Appendix 9**.

Complaints this year reflected mainly client dissatisfaction with the increased difficulty of getting and keeping a grant of legal aid. Most complaints can be attributed to funding issues rather than to Commission process or policy.

Administration

Commission staff

As at 30 June 2000 the Commission employed 148 staff, equating to 134.7 full time equivalent staff members, including 4 trainees. Staff are based at the Commission's offices in Adelaide, (Head Office), Elizabeth, Modbury, Noarlunga, Port Adelaide and Whyalla and at the Commission's offices in the Youth Court and the Adelaide Magistrate's Court.

Equal opportunity

Of the 148 staff employed by the Commission on 30 June 2000, 61.49% were permanent employees, 35.14% were on contract, and 3.37% casual. 72% of employees were female and 38% male (a 2% increase in female employees from the previous year). The ratio of non-executive to executive employees is 21:1. For further detail, see **Appendix 10 Staff**.

Secretarial support services

During the 1999-2000 financial year the Commission's secretarial staff supported the full time equivalent of 54.17 solicitors and 31.8 executive, paralegal officers and administrative staff. As at 30 June 2000, 24.33 full time equivalent secretaries were employed by the Commission.

Leave management

Leave management details are included in the Financial Statements and Notes at page 39 of this report.

Over the 1999-2000 financial year, a total of 160 people (149.15 full time equivalent staff) were eligible for sick leave. A total of 6 787.5 hours (or 905 days) sick leave was taken, equating to an average of 6.07 days of sick leave taken per person.

Enterprise bargaining

The Single Bargaining Centre met regularly during the year.

Trainees

Youth

The Commission continued to host National Training Wage Trainees for 12-month contracts, in the 1999-2000 financial year, co-ordinated by the Office of the Commissioner for Public Employment under the Government's Youth Training and Recruitment Scheme.

Two of the four National Training Wage Trainees who the Commission hosted from April 1999 until April 2000, were successful applicants for vacant temporary positions with the Legal Services Commission of South Australia. Both trainees have since acquired ongoing positions.

23 resumes were received from the Office of Employment and Youth Affairs and in April 2000, after interviewing 14 of those applicants, the Commission once again undertook the responsibility of hosting four trainees, as part of the Government's Youth Training and Recruitment Initiative on a twelve month contract.

The trainees spend three days each week training and working on the job, in the Commission's metropolitan offices and two days a week attending TAFE to study, as part of the off-the-job training. Their vacation leave is spent training and working five days each week in the Commission's offices.

The success of the scheme is reflected in the high numbers of trainees that continue to be employees of the Commission.

Law students, law graduates and newly admitted practitioners

The Commission continued to provide workplace training for

- **law students:** the Commission was one of the placement hosts for the Adelaide Law School's final year subject of Clinical Legal Education, taking four law students in 1999-2000 and training them in telephone legal advice.

Six CLE students from the University of Adelaide were interviewed in June to commence in July 2000.

- **law graduates undertaking 6 week full time placements:** the Commission continued to host placements from the Law Society of South Australia.

Occupational health welfare and safety

The Occupational Health Welfare and Safety Committee met quarterly in 1999-2000.

Training Videos on office safety and the usage of screen based equipment continued to circulate through all offices of the Commission.

During the year first aid officers attended courses to update their First Aid Training Certificates, and the Fire Wardens attended a Fire Warden Training Course.

Accommodation

During 1999-2000 the Commission operated from the same premises as in the previous year, in Adelaide and at its five regional offices.

Two of the Commission's regional office leases and the Adelaide office lease fell due for renewal and reverted to monthly leases, whilst new long term leases are being negotiated.

Finance

Funding Agreement

The Commonwealth and State Governments fund the Commission. A three-year funding agreement between the Commonwealth of Australia and the State Government was entered into on 1st July 1997, effective to 30th June 2000.

This agreement fixed Commonwealth funding at \$8.962 million per annum.

Funds were allocated to priority Commonwealth law matters outlined in the agreement. The Commission was required to report to the Commonwealth on an outputs basis. This form of output reporting differs from the requirements of the State Government. Outputs are produced by the Commission in detailed categories to meet the Commonwealth reporting requirements.

A new Commonwealth Legal Assistance Agreement is being negotiated for a four-year term. The new agreement is based on a purchaser/provider model whereby the Commonwealth purchases legal services from the Commission

The State Government increased funding in the 1999-2000 financial year by \$1.892 million to maintain the Commission funding at the expiration of transitional provisions of Commonwealth funding on State matters. (Refer **1.1 Notes to and forming part of the Financial Statements**)

Financial Statements

The Commission produces a general-purpose financial report with financial statements prepared on an accrual basis.

The Operating Statement sets out the Commission's financial activity during the reporting period.

The Statement of Financial Position provides details of the Commission's assets and liabilities at the end of each financial year.

The Statement of Cash Flows provides details of the actual cash expenditure.

The Commission completed the financial year with cash reserves of \$4.21 million. \$1.9 million of this reserve is committed to legal cases referred to private practitioners (refer **Note 14 Commitments in the Financial Statements**) with further reserves for State and Commonwealth expensive cases.

A Commonwealth expensive cases reserve was established for \$400 000 (refer note 13) for two cases. The Commission received an additional \$320 000 special funding from the Commonwealth for one of these cases.

A State expensive case will be funded in the amount of \$200 000 from the State reserve.

In total \$2. 820 million of the cash reserves held at the 30th June 2000 is committed for either expensive cases or private practitioner payments. The Commission allocates all expenditure to Commonwealth and State responsibilities and to outputs. Legal representation is provided by both inhouse solicitors and external practitioners.

Expenditure was allocated to the following outputs:-

1999/2000

Outputs	State \$'000	Commonwealth \$'000	Total \$'000
<u>Inhouse Services</u>			
Family Law Representation	0	2 208	2 208
Child Support Unit	0	551	551
Civil Law Representation	219	116	335
Protection Applications	118	0	118
Criminal Law Representation	3 406	387	3 793

Criminal Law Duty Solicitor	537	42	579
Legal Advice Service	944	944	1 888
Community Legal Education	65	65	130
Strategic Services	455	455	910
<u>External Services</u>			
Family Law Representation	7	3 854	3 861
Child Support	0	12	12
Criminal Law Representation	3 878	387	4 265
Civil Law Representation	192	97	289
As per Operating Statement	9 821	9 118	18 939

The statistical information relating to these outcomes is contained in the appendices. Statistical information will be further linked to outcomes with the introduction of a purchaser/provider model of Commonwealth funding effective from 1 July 2000.

The proposed Commonwealth funding model necessitated a review of Commission operations in the 1999/2000 financial year. The review was necessary to ensure the Commission efficiently and economically provided the services scheduled in the new Agreement and to provide price comparisons with services delivered by interstate Commissions.

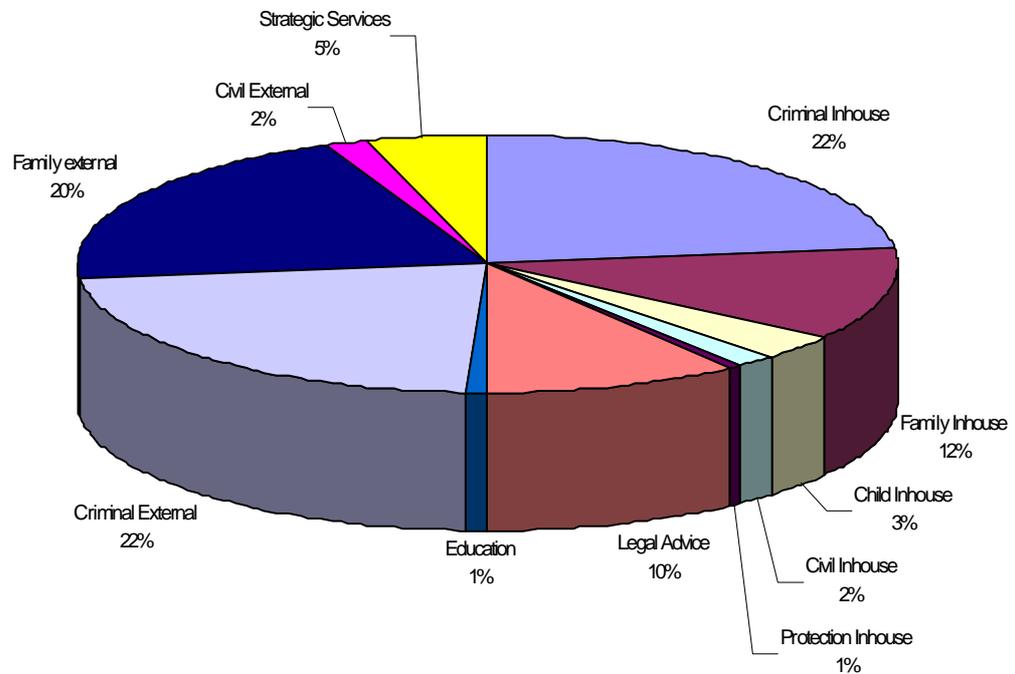
The review is an ongoing process and incorporates the values defined in the State financial management framework. The direction and goals emerging from the Commission planning day will be formalised in the revised strategic plan.

The Commission operated within budget in the 1999-2000 year. The variance to budget was due to activity on expensive cases not commencing until the latter part of the financial year. The Commission continued staged enterprise bargaining increases and will obtain parity with the Attorney-General's Department in the 2000-2001 year.

The introduction of the Goods and Services Tax (GST) from 1 July 2000 required a substantial allocation of human resources and time commitment in 1999-2000. The Commission was assisted in this exercise by a representative from McLachlan Hodge Mitchell. The Department of Treasury and Finance provided extensive information, training and advice. The status of the Commission as a deductible gift recipient (confirmed 8 June 2000) and an income tax exempt charity (confirmed 17 July) and the operations of the Commission, made the exercise a complex and strenuous venture.

The increase in State funding in the 2000-2001 year enabled a modest scale of fee increase for Private Practitioners effective from 1 August 2000. The signing and formalisation of the new Commonwealth Funding Agreement will also allow a modest increase in the family law jurisdiction. The Commission will implement a planned upgrade of personal computers and other computer equipment in the 2000-2001 year. A five year Asset replacement plan is currently being developed for future years.

LSCSA 1999/2000 Expenditure by Function



Financial statements

22nd Annual Report

1999-2000

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- STATEMENT OF FINANCIAL POSITION
- NOTES TO AND FORMING PART OF THE ACCOUNTS
- STATEMENT BY THE LEGAL SERVICES COMMISSION
- INDEPENDENT AUDIT REPORT

OPERATING STATEMENT FOR THE YEAR ENDED 30 JUNE 2000

	Note	2000	1999
		\$'000	\$'000
OPERATING REVENUES			
Grants from Commonwealth Government	1.1	9,282	8,962
Grants from State Government	1.1	7,884	6,156
Legal Practitioners Act revenue	2	1,199	1,133
Costs recovered and contributions	3	306	294
Other revenue	4	<u>891</u>	<u>545</u>
Total Operating Revenues		<u>19,562</u>	<u>17,090</u>
OPERATING EXPENSES			
Employee entitlements	1.3	8,007	7,348
Administrative expenses	5	2,679	2,452
Legal expenses	6	<u>8,253</u>	<u>6,838</u>
Total Operating Expenses		<u>18,939</u>	<u>16,638</u>
OPERATING SURPLUS		623	452
NET REVENUES FROM THE DISPOSAL OF NON-CURRENT ASSETS	7	2	7
OPERATING RESULT		625	459
ACCUMULATED FUNDS AT 1 JULY		2,610	<u>2,088</u>
		3,235	2,547
Add: Transfer from Reserve	1.4, 13	108	463
Less: Transfer to Reserve	1.4, 13	<u>-</u>	<u>400</u>
ACCUMULATED FUNDS AT 30 JUNE		<u>3,343</u>	<u>2,610</u>

STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2000

	Note	2000	1999
		\$'000	\$'000
CURRENT ASSETS			
Cash at bank and on hand	8	4,210	3,048
Receivables and prepayments	9	<u>748</u>	<u>428</u>
Total Current Assets		<u>4,958</u>	<u>3,476</u>
NON-CURRENT ASSETS			
Library	10	212	212
Computers & other equipment at cost	1.2, 11	2,478	2,301
less – Accumulated depreciation		<u>1,554</u>	<u>1,116</u>
		924	1,185
Statutory charge debtors	1.5	<u>1,836</u>	<u>1,730</u>
Total Non-Current Assets		<u>2,972</u>	<u>3,127</u>
TOTAL ASSETS		<u>7,930</u>	<u>6,603</u>
CURRENT LIABILITIES			
Legal creditors	1.5	1,004	480
Employee entitlements	1.3, 12	532	438
Legal Assistance Scheme Fund	1.5	389	389
Creditors		<u>74</u>	<u>192</u>
Total Current Liabilities		<u>1,999</u>	<u>1,499</u>
NON-CURRENT LIABILITIES			
Employee entitlements	1.3, 12	<u>1,305</u>	<u>1,103</u>
TOTAL LIABILITIES		<u>3,304</u>	<u>2,602</u>
NET ASSETS		<u>4,626</u>	<u>4,001</u>
EQUITY			
Reserves	1.4, 13	1,283	1,391
Accumulated Funds		<u>3,343</u>	<u>2,610</u>
TOTAL EQUITY		<u>4,626</u>	<u>4,001</u>
COMMITMENTS, CONTINGENT LIABILITIES	14,18		

STATEMENT OF CASH FLOWS FOR YEAR ENDED 30 JUNE 2000

		2000 INFLOWS (OUTFLOWS)	1999 INFLOWS (OUTFLOWS)
		\$'000	\$'000
	Note		
CASH FLOWS FROM OPERATING ACTIVITIES			
PAYMENTS:-			
Employee entitlements		(7,737)	(7,302)
Suppliers		(2,224)	(2,094)
Private practitioners		(7,731)	(6,869)
RECEIPTS:-			
Commonwealth Government:-			
Funding agreement		8,962	8,962
Other		320	-
State Government:-			
Grants/funding agreement		7,884	5,856
Other		-	300
Legal Practitioners Act receipts		942	1,189
Costs recovered and contributions		266	269
Statutory charge receipts		253	250
Other		<u>520</u>	<u>305</u>
Net Cash provided by Operating Activities	15	<u>1,455</u>	<u>866</u>
CASH FLOWS FROM INVESTING ACTIVITIES:-			
Payments for purchase of equipment		(295)	(424)
Proceeds from equipment sales		<u>2</u>	<u>34</u>
Net Cash used in Investing Activities		<u>(293)</u>	<u>(390)</u>
NET INCREASE IN CASH HELD		1,162	476
CASH AT 1 JULY		<u>3,048</u>	<u>2,572</u>
CASH AT 30 JUNE	8	<u>4,210</u>	<u>3,048</u>

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1 Statement of Accounting Policies

The Commission has prepared the financial report on an accrual basis.

The financial report has been prepared in accordance with Statements of Accounting Concepts, Australian Accounting Standards, other mandatory professional reporting requirements (Urgent Issues Group Consensus Views), Department of Treasury and Finance Accounting Policy Statements and Treasurer's Instructions issued pursuant to the *Public Finance and Audit Act, 1987*. The financial report has also been prepared on the historical cost basis except for the valuation of the library which is at an independent valuation.

1.1 Funding Arrangements

Commonwealth Government

The Commonwealth Government negotiated a Provision of Legal Assistance Agreement with the State Government effective from 1 July 1997. Pursuant to that Agreement:

The Commonwealth contributed \$8,962,000 per annum for the last three years;

The legal assistance is provided for matters arising under Commonwealth law, and being matters of priority to the Commonwealth. (Under the previous agreement legal assistance provided was not specifically for matters of priority to the Commonwealth);

In recognition of the change to Commonwealth priorities, transitional arrangements provided for the application of 14% and 12% of the Commonwealth legal assistance in the first two years respectively, for State law matters. The transitional period ended on 30 June 1999.

A new Commonwealth Government Legal Assistance Agreement is being negotiated for a four year term, and is proposed to be effective from 1 July 2000.

The Commonwealth Government provided \$320,000 for a specific Commonwealth expensive case during 1999-2000.

State Government

The State Government increased funding in the normal budget process in order to maintain the Legal Services Commission overall funding at the expiration of transitional provisions for Commonwealth funding and to provide for enterprise bargaining increases and other expenses.

1.2 Depreciation of Computers and other Equipment

All computers and other equipment that have a limited useful life are systematically depreciated over their useful lives, ranging from five to thirteen years in a manner which reflects the consumption of their service potential. Computers and other equipment are depreciated using the straight line method.

1.3 Employee Entitlements

Employee entitlements include entitlements to salaries and contract fees, long service leave, annual leave and superannuation benefits.

Long service and annual leave is recognised on a pro-rata basis in respect of services provided by employees up to the reporting date. Liabilities in respect of these entitlements have been calculated at nominal amounts based on current salary rates and include related on-costs. The Department of Treasury and Finance have advised that a benchmark of eight years can be used for a shorthand estimation of long service leave liability in accordance with the provisions of Australian Accounting Standard AAS30 "Accounting for Employee Entitlements". This advice has been adopted and the long service leave liability has been calculated on that basis.

Sick leave is not provided for as it is non-vesting, however, entitlements are accumulated.

The superannuation expense included in the Commission's financial report comprises Commonwealth and State components:-

The Commission paid an amount to the 'Collector of Public Monies' towards the accruing government liability in respect of currently employed contributors to the Commonwealth Superannuation Fund. Payments amounted to \$67,000 (\$63,000).

During 1999-2000 the Commission paid \$650,000 (\$595,000) to the South Australian Department of Treasury and Finance towards the accruing government liability for superannuation in respect of all employees.

1.4 Reserves

The Commission has established the following reserves.

Asset Replacement Reserve

During 1999-2000 the Commission used the balance remaining in the reserve for Asset Replacement.

State Law Matters Reserve

As a result of the Commonwealth legal assistance arrangements, the Commission, during 1997-98, agreed to establish a Reserve, the State Law Matters Reserve, for the purpose of providing funds for future State Law matters. The State Law Matters Reserve as at 30 June 2000 was \$883,000. The Reserve was created by the Law Society of South Australia transferring funds of the Legal Practitioner Guarantee Fund to the Legal Services Commission.

Commonwealth Expensive Case Reserve

During 1998-99 the Commission agreed to establish a Commonwealth Expensive Case Reserve to equally fund two specific Commonwealth matters that exceed the Commonwealth guidelines cap. An additional amount of \$320,000 was received from the Commonwealth Government for one of these matters. (Note 1.1). (At 30 June 2000 none of these funds had been expended.)

1.5 Financial Instruments

The Commission's accounting policies, including the terms and conditions of each class of financial asset and financial liability recognised at 30 June 2000, are as follows:-

Financial Assets

Cash at bank (Note 8) comprises deposits at call with the South Australian Government Financing Authority and are recorded at cost. Interest revenues are recognised as they accrue. Interest rates are at market rates and have fluctuated between 4.6% and 5.9% for the year ended 30 June 2000. (4.6% and 5.13% for the year ended 30 June 1999.)

Receivables (Note 9) include client debtors and other debtors and are reported at amounts due.

Statutory charge debtors are raised as a result of the Commission registering charges over property owned by some recipients of legal aid to secure legal costs owed on cases undertaken and are reported at amounts due. Debts are recovered when the property is refinanced or sold.

Financial Liabilities

Legal creditors are raised for amounts billed from private practitioners for approved cases undertaken but unpaid. They are normally settled within 30 days.

Legal Assistance Scheme Fund comprises funds held by the Commission on behalf of the Law Society of South Australia which will be used for purposes approved by the Law Society.

Creditors are raised for amounts billed but unpaid and are normally settled within 30 days.

All financial instruments are valued at the carrying amount as per the Statement of Financial Position, which approximates net fair value.

2 Legal Practitioners Act Revenue

In accordance with the *Legal Practitioners Act, 1981* the Commission acquired revenue from funds administered by the Law Society of South Australia. Amounts related to the:-

	2000 \$'000	1999 \$'000
Statutory Interest Account	626	570
Interest on Legal Practitioners Trust Accounts	573	561
Legal Practitioners Guarantee Fund	<u>-</u>	<u>2</u>
	<u>1,199</u>	<u>1,133</u>

3 Costs Recovered and Contributions

	2000 \$'000	1999 \$'000
Costs recovered	62	123
*Contributions	<u>244</u>	<u>171</u>
	<u>306</u>	<u>294</u>

*In addition contributions of \$311,000 (\$250,000) in relation to referred cases were paid or are payable directly to private practitioners by clients.

4 Other Revenue

	2000 \$'000	1999 \$'000
Statutory charges	360	264
Interest	309	232
Other	<u>222</u>	<u>49</u>
	<u>891</u>	<u>545</u>

5 Administrative Expenses

Accommodation	953	877
Depreciation of computers and other equipment	438	383
** Computer maintenance and processing, etc	430	271
Telephone & postage, etc	270	230
Office requisites	132	161
Travel	128	139
Library (refer Note 10)	106	113
* Other	<u>222</u>	<u>278</u>
	<u>2,679</u>	<u>2,452</u>

* Includes:-

- Auditor's remuneration of \$34,000 (\$34,000), for auditing the accounts

- Bad Debts written off of \$19,000 (\$4,000)

** Includes Consulting fees of \$91,000 (\$22,000)

6 Legal Expenses

Comprise solicitor's fees, counsel fees and disbursements due to private practitioners for approved cases undertaken during the year.

7 Net Revenues from the Disposal of Non-Current Assets

Proceeds from the disposal of non-current assets	2	34
Less: written down value of those assets	<u>-</u>	<u>27</u>
	<u>2</u>	<u>7</u>

8 Cash at Bank and On Hand

For the purposes of the Statement of Cash Flows, cash includes cash at bank and on hand and deposits at call with the South Australian Government Financing Authority (SAFA).

	2000	1999
	\$'000	\$'000
Deposits at call with SAFA	3,856	3,030
Cash held in trust on behalf of clients	19	11
Cash at bank and on hand	<u>354</u>	<u>18</u>
	4,229	3,059
Less: Cash held in trust on behalf of clients	<u>19</u>	<u>11</u>
	<u><u>4,210</u></u>	<u><u>3,048</u></u>

9 Receivables and Prepayments

Legal Practitioners Act	433	176
Prepayments	112	149
Client debtors and other debtors	<u>203</u>	<u>103</u>
	<u>748</u>	<u>428</u>

10 Library

In June 1996, the Commission obtained an independent revaluation of the market value of the library which comprises reports/major works, journals, loose-leaf services and a mix of dictionaries, encyclopaedias, statutes etc. The revaluation was undertaken by The Information Source, which valued the library at \$212,000.

The library is not depreciated as the cost of maintaining it is expensed during the year.

11 Computers and other Equipment

	2000	1999
	\$'000	\$'000
Computers and equipment at cost	2,210	2,044
less:- Accumulated depreciation	<u>1,412</u>	<u>1,008</u>
	798	1,036
Office machines at cost	189	181
less:- Accumulated depreciation	<u>108</u>	<u>83</u>
	81	98
Furniture and fittings at cost	44	41
less:- Accumulated depreciation	<u>24</u>	<u>22</u>
	20	19
Motor vehicles at cost	35	35
less:- Accumulated depreciation	<u>10</u>	<u>3</u>
	<u>25</u>	<u>32</u>
	<u><u>924</u></u>	<u><u>1,185</u></u>

12 Employee Entitlements

	2000 \$'000	1999 \$'000
Current Liabilities:-		
Annual leave	401	417
Long service leave	<u>131</u>	<u>21</u>
	<u>532</u>	<u>438</u>
Non-Current Liabilities:-		
Long service leave	<u>1,305</u>	<u>1,103</u>

13 Equity

Movements during the year were:

Asset Replacement Reserve:-		
Balance 1 July	108	121
Transfer to Accumulated Funds	108	23
Transfer from LA Office Computer Reserve	<u>-</u>	<u>10</u>
Balance at 30 June	<u>-</u>	<u>108</u>
State Law Matters Reserve:-		
Balance 1 July	883	883
Transfer from Accumulated Funds	<u>-</u>	<u>-</u>
Balance at 30 June	<u>883</u>	<u>883</u>
Commonwealth Expensive Case Reserve:-		
Balance 1 July	400	-
Transfer from Accumulated Funds	<u>-</u>	<u>400</u>
Balance at 30 June	<u>400</u>	<u>400</u>
LA Office Computer and Asset Replacement Reserve		
Balance 1 July	-	450
Transfer to Accumulated Funds	-	440
Transfer to Asset Replacement Reserve	<u>-</u>	<u>10</u>
Balance at 30 June	<u>-</u>	<u>-</u>
TOTAL RESERVES	<u>1,283</u>	<u>1,391</u>
Accumulated Funds		
Balance 1 July	2,610	2,088
Add: Transfer from Reserve	108	463
Less: Transfer to Reserve	-	400
Operating Surplus	<u>625</u>	<u>459</u>
Balance 30 June	<u>3,343</u>	<u>2,610</u>

14 Commitments

Legal cases referred:-

As at 30 June 2000, the Commission recognises a commitment of \$1,900,000 (\$3,483,000) on legal cases referred to private practitioners which are still to be finalised.

The Commission reviewed outstanding legal commitment and determined that commitment would only be recognised for amounts raised since December 1998 (ie the previous 18 months). Commitment raised prior to this date has been dismissed. If any file prior to this date is re-activated, new commitment will be raised.

In the normal course of business, further commitment may be required on recognised legal cases. It is not possible to quantify that amount.

	2000	1999
	\$'000	\$'000
Operating leases:-		
Commitments payable:-		
Not later than one year	25	53
Later than one year but not later than five years	<u>75</u>	<u>2</u>
	<u>100</u>	<u>55</u>

15 Reconciliation of Operating Result to Net Cash provided by Operating Activities

Operating result	625	459
Increase in statutory charge debtors	(106)	(15)
Increase in receivables (net of bad debts written off)	(339)	(16)
Bad debts written off	19	4
Increase (Decrease) in legal creditors	524	(46)
Increase (Decrease) in creditors	(118)	124
Depreciation	439	383
Increase in employee entitlements	296	100
(Increase) Decrease in investing activities	117	(120)
Profit on disposal of equipment	<u>(2)</u>	<u>(7)</u>
Net cash provided by Operating Activities	<u>1,455</u>	<u>866</u>

16 Related Party Disclosures

The members of the Commission who have held office during the financial year are:-

Mr Brian Withers	(Chairman)
Ms Dymphna Eszenyi	(Commenced 15/07/99)
Ms Rosemary Cardone	(resigned 14/07/99)
Dr Margaret Browne	(resigned 30/09/99)
Ms Joan Jardine	(resigned 30/09/99)
Mr David Bulloch	
Mr Ray Bown	
Mr Gordon Barrett	
Mr Hugh Gilmore	
Mr Michael Burgess	
Mr Julian Kelly	
Ms Deborah McCulloch	
Mr David Meyer	

The members of the Commission are appointed by the Governor in accordance with the provisions of the *Legal Services Commission Act, 1977* and include partners of legal firms. In the ordinary course of business the Commission enters into transactions with legal firms, some of which are associated with members of the Commission. Payments made to these firms are in accordance with the Commission's scale of fees and are payments that apply to practitioners generally.

The number of members whose remuneration received or receivable fell within the following bands was:-

	Number of Members	
	2000	1999
\$0	4	4
\$1 - \$10,000	8	9
\$10,001 - \$20,000	1	1

The total remuneration received or due and receivable by these members was \$67,000 (\$63,000).

17 Remuneration of Employees

Amounts received or receivable by employees of the Commission whose remuneration is greater than \$100,000. The amounts include salaries and related payments, superannuation benefits and motor vehicle benefits.

The number of employees whose remuneration received or receivable fell within the following bands was:-

	Number of Employees	
	2000	1999
\$100,001 - \$110,000	5	3
\$110,001 - \$120,000	2	-
\$120,001 - \$130,000	-	1
\$160,001 - \$170,000	1	3
\$170,001 - \$180,000	1	-
\$180,001 - \$190,000	1	-

The total remuneration received or due and receivable by these employees was \$1,276,000 (\$935,000).

18 Contingent Liabilities

At balance date and at the date of the certification of this financial report by the Commission there were no known contingent liabilities of a material nature.

CERTIFICATE

To the best of our knowledge and belief :-

- the foregoing financial report presents fairly, in accordance with Statements of Accounting Concepts, Australian Accounting Standards, other mandatory professional reporting requirements (Urgent Issues Group Consensus Views), Department of Treasury and Finance Accounting Policy Statements and Treasurer's Instructions issued pursuant to the *Public Finance and audit Act, 1987* the financial position of the Legal Services Commission of South Australia as at the 30th June 2000 and the result of its operations and cash flows for the year ended 30th June 2000; and
- internal controls over financial reporting have been effective throughout the reporting period.

11th September 2000



Brian Withers
CHAIRMAN



Josie Safralidis
FINANCE MANAGER



Auditor-General's Department

INDEPENDENT AUDIT REPORT

**TO THE CHAIRMAN
LEGAL SERVICES COMMISSION OF SOUTH AUSTRALIA**

SCOPE

As required by section 31 of the *Public Finance and Audit Act 1987*, and section 25 of the *Legal Services Commission Act 1977*, 1 have audited the financial report of the Legal Services Commission of South Australia for the year ended 30 June 2000. The financial report comprises:

- An Operating Statement;
- A Statement of Financial Position;
- A Statement of Cash Flows;
- Notes to and forming part of the Financial Statements;
- Certificate by the Chairman and the Finance Manager.

The members of the Legal Services Commission of South Australia are responsible for the preparation and presentation of the financial report and the information contained therein. I have conducted an independent audit of the financial report in order to express an opinion on it to the Chairman.

The audit has been conducted in accordance with the requirements of the *Public Finance and Audit Act 1987* and Australian Auditing Standards to provide reasonable assurance that the financial report is free of material misstatement.

Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of accounting policies and significant accounting estimates. Those procedures were undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, Australian Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) so as to present a view which is consistent with my understanding of the Legal Services Commission of South Australia's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

AUDIT OPINION

In my opinion, the financial report presents fairly in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, applicable Australian Accounting Standards and other mandatory professional reporting requirements, the financial position of the Legal Services Commission of South Australia as at 30 June 2000, the results of its operations and its cash flows for the year then ended.

19 September 2000

A handwritten signature in black ink, appearing to read 'K.I. MacPHERSON'.

**K.I. MacPHERSON
AUDITOR-GENERAL**

MPA/Sec5/LsclAR99.doc

9th Floor, State Administration Centre, 200 Victoria Square, Adelaide. South Australia 5000
Telephone +61 +8 8226 9640 Facsimile +61 +8 8226 9688 DX 56208 Victoria Square

Appendix 1 FREEDOM OF INFORMATION

Access to Commission documents

Policy documents

The following Commission policy documents may be inspected free of charge:

Assignments Policy Manual.

Agreement between the Commonwealth of Australia and the State of South Australia in relation to the Provision of Legal Assistance 1997.

Other documents

The Commission has a computerised records management system and databases which record certain details of accounts, clients, legal aid cases, legal aid files, legal advice and duty solicitor attendances. Hard copy files are maintained for each grant of aid and the location of these files is recorded in the computerised records management system. Management and administrative files are also maintained, with their location being recorded on a manual system.

Arrangements can be made to inspect documents available under the *Freedom of Information Act* at 82-98 Wakefield Street, Adelaide between 9.00 am and 5.00 pm on ordinary working days. Copies may be purchased at a fee of 50 cents per page, which may be waived in appropriate cases.

By prior arrangement with the Freedom of Information Officer, these documents may also be inspected and copies purchased at any of the Legal Services Commission's offices:

Commission Offices

Adelaide	82-98 Wakefield Street, Adelaide 5000
Elizabeth	Windsor Building, Elizabeth Centre, Elizabeth 5112
Modbury	4 Smart Road, Modbury 5092
Noarlunga	Noarlunga House, Colonnades Shopping Centre, Noarlunga Centre 5168
Port Adelaide	2 Marryatt Street, Port Adelaide 5015
Whyalla	1st Floor RAA House, 25 Forsyth Street, Whyalla 5600

(See back cover for telephone, facsimile, and DX details)

Appendix 2 MEMBERS OF THE LEGAL SERVICES COMMISSION 1999-2000

The Chairman, nominated by the South Australian Attorney-General:-

Mr Brian Withers LLB Appointed Chairman on 1.5.97; re-appointed 27.4.2000. Mr Withers has been a Commissioner since 7.7.88 and is a legal practitioner in private practice.

Two nominees of the Attorney-General for the Commonwealth:-

Dr Margaret Browne Appointed 19.11.92. (First Assistant Secretary, Family Law and Legal Assistance Division, Attorney-General's Department, Canberra) Retired 30.9.99

Ms Joan Jardine Appointed 16.4.98. (Director, Data Collection and Analysis Section, Family Law and Legal Assistance Division, Attorney-General's Department, Canberra) Retired 3.7.99.

(Deputy to Ms Jardine) **Mr Garry Burlingham** Appointed 16.4.98. (Director, Legal Aid Commissions Section, Family Law and Legal Assistance Division, Attorney-General's Department, Canberra) Retired 3.7.99.

One person to represent the interests of assisted persons, nominated by the South Australian Attorney-General after consultation with the South Australian Council of Social Service Incorporated:-

Dr Deborah McCulloch BA (Hons), Dip Ed. Appointed 15.7.93. (Trainer and coordinator of the Women's Electoral Lobby).

Three nominees of the South Australian Attorney-General:-

Mr Michael Burgess B.Ec, FCA Appointed 20.11.97. (Chartered accountant and partner of KPMG Adelaide)

Mr Raymond Bown B.Ec. Appointed 27.8.98. (Manager, Budget, SA Department of Treasury and Finance).

Mr David Bulloch LLB Appointed 27.8.98. (Coordinator, Parks Community Legal Centre).

Three nominees of the Law Society of South Australia:-

Ms Rosemary Cardone LLB Appointed 20.10.93. (A legal practitioner in private practice) Retired 14.7.99

Mr David Meyer LLB Appointed 21.8.97. (A legal practitioner in private practice).

Mr Gordon Barrett QC Appointed 24.12.98. (Queen's Counsel at the independent bar).

Ms Dymphna Eszenyi LLB Appointed 15.7.99

One nominee of the employees of the Legal Services Commission:-

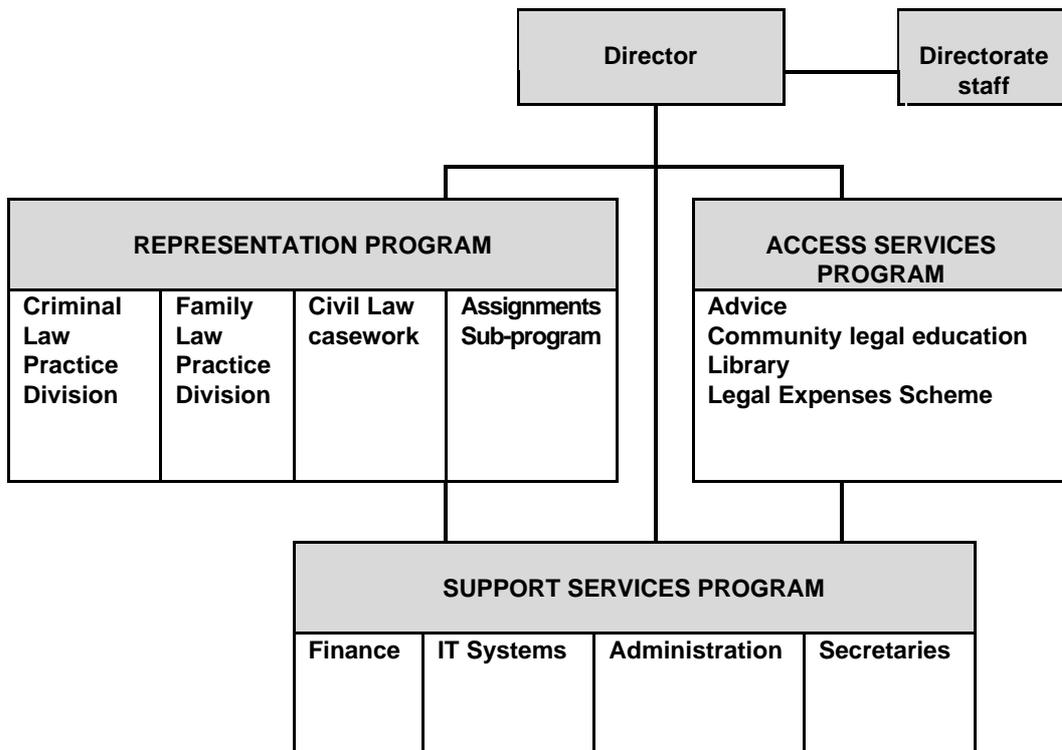
Mr Julian Kelly LLB Appointed 10.7.97. (Barrister and solicitor, Criminal Law Practice Section)

The Director of the Legal Services Commission:-

Mr Hamish Gilmore B Ec Appointed Director 17.6.99.

Organisational structure of the Legal Services Commission

30 June 2000



Community Involvement 99/00

Administrative Appeals Tribunal User Group Meeting
AIJA SA Executive Committee
Alliance For Prevention Of Elder Abuse.
Bushlink Consortium)
Child Support Agency, Regional Registrars Advisory Panel
Child Support Issues Group
Children's Access Program Management Committee
Family Law Section, Law Council Of Australia
Hills Domestic Violence Reference Group
Intellectually Disabled Services Council, Ethics Committee
Intellectually Disabled Services Council, Legal Issues Committee
Intellectually Disabled Services Council, Sterilisation Focus Group
International Commission of Jurists
Joint Criminal Court Committee
Justice Portfolio Agency Finance Committee
Justice Portfolio, Learning & Development Task Group
Juvenile Justice Awareness Group
Juvenile Justice Detention Options Group
Law Society Advocacy Committee
Law Society Criminal Committee
Law Society Family Law Committee
Law Society Human Rights Committee
Law Society Council
Law Society Disciplinary Committee
Law Society, Country Law Week Committee.
Law Society, Justice Network Meeting, (ex Law Week Committee)
Law Society, Practical Legal Training Committee
Law Society, Public Sector Lawyers Committee
Magistrate Courts User Groups
Magistrates Court Diversionary Program Steering Committee
Magistrates Court Drug Court Steering Committee
National Legal Aid, Assignments Benchmarking And Best Practices Group.
National Legal Aid, Business And Technology Reference Group.
National Legal Aid, Criminal Law Group
National Legal Aid, Family Law Group
Office Of Multicultural & International Affairs, Multicultural Good Practice Network, Reference Group
Para Districts Community Legal Centre, Management Committee
Prisoners Advocacy
School Mock Trials Competition Coaches, Judges
State Government Gambler's Rehabilitation Committee
Women's Legal Service, Management Committee Chair
Women's Information Service Support Group

Appendix 5 APPLICATIONS

Applications for aid received by source		1 July 1999—30 June 2000	
Source		TOTAL	%
Child Support Unit		402	2.55
Community Law Centre		7	0.4
Direct from client		3 049	19.35
Duty lawyer		3 010	19.09
Family Court		453	2.87
Interview		944	5.99
Other agency		89	0.56
Prison		59	0.37
Private practitioner		7 732	49.06
Reciprocity		14	0.09
Unknown		5	0.03
TOTAL		15 764	100.00

Note: The total number of applications received is less than the total number of applications processed, as the latter includes applications received in the previous year.

Applications for aid processed		1 July 1999 - 30 June 2000						
Application Status	Family		Criminal		Civil		TOTAL	
	No	% Family	No	% Criminal	No	% Civil	No	% all law types
Pending	119	2.85	176	1.63	9	1.2	304	1.93
External	2 033	48.64	5 274	48.74	309	41.42	7 616	48.36
In-house	1 124	26.89	4 044	37.37	167	22.39	5 335	33.88
Refused	807	19.3	1 165	10.77	247	33.10	2 219	14.09
Withdrawn	97	2.32	162	1.49	14	1.88	273	1.73
TOTAL	4 180	100%	10 821	100%	746	100%	15 747	100%

Appendix 5 APPLICATIONS (continued)

Case matters approved by category		1 July 1999 - 30 June 2000		
Type/Matter*	IN-HOUSE % of all approved matters in this category	EXTERNAL % of all approved matters in this category	Total number approved matters	TOTAL % of all approved matters
FAMILY				
Child support scheme – carer	94.71	5.29	170	1.31
Child support scheme – liable parent	97.06	2.94	170	1.31
Children	22.30	77.70	2314	17.87
Contempt	39.47	60.53	38	0.29
Dissolution	84.21	15.79	19	0.15
Injunctions (family)	62.50	37.50	8	0.06
Maintenance	0.00	100.00	1	0.01
Property settlement	45.45	54.55	11	0.08
Separate representative	56.57	43.43	426	3.29
Total Family	35.6	64.4	3 157	24.37
CRIMINAL				
Assaults (excluding sexual assaults)	46.87	53.13	1 882	14.53
Burglary, break and enter	42.83	57.17	1 242	9.59
Drugs Commonwealth offences	33.33	66.67	6	0.05
Drugs conspiracy offence	0.00	100	1	0.01
Drugs dealing and trafficking	30.28	69.72	251	1.94
Drugs possess/use	22.73	77.27	44	0.34
Environmental	50	50	10	0.08
Extortion	50	50	6	0.05
Fraud, misappropriation & deception	44.85	55.15	466	3.60
Handling, receiving & unlawful possession of stolen goods	36.59	63.41	533	4.12
Homicide	41.94	58.06	186	1.44
Manufacturing drugs	38.61	61.39	101	0.78
Motor vehicle driving offences	46.02	53.98	1 069	8.25
Motor vehicle, other and related offences	51.38	48.62	652	5.03
Offences against good order	48.85	51.15	174	1.34

table continued over page

Appendix 5 APPLICATIONS (continued)

Case matters approved by category		1 July 1999 – 30 June 2000		
<i>(continued from previous page)</i>				
Type/Matter*	IN-HOUSE % of all approved matters in this category	EXTERNAL % of all approved matters in this category	Total number approved matters	TOTAL % of all approved matters
Offences against justice procedure	46.47	53.53	807	6.23
Offences against person	46.25	53.75	80	0.62
Offensive behaviour offences	39.51	60.49	81	0.63
Other criminal law matters/offences	58.33	41.67	24	0.19
Property damage (criminal)	44.78	55.22	268	2.07
Prostitution and related offences	0.00	100	1	0.01
Rape and sexual offences	41.75	58.25	206	1.59
Robbery	44.58	55.42	332	2.56
Theft and other dishonesty offence	32.58	67.42	801	6.18
Unlawful possession of other weapons	29.47	70.53	95	0.73
Total Criminal	43.40	56.60	9 318	71.96
CIVIL				
Administrative law	43.32	56.68	187	1.44
Documents	29.47	70.53	285	2.20
Matters arising out of criminal act	0.00	100.00	1	0.01
Miscellaneous (civil)	66.67	33.33	3	0.02
Total Civil	35.08	69.42	476	3.67
TOTAL CASE MATTERS APPROVED	41.19	58.81	12 951	100.00
<p>Note: In 1998-99 the Commission converted to a new IT system (LA Office) replacing the CLASS system. This means that</p> <ul style="list-style-type: none"> • matter types are now classified in a different way from previous years. Some of the former categories are now obsolete, and there are some new categories. These are uniform to all Commissions using LA Office. • for this table, only information about the <i>primary</i> matter of the file can be extracted, not, as in previous years, about <i>all</i> matters. 				

Appendix 5 APPLICATIONS (continued)

Refusals to grant aid		1 July 1999– 30 June 2000						
	FAMILY		CRIMINAL		CIVIL		TOTAL	
Reason refused	No.	%	No.	%	No.	%	No.	%
		family app's refused		criminal app's refused		civil app's refused		all app's refused
Guidelines	407	58.43	619	53.13	174	70.45	1 200	54.07
Guidelines and Means	86	10.66	106	9.10	31	12.55	223	10.05
Insufficient funds	1	0.12	0	0.00	0.00	0.00	1	0.05
Means	201	24.91	406	34.85	30	12.15	637	28.71
Means & merit	9	1.12	1	0.09	1	0.40	11	0.50
Means, merit & guidelines	9	1.12	0	0.00	1	0.40	10	0.45
Merit	35	4.34	12	1.03	3	1.22	50	2.25
Merit & guidelines	33	4.09	3	0.26	6	2.42	42	1.89
No jurisdiction	25	3.10	1	0.09	1	0.40	27	1.22
Previously unpaid contribution	1	0.12	17	1.46	0	0.00	18	0.81
TOTAL	807	100.00	1 165	100.00	247	100.00	2 219	100.00

* There were 16 603 applications received to process in this period.

Appendix 6 CRIMINAL LAW SERVICES

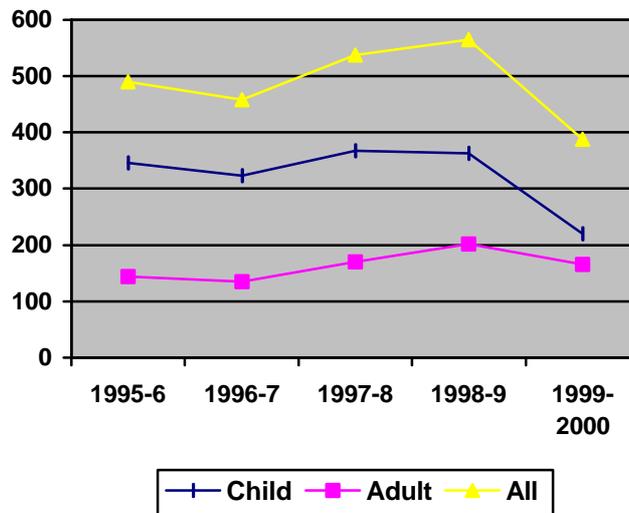
Duty solicitor services by court and work type 1 July 1999 to 30 June 2000								
Court location	Advise only	Advise and represent	Contested bail	Mention	Plea	Hearing	Other	TOTAL
Adelaide	1 464	13	412	1 032	203	13	400	3 537
Amata	2	2	0	1	4	6	2	17
Christies Beach	193	73	171	423	43	12	65	980
Cooper Pedy	2	1	0	10	10	1	0	24
Elizabeth	213	390	305	179	124	12	180	1 403
Ernabella	1	0	0	0	1	0	0	2
Fregon	0	2	0	2	4	2	0	10
Holden Hill	675	230	74	135	23	189	108	1 434
Indulkana	2	1	0	1	6	1	1	12
Maitland	1	0	0	0	0	0	0	1
Marla	0	0	0	0	0	2	0	2
Mimilli	1	0	0	3	0	6	1	11
No court location	9	2	0	0	0	0	3	14
Port Adelaide	97	62	202	318	61	71	128	939
Port Augusta	15	14	14	53	35	11	20	162
Victor Harbour	0	0	0	1	1	0	0	2
Whyalla	60	19	41	284	52	21	52	529
TOTAL	2 735	809	1 219	2 442	567	347	960	9 079

Duty solicitor services by youth or adult court and work type 1 July 1999- 30 June 2000				
Work Type	Youth Court	Magistrates Court	No court type given	Total
Advice only	159	2 554	22	2 735
Advise and represented	19	787	3	809
Contested bail application	156	1 063	0	1 219
Hearing	10	336	1	347
Mention	187	2 252	3	2 442
Other	130	823	7	960
Plea	32	535	0	567
TOTAL	693	8 350	36	9 079

Appendix 6 CRIMINAL LAW SERVICES (continued)

Children's protection applications assignments				1995-96 to 1999-2000
	External assignment	Inhouse assignment	Refused	TOTAL ASSIGNMENTS
CHILD				
1995-6	38	308	0	346
1996-7	54	268	1	323
1997-8	60	306	1	367
1997-9	71	292	0	363
1999-2000	86	135	0	221
ADULT				
1995-6	127	5	12	144
1996-7	119	2	14	135
1997-8	159	0	12	171
1998-9	179	8	15	202
1999-2000	146	4	16	166

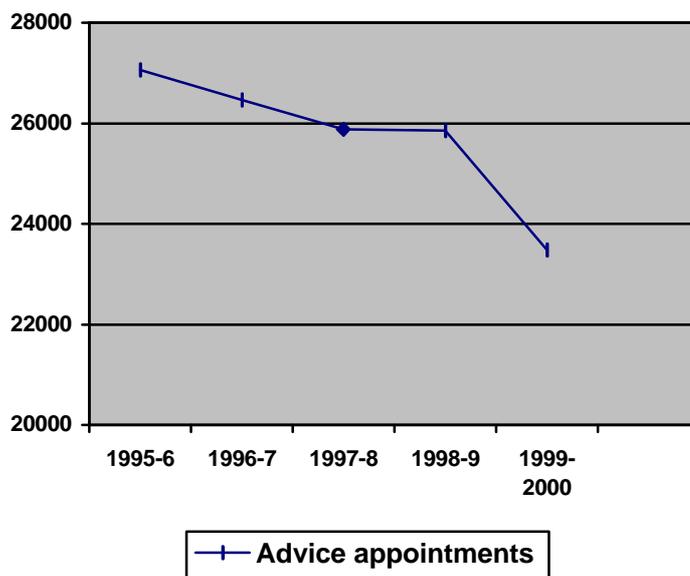
Children's Protection Applications



It appears that the explanation for this apparent drop in applications is due to a change in procedures using LA Office. Previously each child was treated individually as a separate application and given a separate file. Now all the children in a family are treated as the one application. Previously a new file was opened for each court matter but now the files for the parents and for children are kept open and legal aid is extended on that file. This aligns procedures to those used in family law child representative applications and files.

Appointment advice

Advice appointments		1995-96 to 1999-2000		
1995-6	1996-7	1997-8	1998-9	1999-2000
27 066	26 465	25 883	25 850	23 484

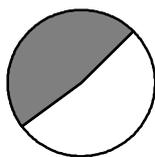


The reduction in statistics in this area is due to significant changes in staff during the reporting period.

Appendix 7 ADVICE SERVICES (continued)

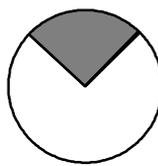
Appointment advice matters by law type and gender 1 July 1999- 30 June 2000				
	CIVIL	CRIMINAL	FAMILY	TOTAL/% of all advice
Female				
Number	4 669	829	6 041	11 978
% of all advice given to females	47.46%	7%	50%	100%
% of all advice given in this law area	48%	26%	60%	N/A
% of all advice given	21%	3%	25%	49%
Male				
Number	5 440	2 325	3 922	11 687
% of all advice given to males	52%	20%	34%	100%
% of all advice given in this law area	51%	73%	39%	N/A
% of all advice given	23%	10%	16%	49%
Other				
Number	129	20	81	230
% of all advice given to other	0.54%	9%	35%	100%
% of all advice given in this law area	1%	0%	1%	N/A
% of all advice given	0.54%	0.08%	0.34%	0.96%
TOTAL ADVICE MATTERS	10 677	3 174	10 044	23 895
% ADVICE MATTERS	45%	13%	42%	100%
Note: 'Other' indicates where the gender of the advice client has not been recorded.				

Civil law appointment advice



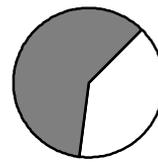
□ Male 52%
 ■ Female 47.46%
 ■ Other 0.005%

Criminal law appointment advice



□ Male 74.4%
 ■ Female 25.4%
 ■ Other .20%

Family law appointment advice



□ Male 39.38%
 ■ Female 60.58%
 ■ Other .06%

Telephone advice

Annual statistics 1999-2000

Callers' waiting time was on average 2 minutes 45 seconds, which is comparable to the average wait for callers in the preceding financial year of 2 minutes and 40 seconds.

Calls received 65166 calls were received in 1999-2000, a decrease of 1830 or 2.7% from 1998-99.

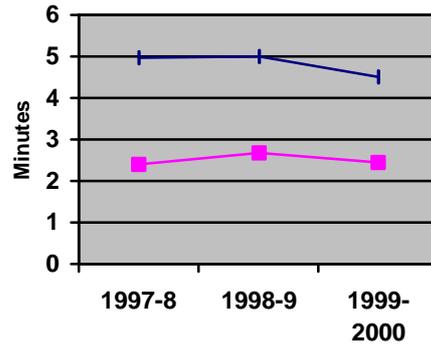
Calls answered 54 837 calls (an average of 220 per day) were answered (84% of calls received)

Calls answered per day The number fell from 225 to 220 reflecting the fact that in spite of a reduced number of staff there was a minimal reduction in calls answered

Average talk time per call Average call length was 4 minutes and 51 seconds which is a slight reduction from 5 minutes the previous year. 12% of all calls were of less than 2 minutes duration and 30% were less than 5 minutes.

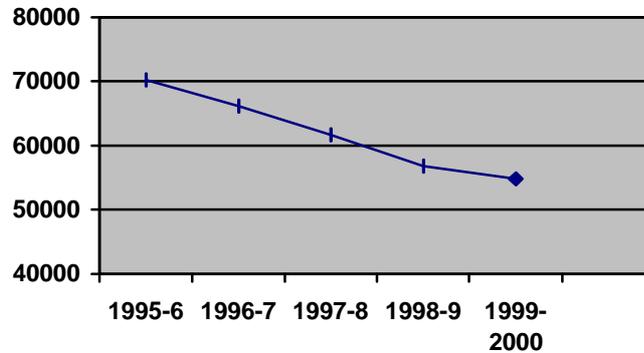
Abandoned calls 10 329 or 16% of calls received (averaging 41 per day) were abandoned by the caller (approximately the same rate as in 1998-99). The queue is now limited to 5 callers whereas the old system limited the queue to 3 callers.

Call and Waiting Times



—+— Talk time —■— Average wait

Telephone Advice Services



—+— Calls answered

Publications 1999-2000

A list of the Commission's publications is set out below. Many of the free publications are now available on the Internet under SA Government Agencies on the Homepage www.lsc.sa.gov.au

The Law Handbook

A comprehensive guide to the law in South Australia, with contribution from over 70 experts.

3rd edition, 1995 (\$49.95 including supplement published 1996)

4th edition, 1999 (\$60)

The Duty Solicitor Handbook

A practical guide for the duty solicitor

2nd edition \$60

The Annotated Summary Offences Act

Written by Mr Kelyvyn Prescott SM, the second edition was edited and produced by the Commission in 1998.

2nd edition \$60

The Practitioner's Guide to Legal Aid

A guide to Commission assignment practice for legal aid lawyers

Kits (co-produced with the Lands Titles Office and Information SA)

Enduring Power of Attorney (\$10)

Enduring Power of Guardianship (\$10)

(Free guides are also available in Greek and Italian)

Free pamphlets

Need legal help?

Power of attorney

De facto relationships

Motor vehicle accidents

Wills

Debts

Carer parents and child support

Liable parents and child support

Going to court

You and the police

You and your neighbours

Bankruptcy

Restraining orders

The law and your dog

Free booklets

Cycling and the law

Family law and you

Fences and the law

Strata titles and the law

Unfair dismissal

Workers' rights

Free posters

Everyone counts with legal aid

More people than you think qualify for legal aid

Legal resources guide

Free pocket cards

free legal advice

A laminated legal contact card with instructions on accessing our telephone advice line through the Translating and Interpreting Service. Available in Greek, Italian, Vietnamese, Chinese, Serbian, Bosnian, Croatian, Polish, Russian, Khmer, Turkish and Spanish

free telephone advice

A contact card about the telephone advice service and regional offices

tele/typewriter card

For the deaf and hearing impaired

Information sheets and flyers

Child Support Unit

Legal aid and how to get it

Pleading guilty in the Magistrates Court

Drink driving penalties

Domestic violence unit

Family mediation

Youth legal service

Civil mediation

Changing your name

Unclaimed goods

Dissolving a partnership

StartRights (co-produced with the Centre for Applied Linguistics, University of South Australia)

8 kits on social security, consumer rights, taxation, motor vehicle accidents, worker's rights, neighbours, family law, and child support.

Appendix 9 CLIENT RELATIONS

Complaints						
1 July 1999 - 30 June 2000						
Basis of complaint	Family	Criminal	Civil	General	Total	% of all complaints
Refusal of aid	100(66.7%)	39 (26%)	11 (7.3%)	Nil	150	34.9%
Entitlement to legal aid	83 (71%)	26(22.2%)	8 (6.8%)	Nil	117	27.2%
Child representation	5 (100%)	Nil	Nil	Nil	5	1.2%
Commission service	20(60.6%)	6 (18.2%)	6 (18.2%)	1 (3%)	33	7.7%
Commission process	18(90%)	Nil	1(5%)	1(5%)	20	4.6%
Statutory charge	9 (81.8%)	2 (18.2%)	Nil	Nil	11	2.5%
Private practitioner service	29(82.9%)	6 (17.1%)	Nil	Nil	35	8.1%
Discrimination	Nil	Nil	2(100%)	Nil	2	0.5%
Conditions of aid (other than statutory charge)	5(55.5%)	4 (44.5%)	Nil	Nil	9	2.1%
Other	20(41.7)	6 (12.5%)	11 (22.9%)	11(22.9%)	48	11.2%
TOTAL	289	89	39	13	430	100%

Notes

Refusal of aid

In 1999-2000, complaints about the refusal of aid remained high, and continued to be the largest category of complaint. Family law remains the chief source of these complaints (67% this year, as compared with 50% last year). The proportion of complaints in criminal matters has fallen from the high level that they reached last year (26% this year compared with 33% last year and 32% in the previous year. Complaints about aid refusal or termination in civil matters has dropped for a fourth consecutive year (11 complaints in 1999/00, compared with 16 complaints in 1998/99 and 29 complaints in 1998/99). This could reflect the fact that the guidelines restricting access to aid in civil matters have now been in place for some years.

Of the family aid refusal complaints, 20 (20%) were on means, 17 (17%) were on merits and 63 (63%) were on guidelines including the funding cap.

Of the civil aid refusals, 8 (73%) related to guidelines. This reflects the further restriction of the granting of aid in civil matters. Three (37%) related to means. There were no complaints that related to merit.

Of the criminal aid refusal complaints, 22 (56%) related to guidelines, 16 (41%) related to means, and 1 (3%) related to merit.

Entitlement to legal aid

As in the previous year the great majority of complaints were in family law matters (67%). 21% of complaints related to criminal matters and 9% of complaints were received in civil matters. 3% of complaints fell into the general category.

The process to investigate complaints about entitlements to legal aid is as set out in Appendix 9 to 1999-2000 year's annual report.

Child representation

Child representation complaints have fallen dramatically this year, from 26 complaints in 1998/99 to 5 complaints in 1999/2000.

Commission service and process

In house complaints about Commission service or Commission process increased from 33 to 53 in number, representing 12% of all complaints received. In view of the vast number of client contacts occurring per year in case work and advice services, the number of service and process complaints is low and reflects a generally good level of service. It is also important to note that some of these complaints are from the same client making repeated calls or complaints about the same issue.

Statutory charge

Statutory charge complaints have decreased since last year, from 15 to 11. Complaints received have concerned the decision to impose a statutory charge in a particular clients matter and about the removal of the charge upon sale of the property. In some cases unusual circumstances have seen the Appeals Committee decide to uphold a clients appeal against the imposition of the charge.

Private practitioner services

We continue to receive a small number of complaints (35) which more appropriately belong to the private practitioner or Legal Practitioners Conduct Board, reflecting a lack of understanding of the respective roles of the Commission, the Law Society and the Board.

Discrimination

This year we received only 2 complaints of discrimination and both these complaints were made by the same client about the same matter.

Other

There were also, as always, a few complaints inappropriately brought to us, such as complaints against the Family Court, interstate Legal Aid Commissions and Community Legal Centres. Also, as usual, many matters presenting as complaints when examined turn out to be enquiries either for advice or to discover the progress of an application for aid or appeal.

**LEGAL SERVICES COMMISSION ACT EMPLOYEES BY STREAM, LEVEL,
APPOINTMENT TYPE AND GENDER**

STREAM	Ongoing			Contract – Short Term			Contract – Long Term			Other			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total
ADMINISTRATIVE															
Admin. Services Officers															
ASO 1		2	2				1	3	4		1	1	1	6	7
ASO 2	1	28	29		3	3			0			0	1	31	32
ASO 3	1	5	6		2	2		3	3	1		1	2	10	12
ASO 4	2	17	19			0		2	2		2	2	2	21	23
ASO 5		2	2			0			0			0	0	2	2
ASO 6	1	1	2			0			0			0	1	1	2
ASO 7		2	2			0			0			0	0	2	2
TOTAL ADMINISTRATIVE	5	57	62	0	5	51	1	8	9	1	3	4	7	73	80
PROFESSIONAL															
Prof Services Officers															
PSO 2		1	1												
TOTAL PROFESSIONAL	0	1	1	0	0	0	0	0	0	0	0	0	0	1	1
LEGAL															
LSC 1			0	2	7	9	1		1		1	1	3	8	11
LSC 2	1		1	2	4	6		2	2				3	6	9
LSC 3	8	3	11	3		3		2	2				11	5	16
LSC 4	4	3	7	1		1		2	2				5	5	10
LSC 5	4	1	5					1	1				4	2	6
LSM 1	1	2	3										1	2	3
LSM 2	1		1										1	0	1
TOTAL LEGAL OFFICERS	19	9	28	8	11	19	1	7	8	0	1	1	28	28	56
EXECUTIVE															
Manager Family							1		1				1	0	1
Manager Criminal							1		1				1	0	1
Chief Counsel							1		1				1	0	1
Assistant Director								1	1				0	1	1
Deputy Director							1		1				1	0	1
CEO							1		1				1	0	1
TOTAL EXECUTIVE	0	0	0	0	0	0	5	1	6	0	0	0	5	1	6
OTHER EMPLOYEES															
Other				1	3	4	1		1				2	3	5
TOTAL OTHER	0	0	0	1	3	4	1	0	1	0	0	0	2	3	5
TOTAL ALL STREAMS	24	67	91	9	19	28	8	16	24	1	4	5	42	106	148

Total all streams full time equivalent (FTE) = 134.77

Table continued over page

EQUAL OPPORTUNITY

Classification Band	1995 - 96		1996 - 97		1997 - 98		1998 - 99		1999 - 2000	
	M	F	M	F	M	F	M	F	M	F
Administrative Staff	16%	84%	13%	87%	17%	83%	13%	87%	9%	91%
Professional Officers		100%	50%	50%	33%	67%	33%	67%		100%
Legal Officers	51%	49%	47%	53%	47%	53%	53%	47%	50%	50%
Executive	75%	25%	73%	27%	73%	27%	67%	33%	83%	17%
	32%	68%	29%	71%	31%	69%	30%	70%	28%	72%

Appendix 10 STAFF (continued)

Occupational health and safety		1996-97 to 1999-00			
		1996-97	1997-98	1998-99	1999-00
(a)	The average number of actual employees employed during the period (as at 30/6/96)	151	159	147	148
(b)	The total number of hours worked by employees (000) (FTE)	275	276	257	254
(c)	The total number of work injuries	7	5	5	3
(d)	The agency's actual expenditure on occupational health and safety programs - as a percentage of total expenditure	0	0	0	0
(e)	The agency's budget allocation for worker's compensation	\$37 300	\$29 300	\$28 000	\$26 000
(f)	The total number of claims	1	3	4	3
(g)	The total cost of worker's compensation claims charged against an insurance fund.	\$31 295	\$31 000	\$30 440	\$35 600
(h)	The total cost of worker's compensation claims by agency	0	\$1 114	\$1 187	\$3 422
(i)	The total number of common law claims	0	0	0	0
(j)	The total cost of common law claims	0	0	0	0
(k)	The total number of employees who participated in the Agency's rehabilitation program	0	0	0	0
(l)	The total number of employees rehabilitated back to their original work task	0	0	1	0
(m)	The total number of employees rehabilitated and redeployed onto other suitable work tasks	0	0	0	0
(n)	The total number of employees still on suitable alternative duties	1	2	0	0
(o)	The total number of employees who have left, declared medically unfit	0	0	0	1
(p)	The agency's budget allocation for property damage accidents	0	0	0	0
(q)	The total number of property damage accidents	0	0	0	0
(r)	The total costs of property damage accidents	0	0	0	0
(s)	The number of hours of training in OH& S	50	50	50	50
(t)	the number of Health and Safety Representatives (Excludes 3 Deputies)	11	11	11	12
(u)	The number of Health and Safety Committees	1	1	1	1
(v)	The number of default notices issued pursuant to s.35 of the OHS&W Act	0	0	0	0
(w)	The number of times work was stopped pursuant to s.36 of the OHS&W Act	0	0	0	0
(x)	The number of Improvement Notices issued pursuant to s.39 of the OHS&W Act	0	0	0	0
(y)	The number of Prohibition Notices issued pursuant to s.40 of the OHS&W Act	0	0	0	0

Case related payments and case generated income 1 July 1999 – 30 June 2000					
	Family (including Child Support) \$'000	Criminal \$'000	Civil \$'000	Advice (Interpreter fees) \$'000	TOTAL \$'000
<u>EXTERNAL CASES</u>					
Solicitor, Counsel and Disbursements	3,338	3,743	256	0	7,337
<u>INHOUSE CASES</u>					
Solicitor, Counsel and Disbursements	512	334	27	43	916
<u>TOTAL CASE</u>	3,850	4,077	283	43	8,253
<u>RELATED PAYMENTS</u>					
Case generated income	303	303	60	0	666
Case generated income as a % of payments	7.87	7.43	21.20	0	8.07

Total Case Related Payments and Case Generated amounts reconcile with amounts recorded in the Operating Statement and accompanying notes.

The Commission seeks to generate income on case related matters on a fair and equitable basis, to ensure all clients contribute according to their means and assets.

- Contributions paid directly to Private Practitioners are offset against external case payments. The amounts depicted in the above chart are the net payments on external cases (contributions paid to Private Practitioners on external cases were \$311,000).
- Case generated income includes Statutory Charges. Contributions paid to the Commission on Inhouse cases and Costs Recovered.

Account payment performance

The Commission has a policy of paying all accounts within 30 days; any delays are the result of an unanswered query on the account.

Particulars	Number of accounts paid	Percentage of accounts paid (by number)	Value in \$A of accounts paid	Percentage of accounts paid (by value)
Paid by the due date*	26,898	91.08%	10,279,912	90.74%
Paid within 30 days or less from due date	2,382	8.07%	909,058	8.02%
Paid more than 30 days from due date	253	0.86%	140,202	1.24%

**Note: The due date is defined as per section 11.2 of Treasurer's Instruction 11 Payment of Accounts. Unless there is a discount or a written agreement between the public authority and the creditor, payment should be within thirty days of the date of the invoice or claim.*

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Port Adelaide SA 5015
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Fax (08) 8207 6277
DX 50607

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Windsor Building
Elizabeth Centre
Elizabeth SA 5112
Telephone (08) 8207 9292
Fax (08) 8207 9333
DX 50102

Noarlunga Office

Noarlunga House
Colonnades Shopping Centre
Noarlunga Centre SA 5168
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Fax (08) 8207 3880
DX 51404

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Whyalla SA 5600
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Fax (08) 8648 8066
DX 60021

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