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36th Annual Report 2013-14



Legal Services Commission of South Australia

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Chairman's Report 2013-14

02

The Honourable John Rau, MP
Deputy Premier
Attorney-General
Attorney-General's Department
Level 11, 45 Pirie Street
ADELAIDE SA 5000



Michael Abbott, AO QC

Dear Deputy Premier,

I am pleased to present the Annual Report of the Legal Services Commission of South Australia for the year ending 30 June 2014, pursuant to section 33 of the *Legal Services Commission Act 1977*.

This is my first report as Chairman. I joined the Board in December 2013 following the resignation of my predecessor, Ms Deej Eszenyi, who had been Chairman for eight years. Ms Eszenyi's involvement with the Commission began when she joined the board as a Commissioner in 1999. She was appointed Chairman in 2005.

I would like to take this opportunity to acknowledge her many years of service and her strong commitment to access to justice. During this financial year the Commission also farewelled long standing Commissioner, Ms Maurine Pyke, QC. Ms Pyke joined the Commission in March 2005. She is a Senior Counsel in the area of family law and the Commission was fortunate to have the benefit of her extensive knowledge and experience. I thank Ms Pyke for her service to the Commission. I welcome her successor, Ms Catherine Nelson who is a legal practitioner specialising in family law and Ms Alison Lloyd-Wright, a new Commissioner nominated by the Attorney-General.

The 2013-14 year has been a time of great change at the Commission. In September 2013 the Commission moved from its Wakefield Street premises, a converted biscuit factory where it had been for nearly 30 years, to new modern accommodation in Gawler Place. Both before and after the move there was a considerable period of adjustment for staff as well as the usual logistical problems involved with bedding down systems. At the same time, it was necessary for the important services we offer the public to continue uninterrupted. I commend all the staff of the Commission for the admirable

way in which they carried out their duties in the midst of this change. The move to new premises has proved a boon for the Commission as the modern facilities have allowed greater efficiency in the provision of services, greater comfort and security for staff and clients, and more space for new activities.

This year the Commission introduced a panel system for practitioners wishing to undertake legal aid work. My fellow board members and I were closely involved in this process which has formed part of your Justice Sector Reform initiatives. The panel system received widespread support from members of the judiciary including the Chief Justice. I know that some members of the legal profession expressed initial concern about the panel system but the first run of applications for membership of the general and complex criminal law panels proceeded very smoothly and the system is now well established. The Commission receives substantial funding from the State and Commonwealth governments and, as a recipient of public money, it has a responsibility to ensure that its clients are represented by practitioners with an appropriate level of legal skill.

Over the past few years the Commission has been the subject of several reviews coming to a head in 2013-14. The *Review of the Provision and Procurement of Legal Aid Services in South Australia's Criminal Courts* was initiated by you in February 2011. A period of public consultation for the final report of this review has now concluded and the outcomes will no doubt form part of your Justice Sector Reform strategy in the coming year.

The *Allen's Review of the National Partnership Agreement on Legal Assistance Services* concluded in March 2014. The conclusions from the Allen's report will feed into the Commonwealth's review of the National Partnership Agreement which will take place over the next 12 months and will impact not just on legal aid commissions but on the legal assistance sector as a whole.

The current Productivity Commission *Review of Access to Justice Arrangements* will have ramifications for the entire legal profession in Australia, including legal assistance providers. Having made substantial written submissions on the review to the Productivity Commission, the Legal Services Commission subsequently attended public

hearings in Adelaide to argue for the efficiencies of legal aid. The recommendations of this Review are likely to be known in the next 12 months.

In May 2014, the Commission hosted its biennial Commission Conference at the Convention Centre in Adelaide. The Conference was well attended by staff and members of the profession and attracted notable speakers from around Australia.

Along side all these exceptional matters, the workload for the core business of the Commission throughout 2013-14 is impressive. We received 17 940 applications for legal aid, of which 14 552 were approved. Of these 14 552 approved applications, 9 952 were outsourced to the private legal profession. The Commission provided 14 773 duty solicitor services across all courts and 24 830 legal advice appointments. We responded to 62 744 phone calls for legal advice and delivered community legal education sessions to 18 243 participants. I congratulate staff of the Commission for their hard work this financial year.

I sincerely thank members of the private legal profession in South Australia, the Law Society, and the South Australian Bar Association for their ongoing support for the Commission. Private legal practitioners continue to provide a high standard of representation to legally aided clients against a background of increasing fiscal restraint in the availability of public funds.

I note that in accordance with the whole of government cost saving strategy you have determined that the Commission is to receive \$3.5million less in State Government funding in the 2014-15 financial year. As you are aware the Commission will need to utilise reserve funds to provide the same level of services in the coming year and has adopted appropriate strategies to cover this diminution in State Government funding.

Thank you for your continued support as Attorney-General. I look forward to a strong working relationship with you over the coming year. There are many challenges ahead for the legal assistance sector but I am confident that the Legal Services Commission of South Australia is well placed to meet them.

Michael Abbott, AO QC
Chairman

Directorate Program

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Our Vision

*To provide quality legal assistance
to people in South Australia*

Our Goals

- *To provide clients with accessible information, advice and representation to meet their legal needs.*
- *To work in partnership with other members of the legal community to deliver to our clients equitable access to the justice system.*
- *To provide a safe, healthy, rewarding, satisfying work environment.*
- *To provide quality legal assistance efficiently and effectively.*
- *To satisfy the community that we fulfil our statutory and contractual obligations and are deserving of ongoing financial support.*
- *To provide timely research and advice on legal issues to the government and the community.*
- *To inform governments of the likely impact on the Legal Services Commission and the community of proposed changes to legislation and policy.*

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Hon Chris Kourakis, Chief Justice of South Australia at the opening of the new Adelaide premises of the Commission, "I have not felt more humble nor felt greater pleasure in officiating at a ceremony than I do today. Both emotions have their source in the greatness of the institution that is the Legal Services Commission of South Australia".



Gabrielle Canny, Director.

The 2013-14 financial year saw a number of significant developments at the Legal Services Commission of South Australia with changes to the membership of the Commission, the move of the Adelaide head office to new accommodation and the public release of the State Government's *Review of the Provisions and Procurement of Legal Assistance Services*. It has also been a challenging time for the legal aid sector nation-wide with a change of Federal Government, the Productivity Commission's *Review of Access to Justice Arrangements* and the release of ACIL Allen's *Review of the National Partnership Agreement on Legal Assistance Services*.

Commission changes

I take this opportunity to extend a warm welcome to Michael Abbott, AO QC, who was appointed Chairman of the Commission in December 2013. Michael's extensive legal experience brings a wealth of knowledge which will provide an invaluable asset to the organisation. I express my personal thanks to our former Chairman, Deej Eszenyi, who had been our Chairman since 2005 and with whom I had the opportunity to work closely. This year we also farewelled Maurine Pyke QC, who since her appointment as Commissioner in 2005 has provided an exemplary contribution to the Commission. I welcome two new Commissioners, Alison Lloyd-Wright and Cathy Nelson.

Business of the Commission

The Commission finished the 2013-14 financial year in a good position, with only a 1.25% variance between the Commission's budgeted and actual income expenditure. This result demonstrates the Commission's continued commitment to maintaining strong and steady financial management.

Applications for aid decreased by 5.3% compared to last year, with applications for Commonwealth law matters down by 3.1% and



Commission's new reception area

State law by 5.8%. The reduction in demand for State matters (mostly criminal law) may be linked to a reported decrease in crime rates. Statistics collected by the South Australian Office for Crime Statistics and Research (OCSAR) indicate that the number of offences in many categories of crime in South Australia have fallen during this financial year.

On 22 July 2013, the Commission signed an agreement with the Commonwealth Attorney-General for the provision of extra services in areas identified as priorities by the Commonwealth. Under the *Collaborative Funding Agreement*, the Commission was to receive \$2 349 106 over two years to develop a number of pilot projects to deliver services in family law, low value property matters, advice, representation and consumer law matters. Unfortunately, the Attorney-General announced in 2014 that \$1 174 553, being the second year's funding, was to be

withdrawn from the original funds. While these projects are unlikely to proceed into 2015 as originally envisaged, the Commission will continue to deliver the agreed services until the first round of funds is exhausted.

New Commission head office

An important milestone achieved during this financial year was the relocation of the Adelaide head office and its 165 staff to new accommodation. The move was one of the largest infrastructure projects undertaken by the Commission in recent times, involving many months of planning and preparation. Relocating the head office to more suitable premises had been high on the agenda for a number of years. Our former building in Wakefield Street, which housed the Commission for nearly three decades, provided little opportunity to make much needed improvements, particularly in terms of security.



Chief Justice of South Australia, Hon Chris Kourakis, opening the Commission's new head office

To the credit of all staff involved in facilitating the move, the new head office opened its doors to the public on 16 September 2013 without any disruption to client services. An official opening was held on 26 September with the Chief Justice of South Australia, the Hon Chris Kourakis, providing the keynote address. Speaking before a large audience of Commission staff and invited guests, the Chief Justice spoke of his personal experience of being a past staff member and the value of the Commission as an organisation of people committed to enhancing access to justice for all South Australians.

Located at 159 Gawler Place, the new Adelaide head office provides staff with a safe, modern and integrated work environment. Clients are also better served by the inclusion of secure interview rooms, improved and increased family dispute resolution conferencing facilities, a larger and more comfortable reception area and a centrally located office close to transport.



Commission band, 'Commission Impossible' performing at the opening of the new head office.

I extend my thanks to all staff for their support, commitment and professionalism during this time of significant change and adjustment.

New corporate image

The need to update and reprint all the paper based resources provided an excellent opportunity to refresh the Commission's logo and its overall corporate image.



Incorporating a more streamlined design and new colour scheme, the logo continues to reflect the spirit of the previous logo, displayed by the Commission in varying forms since 1980.

Commission's Corporate Plan

The Commission has again met the required targets set in its own Corporate Plan and, where applicable, in the South Australian Strategic Plan. Corporate planning provides an opportunity for goal setting, self evaluation and renewal. In the 2014-15 financial year the Commission will revisit its key result areas and set goals for the next three years.

National Partnership Agreement

Due to expire on 30 June 2014, the Commonwealth has agreed to an extension of the National Partnership Agreement (NPA) for a further year to allow more time for the negotiation of a new Agreement. The NPA determines the funding to the states and territories for the delivery of legal services through legal aid commissions. The stated aim of the Commonwealth Government is that a new NPA will extend to other service providers in the legal assistance sector.

The findings of the ACIL Allen Review will directly shape the final NPA by way of new service targets, priorities and outcomes. The outcome of the Productivity Commission Review into Access to Justice Arrangements is also likely to have an impact on the negotiations.

National Legal Aid meeting

The Commission hosted the February 2014 National Legal Aid meeting at its new premises. National Legal Aid (NLA) brings together the Directors of all legal aid commissions in Australia and the Legal Services Agency of New Zealand to discuss approaches to enhance the provision of legal aid and to coordinate joint responses to law reform and other key developments in the justice sector. During this financial year, NLA worked on the development of its Strategic Plan for 2014-16 and participated in key national initiatives including the Productivity Commission Inquiry into Access to Justice Arrangements and the

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response to the Australian Institute of Family Studies Report on Independent Children's Lawyers.

Productivity Commission

In September 2013, the Productivity Commission released the first Issues Paper of its Inquiry into Access to Justice Arrangements. The Paper identified areas for examination and sought responses through submissions to a large number of questions. The Commission's submission, lodged with the Productivity Commission on 12 November 2013, focussed on the findings of the Legal Australia Wide Survey, from a South Australian perspective, while highlighting the value of Commission initiatives such as our duty lawyer services and legal education programs as strategies to encourage the early resolution of legal problems.

State Review

On 14 February 2014, the Attorney-General released four reports compiled by an expert committee appointed to review the provision of legal aid for State criminal cases by the Commission. The Review focused on the operation of the Commission's Criminal Law Practice Division, which is predominately State funded. The Review discussed the Commission's governance, the delivery of legal aid through in-house lawyers and private practitioners, the establishment of a

public defender's office and changes to the Commission's fee structure in light of new sentencing laws. Since the institution of the Review, the Commission has implemented a number of recommendations proposed by the Review, including the establishment of a practitioner panel system and changes to our fee structure. We look forward to further discussions with the Attorney-General regarding the Review as we move toward 2015.

Commonwealth Review

On 2 July 2014, the Commonwealth Attorney-General released the Final Report of the Review of the National Partnership Agreement on Legal Assistance Services (NPA) prepared by the ACIL Allen Consulting Group. The purpose of the Review was to assess legal assistance as a national system and to develop a common measurement and evaluation process for use across legal assistance providers in receipt of Commonwealth funds. Agencies reviewed included legal aid commissions, Aboriginal and Torres Strait Islander legal services, community legal centres and family violence prevention legal services.

The Report found that while legal aid commissions provide appropriate, quality service, the current level of service provided by the sector as a whole is not sufficient to meet the legal needs of the community. The Report

identified service gaps in a range of civil law matters and called for greater support for the legal assistance sector to deliver services targeted to areas of legal need.

South Australian Legal Assistance Forum

The National Partnership Agreement on Legal Assistance Services requires each State and Territory to establish a forum to consider opportunities for improved coordination and targeting of services between legal assistance providers, as well as the linking of legal services with other service providers. To achieve this aim the Legal Services Commission hosts the South Australia Legal Assistance Forum (SALAF). Its members include community legal centres, aboriginal legal services, the Law Society, JusticeNet SA, university law school advice clinics and State and Commonwealth government representatives.

In the 2013-14 financial year SALAF—

- considered the impact of legislative change on disadvantaged clients, in particular the new fines enforcement legislation;
- supported the Aboriginal Legal Rights Movement in its concerns relating to the lack of interpreters for Aboriginal people in the Port Augusta gaol

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and in particular the effect of this during audio visual link attendances;

- supported collaboration between the Commission and university advice clinics to assist unrepresented parties in the courts;
- updated and circulated a Legal Referral Guide to all members of SALAF to assist in referrals between legal assistance providers;
- established a SALAF sub-group to engage with the Department of Human Services (DHS) to assist DHS staff to identify legal issues and provide relevant legal information in DHS offices;
- discussed with the Commonwealth the Productivity Commission Report on Access to Justice Arrangements and the National Partnership Agreement review, with emphasis on particular challenges for South Australia.

Practitioner panel system

In May 2014, the Commission introduced a practitioner panel system, bringing South Australia in line with most other jurisdictions. The panel system comprises a General Panel, a Complex Criminal Law Panel and a murder sub-panel.



Retired Judge, Hon Kevin Duggan AM QC, Commission Conference 2014

A practitioner wishing to undertake legal aid work must be registered on the relevant panel according to his or her level of experience. More than 470 legal practitioners were registered on the panels as at the end of this financial year.

Criminal Justice Sector Reform Council

Since its establishment in July 2013, I have been participating in regular meetings of the Criminal Justice Sector Reform Council. The Council is an initiative of the State Attorney-General to review the operation of the criminal justice system with a particular focus on improving its efficiency. The Council brings together the CEOs of all major agencies in the sector including the Attorney-General's Department, the Director of Public Prosecutions, the Department of Correctional Services, the South

Australian Police, the Courts Administration Authority, the Department of Communities and Social Inclusion (Youth Justice), and the Chief Magistrate, Chief Judge and Chief Justice.

Sentencing discount laws

The recent introduction of legislation allowing for sentencing discounts for an early guilty plea is part of a package of significant reforms to criminal justice in South Australia. Under the new legislation, a person pleading guilty to a criminal offence within four weeks of first appearing in court is eligible to receive a sentence discount of up to 40%. One of the main rationales for the new sentencing discount regime is the potential savings in cost and time for all parties and the courts. Informing clients about the new laws has been a priority for the Commission. To this effect

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the Commission criminal law cost scale was adjusted to provide one extra solicitor hour to explain, and advise clients about, the new laws. Letters granting aid now include information about the scheme, and information sheets prepared by the Commission are readily available in courts and police stations. Collaborative work with the Office for Crime Statistics and Research (OCSAR) during 2014-15 will enable the Commission to make a better assessment about the impact of the new legislation.

Commission Conference 2014

The Commission's 2014 Conference was held on 2 May 2014 at the Adelaide Convention Centre. This was one of our most successful conferences to date, with over 180 attendees and 15 high profile speakers participating in the event. Titled 'Law and Life', the conference brought together over 130 Commission staff and some 55 private practitioners and members of the judiciary who participated in seminars on a range of legal and life wellbeing topics. Speakers included State Attorney-General, Hon John Rau, MP; Chief Justice, Hon Chris Kourakis; retired Judge, Hon Kevin Duggan AM QC; Director of Public Prosecutions, Adam Kimber SC and Mark Tedeschi AM QC, amongst others presenters.



Director, Gabrielle Canny, presents Jane Moro with her 25 Years of Service Award

Congratulations

I would like to congratulate staff members Di Thomson, Debra Bradley, Jane Moro and Tina Georgiadis on achieving 25 years of service to the Commission. The Commission has a long track record as an employer of choice, and seeing many staff members achieve this milestone this year is a reflection of the excellent work environment provided by the Commission.

On 16 May 2014, Bronwen Waldron, a senior criminal lawyer, retired from legal practice after 22 years of service with the Commission. Bronwen began her career as a duty solicitor in January 1992, later becoming a senior legal practitioner specialising in the difficult and complicated area of forensic mental health law. Bronwen is considered

by many in the profession to be the State's most experienced criminal law practitioner in cases involving the mentally ill, having dedicated her career to assisting mentally impaired clients charged with the most serious criminal offences.

Social media

This financial year has seen a continued focus on expanding the capacity of the Commission to connect with clients through social media and online technology. Currently, the Commission produces two Facebook pages, has accounts with Twitter and Youtube and is increasingly making use of webinar technology as part of its legal education programs. Webinar technology, in particular, enables the Commission to engage more effectively in professional development and legal education. The ability to provide a live feed of Commission education seminars to people living in country areas is one of the great benefits of this technology.

I look forward to the 2014-15 year as one for innovation and reform. I am confident the Commission will continue to meet the many challenges facing the legal profession and the legal assistance sector.

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The Legal Services Commission is a body corporate. It is not an instrumentality of the Crown and is independent of the Government. It is established by the *Legal Services Commission Act 1977* (the Act) and has the powers, functions and duties prescribed or imposed on it by that Act. It consists of the following members:

- the Chairman, appointed by the Governor on the nomination of the Attorney-General;
- a person to represent the interests of assisted persons, appointed by the Governor on the nomination of the Attorney-General after consultation with the South Australian Council of Social Services Incorporated;
- three persons appointed by the Governor on the nomination of the Attorney-General;
- three persons appointed by the Governor on the nomination of the Law Society;
- an employee of the Commission, appointed by the Governor on the nomination of the employees on the Commission;
- the Director.

Each appointed member of the Commission holds office for three years and at the end of the term of appointment is eligible for reappointment.

For the reporting year 2013-14, the Commission consisted of the following members:

- **Deej Eszenyi BA, LLB**—Chairman (appointed Chairman 20 January 2005, resigned 11 December 2013);
- **Michael Abbott AO QC LLB**—Chairman (appointed Chairman 12 December 2013);
- **Michael Dawson BA, Dip Ed**—representative of the interests of assisted persons (appointed 16 February 2006);
- **Jayne Basheer BA (Juris), LLB (Hons), GDLP**—nominee of the South Australian Attorney-General (appointed 4 October 2012);
- **Alan Herald FCA**—nominee of the South Australian Attorney-General (appointed 6 December 2012);
- **Alison Lloyd-Wright BA (Hons), LLB**—nominee of the South Australian Attorney-General (appointed 12 December 2013);
- **Maurine Pyke QC**—nominee of the Law Society of South Australia (appointed 24 March 2005, resigned 23 March 2014);
- **Tracee Micallef LLB, GDLP, B Com**—nominee of the Law Society of South Australia (appointed 6 November 2008);
- **John Keen LLB, LLM**—nominee of the Law Society of South Australia (appointed 10 September 2012);
- **Catherine Nelson LLB**—nominee of the Law Society of South Australia (appointed 29 May 2014);
- **Andrew English LLB**—nominee of the employees of the Legal Services Commission (appointed 16 July 2009);
- **Gabrielle Canny LLB**—Director of the Legal Services Commission (appointed Director 2 August 2012).



(L–R) Dee Eszenyi, Commissioner 1999–2013; Chairman 2005–2013; Maurine Pyke QC, Commissioner 2005–2014

The Commission 2013-14



Functions

As an independent statutory body the Commission has the following legislated functions prescribed in section 10 of the Act:

To provide, or arrange for the provision of, legal assistance in accordance with the Act;

- In 2013-14 the Commission approved 14 552 applications for legal representation, provided 24 830 legal advice appointments, 62 744 telephone advice services, and 14 773 duty lawyer services.

To determine the criteria under which legal assistance is to be granted;

- Legal aid guidelines are set out on the Commission's website at <http://www.lsc.sa.gov.au/>.

The Commissioners. (L-R) standing: Alan Herald, Michael Dawson, Gabrielle Canny, Michael Abbott AO QC, Cathy Nelson (L-R) sitting: John Keen, Alison Lloyd-Wright, Tracee Micallef, Andrew English Absent: Jayne Basheer, inset right



- In 2013-14, a trial period was extended for 'front loading' changes to the fee scale for solicitor work to take into account new legislation offering discounts for early guilty pleas.

To conduct research with a view to ascertaining the needs of the community for legal assistance, and the most effective means of meeting those needs;

- In 2013-14, the Commission provided a detailed response to the Productivity Commission Review into Access to Justice Arrangements, highlighting areas of unmet legal need based on data from its own operations. The Commission contributed data

to National Legal Aid as part of Australia wide information gathering.

- The Commission worked with the South Australian Office of Crime Statistics and Research to monitor the impact of new legislation offering discounts for early guilty pleas.
- The Commission surveyed service providers in the culturally and linguistically diverse sector to gauge their views on Commission services.

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To establish such offices and other facilities as the Commission considers necessary or desirable;

- The Commission has offices in the city, five metropolitan suburbs, Port Augusta and Whyalla.

The location of these offices is assessed annually to determine the locations where there is greatest demand for Commission services and where resources would be most effective. This financial year the Commission set up outreach services at the Adelaide Magistrates Court in response to changes in the jurisdiction of that Court.

To 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;

- The Commission has a strong community education focus, particularly targeting linguistically and culturally diverse groups and new migrants with programs about essential legal rights and responsibilities in Australia.

- In late 2013-14, the Commission received a special grant under the South Australian Disability Justice Plan to develop a community legal education resource for this special needs group.

To inform the public by advertisement or other means of the services provided by the Commission, and the conditions upon which those services are provided;

- The Commission maintains a user friendly website with information for members of the public and legal practitioners about all Commission services, as well as two Facebook pages and a Twitter account. These sites are regularly updated by the Commission's communications officer.
- From time to time, the Commission runs dedicated advertising campaigns in more public forums such as advertising on the backs of buses and on radio.

To co-operate and make reciprocal arrangements with persons administering schemes of legal assistance in other States and Territories of the Commonwealth or elsewhere;

- The Commission's Director is a member of National Legal Aid, a representative body for all legal aid commissions around Australia and New Zealand. National Legal Aid provides a means for co-operative projects, research and program delivery. Examples of its work include commissioning the Legal Australia-Wide Survey on Unmet Legal Need in 2012.

Where it is practicable and appropriate to do so, to make use of the services of interpreters, marriage guidance counsellors and social workers for the benefit of assisted persons;

- The Commission regularly provides interpreters free of charge to clients who require them.
- Para-legal advisers and the Commission's child psychologist are available to assist clients or to refer them to support services as required.

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To 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;

- The Commission has an annual intake of Aboriginal students studying law who undertake a 12 week paid cadetship with the Commission while completing their studies. The Commission also takes GDLP students on placements.

To make grants to any person or body of persons carrying out work that will in the opinion of the Commission advance the objects of the Act;

- The Commission works co-operatively with many other agencies and has strong referral networks around South Australia. In 2013-14, as part of an additional Commonwealth funding grant, the Commission agreed to provide funding for counsel assistance, in cases which are not legally aided, for clients of community legal centres and the Aboriginal Legal Rights Movement.

To perform such other functions as the Attorney-General may direct.

- Both the Chairman and the Director of the Commission meet regularly with the Attorney-General. The Director is a member of the Criminal Justice Sector Reform Council and involved in projects associated with that forum.

Principles under which the Commission operates

In determining the criteria under which legal assistance is to be granted the Commission is legislatively required to have regard to the principles that—

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

In the exercise of its powers and functions the Commission must—

- (a) seek to ensure 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 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.

In developing policy 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.

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Risk management

The Audit, Compliance and Risk Committee of the Commission considers–

- all matters that relate to the financial affairs of the Commission;
- the conduct and report of the external audit by the Auditor General;
- risk management strategies and exposures as they arise; and
- any other matters referred to it by the Commission.

The members of the Audit, Compliance and Risk Committee for 2013-14 were–

Commissioner Alan Herald (Chair);
Commissioner John Keen;
Commissioner Alison Lloyd-Wright;
Commissioner Tracee Micallef;
Director Gabrielle Canny.

The observers of the Audit, Compliance and Risk Committee for 2013-14 were–

Neil Traeger (Executive officer to the Committee), Manager, Infrastructure;
Chinh Dinh-Pham, Manager Finance;
Andrew March, Manager ICT Services.

No instances of fraud were recorded for the 2013-14 financial year. The financial management of the Commission is in accordance with applicable Australian Accounting

Standards, the Treasurer's Instructions and Accounting Policy Statements. To minimise the potential for fraud, a risk register, a Financial Management Compliance Program and accounting procedures and policies are maintained and reviewed in conjunction with the external auditors and the Audit, Compliance and Risk Committee.

No disclosures of public interest information were made under the *Whistleblowers Protection Act 1993* during the financial year.

Commission committees

In addition to the Audit, Compliance and Risk Committee the following Commission Committees met in the 2013-14 financial year:

Accommodation Committee;
Budget Committee;
Commitment Committee;
Conference Committee;
ICT Steering Committee.

Staff of the Commission

The Commission employs 219 staff (both legal and non-legal) to carry out its functions under the Act. The Director, who is appointed by the Commission and holds office on terms and conditions determined by the Commission and approved by the Governor, oversees employees. Commission staff are located at the Commission's head office in Gawler Place, Adelaide and in metropolitan and regional offices at Elizabeth, Holden Hill, Mt Barker,

Noarlunga, Port Adelaide, Whyalla and Port Augusta.

During the reporting year many members of staff contributed, in their own time, to their respective professional associations. Additionally, staff members were involved in a wide variety of community organizations, a list of which is found in *Appendix 5* of this Annual Report.

Services to the public

The Commission provides the following services to members of the public:

- legal representation to eligible people under criteria set by the Commission in accordance with the *Legal Services Commission Act 1977*;
- free legal information, advice and minor assistance provided over the telephone, at a Commission office by appointment or in a gaol;
- a free duty solicitor service to eligible people attending metropolitan, and some country, Magistrates Courts, Youth Courts and the Family Court where those people have not yet consulted a legal practitioner;
- a range of free publications explaining the law in simple terms, available from Commission offices, various community organisations and on the Commission website;

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- a comprehensive and up to date Law Handbook online available at www.lsc.sa.gov.au, providing legal information in plain English;
- an extensive range of community legal education programs, some free and others fee paying.

The Legal Services Commission provides legal assistance through two programs— the Access Services Program and the Representation Program.

The Access Services Program delivers advice by telephone and by appointment, minor assistance, community legal education and library services. The provision of advice in this program is not means or merit tested.

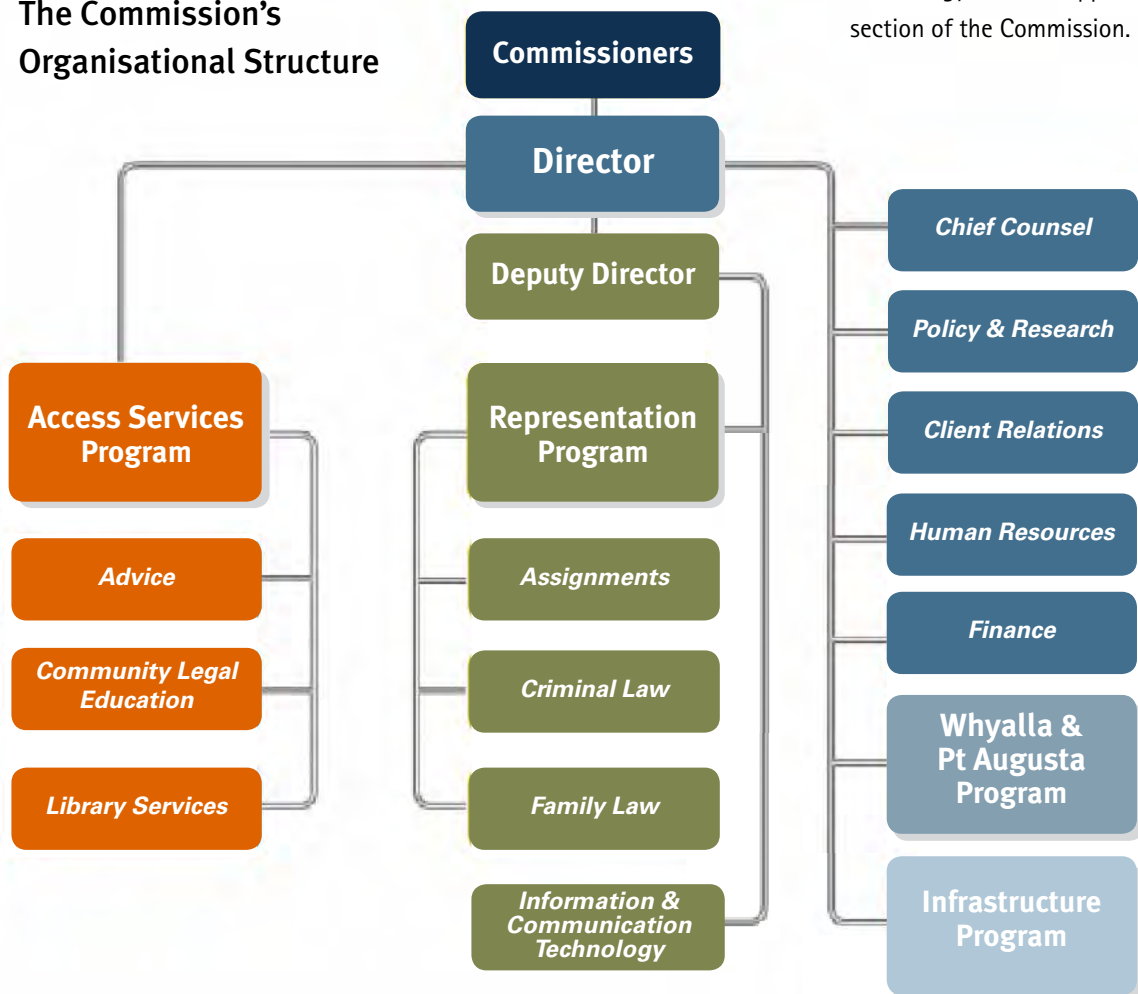
The Representation Program consists of the Grants of Legal Aid and Assignments Division, the Criminal Law Practice Division and the Family Law Practice Division.

The Commission also provides services to rural and remote clients through its offices at Whyalla and Port Augusta.

The Commission's services to the public are supported by the work of a Chief Counsel, Policy and Research staff and a Client Relations Coordinator. In order to ensure the smooth and ongoing operation of the Commission a Human Resources section and a Finance section report directly to the Director.

The Infrastructure Program and Information and Communication Technology section support each section of the Commission.

The Commission's Organisational Structure



Finance 2013-14

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The Commission is funded by the State and Commonwealth governments. The State Government provides funding for State law related legal matters and State projects and the Commonwealth Government provides funds for Commonwealth law related legal matters and Commonwealth projects.



Chinh Dinh-Pham, Manager Finance.

Commonwealth funding

The National Partnership Agreement on Legal Assistance Services was entered into between the Commonwealth of Australia and States and Territories with effect from 1 July 2010. Pursuant to that Agreement, the Commonwealth Government committed funding to South Australia for the following four financial years, ending on 30 June 2014. The Commonwealth Government provided funding of \$15 893 000 in 2013-14. In addition, the Commonwealth Government reimbursed the Commission \$191 000 for expensive criminal cases. A one year extension of the National Partnership Agreement is in place for 2014-15.

State funding

The State Government funds State criminal law and child protection (in need of care) matters and reimburses the Commission for expenditure in excess of the Commission's funding caps for approved State

expensive criminal cases. The State Government provided funding of \$20 282 000 in 2013-14. In addition, the State Government reimbursed the Commission \$302 000 for expensive criminal cases. State expensive criminal cases are subject to a case management plan approved by the Attorney-General (see Appendix 3).

The Commission receives income from the Law Society of South Australia pursuant to the *Legal Practitioners Act 1981* (LPA). LPA income is made up of statutory interest, interest from solicitor's trust accounts and excess guarantee funds. This income is used for State related matters.

The Commission generates income from investments, client contributions, recovery of costs, education courses and the sale of legal kits. The Commission also actively pursues other funding, including State and Commonwealth funding, where the projects to be delivered provide a service to the community and are related to, and enhance, services prescribed in the *Legal services Commission Act 1977*.

The Commission completed the 2013-14 financial year with a consolidated net result of \$944 000 deficit.

The detailed 2013-14 financial reports are presented in *tables 1 to 4* and forecasts for 2014-15 and 2015-16 are shown in *table 5*.

Table 1

Income and expenditure—Commonwealth and State by output allocation as at 30 June 2014

		2013-14 Total Actual	2013-14 Commonwealth Actual	2013-14 State Actual
Income	Statutory Interest	975 440	—	975 440
	Interest on Solicitor Trust Account	1 576 860	—	1 576 860
	Interest on Investments	673 600	202 080	471 520
	Costs Recovered and Contributions	370 190	127 140	243 050
	Government Grants - Commonwealth	15 893 000	15 893 000	—
	Government Grants - State	20 282 000	—	20 282 000
	Commonwealth IAAAS Funding	51 350	51 350	—
	Statutory Charges	915 550	453 480	462 070
	State Expensive Criminal Cases	302 180	—	302 180
	Commonwealth Expensive Criminal Cases	190 860	190 860	—
	Other Income	2 251 730	1 426 020	825 710
	Total Income	43 482 760	18 343 930	25 138 830
Expenses	Assignments	2 955 220	1 095 780	1 859 440
	Private Practitioner Representation			
	Criminal Law Services	10 430 350	349 120	10 081 230
	Family Law Services	5 122 120	4 568 410	553 710
	Family Dispute Resolution	1 189 820	1 189 820	—
	Civil Law Services	42 480	14 840	27 640
	Civil Law – Veteran's Matters	23 690	23 690	—
	In-House Representation			
	Criminal Law Services	6 217 990	56 580	6 161 400
	Criminal Law Duty Lawyer Services	1 792 720	12 310	1 780 410
	Family Law Services	4 122 270	4 122 270	—
	Family Law Duty Lawyer Services	282 700	282 700	—
	Family Law Dispute Resolution	872 110	872 110	—
	Child Support Services	1 433 030	1 433 030	—
	Civil Law Services	343 950	—	343 950
	Telephone & Face to Face Advice	6 409 250	3 719 670	2 689 580
	Community Education Services	1 160 420	648 200	512 220
	Strategic Services	1 536 200	768 100	768 100
	Expensive Criminal Cases	493 040	190 860	302 180
	Total Expenses	44 427 360	19 347 490	25 079 860
	Net Result	-944 600	-1 003 560	58 970

Finance 2013-14

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Table 2
Commonwealth Government funding as at 30 June 2014

Financial Year	2008-09 \$'000	2009-10 \$'000	2010-11 \$'000	2011-12 \$'000	2012-13 \$'000	2013-14 \$'000
Annual Funds	12 981	14 054	14 946	15 434	15 695	15 893

In addition the Commonwealth Government separately funded the following:

Financial Year	2013-14 \$'000
Commonwealth Expensive Criminal Cases	191

Table 3
State Government funding as at 30 June 2014

Financial Year	2008-09 \$'000	2009-10 \$'000	2010-11 \$'000	2011-12 \$'000	2012-13 \$'000	2013-14 \$'000
Annual Funds	14 496	16 445	18 047	18 903	19 454	20 282

In addition the State Government separately funded the following:

Financial Year	2008-09 \$'000	2009-10 \$'000	2010-11 \$'000	2011-12 \$'000	2012-13 \$'000	2013-14 \$'000
State Expensive Criminal Cases	289	373	532	1 618	136	302

Table 4
Breakdown of total cash expenditure as at 30 June 2014

Output	2011-12	% Expenditure	2012-13	% Expenditure	2013-14	% Expenditure
In House Practices	11 460 000	28.86	12 665 000	31.20	13 456 000	29.63
External Practices	18 533 000	46.67	19 581 000	48.23	18 108 000	39.87
Expensive Cases	1 618 000	4.07	136 000	0.33	493 000	1.09
Access Services	5 662 000	14.26	6 455 000	15.90	6 580 000	14.49
Strategic Services	1 049 000	2.64	1 370 000	3.37	1 430 000	3.15
Capital Expenditure	1 389 000	3.50	392 000	0.97	5 350 000	11.78
Total Cash Expenditure	39 711 000	100.00	40 599 000	100.00	45 417 000	100.00

Table 5
Cash budget forecast 2014-15 and 2015-16

	2014-15			2015-16		
	State \$'000	Commonwealth \$'000	Total \$'000	State \$'000	Commonwealth \$'000	Total \$'000
Cash Reserves at 1 July	7 731	8 830	16 561	2 872	7 399	10 271
Income	22 031	17 191	39 222	26 493	17 491	43 984
Total Budgeted Income	22 031	17 191	39 222	26 493	17 491	43 984
Expenses						
In-house Representation, Child Support and Family Dispute Resolution	9 369	6 630	15 999	9 603	6 796	16 399
Private Practitioner Representation	12 098	6 959	19 057	12 400	7 133	19 533
Information Services	185	185	370	190	190	379
Advice & Minor Assistance	1 940	1 940	3 880	1 989	1 989	3 977
Community Legal Education	703	703	1 406	721	721	1 441
Assignment Services	1 670	1 280	2 950	1 712	1 312	3 024
Directorate	925	925	1 850	948	948	1 896
Total Budgeted Expenses	26 890	18 622	45 512	27 562	19 088	46 650
Net Cash Result	-4 859	-1 431	-6 290	-1 069	-1 597	-2 666
Cash Reserves 30 June	2 872	7 399	10 271	1 803	5 802	7 605

Notes to Table 5: The above table is based on a 'no activity change' outcome in the financial years 2014-15 and 2015-16.

Table 6
Accounts paid 2013-14

	Number of accounts paid	% of Accounts paid (by number)	Value in \$A of accounts paid	% of Accounts paid (by value)
Paid by due date	37 801	99.22%	\$21 300 951	99.05%
Paid within 30 days of the due date	287	0.75%	\$200 749	0.93%
Paid more than 30 days from the due date	11	0.03%	\$3 214	0.01%
Total	38 099	100.00%	\$21 504 914	100.00%

Auditor-General's Letter 2014

For Official Use Only



Government of South Australia
Auditor-General's Department

Our ref: A14/111

25 September 2014

Mr Michael Abbott AO, QC
Chairman
Legal Services Commission
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Dear Mr Abbott

The audit of the Legal Services Commission for the year ended 30 June 2014

The audit of the accounts of the Legal Services Commission (LSC) for the year ended 30 June 2014 has been completed.

The scope of the audit covered the principal areas of the financial operations of the LSC and included the test review of systems and processes and internal controls and financial transactions.

The notable areas of audit coverage included:

- cash and cash management
- financial accounting
- expenditure and accounts payable
- payroll
- private practitioner expenditure
- revenue and accounts receivable
- compliance with Treasurer's Instruction 2 and 28.

The audit coverage and its conduct is directed to meeting statutory audit responsibilities under the *Public Finance and Audit Act 1987* and also the requirements of Australian Auditing Standards.

In essence, two important outcomes result from the annual audit process, notably:

- the issue of the Independent Auditor's Report (IAR) on the integrity of the LSC's financial statements
- the issue during the year or at the time of financial statement preparation and audit or close thereto, of an audit management letter advising of deficiencies/weaknesses in areas of governance, financial system and process and control and financial reporting, together with recommendations for improvement in controls.

Auditor-General's Letter 2014

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In this regard, returned herewith are the financial statements of LSC together with the IAR, which is unmodified.

My Annual Report to Parliament indicates that an unmodified IAR has been issued on the LSC's financial statements.

In addition, during the year an audit management letter was forwarded to the LSC, detailing findings and recommendations from the audits of the areas reviewed. The findings and recommendations relate to deficiencies/weaknesses noted by Audit and improvements needed in the areas reviewed. The audit recommendations provided in the letter are directed to achieving a sufficient standard of governance, financial management, financial reporting and control. Responses to the matters raised were received and will be followed up in the 2014-15 annual audit.

I refer to your letter of 28 August 2014 where you responded to the 2013-14 Legal Services Commission interim audit findings. In your letter you requested confirmation that the issues raised in our letter do not amount to what could be considered a material misstatement of the financials or potential fraud. Our testing of the financial system controls and verification of a sample of transactions processed through the systems did not identify any material misstatements of the financial statements as a result of error or fraud. This is consistent with the attached IAR.

My Annual Report to Parliament includes a controls opinion and summary commentary for LSC with reference to the matters raised and responses received. The Report indicates those matters that were assessed as not meeting a sufficient standard of governance and financial control.

Finally, I would like to express my appreciation to the management and staff of LSC in providing assistance during the year to my officers in the conduct of the annual audit.

Yours sincerely



S O'Neill
AUDITOR-GENERAL

Enc.

Independent Auditor's Report 2014

INDEPENDENT AUDITOR'S REPORT



Government of South Australia
Auditor-General's Department

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To the Chairman Legal Services Commission

As required by section 31(1)(b) of the *Public Finance and Audit Act 1987* section 25 of the *Legal Services Commission Act 1977*, I have audited the accompanying financial report of the Legal Services Commission of South Australia for the financial year ended 30 June 2014. The financial report comprises:

- a Statement of Comprehensive Income for the year ended 30 June 2014
- a Statement of Financial Position as at 30 June 2014
- a Statement of Changes in Equity for the year ended 30 June 2014
- a Statement of Cash Flows for the year ended 30 June 2014
- notes, comprising a summary of significant accounting policies and other explanatory information
- a Certificate from the Chairman, the Director and the Finance Manager.

Members of the Commission's Responsibility for the Financial Report

The members of the Commission are responsible for the preparation of the financial report that gives a true and fair view in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987* and Australian Accounting Standards, and for such internal control as the members of the Commission determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on the audit. The audit was conducted in accordance with the requirements of the *Public Finance and Audit Act 1987* and Australian Auditing Standards. The auditing standards require that the auditor comply with relevant ethical requirements and that the auditor plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the members of the Commission, as well as the overall presentation of the financial report.

Independent Auditor's Report 2014

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

Opinion

In my opinion, the financial report gives a true and fair view of the financial position of the Legal Services Commission of South Australia as at 30 June 2014, its financial performance and its cash flows for the year then ended in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987* and Australian Accounting Standards.



S O'Neill
AUDITOR-GENERAL
25 September 2014

Statement of Comprehensive Income 30 June 2014

Legal Services Commission of South Australia

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 \$'000	2013 \$'000
Expenses			
Employee benefit expenses	4	18 030	16 904
Private Practitioner services	2.14	17 825	17 543
Private Practitioner services - State Expensive Case matters	5	302	136
Private Practitioner services - Commonwealth Expensive Case matters	5	191	-
Supplies and services	6	6 955	5 002
Depreciation and amortisation expense	7	1 027	710
Other expenses	8	97	268
Total expenses		44 427	40 563
Income			
<i>Legal Practitioners Act revenue</i>	10	2 552	2 749
Statutory charges		916	845
Interest revenue		674	846
Costs recovered and contributions	11	370	483
Other income	12	1 077	633
Total income		5 589	5 556
Net cost of providing services		38 838	35 007
Revenues from Governments			
Commonwealth Government:			
Funding agreement	13	15 893	15 695
Additional funding	13	1 175	-
Immigration Advice and Application Assistance Scheme income	13	51	87
Expensive cases - Other matters	13	191	-
State Government:			
Funding	14	20 282	19 454
Expensive cases - Other matters	14	302	136
Total revenues from Governments		37 894	35 372
Net Result		(944)	365
Other Comprehensive Income			
<i>Item that will not be reclassified to net result</i>		(30)	-
Changes in property, plant and equipment asset revaluation surplus			
Total other comprehensive income		(30)	-
Total Comprehensive Result		(974)	365

Net result and total comprehensive result are attributable to SA Government as owner

The above statement should be read in conjunction with the accompanying notes



Statement of Financial Position 30 June 2014

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Legal Services Commission of South Australia

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2014

	Note	2014 \$'000	2013 \$'000
Current assets			
Cash and cash equivalents	15	16 561	18 390
Receivables	16	<u>1 624</u>	<u>1 760</u>
Total current assets		<u>18 185</u>	<u>20 150</u>
Non-current assets			
Property, plant and equipment	17.1	5 925	1 141
Intangible assets	17.2	409	900
Statutory charge debtors	18	<u>6 000</u>	<u>5 713</u>
Total non-current assets		<u>12 334</u>	<u>7 754</u>
Total assets		<u>30 519</u>	<u>27 904</u>
Current liabilities			
Lease incentive		233	-
Legal payables		1 042	1 096
Payables	19	361	473
Employee benefits	20	<u>1 452</u>	<u>1 342</u>
Total current liabilities		<u>3 088</u>	<u>2 911</u>
Non-current liabilities			
Lease incentive		3 033	-
Payables	19	228	201
Employee benefits	20	<u>3 363</u>	<u>3 011</u>
Total non-current liabilities		<u>6 624</u>	<u>3 212</u>
Total liabilities		<u>9 712</u>	<u>6 123</u>
Net assets		<u>20 807</u>	<u>21 781</u>
Equity			
Revaluation surplus		49	79
Retained earnings		<u>20 758</u>	<u>21 702</u>
Total equity		<u>20 807</u>	<u>21 781</u>
Unrecognised contractual commitments	22		
Contingent assets and liabilities	24		

Total equity is attributable to the SA Government as owner

The above statement should be read in conjunction with the accompanying notes

Statement of Changes in Equity 30 June 2014

Legal Services Commission of South Australia

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2014

	Revaluation Surplus	Other Reserves	Retained Earnings	Total
	\$'000	\$'000	\$'000	\$'000
Balance at 30 June 2012	79	100	21 237	21 416
Net result 2012-13	-	-	365	365
Total comprehensive result for 2012-13	-	-	365	365
Transfer of reserves	-	(100)	100	-
Balance at 30 June 2013	79	-	21 702	21 781
Net result for 2013-14	-	-	(944)	(944)
Loss on revaluation of library collection	(30)	-	-	(30)
Total comprehensive result for 2013-14	(30)	-	(944)	(974)
Balance at 30 June 2014	49	-	20 758	20 807

The above statement should be read in conjunction with the accompanying notes



Statement of Cash Flows 30 June 2014

Legal Services Commission of South Australia

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 Inflows (Outflows) \$'000	2013 Inflows (Outflows) \$'000
Cash flows from operating activities			
Cash outflows			
Employee benefit payments		(17 513)	(17 008)
Supplies and services		(8 230)	(5 754)
Private Practitioner services		(19 677)	(19 438)
Private Practitioner services - Expensive Case matters		(493)	(136)
GST paid to the ATO		(140)	-
Cash used in operations		(46 053)	(42 336)
Cash inflows			
Legal Practitioners Act receipts		2 712	2 941
Costs recovered and contributions		336	412
Statutory charge receipts		620	538
Interest received		674	858
Lease incentive receipts		3 500	-
GST recovered from the ATO		2 605	1 953
Other receipts		1 233	794
Cash generated by operations		11 680	7 496
Cash flows from Governments			
Commonwealth Government:			
Funding agreement		15 893	15 695
Additional funding		1 175	-
Immigration Advice and Application Assistance Scheme income		51	87
Expensive cases - Other matters		191	-
State Government:			
Funding		20 282	19 454
Expensive cases - Other matters		302	134
Total cash flows from Governments		37 894	35 370
Net cash provided by operating activities	21	3 521	530
Cash flows from investing activities			
Cash outflows			
Purchase of property, plant and equipment and intangible assets		(5 350)	(392)
Net cash used in investing activities		(5 350)	(392)
Net increase in cash and cash equivalents		(1 829)	138
Cash and cash equivalents at the beginning of the period		18 390	18 252
Cash and cash equivalents at the end of the period	15, 21	16 561	18 390

The above statement should be read in conjunction with the accompanying notes



Note Index 30 June 2014

Legal Services Commission of South Australia

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NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1. Objectives of the Legal Services Commission of South Australia

The Legal Services Commission of South Australia (the Commission) was established under the *Legal Services Commission Act 1977* (the Act) to provide or arrange for the provision of legal assistance in accordance with the Act. The functions and principles of the Commission are set out in sections 10 and 11 of the Act.

2. Summary of Significant Accounting Policies

2.1 Statement of Compliance

The Commission has prepared these financial statements in compliance with section 23 of the *Public Finance and Audit Act 1987*.

The financial statements are general purpose financial statements. The accounts have been prepared in accordance with relevant Australian Accounting Standards and comply with Treasurer's Instructions and Accounting Policy Statements promulgated under the provision of the *Public Finance and Audit Act 1987*.

The Commission has applied Australian Accounting Standards that are applicable to not-for-profit entities, as the Commission is a not-for-profit entity.

Australian Accounting Standards and interpretations that have recently been issued or amended but are not yet effective have not been adopted by the Commission for the reporting period ended 30 June 2014. Refer Note 3.

2.2 Basis of Preparation

The preparation of the financial statements requires:

- the use of certain accounting estimates and requires management to exercise its judgement in the process of applying the Commission's accounting policies. The areas involving a higher degree of judgement or where assumptions and estimates are significant to the financial statements, are outlined in the applicable notes.
- accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events are reported; and
- compliance with Accounting Policy Statements issued pursuant to section 41 of the *Public Finance and Audit Act 1987*. In the interest of public accountability and transparency the accounting policy statements require the following note disclosures, which have been included in these financial statements:
 - a) revenues, expenses, financial assets and liabilities where the counterparty/transaction is with an entity within the SA Government as at reporting date, classified according to their nature.
 - b) expenses incurred as a result of engaging consultants (as reported in the Statement of Comprehensive Income);
 - c) employees whose normal remuneration is equal to or greater than the base executive remuneration level (within \$10 000 bandwidths) and the aggregate of the remuneration paid or payable or otherwise made available, directly and indirectly by the entity to those employees; and
 - d) Commission member and remuneration information, where a Commission member is entitled to receive income from membership other than a direct out-of-pocket reimbursement.

The Commission's Statement of Comprehensive Income, Statement of Financial Position and Statement of Changes in Equity have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets that were valued in accordance with the valuation policy applicable.

The Statement of Cash Flows has been prepared on a cash basis.

The financial statements have been prepared based on a 12 month operating cycle and presented in Australian currency.

The accounting policies set out below have been applied in preparing the financial statements for the year ended 30 June 2014 and the comparative information presented.

2.3 Reporting Entity

The Commission was established under the Act to provide or arrange for the provision of legal assistance in accordance with the Act. Under section 6 (3) of the Act, the Commission is not an instrumentality of the Crown and is independent of the Government.

2.4 Comparative Figures

The presentation and classification of items in the financial statements are consistent with prior periods except where a specific accounting policy statement or Australian Accounting Standard has required a change.

Where presentation or classification of items in the financial statements have been amended, comparative figures have been adjusted to conform to changes in presentation or classification in these financial statements unless impracticable.

The restated comparative amounts do not replace the original financial statements for the preceding period.

2.5 Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000).

2.6 Taxation

The Commission is not subject to income tax. The Commission is endorsed by the Australian Taxation Office (ATO) as an income tax exempt charity and as a Public Benevolent Institution. The Commission is liable for goods & services tax (GST), payroll tax, fringe benefits tax, emergency services levy, land tax equivalents and local government rate equivalents.

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

- where the GST incurred by the Commission as a purchaser of goods or services is not recoverable from the ATO, in which case the GST is recognised as part of the cost of acquisition of the asset or as part of the expense item applicable;
- receivables and payables, which are stated with the amount of GST included.

The net amount of GST recoverable from, or payable to, the ATO is included as part of receivables or payables in the Statement of Financial Position.

Cash flows are included in the Statement of Cash Flows on a gross basis and the GST component of cash flows arising from investing activities, which is recoverable from, or payable to, the ATO is classified as part of operating cash flows.

Unrecognised contractual commitments and contingencies are disclosed net of the amount of GST recoverable from, or payable to the Australian Taxation Office. If GST is not payable to, or recoverable from the Australian Taxation Office, the commitments and contingencies are disclosed on a gross basis.

2.7 Events after the Reporting Period

Adjustments are made to amounts recognised in the financial statements, where an event occurs after 30 June and before the date the financial statements are authorised for issue, where those events provide information about conditions that existed at 30 June.

Note disclosure is made about events between 30 June to the date the financial statements are authorised for issue where the events relate to a condition which arose after 30 June and which may have a material impact on the results of subsequent years.

2.8 Income

Income is recognised to the extent that it is probable that the flow of economic benefits to the Commission will occur and can be reliably measured.

Income has been aggregated according to its nature and has not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

The notes accompanying the financial statements disclose income where the counterparty/ transaction is with an entity within the SA Government as at the reporting date, classified according to their nature.

The following are specific recognition criteria:

Government Funding

Funding from the State and Commonwealth Governments are recognised as revenues when the Commission obtains control over the funding. Control over government funding is normally obtained upon receipt.

Government Funding Expensive Cases

The Commission recognises expensive case funding when the amount has been approved and can be reliably measured.

Other Income

Other income consists of Public Service Association (PSA) and Workcover Corporation funding for the provision of legal advisory services, Drug Court funding and Strata Communities funding from the Attorney-General's Department, reimbursements from the Commonwealth for the provision of the Indigenous Cadetship Support Programs, the provision of Community Legal Education programs and the sale of over the counter legal aid kits.

2.9 Expenses

Expenses are recognised to the extent that it is probable that the flow of economic benefits from the Commission will occur and can be reliably measured.

Expenses have been aggregated according to their nature and have not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

The notes accompanying the financial statements disclose expenses where the counterparty/ transaction is with an entity within the SA Government as at the reporting date, classified according to their nature.

The following are specific recognition criteria:

Employee benefit expenses

Employee benefit expenses includes all costs related to employment including salaries and wages, non-monetary benefits and leave entitlements. These are recognised when incurred.

Superannuation

The amount charged to the Statement of Comprehensive Income represents the contributions made by the Commission to the superannuation plan in respect of current services of current staff.

Salaries and related payments include superannuation contributions paid by the Commission under the following categories:

(a) The Commission paid an amount to Comsuper towards the accruing government liability in respect of currently employed contributors to the Commonwealth Superannuation Fund. Payments amounted to \$63 000 (2013 - \$60 000).

(b) The Commission contributed to various superannuation schemes towards the accruing State government liability for superannuation in respect of all employees. Payments amounted to \$1 528 000 (2013 - \$1 454 000).

Depreciation and Amortisation

All non-current assets, having a limited useful life, are systematically depreciated/amortised over their useful lives in a manner that reflects the consumption of their service potential. Amortisation is used in relation to intangible assets such as software, while depreciation is applied to physical assets such as plant and equipment.

Assets' residual values, useful lives and amortisation methods are reviewed and adjusted if appropriate, on an annual basis.

Changes in the expected useful life or the expected pattern of consumption of future economic benefits embodied in the asset are accounted for prospectively by changing the time period or method, as appropriate, which is a change in accounting estimate.

The value of leasehold improvements is amortised over the estimated useful life of each improvement, or the unexpired period of the relevant lease, whichever is shorter.

Depreciation/amortisation is calculated on a straight line basis over the estimated useful life of the following classes of assets as follows:

Class of Asset	Useful Life (Years)
Plant & Equipment	
Computers	3-5
Office equipment	5-13
Furniture and fittings	13
Leasehold improvements	5-15
Intangibles	3-5

2.10 Current and Non-Current Classification

Assets and liabilities are characterised as either current or non-current in nature. The Commission has a clearly identifiable operating cycle of 12 months. Therefore assets and liabilities that will be realised as part of the normal operating cycle will be classified as current assets or current liabilities. All other assets and liabilities are classified as non-current.

Where asset and liability line items combine amounts expected to be settled within twelve months and more than twelve months, the Commission has separately disclosed the amounts expected to be recovered or settled after more than twelve months.

2.11 Assets

Assets have been classified according to their nature and have not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

Where an asset line item combine amounts expected to be settled within twelve months and more than twelve months, the Commission has separately disclosed the amounts expected to be recovered after more than twelve months.

The notes accompanying the financial statements disclose financial assets where the counterparty/transaction is with an entity within the SA Government as at the reporting date, classified according to their nature.

Cash and Cash Equivalents

Cash and cash equivalents in the Statement of Financial Position includes cash at bank and on hand and in other short-term, highly liquid investments with maturities of three months or less that are readily converted to cash and which are subject to insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash and cash equivalents as defined above. Cash is measured at nominal value.

Receivables

Receivables include amounts receivable from goods and services, GST input tax credits recoverable, prepayments and other accruals.

Receivables arise in the normal course of selling goods and services to other government agencies and to the public. Receivables are generally settled within 30 days after the issue of an invoice or the goods/services having been provided under a contractual arrangement.

Collectability of receivables is reviewed on an ongoing basis. An allowance for doubtful debts is raised when there is objective evidence that the Commission will not be able to collect the debt. Bad debts are written off when identified.

Non-current assets

Acquisition and recognition

Non-current assets are initially recorded at cost or at the value of any liabilities assumed, plus any incidental cost involved with the acquisition. Non-current assets are subsequently measured at fair value less accumulated depreciation.

All non-current tangible assets with a value equal to or in excess of \$1 000 are capitalised.

Revaluation of non-current assets

All non-current tangible assets are valued at written down current cost (a proxy for fair value) and the library collections valued at fair value. Revaluation of non-current assets or group of assets is only performed when its fair value at the time of acquisition is greater than \$1 million and estimated useful life is greater than three years.

Any revaluation increment is credited to the asset revaluation surplus, except to the extent that it reverses a revaluation decrease of the same asset class previously recognised as an expense, in which case the increase is recognised as income. Any revaluation decrease is recognised as an expense except to the extent that it offsets a previous revaluation increase for the same asset class in which case the decrease is debited directly to the asset revaluation surplus to the extent of the credit balance existing in revaluations reserve for that asset class.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amounts of the assets and the net amounts are restated in the revalued amounts of the assets.

Upon disposal or derecognition, any revaluation surplus relating to that asset is transferred to retained earnings.

Library Valuation

The *John Gray Memorial Library* asset is a legal reference collection containing general and specialised items that are available for general use by both Commission lawyers and private practitioners undertaking legal aid matters. The valuation of the library collection was performed by Valcorp Australia Pty Ltd as at 30 June 2014. The independent valuer arrived at fair value based on the written down replacement cost of the collections.

Impairment

All non-current tangible and intangible assets are reviewed for indications of impairment each reporting date. Where there is an indication of impairment, the recoverable amount is estimated. An amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

For revalued assets an impairment loss is offset against the revaluation surplus.

Intangible assets

An intangible asset is an identifiable non-monetary asset without physical substance. Intangible assets are measured at cost. Following initial recognition, intangible assets are carried at cost less any accumulated amortisation and any accumulated impairment losses.

The useful lives of intangible assets are assessed to be either finite or indefinite. The Commission only has intangible assets with finite lives. The amortisation period and the amortisation method for intangible assets is reviewed on an annual basis.

The acquisition of, or internal development of software is capitalised only when the expenditure meets the definition criteria (identifiability, control and the existence of future economic benefits) and recognition criteria (probability of future economic benefits and cost can be reliably measured).

All research and development costs that do not meet the capitalisation criteria outlined in AASB 138 are expensed.

Subsequent expenditure on intangible assets has not been capitalised. This is because the Commission has been unable to attribute this expenditure to the intangible asset rather than the Commission as a whole.

Fair value measurement

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants, in the principal or most advantageous market, at the measurement date.

The Commission classifies fair value measurement using the following fair value hierarchy that reflects the significance of the inputs used in making the measurements, based on the data and assumptions used in the most recent revaluation.

- Level 1 - traded in active markets and is based on unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at measurement date.
- Level 2 - not traded in an active market and are derived from inputs (inputs other than quoted prices included within level 1) that are observable for the asset, either directly or indirectly.

- Level 3 - not traded in an active market and are derived from unobservable inputs.

The valuation process and fair value changes are reviewed by the Finance Manager and the Audit, Compliance and Risk Committee at each reporting date.

Non-financial assets

In determining fair value, the Commission has taken into account the characteristic of the asset (e.g. condition and location of the asset and any restrictions on the sale or use of the asset); and the asset's highest and best use (that is physically possible, legally permissible, financially feasible).

The Commission's current use is the highest and best use of the asset unless other factors suggest and alternative use is feasible. As the Commission did not identify any factors to suggest an alternative use, fair value measurement was based on current use.

The carrying amount of non-financial assets with a 'fair value at the time of acquisition that was less than \$1 million or had an estimated useful life that was less than three years' are deemed to approximate fair value.

Refer to note 17 for disclosure regarding fair value measurement techniques and inputs used to develop fair value measurements for non-financial assets.

Financial assets/liabilities

The commission does not recognise any financial assets or financial liabilities at fair value.

2.12 Liabilities

Liabilities have been classified according to their nature and have not been offset unless required or permitted by a specific accounting standard, or where offsetting reflects the substance of the transaction or other event.

Where liability line items combine amounts expected to be settled within twelve months and more than twelve months, the Commission has separately disclosed the amounts expected to be settled after more than twelve months.

The notes accompanying the financial statements disclose financial liabilities where the counterparty/ transaction is with an entity within the SA Government as at the reporting date, classified according to their nature.

Payables

Payables include creditors, accrued expenses, employment on-costs and Paid Parental Leave Scheme payable.

Creditors represent the amounts owing for goods and services received prior to the end of the reporting period that are unpaid at the end of the reporting period. Creditors include all unpaid invoices received relating to the normal operations of the Commission.

Accrued expenses represent goods and services provided by other parties during the period that are unpaid at the end of the reporting period and where an invoice has not been received.

The paid parental leave scheme payable represents amounts which the Commission has received from the Commonwealth Government to forward onto eligible employees via the Commission's standard payroll processes. That is, the Commission is acting as a conduit through which the payment to eligible employees is made on behalf of the Family Assistance Office.

All payables are measured at their nominal amount and are normally settled within 30 days from the date of the invoice or date the invoice is first received.

Legal Payables represent amounts invoiced from private practitioners for approved cases that are unpaid at balance date. They are normally settled within 30 days.

Employment benefit on-costs include superannuation contributions, payroll tax and workcover levies with respect to outstanding liabilities for salaries and wages, annual leave, long service leave and skills and experience retention leave.

The Commission makes contributions to several superannuation schemes operated by the State Government and a Commonwealth scheme. These contributions are treated as an expense when they occur. There is no liability for payments to beneficiaries as they have been assumed by the superannuation schemes.

Leases

The Commission has entered into operating leases for office accommodation. These leases are reviewed annually for adjustments in the CPI. Operating lease payments are recognised as an

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expense in the Statement of Comprehensive Income on a straight-line basis over the lease term. The straight-line basis is representative of the pattern of benefits derived from the leased asset.

Lease incentives

All incentives for the agreement of a new or renewed operating lease are recognised as an integral part of the net consideration agreed for the use of the leased asset. Incentives received to enter into operating leases are recognised as a liability.

The aggregate benefits of lease incentives received by the Commission in respect of operating leases have been recorded as a reduction of rental expense over the lease term, on a straight line basis.

Lease incentives in the form of leasehold improvements are capitalised as an asset and depreciated over the remaining term of the lease or estimated useful life of the improvement whichever is shorter.

Employee Benefits

These benefits accrue for employees as a result of service or services provided up to the reporting date that remain unpaid. Long-term employee benefits are measured at present value and short-term employee benefits are measured at nominal amounts.

Salaries, wages, annual leave, skills and experience retention leave and sick leave

The liability for salary and wages is measured as the amount unpaid at the reporting date at remuneration rates current at reporting date.

The annual leave liability and the skills and experience retention leave liability is expected to be payable within twelve months and is measured at the undiscounted amount expected to be paid. In the unusual event where salary and wages, annual leave and skills and experience retention leave liability are payable later than twelve months, the liability will be measured at present value.

No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees is estimated to be less than the annual entitlement for sick leave.

Long Service Leave

The liability for long service leave is measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method.

The estimated liability for long service leave is based on actuarial assumptions over expected future salary and wage levels, experience of employee departures and periods of service. These assumptions are based on employee data over SA Government entities. Expected future payments are discounted using market yields at the end of the reporting period on government bonds with durations that match, as closely as possible, the estimated future cash outflows.

The current/non-current classification of the Commission's long services leave liabilities has been calculated based on historical usage patterns.

Workers Compensation

The Commission pays a workers compensation levy to WorkCover SA to provide insurance coverage in relation to workers compensation. These contributions are treated as an expense as they occur. There is no liability to claimants as they have been assumed by WorkCover SA.

2.13 Unrecognised contractual commitments and contingent assets and liabilities

Unrecognised contractual commitments include legal expense, operating and remuneration arising from contractual or statutory sources and are disclosed at their nominal value. Refer Note 22.

Contingent assets and contingent liabilities are not recognised in the Statement of Financial Position, but are disclosed by way of a note and, if quantifiable, are measured at nominal value. Refer Note 24.

2.14 Private Practitioner Services

Comprises solicitors' fees, counsel fees and disbursements to private practitioners for approved cases undertaken during the financial year.

2.15 Trust Funds

Pursuant to the *Legal Practitioner's Act 1981* the Commission holds funds in trust on behalf of clients. As at 30 June 2014 the total funds held were \$14 000 (2013 - \$41 000). These funds are not controlled by the Commission and are not recognised in the financial statements.

3. New and revised accounting standards and policies

Australian Accounting Standards and interpretations that have been recently issued or amended but are not yet effective have not been adopted by the Commission for the period ending 30 June 2014.

The Commission did not voluntarily change any of its accounting policies during 2013-14.

In accordance with the new AASB 13 *Fair Value Measurement*, which became effective for the first time in 2013-14, the Commission has:

- Reviewed its fair value valuation techniques (both internal estimates and independent valuation appraisal) for non-financial assets to ensure they are consistent with the standard. Previously, the Commission has used the cost approach or the market approach to determine fair value. The Commission will continue to measure its non-financial assets using either the cost or market approach. The application of AASB 13 has not had a material impact on the fair value measurements; and
- Included additional disclosure where required to assist users in assessing the valuation techniques and inputs used to ascertain fair value measurements used for asset and liability measurements.

Fair value hierarchy and other information is provided in Note 17.4.

The Commission has assessed the impact of the new and amended standards and interpretations and considers there will be no impact on the accounting policies or the financial statements of the Commission.

4. Employee benefit expenses

	2014 \$'000	2013 \$'000
Salaries and wages	14 051	13 639
Long service leave	646	20
Annual leave	1 115	1 094
Employment on-costs - superannuation	1 591	1 514
Employment on-costs - payroll tax	366	334
Skills and experience retention leave	75	94
Commission members' remuneration	90	89
Workers compensation	96	120
Total employee benefits expenses	18 030	16 904

Remuneration of employees

	Number of Employees	
	2014 No	2013 No
The number of employees whose remuneration received or receivable falls within the following bands:		
\$138 000 to \$141 499 *	N/A	1
\$141 500 to \$151 499	7	2
\$151 500 to \$161 499	1	1
\$161 500 to \$171 499	-	1
\$171 500 to \$181 499	2	1
\$181 500 to \$191 499	-	1
\$191 500 to \$201 499	1	-
\$201 500 to \$211 499	-	1
\$221 500 to \$231 499	1	-
\$231 500 to \$241 499	-	1
\$261 500 to \$271 499	-	2
\$271 500 to \$281 499	1	-
\$281 500 to \$291 499	1	-
Total number of employees	14	11

* This band has been included for the purposes of reporting comparative figures based on the executive base level remuneration rate for 2012-13

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The table includes all employees who received remuneration equal to or greater than the base executive remuneration level during the year. Remuneration of employees reflects all costs of employment including salaries and wages, payments in lieu of leave, superannuation contributions, salary sacrifice benefits and fringe benefits tax paid or payable in respect of those benefits.

The total remuneration received by these employees for the year was \$2 528 000 (2013 - \$2 089 000).

5. Expensive Case matters

	2014 \$'000	2013 \$'000
State Expensive Cases reimbursed	<u>302</u>	<u>136</u>
Total State Expensive Cases reimbursed	<u>302</u>	<u>136</u>
Commonwealth Expensive Cases reimbursed	<u>191</u>	<u>-</u>
Total Commonwealth Expensive Cases reimbursed	<u>191</u>	<u>-</u>

The Commission is required to provide litigation services pursuant to the *Criminal Law (Legal Representation) Act 2001* for State matters that exceed the Commission's prescribed funding cap. Section 18(6) defines the "funding cap" to mean an amount fixed as the funding cap for criminal cases by the Commission for a particular financial year. The funding cap is \$60 000 in the case of one party being aided and \$120 000 in the case of more than one party, irrespective of the number being aided. These matters are separately funded by the State Government (refer Note 14). For Commonwealth matters, the funding cap is \$40 000 and the Commission is reimbursed the full amount (refer Note 13).

6. Supplies and services

	2014 \$'000	2013 \$'000
Accommodation	3 342	1 909
Computing and communications	1 935	1 389
Office supplies and consumables	340	289
Periodicals and subscriptions	247	227
Interpreter fees	214	241
Travel	194	219
Practising certificates and membership	97	97
Storage fees	83	62
Consultancy fees	44	37
Media and advertising	63	49
Other	<u>396</u>	<u>483</u>
Total supplies and services	<u>6 955</u>	<u>5 002</u>

Supplies and services provided by entities within SA Government

	2014 \$'000	2013 \$'000
Accommodation	2 147	203
Computing and communications	189	169
Travel	27	45
Office supplies and consumables	14	9
Other	<u>152</u>	<u>214</u>
Total supplies and services SA Government entities	<u>2 529</u>	<u>640</u>

The number and dollar amount of consultancies paid/payable (included in supplies and services expenses) that fell within the following bands:

	Number	2014 \$'000	Number	2013 \$'000
Below \$10,000	4	11	4	8
Between \$10 000 and \$50 000	<u>1</u>	<u>33</u>	<u>2</u>	<u>29</u>
Total paid/payable to the consultants engaged	<u>5</u>	<u>44</u>	<u>6</u>	<u>37</u>

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7. Depreciation and amortisation expense

	2014 \$'000	2013 \$'000
Depreciation		
Plant and equipment	<u>333</u>	<u>159</u>
Total depreciation	<u>333</u>	<u>159</u>
Amortisation		
Leasehold improvements	203	60
Intangible assets	<u>491</u>	<u>491</u>
Total amortisation	<u>694</u>	<u>551</u>
Total depreciation and amortisation expense	<u>1 027</u>	<u>710</u>

8. Other expenses

	2014 \$'000	2013 \$'000
Statutory charge bad debts and allowance for doubtful debts	73	201
Other bad debts and allowance for doubtful debts	<u>24</u>	<u>67</u>
Total other expenses	<u>97</u>	<u>268</u>

9. Auditor's remuneration

	2014 \$'000	2013 \$'000
Audit fees paid/payable to the Auditor-General's Department relating to the audit of financial statements	<u>76</u>	<u>72</u>
Total Auditor's remuneration	<u>76</u>	<u>72</u>

Other services

No other services were provided by the Auditor-General's Department. Auditor's remuneration costs are recognised in the Statement of Comprehensive Income and included in the balance of 'supplies and services - other' (refer Note 6).

10. Legal Practitioners Act revenue

In accordance with the *Legal Practitioners Act 1981* the Commission is entitled to revenue from funds administered by the Law Society of South Australia.

	2014 \$'000	2013 \$'000
Amounts related to the:		
Statutory Interest account	975	1 077
Interest on Legal Practitioners Trust account	<u>1 577</u>	<u>1 672</u>
Total Legal Practitioners Act revenue	<u>2 552</u>	<u>2 749</u>

11. Costs recovered and contributions

	2014 \$'000	2013 \$'000
Costs recovered	178	159
Contributions*	<u>192</u>	<u>324</u>
Total costs recovered and contributions	<u>370</u>	<u>483</u>

*In addition, contributions of \$653 000 (2013 - \$750 000) in relation to referred cases were paid or are payable directly to private practitioners by clients.

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12. Other income

	2014 \$'000	2013 \$'000
Other income from entities external to the SA Government	675	260
Other income from entities within the SA Government	<u>402</u>	<u>373</u>
Total other income	<u>1 077</u>	<u>633</u>

13. Commonwealth Government

A National Partnership Agreement on Legal Assistance Services between the Commonwealth of Australia and States and Territories is effective from 1 July 2010 to 30 June 2014. Pursuant to that Agreement, the Commonwealth Government contributed funding of \$15 893 000 (2013 - \$15 695 000) to South Australia for the year ended 30 June 2014.

The Commission is also party to a separate agreement with the Commonwealth of Australia to provide services under the Immigration Advice and Application Assistance Scheme (IAAAS). The agreement contributed funding of \$51 000 (2013 - \$87 000).

The Commonwealth Government provided \$191 000 for approved expensive cases.

In July 2013 the Legal Services Commission and the Commonwealth Attorney-General's Department signed a Grant Agreement whereby the Commonwealth would provide an additional funding of \$1 175 000 during 2013-14. The funding was part of a larger national grants program for legal aid commissions around Australia.

14. State Government

In 2013-14 the State Government contributed funding of \$20 282 000 (2013 - \$19 454 000).

The Commission is separately funded by the State Government for matters that exceed the Commission's prescribed funding cap. The matters are funded pursuant to the *Criminal Law (Legal Representation) Act 2001*. The Commission enters into an approved Case Management Agreement with the State Government for these matters.

The State Government provided \$302 000 (2013 - \$136 000) for approved expensive cases that exceeded the Commission cap.

15. Cash and cash equivalents

	2014 \$'000	2013 \$'000
Short-term deposits with SAFA	16 500	18 300
Cash at bank and on hand	<u>61</u>	<u>90</u>
Total cash and cash equivalents	<u>16 561</u>	<u>18 390</u>

Short-term deposits

Short-term deposits are held with the South Australian Government Financing Authority (SAFA) in the Cash Management Facility (CMF). The CMF is an at-call, pooled investment portfolio comprising cash and short-term money market securities. The daily earnings from the portfolio's investments are applied to Commission's investment balances. The CMF interest rate is the Reserve Bank of Australia's (RBA) cash rate plus a margin set by the SAFA General Manager.

Cash at bank and on hand

Cash on hand is non-interest bearing being petty cash. Deposits with BankSA (cash at bank) earn a floating interest rate based on daily bank deposit rates with interest paid semi-annually. The carrying amount of cash and cash equivalents represents fair value.

16. Receivables

	2014 \$'000	2013 \$'000
<i>Legal Practitioners Act</i> debtors	543	703
GST input tax recoverable	375	465
Client debtors and other debtors	272	352
Allowance for doubtful debts	(30)	(40)
Prepayments	<u>464</u>	<u>280</u>
Total Receivables	<u>1 624</u>	<u>1 760</u>

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17.1 Property, plant and equipment

	2014 \$'000	2013 \$'000
Leasehold improvements at cost (deemed fair value)	4 114	870
Less: Accumulated amortisation	<u>963</u>	<u>760</u>
Total Leasehold improvements	<u>3 151</u>	<u>110</u>
Plant and Equipment at cost (deemed fair value)	4 554	2 068
Less: Accumulated depreciation	<u>2 046</u>	<u>1 713</u>
Total Plant and Equipment	<u>2 508</u>	<u>355</u>
Library at fair value *	<u>261</u>	<u>291</u>
Total Library	<u>261</u>	<u>291</u>
Work in progress	<u>5</u>	<u>385</u>
Total Work in progress	<u>5</u>	<u>385</u>
Total property, plant and equipment	<u>5 925</u>	<u>1 141</u>

* The valuation of the library collection was performed by Valcorp Australia Pty Ltd as at 30 June 2014. The independent valuer arrived at fair value based on the written down replacement cost of the collections.

17.2 Intangible assets

	2014 \$'000	2013 \$'000
Computer software	1 557	1 557
Less: Accumulated amortisation	<u>1 148</u>	<u>657</u>
Total intangible assets	<u>409</u>	<u>900</u>

17.3 Reconciliation of non-current assets

	Leasehold Improvements	Plant and Equipment	Library	Work in Progress	Property Plant & Equipment Total	Computer Software	Intangible Assets Total
2014	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July	110	355	291	385	1 141	900	900
Additions	2 859	2 486	-	5	5 350	-	-
Depreciation/amortisation expense	(203)	(333)	-	-	(536)	(491)	(491)
Transfer between asset classes	385	-	-	(385)	-	-	-
Revaluation decrement	-	-	(30)	-	(30)	-	-
Carrying amount at 30 June	3 151	2 508	261	5	5 925	409	409
2013	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July	170	507	291	-	968	1 391	1 391
Additions	-	7	-	385	392	-	-
Depreciation/amortisation expense	(60)	(159)	-	-	(219)	(491)	(491)
Carrying amount at 30 June	110	355	291	385	1 141	900	900

17.4 Fair value measurement

The fair value of non-financial assets must be estimated for recognition and measurement or for disclosure purposes. The Commission categorises non-financial assets measured at fair value into hierarchy based on the level of inputs use in measurement.

Notes to and Forming Part of the Financial Statements 30 June 2014

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Fair value measurements recognised in the Statement of Financial Position are categorised into the following levels at 30 June 2014.

The Commission had no valuations categorised into level 1 or level 2.

Fair value measurements at 30 June 2014

	2014 \$'000	Level 3 \$'000
Recurring fair value measurements		
Leasehold improvements (note 17.1)	3 151	3 151
Plant and Equipment (note 17.1)	2 508	2 508
Library (note 17.1)	<u>261</u>	<u>261</u>
Total recurring fair value measurements	<u>5 920</u>	<u>5 920</u>

Comparative information for non-financial assets has not been provided as permitted by the transitional provisions of the new standard.

Valuation techniques and inputs

Valuation techniques used to derive level 3 fair values are disclosed in Note 2.11. There were no changes in valuation techniques during 2013-14.

Quantitative information about fair value measurement using significant unobservable inputs (level 3)

The key unobservable inputs in the valuations categorised into level 3 is the estimated life of the asset. The estimated life used in the valuation of the library collection is 5-25 years. Refer to Note 2.9 for the estimated life for leasehold improvements, and plant and equipment.

Reconciliation of fair value measurements - level 3

The following table is a reconciliation of fair value measurements using significant unobservable inputs (level 3)

	Leasehold Improvements \$'000	Plant and Equipment \$'000	Library \$'000	Total \$'000
Opening balance at 1 July	110	355	291	756
Acquisitions	2 859	2 486	-	5 345
Capitalised subsequent expenditure	385	-	-	385
Total (losses) for the period recognised in net result				
Depreciation/amortisation	(203)	(333)	-	(536)
	<u>3 151</u>	<u>2 508</u>	<u>291</u>	<u>5 950</u>
Total (losses) for the period in other comprehensive income				
Revaluation decrement	-	-	(30)	(30)
	<u>-</u>	<u>-</u>	<u>(30)</u>	<u>(30)</u>
Closing balance at 30 June	3 151	2 508	261	5 920

18. Statutory charge debtors

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.

	2014 \$'000	2013 \$'000
Statutory charge debtors	6 274	5 914
Allowance for doubtful debts	<u>(274)</u>	<u>(201)</u>
Total Statutory charge debtors	<u>6 000</u>	<u>5 713</u>

19. Payables

	2014 \$'000	2013 \$'000
Current		
Creditors	97	70
Accrued expenses	76	243
Employment on-costs	<u>188</u>	<u>160</u>
Total current payables	<u>361</u>	<u>473</u>

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Non-current		
Employment on-costs	<u>228</u>	<u>201</u>
Total non-current payables	<u>228</u>	<u>201</u>
Total payables	<u>589</u>	<u>674</u>

Payables to SA Government entities		
Creditors	<u>11</u>	<u>43</u>
Accrued expenses	<u>-</u>	<u>9</u>
Total payables to SA Government entities	<u>11</u>	<u>52</u>

As a result of an actuarial assessment performed by the Department of Treasury and Finance, the percentage of the proportion of long service leave taken as leave has remained at the 2013 rate of 40% and the average factor for the calculation of employer superannuation cost on-cost has changed from 2013 rate of 10.2% to 10.3%. These rates are used in the employment on-cost calculation. The net financial effect of the change in the current financial year is an increase in the employment on-cost of \$2 000 and employee benefit expense of \$2 000.

20. Employee benefits

	2014 \$'000	2013 \$'000
Current		
Accrued salaries and wages	<u>59</u>	<u>-</u>
Annual leave	<u>991</u>	<u>962</u>
Long service leave	<u>279</u>	<u>286</u>
Skills and experience retention leave	<u>123</u>	<u>94</u>
Total current employee benefits	<u>1 452</u>	<u>1 342</u>
Non-current		
Long service leave	<u>3 363</u>	<u>3 011</u>
Total non-current employee benefits	<u>3 363</u>	<u>3 011</u>
Total employee benefits	<u>4 815</u>	<u>4 353</u>

AASB 119 contains the calculation methodology for long service leave liability. An actuarial assessment performed by the Department of Treasury and Finance was used to calculate the liability.

AASB119 requires the use of the yield on long term Commonwealth Government bonds as the discount rate in the measurement of the long service leave liability. The yield on long term Commonwealth Government bonds has decreased from 3.75% (2013) to 3.5% (2014).

This decrease in the bond yield, which is used as the rate to discount future long service leave cash flows, contributed to an increase in the reported long service leave liability.

The net financial effect of the changes in the methodology and actuarial assumptions in the current financial year is an increase in the long service leave liability of \$76 000 and employee benefit expense of \$81 000. The impact on future periods is impracticable to estimate as the benchmark is calculated using a number of assumptions - a key assumption is the long-term discount rate.

The actuarial assessment performed by the Department of Treasury and Finance left the salary inflation rate at 4%. As a result, there is no net financial effect resulting from changes in the salary inflation rate.

21. Cash flow reconciliation

Cash and cash equivalents as at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the items in the Statement of Financial Position as follows:

	2014 \$'000	2013 \$'000
Short-term deposits with SAFA	<u>16 500</u>	<u>18 300</u>
Cash at bank and on hand	<u>61</u>	<u>90</u>
Cash and cash equivalents as disclosed in the Statement of Financial Position	<u>16 561</u>	<u>18 390</u>
Balance as per the Statement of Cash Flows	<u>16 561</u>	<u>18 390</u>

Reconciliation of net cash provided by (used in) operating activities to net cost of providing services:

	2014 \$'000	2013 \$'000
Net cash provided by operating activities	3 521	530
Less revenues from Government	(37 894)	(35 372)
Non cash items:		
Depreciation and amortisation	(1 027)	(710)
Movement in assets and liabilities:		
Increase in Statutory Charge debtors	287	253
(Decrease) in receivables	(136)	(140)
(Increase)/decrease in employee benefits	(462)	107
(Increase) in Lease incentive liabilities	(3 266)	-
Decrease in legal payables	54	379
Decrease/(increase) in payables	85	(54)
Net cost of providing services	(38 838)	(35 007)

22. Unrecognised contractual commitments

	2014 \$'000	2013 \$'000
(a) Legal expense commitments		
Not later than one year	2 464	5 360
Total legal expense commitments	2 464	5 360

On 1 May 2014 the Commission introduced a Panels Agreement for all legal practitioners who act on legally aided matters. Clause 2.10 of the Panel Agreement provides for practitioners to submit tax invoices to the Commission for work in respect of which a commitment certificate has been issued within three months of the conclusion of the work to which the commitment certificate relates. Clause 3.2 of the Agreement provides that the Commission may decline to pay an invoice submitted after that time and that the Commission will not pay an invoice submitted more than six months after that time unless authorised by the Director.

The Commission has resolved that an amnesty period will be granted to practitioners until 1 January 2015 to submit tax invoices for work completed more than three months earlier but not yet billed to the Commission, provided that the invoices do not relate to services undertaken more than six years prior to the date of the return of relevant commitment certificate/tax invoice.

As at 30 June 2014, the Commission has disclosed a commitment on all outstanding amounts raised since January 2014 (ie previous 6 months).

	2014 \$'000	2013 \$'000
(b) Operating Lease commitments		
Not later than one year	2 463	2 356
Later than one year but not later than five years	9 279	9 442
Greater than five years	24 555	26 814
Total operating lease commitments	36 297	38 612

At the reporting date the Commission held the above obligations under non-cancellable operating leases. The operating leases held by the Commission are predominantly property leases with penalty clauses equal to the amount of the residual payments remaining for the lease term. Lease payments are payable one month in advance.

In 2012-13 the Commission entered into a Memorandum of Understanding with the Minister for Transport and Infrastructure to lease new city business accommodation over a fifteen year term, with the option to renew available in 2029.

	2014 \$'000	2013 \$'000
(c) Remuneration commitments		
Not later than one year	2 852	2 233
Later than one year but not later than five years	3 453	2 273
Total remuneration commitments	6 305	4 506

The amounts disclosed as remuneration commitments are for the payment of salaries and other remuneration under fixed-term employment contracts in existence at the reporting date but not recognised as liabilities.

The Commission does not offer fixed-term remuneration contracts greater than five years.

23. Remuneration of Commission members

Members of the Commission during the 2014 financial year were:

Mr Michael Abbott	Chairman	Appointed 12 December 2013
Ms Alison Lloyd Wright		Appointed 12 December 2013
Ms Catherine Nelson		Appointed 29 May 2014
Ms Jayne Basheer	Ex Officio	
Ms Gabrielle Canny *		
Mr Michael Dawson		
Mr Andrew English *		
Mr Alan Herald		
Mr John Keen		
Ms Tracee Micallef		
Ms Dymphna Eszenyi	Chairman	Retired 11 December 2013
Ms Maurine Pyke, QC.		Retired 23 March 2014

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

	Number of Members	
	2014	2013
\$NIL	3	4
\$1 - \$10 000	3	4
\$10 001 - \$20 000	6	4
\$20 001 - \$30 000	-	1
Total	<u>12</u>	<u>13</u>

Remuneration of members reflects all costs of performing Commission member duties including sitting fees, superannuation contributions, fringe benefit tax and any other salary sacrifice arrangements. The total remuneration received or receivable by members was \$98 000 (2013 - \$97 000) including \$8 000 (2013 - \$8 000) paid or payable to superannuation plans for Commission members.

* In accordance with the Department of Premier and Cabinet Circular No.016, Commission members who are government employees paid at executive level did not receive any remuneration for Commission duties during the financial year.

The members of the Commission are appointed by the Governor in accordance with the provisions of the Act and include sole practitioners. 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. Accordingly, unless otherwise disclosed, transactions between members are on conditions no more favourable than those that it is reasonable to expect the entity would have adopted if dealing with the related party at arm's length in the same circumstances.

24. Contingent assets and liabilities

At balance date and as at the date of financial statement certification, there were no known contingent assets or liabilities.



25. Financial instruments/Financial risk management*Table 25.1 Categorisation of Financial Instruments*

Details of the significant accounting policies and methods adopted including the criteria for recognition, the basis of measurement, and the basis on which income and expenses are recognised with respect to each class of financial assets, financial liability and equity instrument are disclosed in Note 2.

Category of financial asset and financial liabilities	Statement of Financial Position line item	Note	Carrying Amount	
			2014 \$'000	2013 \$'000
Financial Assets				
Cash and cash equivalents	Cash and cash equivalents	15	16 561	18 390
Receivables	Receivables ^{(1) (2)}	16	103	127
	Total financial assets		16 664	18 517
Financial Liabilities				
Financial liabilities at cost	Payables ⁽¹⁾	19	97	240
	Total financial liabilities		97	240

⁽¹⁾ Receivable and payable amounts disclosed above exclude amounts relating to statutory receivables and payables. In government, certain rights to receive or pay cash may not be contractual and therefore in these situations, the requirements will not apply. Where rights or obligations have their source in legislation such as levy receivables/payables, tax equivalents, Commonwealth tax, etc they would be excluded from the disclosure. The standard defines contract as enforceable by law. All amounts recorded are carried at cost (not materially different from amortised cost).

⁽²⁾ Receivable amounts disclosed here exclude prepayments. Prepayments are presented in Note 16 as trade and other receivables in accordance with paragraph 78(b) of AASB 101. However, prepayments are not financial assets as defined in AASB 132 as the future economic benefit of these assets is the receipt of goods and services rather than the right to receive cash or other financial assets.

Fair Value

The Commission does not recognise any financial assets or financial liabilities at fair value (refer to Note 2).

Credit Risk

Credit risk arises when there is the possibility of the Commission's debtors defaulting on their contractual obligations resulting in financial loss to the Commission. The Commission measures credit risk on a fair value basis and monitors risk on a regular basis. The carrying amount of financial assets as detailed in table 25.1 represents the Commission's maximum exposure to credit risk. No collateral is held as security and no credit enhancements relate to financial assets held by the Commission.

The Commission has minimal concentration of credit risk. The Commission has policies and procedures in place to ensure that transactions occur with customers with appropriate credit history. The Commission does not engage in high risk hedging for its financial assets.

Allowances for impairment of financial assets are calculated on past experience and current and expected changes in client credit rating. Other than in-house contributions owed by legal aid recipients (a statutory receivable excluded from this note), there is no evidence to indicate that any other Commission financial assets are impaired. Refer to note 2.11 for information on the allowance for impairment in relation to receivables.

Table 25.2 Ageing Analysis of Financial Assets

The following table discloses the ageing of financial assets past due, including impaired assets past due.

	Past due by <30 days \$'000	Past due by 30 - 60 days \$'000	Past due by >60 days \$'000	Total \$'000
2014				
Not Impaired				
Receivables ⁽¹⁾	2	-	28	30
2013				
Not Impaired				
Receivables ⁽¹⁾	7	-	27	34

⁽¹⁾ Receivable amounts disclosed here exclude amounts relating to statutory receivables. In government, certain rights to receive or pay cash may not be contractual and therefore in these situations, the requirements will not apply. Where rights or obligations have their source in legislation such as levy receivables/payables, tax equivalents, Commonwealth tax, audit receivables/payables etc they are excluded from the disclosure. The standard defines contract as enforceable by law. All amounts recorded are carried at cost.

Maturity Analysis of Financial Assets and Financial Liabilities

The Commission has assessed the maturity of its financial assets and financial liabilities as being less than one year.

Liquidity Risk

Liquidity risk arises where the Commission is unable to meet its financial obligations as they are due to be settled. The Commission is funded principally from appropriations by the State and Commonwealth Governments. The Commission works with the Department of Treasury and Finance to determine the cash flows associated with its Government approved program of work and to ensure funding is provided through SA Government budgetary processes to meet the expected cash flows. The Commission settles undisputed accounts within 30 days from the date of the invoice or date the invoice is first received. In the event of a dispute, payment is made 30 days from resolution.

The Commission's exposure to liquidity risk is insignificant based on past experience and current assessment of risk. The carrying amount of financial liabilities recorded in table 25.1 represents the Commission's maximum exposure to financial liabilities.

Market Risk

Market risk for the Commission is primarily through interest rate risk. There is no exposure to foreign currency or other price risks.

Sensitivity Disclosure Analysis

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

Certification of the Financial Report 30 June 2014

Legal Services Commission of South Australia

CERTIFICATION OF THE FINANCIAL STATEMENTS

We certify that the attached general purpose financial statements for the Legal Services Commission of South Australia:

- complies with relevant Treasurer's instructions issued under section 41 of the *Public Finance and Audit Act 1987*, and relevant Australian accounting standards;
- are in accordance with the accounts and records of the Legal Services Commission of SA; and
- presents a true and fair view of the financial position of the Legal Services Commission of SA as at 30 June 2014 and the results of its operation and cash flows for the financial year.

We certify that the internal controls employed by Legal Services Commission of SA for the financial year over its financial reporting and its preparation of the general purpose financial statements have been effective throughout the reporting period and there are reasonable grounds to believe the Commission will be able to pay its debts as and when they become due and payable.



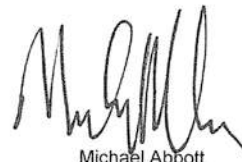
Chinh Dinh-Pham
FINANCE MANAGER

28 August 2014



Gabrielle Canny
DIRECTOR

28 August 2014



Michael Abbott
CHAIRMAN

28 August 2014

Human Resources 2013-14

Ergonomic issues, resulting from the relocation of the Commission's head office to new premises, have been a key focus this year as have reviews of staffing levels in selected areas and reviews of human resource policies.



Glen Wadrop, Manager Human Resources.

Personal Development Review Program

During 2013-14, an external facilitator conducted a number of training sessions for new staff in relation to the personal development review program run by the Commission. Refresher training sessions were also offered to staff who had previously undergone training and all Managers attended a refresher program. As a result of consultation, minor changes were made to the underlying Personal Development Review policy document.

Learning and development activities

In this financial year 163 staff (74%) participated in learning and development activities with many staff attending more than one activity. A significant proportion of these attendances were associated with the mandatory continuing professional development activities required for legal staff to practice law. As many of these activities were held in-house, training expenditure fell to 0.7% of total salary expenditure.

As part of its education mandate, the Commission continued to provide work experience for secondary students and for legal students undertaking practical legal training placements.

Work health and safety

Associated with the move of head office to new premises, an externally accredited occupational therapist undertook an individual ergonomic assessment for all staff requiring such assessment – a total of 48 staff (22%). All recommended workstation adjustments, including the provision of specific furniture needs, were provided.

The new office layout also caused a revision of the adequacy of security,

Human Resources 2013-14

Employee numbers, status and gender

fire and emergency procedures and the necessary provision of trained first aid officers and WHS employee representatives.

Enterprise bargaining

The Commission is a signatory to the South Australian Government's Enterprise Bargaining Agreement and forms part of the State Government working group that undertakes the review of public sector employment conditions and salary levels. Extensive negotiations in employment matters for consideration as part of the October 2014 Enterprise Agreement commenced in January 2014.

Number of employees	Total
Persons	219
Full-time equivalent	197.64

Gender	% Persons	% FTE's
Male	24.66	26.31
Female	75.34	73.69

Number of persons during 2013-14 financial year who	Total
separated from the Commission	21
were recruited to the Commission	25

Number of persons at 30 June 2014	Total
on leave without pay from the Commission	7

Number of employees by salary bracket

Salary bracket	Male	Female	Total
\$0 - \$54 799	7	73	80
\$54 800 - \$69 699	14	49	63
\$69 700 - \$89 199	12	24	36
\$89 200 - \$112 599	12	15	27
\$112 600+	9	4	13
Total	54	165	219

Status of employees in current position

FTEs	Ongoing	Short-term contract	Long-term contract	Casual	Total
Male	39	8	5	0	52
Female	120.84	19.8	4	1	145.64
Total	159.84	27.8	9	1	197.64

PERSONS	Ongoing	Short-term contract	Long-term contract	Casual	Total
Male	41	8	5	0	54
Female	138	22	4	1	165
Total	179	30	9	1	219

Human Resources 2013-14

Executives by gender, classification and status

Classification	Ongoing		Tenured		Untenured		Other		Male		Female		Total
	Male	Female	Male	Female	Male	Female	Male	Female	Total	% Exec	Total	% Exec	
Executive A	0	0	1	0	3	1	0	0	4	50%	1	12.5%	5
Executive B	0	0	0	0	0	1	0	0	0	0%	1	12.5%	1
Executive C	0	0	0	0	0	1	0	0	0	0%	1	12.5%	1
Executive D	0	0	0	0	1	0	0	0	1	12%	0	0%	1
Total	0	0	1	0	4	3	0	0	5	62%	3	38%	8

Aboriginal and/or Torres Strait Islander employees

Salary bracket	Aboriginal employees	Total employees	% Aboriginal employees
\$0 - \$54 799	0	80	0 %
\$54 800 - \$69 699	1	63	1.59 %
\$69 700 - \$89 199	3	36	8.33 %
\$89 200 - \$112 599	1	27	3.7 %
\$112 600+	0	13	0%
Total	5	219	2.28%

Average days leave per full time equivalent employee

Leave Type	2009-10	2010-11	2011-12	2012-13	2013-14
Sick leave	7.37	7.97	6.65	6.94	6.91
Family carer's leave	0.68	0.75	0.87	0.71	0.85
Miscellaneous special leave	3.27	1.05	1.14	0.96	0.77

Personal development review program

% Reviewed	Total
Within last 12 months	19%
Prior to last 12 months	45%
Not reviewed	36%

Leadership and management training expenditure

Training and Development	Cost	% of Total Salary Exp
Total training and development expenditure	\$121 153	0.7%
Total leadership and management development	\$4 735	0.03%

Human Resources 2013-14

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Cultural and linguistic diversity

Employees	Male	Female	Total	% of Agency
Number of employees born overseas	9	30	39	17.81%
Number of employees who speak a language other than English at home	10	12	22	10%

Number of employees by age bracket and gender

Age Bracket	Male	Female	Total	% of Total
15 - 19	0	0	0	0%
20 - 24	3	5	8	3.65%
25 - 29	11	10	21	9.59%
30 - 34	5	22	27	12.33%
35 - 39	1	21	22	10.05%
40 - 44	3	13	16	7.31%
45 - 49	5	24	29	13.24%
50 - 54	8	22	30	13.7%
55 - 59	10	30	40	18.26%
60 - 64	6	11	17	7.76%
65+	2	7	9	4.11%
Total	54	165	219	100%

Total number of employees with disabilities

*according to
Commonwealth
DDA definition*

Employees	Number
Male	1
Female	1
Total	2
% of Agency	0.9%

Type of disability *where specified*

Disability	Male	Female	Total	% Agency
Requiring workplace adaptation	0	1	1	0.45%
Physical	0	0	0	0%
Intellectual	0	0	0	0%
Sensory	0	1	1	0.45%
Psychological/ Psychiatric	1	0	1	0.45%

Voluntary flexible working arrangements by gender

Leave type	Male	Female	Total
Purchased Leave	0	0	0
Flexitime	17	114	131
Compressed weeks	0	1	1
Part-time	7	54	61
Job share	0	0	0
Working from home	0	0	0

Human Resources 2013-14

Work health and safety management

Table 1: Work Health and Safety Prosecutions, Notices and Corrective Action Taken	Total
• Number of notifiable incidents pursuant to WHS Act Part 3	Nil
• Number of notices served pursuant to WHS Act ss 90, 191, and 195 (Provisional improvement, improvement and prohibition notices)	Nil

Note: The Commission is not a South Australian Government exempt employer but has based its Work Health and Safety Program on prescribed WorkCover requirements.

The Commission is self insured for workers compensation claims and rehabilitation management. It pays an annual premium to an insurance provider from which all income maintenance, medical and rehabilitation costs are met, excepting the first two weeks of salary following an injury.

For workers compensation purposes the Commission has been assessed as a low risk employer and accordingly pays a low workers compensation premium. For 2013-14, the premium cost was 0.7% of total salary remuneration. This amounted to \$96 000 for the 2013-14 financial year.

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Table 2: Agency gross workers compensation expenditure	2013-14 \$'000	2012-13 \$'000	Variation \$'000	% Change
• Income maintenance	96	120	-24	-16.67%
• Lump Sum Settlements Redemptions - s 42	Nil	Nil	Nil	Nil
• Lump Sum Settlements Permanent Disability - s 43	12	Nil	12	100%
• Medical/Hospital costs combined	Nil	Nil	Nil	Nil
• Other	Nil	Nil		
• Total Claims Expenditure	108	120	-12	-10%

Table 3: Meeting Safety Performance Targets	Base: 2009-10 Numbers or %	Performance: 12 months to end of June 2014*			Final Target** Numbers or %
		Actual	Notional quarterly target	Variation	
1. Workplace Fatalities	Nil	Nil	Nil	Nil	Nil
2. New Workplace Injury Claims	Nil	5	Nil	+5	+5
3. New Workplace Injury Claims Frequency Rate	N/A	N/A	N/A	N/A	N/A
4. Lost Time Injury Frequency Rate***	N/A	N/A	N/A	N/A	N/A
5. New Psychological Injury Claims Frequency Rate	Nil	Nil	N/A	N/A	N/A
6. Rehabilitation and return to work					
6a. Early Assessment within 2 days****	N/A	N/A	N/A	N/A	N/A
6b. Early Intervention within 5 days****	N/A	N/A	N/A	N/A	N/A
6c. LTI have 10 business days or less lost time	Nil	2	Nil	+2	90%
7. Claims determination					
7a. New claims not yet determined assessed for provisional liability in 7 days	Nil	Nil	Nil	Nil	100%
7b. Claims determined in 10 business days	Nil	+5	Nil	+5	75%
7c. Claims still to be determined after 3 months	Nil	Nil	Nil	Nil	3%
8. Income maintenance payments for recent injuries		N/A			
2011-12 Injuries at 24 months development	Nil	Nil	Nil	+1	
2012-13 Injuries at 12 months development	Nil	Nil	Nil	Nil	

* Except for Target 8, which is YTD. For Targets 5, 6c, 7b and 7c, performance is measured up to the previous quarter to allow reporting lag.

** Based on cumulative reduction from base at a constant quarterly figure.

*** Lost Time Injury Frequency Rate for new lost-time injury/disease for each one million hours worked. This frequency rate is calculated for benchmarking and is used by the WorkCover Corporation.

Formula for Lost Time Injury frequency rate (new claims): $\frac{\text{Number of new cases of lost-time injury/disease for year}}{\text{Number of hours worked in the year}} \times 1\,000\,000$

**** WorkCover assessment provided through external insurer

Clients of the Commission 2013-14

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The Commission is committed to providing clients with accessible information, advice and representation to meet their legal needs. The Commission seeks to ensure that people have equal access to justice within the legal system.

Every member of the South Australian public is entitled to receive legal information and advice from the Commission by–

- attending one of the Commission offices for an appointment;
- telephoning 1300 366 424 for an immediate response to a legal question; or
- visiting the Commission website at www.lsc.sa.gov.au.

Some members of the public are also able to access legal representation, but this is not available to all. In order to make best use of available funds, each application for legal representation must be means and merit tested and is subject to Commission funding guidelines.

In the 2013–14 financial year a total of **116 899** services (excluding education sessions) were provided to clients. These services included—

- **62 744** telephone advice sessions;
- **24 830** advice appointments;
- **14 773** duty lawyer services;
- **14 552** grants of aid for legal representation.

In addition, the Commission provides education services to many South Australians. In the 2013–14 financial year staff of the Commission—

- conducted **533** legal education and professional development sessions for **18 243** participants;
- distributed **86 826** publications;
- maintained the Law Handbook online website which attracted **1 118 851** page views from members of the public.

The Commission seeks to reach clients in regional and remote areas as well as those in metropolitan Adelaide, with offices at Elizabeth, Holden Hill, Mount Barker, Noarlunga, Port Adelaide, Port Augusta and Whyalla in addition to the head office in Adelaide. From the Port Augusta and Whyalla offices staff make regular visits to remote areas, including the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands.

To assist clients with particular needs who may have difficulty accessing the Commission's offices, legal information and education sessions are run for the elderly, youth, people with disabilities, Aboriginal and Torres Strait Islanders, people from culturally and linguistically diverse backgrounds and new migrants. Strategies to improve services and access to Commission buildings for people with disabilities are regularly reviewed and interpreters and a telephone typewriter service are available to clients where required.



Community Legal Education Officer, Melanie Robinson, presenting Laws of Australia to TAFE English Language students

“ Dear [REDACTED] ,

Over the last twelve months or so my husband [REDACTED] and I had to get legal help over a fencing dispute. May I say we had the good fortune of [REDACTED] as our legal adviser. We are in our late seventies with very little knowledge of how to deal with legalities of this nature.

[REDACTED] went out of her way to help us. We tried her patience many times I am sure, but she treated us with kindness and respect for which we are really grateful.

We had to go to court to have the matter resolved. Fortunately the judge ruled in our favour. We are convinced that without [REDACTED] help and advice we would have not succeeded. Please convey our thanks and appreciation to her.

Yours sincerely

”

The following tables provide a breakdown of services to clients whose details have been entered into LAW Office. All tables show the number of services, including multiple services provided to the same client.

Grants of aid, advice appointments and duty lawyer services by client profile 2013-14

	Grants of Aid	Advice Appointments	Duty Lawyer Services	Total
Aboriginal and/or Torres Strait Islander clients	2 142	694	1 604	4 440
Culturally and linguistically diverse clients	1 375	8 684	1 761	11 820
Clients with a disability	3 525	1 183	2 718	7 426
Clients under 18	1 472	437	1 282	3 191
Clients 66+	88	1 965	220	2 273
Other	5 950	11 867	7 188	25 005
Total	14 552	24 830	14 773	54 155

Telephone advice services by gender and law type 2013-14

	Female	Male	Unknown	Total
Family	10 664	4 939	3	15 606
Criminal	5 126	6 761	193	12 080
Civil	20 328	14 718	12	35 058
Total	36 118	26 418	208	62 744

Legal aid, advice and duty lawyer services by age bracket, gender and law type 2013-14

	Criminal Law			Family Law				Civil Law			Total
	Female	Male	Total	Female	Male	Other*	Total	Female	Male	Total	
Age 0-11											
Grants of aid	1	29	30	164	173	205	542	0	0	0	572
Advice services	0	0	0	2	0	0	2	6	4	10	12
Duty lawyer	2	40	42	6	7	1	14	0	0	0	56
Age 12-17											
Grants of aid	175	651	826	39	27	8	74	0	0	0	900
Advice services	16	64	80	29	14	1	44	39	262	301	425
Duty lawyer	273	935	1 208	5	5	2	12	2	4	6	1 226
Age 18-20											
Grants of aid	198	1 059	1 257	82	33	0	115	0	0	0	1 372
Advice services	76	293	369	122	51	1	174	201	444	645	1 188
Duty lawyer	222	1 199	1 421	15	3	0	18	0	13	13	1 452
Age 21-30											
Grants of aid	723	3 229	3 952	659	289	1	949	0	2	2	4 903
Advice services	269	742	1 011	1 241	615	1	1 857	998	1 097	2 095	4 963
Duty lawyer	785	3 366	4 151	179	97	0	276	15	37	52	4 479
Age 31-40											
Grants of aid	659	2 380	3 039	482	328	0	810	1	2	3	3 852
Advice services	199	593	792	1 802	930	0	2 732	1 259	1 423	2 682	6 206
Duty lawyer	719	2 535	3 254	252	220	0	472	7	25	32	3 758
Age 41-50											
Grants of aid	304	1 417	1 721	217	173	0	390	2	4	6	2 117
Advice services	212	514	726	1 444	942	0	2 386	988	1 551	2 539	5 651
Duty lawyer	400	1 547	1 947	213	245	0	458	12	21	33	2 438
Age 51-65											
Grants of aid	110	538	648	38	49	0	87	4	4	8	743
Advice services	156	442	598	522	367	0	889	1 354	1 437	2 791	4 278
Duty lawyer	164	660	824	61	122	0	183	8	13	21	1 028
Age 66+											
Grants of aid	5	72	77	5	2	0	7	0	4	4	88
Advice services	52	179	231	75	84	0	159	798	777	1 575	1 965
Duty lawyer	32	131	163	26	18	0	44	4	9	13	220
Unknown											
Grants of aid	0	4	4	1	0	0	1	0	0	0	5
Advice services	14	19	33	7	14	0	21	41	47	88	142
Duty lawyer	25	75	100	7	2	0	9	3	4	7	116
Total	5 791	22 713	28 504	7 695	4 810	220	12 725	5 742	7 184	12 926	54 155

*Joint application by male and female

Client Relations 2013-14

The Commission employs a full time Client Relations Coordinator as a dedicated point of contact for members of the public.

The Client Relations Coordinator—

- advises clients of the right of review of a refusal by the Commission to grant legal aid funding; and
- responds to enquiries and complaints about the provision of legal aid funding and Commission services and processes.

Each client is responded to in a timely manner and every complaint is resolved as efficiently and equitably as possible.

The majority of matters handled by the Client Relations Coordinator in the 2013-14 financial year were in relation to decisions by the Commission to refuse legal aid funding and enquiries relating to entitlement to legal aid and the assessment of that entitlement.

In particular, the Client Relations Coordinator assisted clients in the following ways:

- explaining the reason an application for legal aid was refused;
- assisting clients to write an appeal letter against a refusal of legal aid;
- identifying other sources of help for clients where aid has been refused;

- explaining conditions that may be attached to a grant of legal aid, such as a contribution towards costs or the imposition of a statutory charge;
- providing advice in relation to requests to change solicitors;
- responding to complaints regarding Commission staff or service or complaints regarding another person's eligibility for aid;
- dealing with Freedom of Information applications.

Complaints about the services provided by the Commission, and Commission processes, have dropped from 68 in 2012-13 to 34 in 2013-14 and represented only 4.9% of all complaints and enquiries received in this financial year. In view of the vast number of client contacts occurring per year in representation and advice services, this number is very low and reflects a high level of satisfaction with the services provided by the Commission.

Client Relations 2013-14

Client Relations Contacts 1 July 2013 - 30 June 2014

Reason for contact	Protection Application	FDR	Child Support	Family	Criminal	Civil	General	Total	% of all Contacts
Refusal of aid	1	3	1	189	101	14	0	309	43.77
Entitlement to legal aid	0	3	1	165	34	8	1	212	30.03
Child representation	0	0	0	0	0	0	0	0	0.00
Commission service	0	0	0	11	19	3	1	34	4.82
Statutory charge	0	0	0	1	5	0	0	6	0.85
Private practitioner service	0	0	0	2	5	0	0	7	0.99
Discrimination	0	0	0	0	0	0	0	0	0.00
Conditions of aid (other than statutory charge)	0	0	0	5	6	0	0	11	1.56
Cap	0	0	0	23	0	0	0	23	3.26
Complaint to MP, Ombudsman etc.	0	0	0	1	1	0	0	2	0.28
Other	1	2	0	42	22	10	25	102	14.45
Total	2	8	2	439	193	35	27	706	100%

Freedom of Information 2013-14

Section 9 of the Freedom of Information Act 1991 (FOI Act) requires the Legal Services Commission to publish an annual information statement.

Annual Information Statement

A description of the structure and function of the agency

- This can be found in this report in the section headed The Commission 2013-14.

How the functions affect members of the public

- The Commission provides legal representation to eligible applicants under the Commission's means, merits and guidelines test. Additionally, Commission staff provide free legal information, advice and minor assistance, a free duty lawyer service, free publications on legal issues, an online Law Handbook and various community legal education programs. The Commission is regularly invited to provide input into legislative changes and government reviews.

Arrangements enabling members of the public to participate in the formulation of policy and exercise of functions

- Members of the public are invited to participate in the formulation of policy and the delivery of functions by completing a feedback form available at http://www.lsc.sa.gov.au/cb_pages/feedback.php.
- Commission staff are members of various community organisations, listed in *Appendix 5*. This community engagement promotes two way communication and feedback.

Documents usually held by the Commission

- The Commission has a computerised records management system and database that records details of accounts, clients, legal aid cases, legal aid files, legal advice and duty lawyer 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 recorded on a manual system.

Freedom of Information 2013-14

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Access to documents

- The Commission's Freedom of Information Officer administers the FOI Act and facilitates, subject to exemptions and exceptions, access to documents and amendments to personal information held by the Commission. Arrangements can be made to inspect or purchase the documents available under the FOI Act at 159 Gawler Place, Adelaide between 9.00 am and 5.00 pm on working days. Copies may be purchased for 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 listed on the front cover.

In the 2013-14 financial year six applications for information were processed under the FOI Act. Full release of the requested material was provided in three of these requests. The other three requests could be only partially fulfilled. This was because in one, a requested record did not exist, in the second, some of the requested information was exempt under section 20(1) of the Act and in the third, the Commission did not hold all the information pertaining to the request.

Policy and Research 2013-14

The Policy and Research Unit is part of the Directorate and provides legal advice and short and long-term strategic policy analysis to the Director and Deputy Director of the Legal Services Commission. All advisers in the unit are legally qualified and have, in addition, research and project management qualifications, skills and experience.

In the 2013-14 financial year the advisers—

- prepared funding submissions, in particular a submission to the Commonwealth for additional funding for a series of projects under a collaborative funding agreement;
- ensured compliance with State and Commonwealth reporting requirements by—
 - co-ordinating and preparing the Commission's six monthly reports against benchmarks under the National Partnership Agreement;
 - preparing briefings for the Director's attendance at National Legal Aid meetings;
- provided research and advice in response to government proposals for policy and legislative change affecting the Commission and its clients, in particular in relation to—
 - oaths given in court;
 - the independent Review of the *State Records Act 1997*;
 - the *Child Development Bill 2013*;
 - the *Statutes Amendment (Attorney-General's Portfolio) Bill 2013*;
 - online gambling and children;
 - the *Criminal Law Consolidation Act 1935*;
 - issues arising from the ICAC procurement forum;
 - a report on SACAT and possible duty lawyer services;
 - the Youth Justice Forum examining current legal arrangements for youth in custody;
- responded to reviews, inquiries, royal commissions, investigations and reports impacting on the Commission and its clients, including—
 - the first draft report from the Productivity Commission Review into Access to Justice which also involved meeting with members of the Productivity Commission and assisting staff at the hearing of the Productivity Commission in Adelaide;
 - the State Review and, as a consequence of that work, researching the operation of Public Defender Offices around Australia;

Policy and Research 2013-14

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- the proposal to abolish Government Boards and Committees;
- the Criminal Justice Sector Reform Council project;
- analysed and assessed matters on the national legal aid agenda as proposed by the Commonwealth Government, in particular through membership of the senior officers working group preparing the National Legal Aid submission to the Productivity Commission Review into Access to Justice Arrangements;
- represented the Commission on national and local working parties, including–
 - the Access to Justice Committee (Law Society);
 - the Bulletin Committee (Law Society);
 - SACOSS Policy Council;
 - the Courts Community Reference Group;
- assisted in arriving at informed decisions influencing the future direction of the Commission, including strategic planning;
- engaged in long term project delivery, in particular in relation to–
 - the Commission's move to new premises, requiring regular liaison with and reporting to all staff, working closely with the Director and other senior staff, working with the architects and other external contractors and preparing the Commission's mandatory reports to the Public Works Committee of the South Australian Parliament;
 - the introduction of practitioner panels, requiring complex legal advice to the Director, drafting of application forms, assessing new applications, liaising with practitioners, establishing a database of practitioners and establishing a process of appeal;
- ensured statutory and contractual obligations were met, including in relation to the amendments to the *Legal Practitioners Act 1981*;
- provided a secretariat for the Commission's board;
- produced the Commission's Annual Report to Parliament;
- organised and co-ordinated large scale events, in particular–
 - the Commission's Conference, held at the Adelaide Convention Centre on 2 May 2014, with an adviser from the unit leading a team of staff to ensure that the conference, with its 13 sessions, provided an invaluable day for Commission staff and external legal practitioners and professionals to network and be updated on family and criminal law developments from a variety of specialist local and interstate speakers. The city venue and one day format proved successful with practitioner registrants and staff attendees, while also being a productive CPD day;
- the official opening of the Commission's new city premises on 26 September by the Chief Justice, Hon Christopher Kourakis. Advisers from the unit co-ordinated the occasion, liaised with senior members of the judiciary and other distinguished guests, prepared speeches, organised a traditional welcome to country and other tasks;
- provided legal advice and support to the Director through attendance at meetings, responding to correspondence, preparing speeches such as the Director's speech for the Australian Justices of the Peace national conference and researching briefing notes.

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Legal Services Commission of South Australia

Access Services Program

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Access Services Program 2013-14

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The Legal Services Commission provides free information and advice to the people of the South Australia in respect of their legal rights.



Christopher Boundy, Manager Access Services Program.

The Legal Services Commission conducts an Access Services Program that delivers free legal information and advice, and legal education, to all South Australians. Through the Commission's telephone advice help line, or through interviews by appointment, qualified lawyers and experienced para legal staff respond to legal enquiries. General legal education sessions are run for members of the community by the Commission's community legal education staff.

Legal Information and Advice

Between 1 July 2013 and 30 June 2014 Access Services staff responded to nearly 100 000 enquiries and legal questions. Over 71 000 of these enquiries came from calls to the Legal Help Line. This free legal advice service is accessed through 1300 366 424 and is the first point of contact for many Commission clients. Calls are answered from 9am to 4.30pm each business day, and callers receive immediate legal information and advice or are referred to an appropriate specialist agency.

For the consideration of more complex matters, 27 400 booked half hour advice appointments were provided by Commission staff, most of which were in person. Some booked appointments were provided by telephone so as not to disadvantage regional or remote clients or those with mobility issues. Advice staff provide general legal advice as well as more specialist advice in areas such as migration law, domestic violence and Centrelink matters. Personal appointments are available at each of the Commission's eight offices and at the regular outreach service provided at Murray Bridge and the Adelaide Magistrates Court.

Access Services Program 2013-14

Advisers regularly visit the Adelaide Remand Centre and metropolitan prisons to provide information and advice to inmates on family law and child support matters.

Specialist Services

Migration

Advice and assistance is provided in certain migration matters. Each application for assistance is assessed on its merits to ensure an appropriate allocation of Commission resources. Migration lawyers at the Commission are mainly involved in assisting clients with onshore protection visa applications, but they also assist with such matters as permanent spouse visa applications for disadvantaged clients.

Through a regular process of tender and contract, the Commonwealth Government provides the framework and financial support for the Legal Services Commission to provide migration advice and assistance to eligible visa applicants who are living in the community. This is known as the Immigration Advice and Application Assistance Scheme (IAAAS). Many of the beneficiaries of this specially funded legal service have been the victims of domestic violence and are in need of urgent migration legal advice and assistance.

Administrative Appeals Tribunal

Specialist legal advice about Centrelink entitlements is provided at the Commission's Adelaide office and at the Administrative Appeals Tribunal (AAT) for people who are involved in litigation with Centrelink. A legal adviser is also available at the AAT to provide pre-hearing advice to unrepresented applicants in Commonwealth workplace injury compensation matters.

Consumer law

A specialist adviser in consumer law and consumer credit law is employed in the Adelaide office. This adviser regularly attends the Investigation Summons Court in the Adelaide Magistrates Court to give debtors advice and assistance in conjunction with financial counselling staff. The role includes a regular weekly radio spot on ABC Riverland, speaking about verbal contracts, second hand car dealings and door-to-door scams.

In February, the Commission hosted the first meeting of the South Australian Consumer Law Consultative Forum for 2014. The forum meets quarterly and includes representatives from a wide range



of organisations including financial counsellors, community legal centres, State and Commonwealth regulatory bodies, the Law Society of SA, Consumers SA and the South Australian Council of Social Service (SACOSS). Topics discussed included changes to residential tenancies laws and real estate legislation, the new Consumer Credit Legal Service and the Utilities Literacy program.

In conjunction with Consumer and Business Services, two seminars were held to coincide with World Consumer Rights Day. The *Help Me if You Can* seminars were presented as hypotheticals and posed a range of common consumer law related problems. A panel of experts presided, consisting of representatives

Access Services Program 2013-14

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from the Telecommunications Industry Ombudsman, Australian Competition and Consumer Commission, Consumer and Business Services, Consumers SA and the South Australian Energy and Water Ombudsman.

Domestic violence

People in many sectors of the community experience domestic violence. Experienced legal and para legal advisers provide expert assistance and referral support for victims.

Family law and child support advice in prisons

Commission staff regularly attend the Adelaide Remand Centre, Yatala Labour Prison, the Adelaide Women's Prison and the Mobilong Detention Centre. A booked telephone advice service is available for prisoners located in rural and regional prisons. Many prisoners require individual specialist advice about a family situation that has occurred as a result of incarceration. They are appreciative of the advice provided by Commission staff.

Public Service Association Legal Services Scheme

The legal advisory service provided by the Commission to members of the Public Service Association (PSA) has been in operation for more than 20 years. The advisory service operates a dedicated telephone advice line available to all financial members of the PSA, including members of the Community and Public Sector Union/State Public Services Federation (SA Branch), the principal trade union representing workers who provide community services to South Australians.

Community Legal Education

Community legal education is an important component of the Commission's work. It is specifically referred to in section 10(1) of the *Legal Services Commission Act 1977* as a function of the Commission, requiring the Commission to—

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.

Additionally, the National Partnership Agreement between the Commonwealth and State and Territory governments has as a desired outcome the targeted delivery of preventative legal services through community legal education and information and appropriate referrals.

In 2013-14 legal information and education sessions were conducted for more than 18 000 participants. These education sessions are designed to provide legal and civic education to people identified as being at risk of social exclusion. Priority groups are young people, people with a disability, older persons, Aboriginal people, new migrants, prisoners and people living with chronic health issues. To access marginalised groups such as these, sessions are also provided to community sector workers.

Public legal information sessions were held on a variety of subjects including consumer law, migration law, family violence, juvenile justice, wills and advance care directives, child support and family law. These free sessions were presented at the Commission's Adelaide

Access Services Program 2013-14



2014 Walk for Justice team

office with simultaneous webcasts across South Australia. Registration for a public information session is now available online through the Commission's website.

Community engagement

The Commission is committed to contributing to the community through participation in events such as National Reconciliation Week, Law Week, Youth Week and Refugee Week. The Commission has joined forces with some of Australia's leading businesses, sporting bodies and NGO's to support the **RACISM. IT STOPS WITH ME** campaign.

Staff members regularly hold morning teas and engage in other events to raise funds in support of the Cancer Council, the Butterfly

Movement, Red Cross, the RSPCA, the Heart Foundation and JusticeNet SA.

Youth education

The Commission's innovative youth education program assists young people and community workers to understand the law and how it may affect them. The aim of the program is to help young people know their rights, understand their responsibilities, and navigate confidently through the legal system, knowing when and where to ask for help and seek further assistance. In the past year, the Youth Legal Education Officer facilitated 221 legal education sessions with a total of 5 963 participants. In addition to

holding seminars in the Adelaide and metropolitan area, outreach sessions were held in the regional centres of Mount Gambier, Berri, Renmark, Clare, Murray Bridge, Victor Harbor and the outer Adelaide Hills.

The Commission's work in youth legal education is based on a community centred approach, using practical and culturally appropriate methodologies. Support is provided for relevant organisations and community members, including educators, parents and people working with young people.

The Commission's short film *Trusted Moments* continues to be promoted by the Department of Education and Child Development as a resource for relationships and sexual health education. It is also promoted through the National Youth Connections network and an advertisement for *Trusted Moments* has appeared as a top banner in *Learnlink*, the Department of Education's 'teacher learning' online.

Officially launched in November 2012, the film has received widespread acclaim and support.

Access Services Program 2013-14

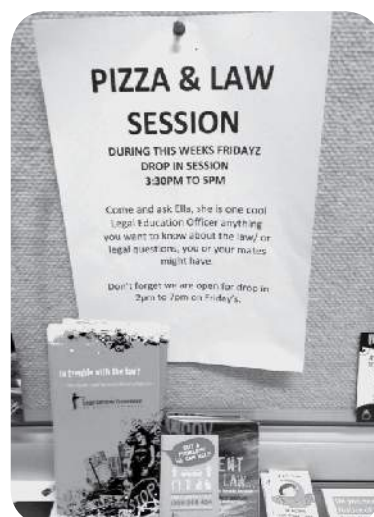
070

Family Planning Western Australia has endorsed and promoted the resource within its school and community health worker networks.

During 2013-14, 70 organisations independently screened *Trusted Moments* and 40 schools or organisations received community legal education workshops delivered by Commission staff. In addition, various organisations and government departments promoted the film and its use as a teaching resource.

In 2013-14 many organisations used *Trusted Moments* within their own programs. Shine SA included *Trusted Moments* in its school program, resulting in 120 government schools presenting the film to year 10 students. SAPOL included *Trusted Moments* within its school program run by 17 local service areas in South Australia.

During this financial year, legal education sessions relevant to young people were delivered at a diversity of forums. These included the Aboriginal Health Council's conference and the City of Charles Sturt's 'Youth Central', a drop-in centre providing an 'open space'



for young people after school. 'Pizza and Law' sessions allowed young people to talk informally to a lawyer about legal issues important to them in a relaxed and familiar atmosphere.

A further initiative in 2013-14 was a series of workshops at the Kilburn

Education Centre run in partnership with ActNow Theatre. Using seed funding from the City of Port Adelaide Enfield, a project was developed to engage vulnerable young people in a theatre process to develop their capacity to understand and better cope with the legal system. The project aims to provide a positive program for young people by using theatre and storytelling to explore how legal issues can affect the lives of participants, and how to access the help of the Legal Services Commission. By engaging young people who are in, or at risk of entering, the criminal justice system, the project can build its educational content to meet the needs of those experiencing severe social, geographic and economic disadvantage.

Access Services Program 2013-14



Governor's Multicultural Award 2013 for work in migrant education



Far north community radio station – Umeewarra

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Migrant education

This financial year the Migrant Information and Legal Education Program engaged with 6 075 new migrants, almost double the number from the year before. Much of the migrant education work is delivered with the aid of *What's the law? Australian Law for New Arrivals*, a resource kit that explores legal issues commonly encountered by new arrivals in a simple audio visual format.

The migrant community legal education program is underpinned by extensive consultation with migrant community groups and is delivered in partnership with local specialist organisations including, English Language Services, Living Skills Unit (TAFE), Red Cross, the African Women's Federation, the Muslim Women's Association, the Overseas Chinese Association, Multicultural Communities Council, Middle Eastern Communities

Council, Salisbury City Council, Lutheran Community Care, Life Without Barriers, Survivors of Torture and Trauma Rehabilitation Service, Women's Health Services, and Uniting Care Wesley Bowden.

Highlights this year of the migrant community legal education program included being a finalist in the Governor's Multicultural Awards, an outreach tour to migrant communities in Mt Gambier and Naracoorte and receiving a grant from the Law and Justice Foundation of South Australia to develop a *Short Guide to South Australian Law for New Migrants*, which is due for completion next year.

Aboriginal education

The Aboriginal Education Program was given a boost in February 2014 with the commencement of the *Legal Show*, produced by Umeewarra Media for South

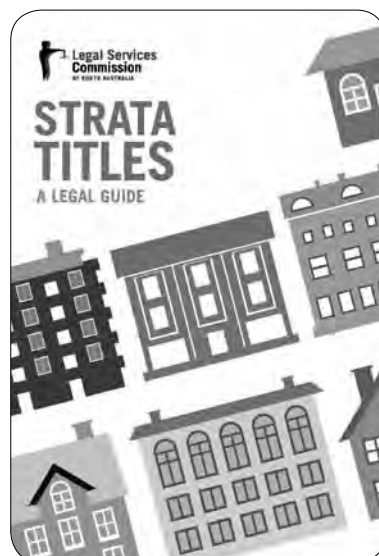
Australia's only Aboriginal radio station.

The *Legal Show* consists of regularly broadcast sessions on different topics of law. The Commission's Legal Advice and Community Legal Education Officer (ACE lawyer) appears on the show on a fortnightly basis, with a representative of the Port Augusta based Family Violence Legal Service Aboriginal Corporation appearing on alternate fortnights. Radio shows are pre-recorded and topics are selected through consultation. The very first radio broadcast provided an opportunity for the ACE lawyer to talk about the range of education, support and advice offered by the Commission.

The ACE lawyer works from the Commission's offices at Whyalla and Port Augusta and has extensive involvement in local school and community events, providing free

Access Services Program 2013-14

educational sessions and promoting use of Commission services. Presentations have this year ranged from a session on *Wills and Advance Care Directives* at the Whyalla Library, to education sessions at secondary schools on *Young People and the Law*. Through the ACE lawyer the Commission continues its ongoing weekly involvement in the TAFE Pathways Program at Port Augusta TAFE.



Law for Community Workers course

The Law for Community Workers course consists of two subjects offered in Certificate IV in Justice Studies delivered in association with TAFE SA. The course was originally developed in 1989 for Aboriginal Legal Rights Movement field officers and the Commission's paralegal staff. Since 1996 it has been video conferenced across

CLE Sessions by attendees	2012-13		2013-14	
	Attendees	Info Sessions	Attendees	Info Sessions
Criminal law	2781	33	3781	126
Civil law	2046	47	2597	83
Family law	2131	56	1610	31
General law	4181	270	10 255	313
Total	11 139	406	18 243	533
By State	6348		11 726	
By Commonwealth	4791		6517	

Publications distributed	2012-13	2013-14
Family law	16 949	17 023
Criminal law	9 598	13 715
Civil law	75 558	56 088
Total	102 105	86 826
By State	39 821	33 254
By Commonwealth	62 284	53 572

Access Services Program 2013-14

South Australia to expand the student base and to allow rural and remote students to attend. Around 40 community workers from across the sector now attend each year to enhance their legal knowledge and their ability to assist clients with legal problems.

Web services

The South Australian public makes extensive use of the online resources provided by the Commission. The Commission website contains contact information for the Commission, legal updates of interest to the public and the Law Handbook. Visits to the main desktop Commission website increased by 11% in the past year with an average 18 218 visits each month.

Commission mobile website

Since the mobile website was launched in 2012, site visits have consistently grown. Mobile phone calls to the Legal Help Line (1300 366 424) from the Commission's mobile website increased by 70% this financial year to over 3 000 calls.

Website page views

	2012-13	2013-14
Law Handbook online	1 439 963	1 118 851
LSC site	637 454	708 019
Total	2 077 417	1 826 870
State Law	1 211 504	1 065 431
Commonwealth Law	865 913	761 439
Criminal Law	534 579	469 505
Civil Law	1 114 202	979 751
Family Law	428 636	377 614

LegalAidSA android app

This free app, available for android phones, has been downloaded over 200 times across Australia since November 2012. The LegalAidSA iphone app was introduced in November 2011.

Duty Solicitor Handbook

The Duty Solicitor Handbook online was launched in July 2012 and is a popular online resource for many people, although principally used by Commission legal practitioners. The site content is accessible on both desktop and mobile devices, and in 2013-14 recorded 53 113 site visits (up 65% from 2012-13) and 120 738 page views (up 41% from 2012-13).

Law Handbook

This plain English, free and accessible publication is widely acknowledged as the premier resource for free legal information in South Australia. In 2013-14 the website experienced extensive traffic from mobile devices, and in particular mobile tablet devices, with an average of 10 013 visits per month (31% increase on 2012-13).

Webinars

The Community Legal Education Unit has introduced in-house webcast facilities for its free public information seminars. This enables registrants to participate in training sessions through their desktop computer at home or from work. Each session now has an average of over 40 online registrants in addition to the live seminar audience.

Access Services Program 2013-14

Twitter

The Commission continues to successfully use Twitter on a daily basis to distribute information on legal resources and relevant public information, as well as legal aid and consumer law updates. The LegalAidSA channel had 1 627 subscribers as at 30 June 2014.

Facebook

The Commission's Facebook page has expanded in content and reach since commencing in September 2013 and already has 433 subscribers. It is an effective way of communicating to all South Australians, with regular visitors from communities at Port Augusta, Millicent, Victor Harbor, Coober Pedy and Naracoorte. The Child Support Unit's Facebook page is integral to the provision of child



Di Thompson, Senior Librarian, with her 25 Years Service Award



support information and promotes the Unit's vital call back service where clients can schedule a call to speak to a child support legal adviser.

YouTube

The Commission's YouTube channel was first implemented in October 2011 and is a useful adjunct to the education program. In 2013-14 there was a 42% recorded increase in visitors viewing the Commission's videos (2 823 video views).



Library

The library at the Commission is a valued resource as well as a retreat for those seeking some quiet reading time. It occupies pride of place at the front of the Adelaide office building. In addition to assisting the Commission's 219 employees, the library staff offer research and support to those private legal practitioners who are undertaking legal work for clients who have been granted legal aid funding.

The library is well serviced by experienced staff. This year, the Director presented the Commission Librarian, Di Thompson, with a certificate representing 25 years of service. The library assistant, Ros Emms, has completed 18 years of service with the Commission. In 2006 the Australian Law Librarian's Group named Di Thompson Australian Law Librarian of the Year.

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Legal Services Commission of South Australia

Representation Program

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Representation Program 2013-14

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The Representation Program, overseen by the Deputy Director, is made up of three divisions–

- *the Grants of Legal Aid and Assignments Division;*
- *the Criminal Law Practice Division; and*
- *the Family Law Practice Division.*



*Karen Lehmann, Deputy Director,
Manager Representation Program.*

The Commission provides funding for legal representation of clients by private practitioners and by the Commission's in-house legal practitioners. Funding in criminal law matters is provided predominantly by the State Government for litigation involving State legislation. Funding for cases in the Family Courts, and other matters that fall within the jurisdiction of the Commonwealth, is a Commonwealth funding responsibility.

The Grants of Legal Aid and Assignments Division has the responsibility of ensuring that funds provided by the State and Commonwealth governments for grants of legal aid are expended in accordance with the *Legal Services Commission Act 1977*. If a client is unable to afford the cost of a private practitioner, and it is determined

that a matter has merit and falls within the Commission's guidelines, a client may be granted legal aid. Assignment officers then determine whether the matter will be handled by an in-house lawyer, or assigned to a private practitioner. A private practitioner may be allocated a grant of legal aid if that practitioner is on the relevant practitioner panel and has been nominated by a client as the client's preferred solicitor and the Commission determines that the choice is appropriate. If a client does not nominate a private practitioner, or if the nominated solicitor is considered inappropriate, the client will be represented by an experienced lawyer with speciality knowledge of the area concerned, either on the staff of the Commission or another panel lawyer in private practice.

The Legal Services Commission has a legislative responsibility to ensure legal assistance is provided to persons throughout the State in the most efficient and economical manner. To achieve this, the Commission must ensure that each legal aid matter is assigned to a suitably qualified practitioner. Legislative changes in family law and criminal law, including the introduction of mandatory non parole periods for murder convictions and the potential availability of a discounted sentence for an early guilty plea,

Representation Program 2013-14

have indicated how important it is for clients to have representation of the highest standard. A formal process to achieve this commenced in 2012 and consolidated into the Commission's first formal panel system commencing on 1 May 2014. The Commission now has a General Panel and a Complex Criminal Law Panel with a murder subpanel. Inclusion on these panels requires ongoing compliance with the General Panel Agreement and Practice Standards.

As at 30 June 2014, 476 lawyers had been admitted to the General Panel, of which 158 were also included on the Complex Criminal Law Panel. Of these, 47 counsel had been admitted to the murder subpanel. The response of practitioners to the opportunity to be included on the panels has been very positive.

The Commission is recognised as a significant contributor to the criminal justice system. The Deputy Director attends project meetings initiated by the Criminal Justice Sector Reform Council set up to deliver efficiencies to the criminal justice sector so as to deliver better service to the people of South Australia.

The Criminal Law Practice Division of the Commission comprises 38 legal practitioners who provide representation in all criminal law

jurisdictions including, with some help from the private profession, over 13 000 duty lawyer attendances in the last financial year.

The Family Law Practice Division has 22 legal practitioners who undertake duty lawyer services and represent clients at family dispute resolution and in the Family Court and Federal Circuit Court. Practitioners also provide advice and assistance in child support cases. The Family Dispute Resolution (FDR) program continues to grow. The purpose built suite available in the new premises at 159 Gawler Place, Adelaide has enabled the Commission to increase the number of FDR sessions. In the 2013-14 year, 869 conferences were conducted, an increase of 146 over 2012-13.

Duty lawyer services are available to all members of the public at the Magistrates Courts, the Family Law Courts and the Youth Court. Duty lawyers assist people with free legal advice and minor initial representation, including remand, bail and simple guilty pleas in the criminal law jurisdiction and adjournments and interim applications in the family law jurisdictions. The courts have repeatedly voiced their appreciation and support for this program. The assistance of a duty lawyer is

an early intervention strategy and often reduces the hearing time for a matter and helps cases to settle more quickly.

The Commission and the South Australian community are well served by the generous co-operation of private legal practitioners in the delivery of legal aid services. The Commission acknowledges that its cost scales are considerably lower than published court scales or commercially negotiated fees.

In the 2013-14 financial year private legal practitioners performed 69% of legal aid grants in criminal law matters, 66% of legal aid grants in family law matters and 96% of legal aid grants in civil law matters.

This financial year the Commission began formal communication with private practitioners through email so as to reduce the 'turn around' time associated with traditional post. The introduction of email communication has proved beneficial, particularly in relation to the establishment of the panel system and to notify changes applying to all practitioners undertaking legal aid cases. The next step is to introduce EFT payments and online lodgement of legal aid applications which it is anticipated will introduce efficiencies to private practitioners.

Chief Counsel 2013-14

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Chief Counsel undertakes work at the highest level in trials and appeals.



Greg Mead SC, Chief Counsel.

The role of Chief Counsel in the functioning of the Commission is important in a number of ways.

Most obviously, Chief Counsel undertakes work at the highest level in trials and appeals. Over the last financial year this has involved appearances in the Court of Criminal Appeal on numerous occasions in respect of appeals against sentence, conviction or both. Successes included three appeals against conviction.

During the last financial year Commission lawyers and external practitioners in Supreme and District Court trials, pleas and appeals briefed Chief Counsel. Chief Counsel, with Junior Counsel from the Commission, successfully defended two clients charged with

murder, and one client charged with rape. Other appearances included two applications for special leave to appeal to the High Court, which were unsuccessful, and the representation of life sentence prisoners before the Parole Board.

Less obviously, Chief Counsel is called upon by the Director and other Commission staff for advice about complex management or ethical issues. The Manager of the Grants of Legal Aid and Assignments Division seeks the advice of Chief Counsel in relation to the merits of possible appeals to the Court of Criminal Appeal or to the High Court. Chief Counsel is currently representing the Commission in a continuing matter before the Workers Compensation Tribunal.

In addition, Chief Counsel provides mentoring advice to legal staff, sits on selection panels in relation to senior staff appointments and is a member of the Sentencing Advisory Council.

Grants of Legal Aid and Assignments Division 2013-14

The Grants of Legal Aid and Assignments Division is responsible for processing applications for legal assistance and for ongoing management of matters following approval of aid, including extensions of aid and payment of accounts.

During 2013-14 a new form for practitioners to report court outcomes to the Commission was designed, standardising information collected by the Commission and simplifying the reporting process for lawyers. A centralised email account and easier access to physical files following the relocation to new premises has positively assisted Assignment employees in their roles.



Sue Brebner, Manager, Grants of Legal Aid and Assignment Division.

Application for legal aid

Applicants for legal aid must complete an application form, available for download from the Legal Services Commission website and in hard copy from all Legal Services Commission offices, community legal centres, prisons and private legal practitioners.

Eligibility for legal aid

Demand for the Commission's services is high so strict guidelines are applied when granting aid for legal representation. To be eligible for legal aid an applicant must meet-

- a means test;
- a merit test; and
- a guidelines test.

Means Test

The means test involves an assessment of the applicant's finances and the finances of anyone with whom the applicant has a financial relationship.

This includes assessing—

- income from work, Centrelink or other sources, minus the outgoings of tax, childcare, rent or mortgage payments (up to a determined threshold), a car and average household furniture;
- valuable assets including savings, investments, property or other assets;
- whether the applicant has dependents or is financially supported by someone else.

Merit Test

For an applicant to meet the requirements of the merit test, the Commission must be satisfied that the legal matter is one on which it is appropriate to expend public legal aid funds. If the matter has no reasonable chance of success, legal aid is refused.

Guidelines Test

The Commission's guidelines outline the areas in which legal aid is, or is not, normally given. For example, legal aid is not normally given in—

- criminal matters where there is no real risk of imprisonment;
- family property settlements unless there are special circumstances; or
- civil matters such as defamation, commercial contracts and conveyancing.

Grants of Legal Aid and Assignments Division 2013-14

Additionally, in assessing matters for aid, National Legal Aid Funding Guidelines under the National Partnership Agreement are applied.

Applications for aid processed 2013-14

Of the 17 940 applications received by the Commission in the 2013-14 financial year, 8 712 (49%) were lodged by private legal practitioners. These applications are known as 'claimed' applications because the client has nominated a solicitor of their choice. If approved, applications in which a private practitioner is nominated are, in most cases, referred back to that practitioner.

Applications in which no legal practitioner is nominated, ie 'unclaimed' applications are, if approved, assigned to a legal practitioner employed by the Legal Services Commission.

Some unclaimed applications are referred to private practitioners. This may occur if a conflict arises or if a client lives too far from a Commission office for an in-house practitioner to take on the case. Practitioners must be accepted onto a legal aid panel to act on a grant of legal aid.

Of the 14 552 approved applications for the reporting year, 9 952 (68%) of legal aid grants were assigned to private practitioners and 4 600 (32%) to the in-house practice.

Expensive criminal cases

In the 2013-14 financial year the Commission funded four criminal trials under the Expensive Criminal Cases Funding Agreement. In two of these matters the defendants faced drug charges. One of the four matters involved a single accused charged with murder, and the other three cases involved one or more co-accused.

Appendix 3 details the Expensive Criminal Cases Funding Agreement.

Contributions

Legal aid is usually not free. Legal aid is granted on the condition that the applicant contributes towards the cost of the legal matter. The applicant may be asked to contribute by–

- an initial cash contribution;
- a final contribution following the completion of the case;
- having costs secured by the placement of a statutory charge over the applicant's property or over that of any financially associated person. These costs are to be repaid to the Commission when the property is sold, transferred or otherwise dealt with.

The amount of contribution will depend on the level of accessible income and the likely cost of the matter for which assistance is sought.

Statutory charges

The Commission takes a statutory charge over any real estate in which an applicant or an applicant's financially associated person has an interest in order to secure full repayment of legal costs. This charge does not arise if the costs of the case are less than the statutory charge threshold, currently set at \$2200. The Commission allows the charge to remain on the title until the property is refinanced, further mortgaged, transferred, sold or the owner dies. No repayments are required in the meantime. (The Commission may impose an administration fee to cover the costs of preparing and registering the charge documents, the eventual removal of the charge and any other administrative work.)

Appendix 4 provides further details of the statutory charges taken for the 2013-14 financial year.

Fee scale payments

The Commission increased its fee scales for payments to private practitioners and for disbursements across the board effective from 1 October 2013. These fee scales are set by Commission resolution after consultation with the Law Society of South Australia.

Grants of Legal Aid and Assignments Division 2013-14

National relationships

The Manager of the Grants of Legal Aid and Assignments Division is a member of the National Legal Aid Grants National Statistics Working Group (GNSWG). This working group is comprised of representatives from each Australian Legal Aid Commission. The GNSWG has a sound working relationship with other national groups including the Data Collection Working Group and the Family Law Working Group and reports to National Legal Aid. The working group agendas include such matters as National Partnership Agreement benchmarks, Commonwealth Funding Guidelines, the National Legal Aid Strategic Plan, consistent data collection and the National Legal Aid Statistics website.

Applications for aid received by source 2013-14

Source	Total	
Child support unit	242	1%
Community law centres	6	0%
Direct from client	6 230	35%
Duty lawyer	1 569	9%
Family Court	13	0%
Federal Circuit Court	355	2%
Interview	85	0%
Other agency	70	0%
Prison	648	4%
Private practitioner	8 712	49%
Unknown	10	0%
Total	17 940	100%

081

Applications for legal aid received and processed 2013-14

Application status	Family		Criminal		Civil		Total	
Awaiting final assessment	15	0%	26	0%	0	0%	41	0%
Assigned	1 950	45%	7 980	59%	22	20%	9 952	56%
In-house	1 025	23%	3 574	27%	1	1%	4 600	26%
Refused	1 358	31%	1 708	13%	86	78%	3 152	17%
Withdrawn	40	1%	133	1%	1	1%	174	1%
Total	4 388	100%	13 421	100%	110	100%	17 919	100%

21 applications for aid received were not processed by 30 June 2014

Grants of Legal Aid and Assignments Division 2013-14

Applications for legal aid refused by reason 2013-14

Reason Refused	Family		Criminal		Civil		Total	
Guidelines	263	19%	1 024	60%	81	94%	1 368	43%
Guidelines and means	176	13%	132	8%	4	5%	312	10%
Means	704	52%	495	29%	0	0%	1 199	38%
Means and merit	26	2%	1	0%	0	0%	27	1%
Means, merit and guidelines	14	1%	1	0%	0	0%	15	0%
Merit	62	5%	49	3%	1	1%	112	4%
Merit and guidelines	68	5%	4	0%	0	0%	72	2%
No jurisdiction	45	3%	2	0%	0	0%	47	1%
Total	1 358	100%	1 708	100%	86	100%	3 152	100%

Protection applications 2013-14

Source	Assigned	In-house	Refused / Withdrawn	Total
Adult	247	0	29	276
Child	42	197	1	240
Total	289	197	30	516

Grants of Legal Aid and Assignments Division 2013-14

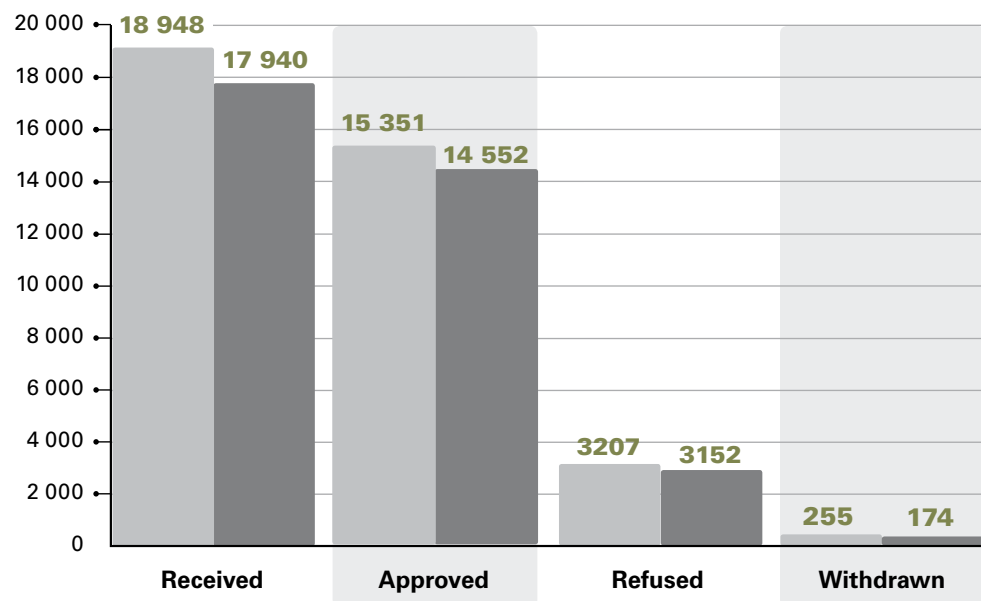
Applications granted by primary matter group 2013-14

		Inhouse	Assigned	Total	% of approved matters
Family	Child protection application	41%	59%	486	3.34%
	Child support	95%	5%	199	1.37%
	Children	13%	87%	1 432	9.84%
	Contempt	15%	85%	34	0.23%
	Dissolution	87%	13%	23	0.16%
	Family dispute resolution	47%	53%	408	2.80%
	Independent children's lawyer	62%	38%	360	2.47%
	Injunctions (family)	100%	0%	1	0.01%
	Maintenance	100%	0%	5	0.03%
	Property settlement	19%	81%	27	0.19%
	Total family law	34%	66%	2 975	20.44%
Criminal	Assaults (excluding sexual assaults)	38%	62%	2860	19.65%
	Burglary, break and enter	32%	68%	1032	7.09%
	Drugs Commonwealth offences	29%	71%	17	0.12%
	Drugs dealing and trafficking	20%	80%	526	3.61%
	Drugs manufacture	14%	86%	120	0.82%
	Drugs possess/use	18%	82%	45	0.31%
	Environmental	44%	56%	16	0.11%
	Extortion	13%	87%	8	0.05%
	Fraud, misappropriation and deception	29%	71%	237	1.63%
	Handling, receiving and unlawful possession of stolen goods	16%	84%	208	1.43%
	Homicide	32%	68%	193	1.33%
	Motor vehicle driving offences	33%	67%	1 242	8.53%
	Motor vehicle other and related offences	37%	63%	287	1.97%
	Offences against good order	32%	68%	88	0.60%
	Offences against govt security	100%	0%	1	0.01%
	Offences against justice procedure	24%	76%	2 416	16.60%
	Offences against person	27%	73%	116	0.80%
	Offensive behaviour offences	50%	50%	88	0.60%
	Other criminal law matters/offences	39%	61%	18	0.12%
	Property damage (criminal)	38%	62%	286	1.97%
	Prostitution and related offences	100%	0%	1	0.01%
	Rape and sexual offences	37%	63%	400	2.75%
	Robbery	38%	62%	275	1.89%
	Theft and other dishonest offences	28%	72%	834	5.73%
	Unlawful possession of other weapons	24%	76%	240	1.65%
	Total criminal law	31%	69%	11 554	79.40%
Civil	Administrative law	0%	100%	19	0.13%
	Immigration	0%	100%	1	0.01%
	Miscellaneous (civil)	33%	67%	3	0.02%
	Total civil law	4%	96%	23	0.16%
Total applications granted		32%	68%	14 552	100.00%

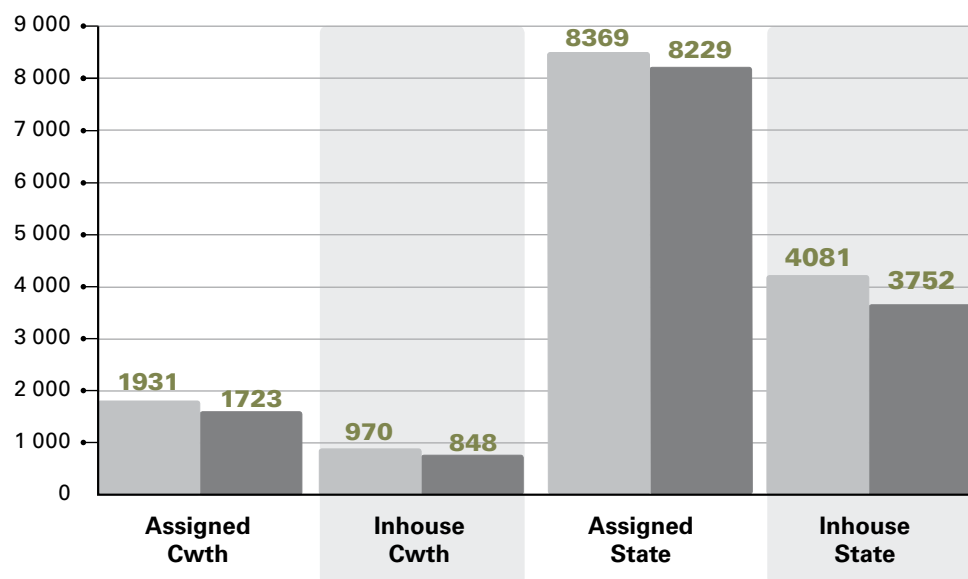
Grants of Legal Aid and Assignments Division 2013-14

Applications for legal aid received to 30 June 2014

The Commission received **17 940** applications for aid this financial year and approved **14 552**.



Assigned/in-house by State/Commonwealth 2013-14

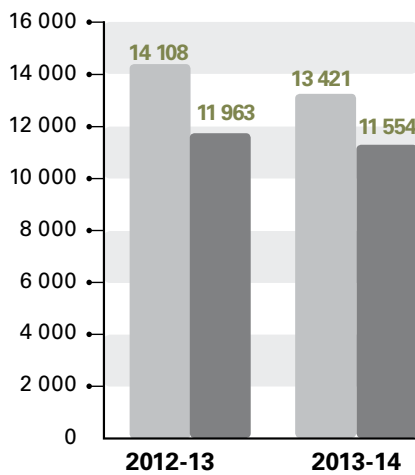


Key 2012-13 2013-14

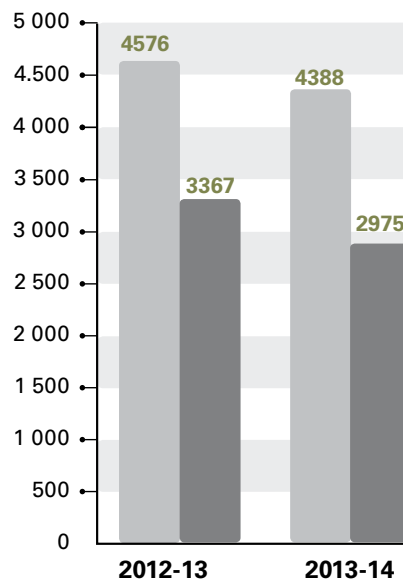
Grants of Legal Aid and Assignments Division 2013-14

Applications received and approved by law type 2012-13 and 2013-14

Criminal Law



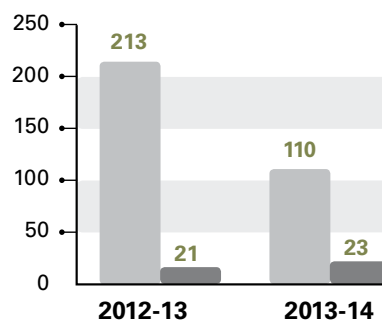
Family Law



Key Received Approved

*Child protection applications
previously categorised as civil law
now categorised as family law.*

Civil Law



Criminal Law Practice Division 2013-14

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The Criminal Law Practice Division of the Legal Services Commission is South Australia's largest criminal law defence practice. It provides clients with a wide range of quality representation services in all the State criminal courts.



*Andrew English, Manager
Criminal Law Practice Division.*

In 2013-14, the Commission's criminal lawyers represented clients in many complex and high profile trials and sentencing matters heard in the District and Supreme Courts, and in appeals against conviction and sentence before the Court of Criminal Appeal. Additionally, the in-house practice provided a comprehensive representation program for legally aided clients who had matters before all metropolitan and many country Magistrates Courts.

A free duty solicitor service is provided in all courts of summary jurisdiction in the Adelaide metropolitan area and in most country locations, including the APY Lands. Except where private practitioners are contracted to provide the service in courts where the Commission is not located, in-house lawyers provide most of these

services. The in-house practice also provides a specialist youth legal service, a free after hours custody telephone advice service and a free prison advisory service.

Duty solicitor representation

The criminal law duty solicitor service assists individuals appearing before the summary courts who are unrepresented. The role of the duty solicitor is to provide on the spot legal advice and representation. The duty solicitor's role typically involves making bail applications for clients in custody, conducting guilty pleas on minor criminal charges and securing adjournments for clients requiring more comprehensive future legal assistance that cannot be finalised on the day of their appearance.

The duty solicitor service is available in all metropolitan Magistrates Courts, some country courts and the Youth Court. It is a vital component of the criminal justice system in South Australia, playing a significant role in assisting courts of summary jurisdiction to manage the large volume of cases involving unrepresented defendants. The duty solicitor service has operated since 1988 and is heavily relied on by both the public and the courts.

Criminal law Practice Division 2013-14

General representation

The in-house practice provides legally aided clients with specialist criminal law practitioners who are skilled, enthusiastic and maintain a high level of ongoing professional training and continuing education.

The Commission's criminal lawyers routinely conduct bail applications, pleas of guilty and trials in the Magistrates Courts. Its more experienced practitioners represent clients in higher court guilty plea proceedings and jury trials, including murder.

In-house practitioners regularly attend and participate in programs of continuing professional development, both internally and externally. In 2013-14, the in-house practice conducted a comprehensive program of trial advocacy seminars presented by leading trial lawyers and members of the judiciary. Continuing legal education and the development of legal skills is a fundamental feature of the in-house criminal law practice.

Specialist representation

In addition to general representation, the in-house practice provides specialist criminal defence services to vulnerable members of the community who suffer from intellectual disability, acquired brain injury or serious mental illness.

Commission lawyers regularly represent clients charged with serious major indictable offences who are either unfit to plead or have mental impairment defences arising from serious psychiatric conditions, such as schizophrenia or chronic psychosis. Many of these clients are incapable of providing coherent instructions and in-house practitioners are required to work closely with forensic psychiatrists and psychologists to prepare matters for Court.

The in-house practice also provides specialist representation to clients whose offending has a strong causal link with drug addiction and so are eligible to participate in Drug Court programs.

The Treatment Intervention Court (formerly the Drug Court of South Australia) was established to provide assistance to people whose crimes are related to drug addiction and who wish to make a genuine attempt at rehabilitation. The Commission has two dedicated in-house Drug Court lawyers who provide representation to clients in this jurisdiction. The success of a client in a rehabilitation program ordered by the Court will often lead to a non-custodial sentence, future abstention from drug use and a better outcome for the community.

Working with other stakeholders in the criminal justice system

In-house practitioners play a key role in liaising with other justice agencies to bring about improvements in the criminal justice system.

In 2013-14 the Director of the Commission, the Manager of the Criminal Law Practice Division and the in-house prisons lawyer participated in a Ministerial Taskforce set up to develop and implement strategies to allow better access for the legal profession and allied professionals to service clients in the prison system. The difficulty in gaining reasonable access to clients in custody has been a source of ongoing frustration for practitioners and their clients and is a significant contributing factor for the delay in disposing of court matters.

The Taskforce includes a number of stakeholder bodies, including representatives of the Department of Correctional Services, the Law Society, the Courts Administration Authority and the Commission. The following significant improvements have been proposed and acted upon by the stakeholder group:

- the introduction of an electronic professional booking system;
- extended consultation times for professional visitors;

Criminal law Practice Division 2013-14

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- improved and extended telephone and audio visual link infrastructure within correctional facilities to better accommodate virtual interviews with clients;
- the development of a professional visitors guide, available online, that collates and updates all available information regulating and facilitating professional visits;
- the creation of a permanent cross agency committee to meet quarterly to provide feedback to the Department of Correctional Services on new arrangements and to raise issues of concern as they occur;
- a planning proposal for the construction of a purpose built visitors centre at the Yatala Labour Prison.

In addition, in-house practitioners continue to play an active role on a range of committees and working groups, making recommendations to government relating to sentencing practices, defendants with disabilities and technological innovation, such as the introduction of audio visual links between courts and prison institutions. In-house practitioners also participate in the work of the Criminal Law Committee of the Law Society of South Australia.

The in-house practice continues to work closely with the Office of the Director of Public Prosecutions and the Police Prosecution Service to improve effectiveness and efficiency in the State criminal courts. In the 2013-14 financial year, practitioners from the Criminal Law Practice Division and Access Services Program participated in the government's Disability Justice Plan Steering Committee. The steering committee invited the views of many interested stakeholders as to how the criminal justice system could be improved for people with a disability (be it physical or intellectual). The work of the group culminated in a Disability Justice Plan. Although the work of the committee was primarily directed towards improving the criminal justice system for disabled victims, the Commission was able to highlight many of the difficulties faced by disabled defendants. This culminated in Commission practitioners submitting a detailed written submission to government, suggesting many improvements directed towards ensuring that disabled persons charged with criminal offences be treated with informed understanding, dignity and fairness.

Representation of Aboriginal people

The Commission continues to maintain a strong commitment to assisting Aboriginal clients in the criminal justice system. The Commission recognises and accepts that indigenous clients are often among the most disadvantaged people in the community and are heavily over represented in the prison system. The in-house practice strives to work cooperatively with the Aboriginal Legal Rights Movement to provide representation and duty solicitor services to Aboriginal clients in the metropolitan and most country areas, including on the APY Lands.

Criminal law duty solicitor services by court location and work type 2013-14

Court Location	Advice	Mention	Plea	Contested Bail Application	Hearing	Other	Total
Adelaide	1 450	1 776	183	432	17	177	4 035
Amata	2	9	4	0	1	0	16
Berri*	72	101	25	12	2	1	213
Ceduna	0	2	0	0	0	0	2
Christies Beach	547	283	66	348	0	18	1 262
Cooper Pedy	23	26	16	6	6	1	78
Elizabeth	2 071	28	10	84	7	19	2 219
Ernabella	0	9	7	0	2	0	18
Fregon	0	7	6	0	1	0	14
Holden Hill	1 360	94	11	190	0	6	1 661
Indulkana	3	15	9	0	1	2	30
Marla	0	5	1	1	1	1	9
Millicent*	3	8	4	0	0	0	15
Mimilli	4	12	6	0	0	0	22
Mount Barker	122	142	58	20	1	7	350
Mount Gambier*	29	37	42	3	1	2	114
Murray Bridge*	11	9	5	0	0	0	25
Noarlunga	6	0	0	0	0	0	6
Pipalyatjarra	0	5	1	1	1	0	8
Port Adelaide	664	271	63	652	0	156	1 806
Port Augusta	101	302	115	147	43	20	728
Renmark	1	1	3	0	0	0	5
Victor Harbor	5	3	1	1	0	0	10
Waikerie	7	6	1	0	0	0	14
Whyalla	87	230	95	136	19	13	580
Total	6 568	3 381	732	2 033	103	423	13 240

*Duty solicitor services provided by contracted private legal practitioners.

Criminal law duty solicitor services by court type and work type 2013-14

Court	Advice	Mention	Plea	Contested Bail Application	Hearing	Other	Total
Youth Court	155	673	110	70	2	12	1 022
Magistrates Court	6 413	2 708	622	1 963	101	411	12 218

Family Law Practice Division 2013-14

090

The Legal Services 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. The practice also provides specialist advice on child support through the Child Support Unit and, through its duty lawyer service, assists unrepresented parties at all sitting days of the Family Law Courts. In addition, the Family Dispute Resolution Unit and the Commission's child and family counsellors provide family law conferencing and general family dispute resolution services to clients.



Graham Russell, Manager
Family Law Practice Division.

Changes to the family law system

In the 2013-14 financial year there were some important changes to the family law system. The overwhelming majority of all applications are now filed in the Federal Circuit Court with the Family Court hearing the most complex cases, including cases involving allegations of sexual abuse or serious physical abuse. These cases are heard by the Family Court under its Magellan Case Management System.

During 2013-14 there was a focus on increasing collaboration between the family law and child protection sectors, in particular in relation to the flow of information. A pilot project is operating in the Adelaide registry of the Federal Circuit Court requiring a party in children's proceedings to file a Notice of Risk with every application or response in

a parenting matter, setting out any concerns for the safety of the child. This Notice was developed through consultation between Families SA, the courts and the Commission and an evaluation is being conducted with a view to national implementation of the scheme.

Community education

Members of the Family Law Practice Division have continued to be active in providing community education services to many organisations.

Independent Children's Lawyers have presented at the TAFE *Interagency Practice in Child Protection* course to staff of SAPOL and Families SA about their role and its inter-relationship with these agencies and the courts. The Division also contributes to the *Law for Community Workers* course. Both these courses are held at TAFE and transmitted to many country areas by video link. Additionally, the Division assists in the Commission's free legal information seminars.

Following the move to the new Gawler Place offices, the Commission held a series of family law education sessions. The sessions were presented to a live audience of the public and community workers as well as to participants online through a state wide internet webinar hook-up. All sessions were oversubscribed with

Family Law Practice Division 2013-14

online participants coming from Port Augusta, through to the Riverland, the South East and Yorke Peninsula. The feedback for these presentations was both favourable and immediate, including:

Thanks. I have found the sessions extremely interesting and useful to me both professionally and personally. I think they are a great idea and very accessible, especially to those working in the city. Thankyou for providing such a meaningful community service. I look forward to participating in future seminar programs.

The Division has also provided family law training and information sessions within the Commission and to external organisations such as the Women's Information Service, the Courts Administration Authority and Grandparents For Grandchildren.

Family law casework

The mandatory Continuing Professional Development scheme requires each legal practitioner to complete a minimum of 10 units of CPD activity each year in order to maintain a practising certificate. Members of the Family Law Practice Division attended a number of external training sessions and the Commission organised a number of internal training sessions that

were also open to family dispute resolution chairpersons and staff of community legal centres. These sessions included presentations on the role of family consultants and expert writers in the family law system, the New Zealand legal aid system, mental health awareness and suicide prevention training and guiding hearings for unrepresented litigants.

Monthly meetings of the Family Law Practice Division have included training on internal practices involving information technology, library services and safety procedures within the office.

During 2013-14 the Manager of the Family Law Practice Division attended tri-annual meetings with the judges of the Federal Circuit Court and regular meetings with the judges of the Family Court. In addition, the Family Law Working Group of National Legal Aid, which comprises the managers of each Commission's family law practice, met twice during the year to consider national matters. These meetings of the Family Law Working Group were also attended by Judge Baumann of the Federal Circuit Court and a representative of the Commonwealth Attorney-General's Department.

The Commonwealth provided extra funding during the year that was

used in three specific areas. Firstly, it was used to ensure sufficient funding to cover all requests for Independent Children's Lawyers made by the Family Law Courts. Secondly, work began on a low asset pool family dispute resolution conferencing program to give the opportunity to clients, who do not have access to legal aid or private lawyers, the opportunity to mediate an agreement in relation to relatively modest property settlements. Finally, the Commission established a program to enable parties represented by community legal centres or the Aboriginal Legal Rights Movement to access the services of counsel for defended hearings in the family law courts.

The Commission was represented at the funeral in August 2013 of Kemer Murray, former Judge of the Family Court and, at the time of her retirement in 2006, the longest serving judicial officer in Australia. Her Honour showed a great deal of support for the Commission and was popular among the practitioners who appeared before her over a long period of time.

Family Law Practice Division 2013-14

Independent Children's Lawyers (ICLs)

In the most difficult of parenting cases, the Family Law Courts may order that a child's interests be represented by an Independent Children's Lawyer (ICL) appointed by the Legal Services Commission. In 2013-14 the Commission made 352 ICL appointments. The Commission has continued to honour all ICL orders made by the courts.

During the year, the Commission continued to provide training forums for all in-house and private practitioners undertaking ICL work. In February, a session was held which included a panel presentation on *Ethics as they apply to ICL Practice*. The panel was chaired by Judge Cole of the Federal Circuit Court and included a member of the Ethics and Practice Committee of the Law Society and the Manager of the Family Law Practice Division.

The Australian Institute of Family Studies (AIFS) was commissioned by the Commonwealth Attorney-General's Department to conduct research on ICLs in the family law system. This research was comprehensive and examined processes and practices related to ICLs across Australia. The researchers conducted surveys with ICLs and professionals who work with ICLs (judicial officers, non-ICL legal practitioners, family consultants and other professionals), as well as interviewing parents and children who had been involved in a litigated matter with an ICL and examining the policy and practices of legal aid commissions in relation to ICLs. National Legal Aid, through the Family Law Working Group, assisted the researchers over a number of stages.

The final report was publicly released in November 2013. The report

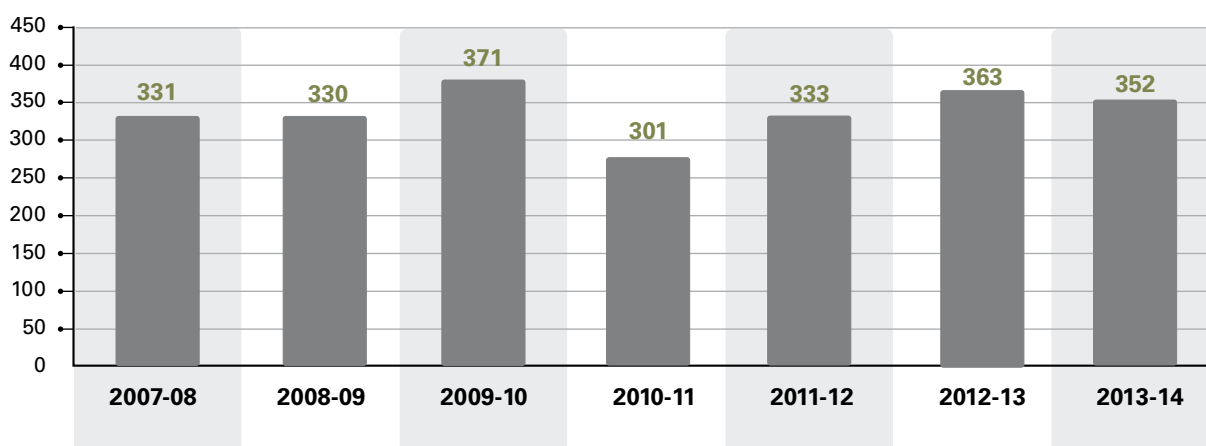


Graham Russell, Manager Family Law Division, addresses family consultants and independent children's lawyers

acknowledged the complexity of the role of ICLs and noted that the involvement of an ICL improved the outcome for a child in the most difficult of cases considered by the family law courts. National Legal Aid was particularly pleased to note a conclusion in the report that generally in-house ICLs were considered to be of the highest standard of practitioners on ICL panels.

The report did identify a number of issues that are currently being addressed by the Family Law

Number of ICL appointments 2007-08 to 2013-14



Family Law Practice Division 2013-14

Working Group to enhance this important family law work. As part of this process, National Legal Aid convened a National Stakeholders Meeting in March. There were 22 attendees, including the Chief Justice of the Family Court, a Judge and the Principal Registrar of the Federal Circuit Court, the Principal of Child Dispute Services in the Family Law Courts, the author of the AIFS Report, members of National Legal Aid's Family Law Working Group, representatives from the Attorney-General's Department and representatives from the Family Law Section of the Law Council. This Group will continue to meet to monitor action to be taken by National Legal Aid in response to the report.

Child Support Unit

The Child Support Unit offers free, independent, specialised advice in relation to all child support and maintenance matters. The Child Support Help Line operates each weekday to provide telephone advice to clients who contact the service. Free follow up appointments are arranged if needed. Representation is provided by staff of the Child Support Unit, subject to means and merit tests.

The Child Support Unit has maintained communications with

the Department of Human Services – Child Support through stakeholder engagement meetings and through regular contact with the Families Stakeholder Coordinator.

The Department has decided not to reconvene the valuable Child Support Legal Liaison Group meetings. As a result, the Child Support Unit has taken the lead in organising and hosting meetings of child support legal service providers, comprising representatives from community legal centres, AGS and CSU staff. Representatives of the Department have also attended.

In April 2014 the Federal Government announced a Parliamentary Inquiry into the Child Support Program. Staff of the Child Support Unit, together with representatives of interstate child support services, contributed to a submission made by National Legal Aid.

The Child Support Unit Facebook page has continued to provide information and raise awareness of the services provided by the Unit. A limited experiment with boosting posts by way of paid advertising produced positive results.

In the past year two solicitors from the Child Support Unit have undertaken roles in the family law duty lawyer service. Their expertise in child support law has proved

an advantage in this separate but associated aspect of family law.

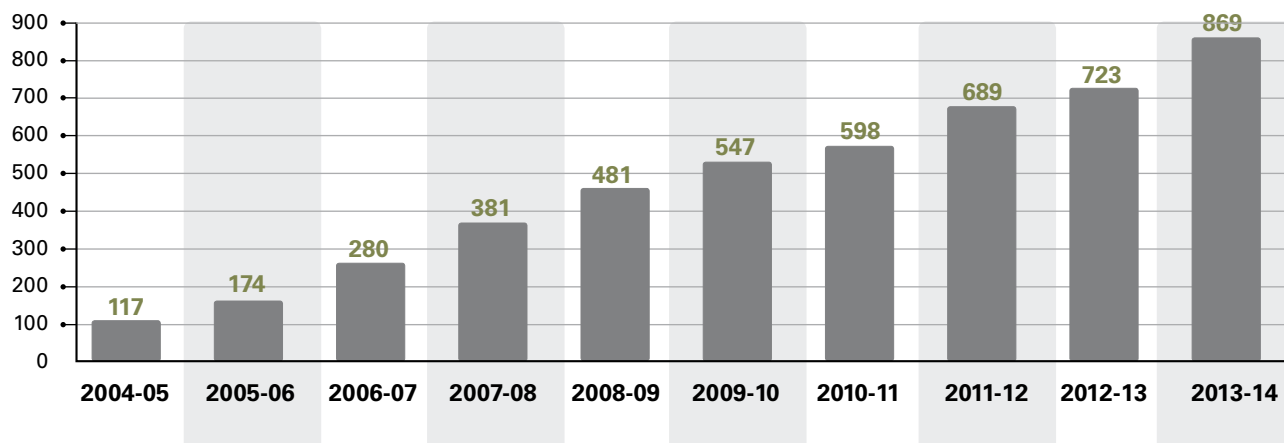
Staff of the Child Support Unit have maintained close contact with the family law and child support prison advisers in order to provide assistance to prisoners who have child support responsibilities. This has proved a valuable collaboration with many child support assessments being amended to reflect the client's circumstances as a result of this cost effective intervention.

The Unit has also continued to assist other areas of the Commission by providing training on child support law, including presentations as part of the Commission's free legal information sessions, the Law for Community Workers TAFE course and through attendance at the Adelaide Family Relationship Centre legal collaboration meetings.

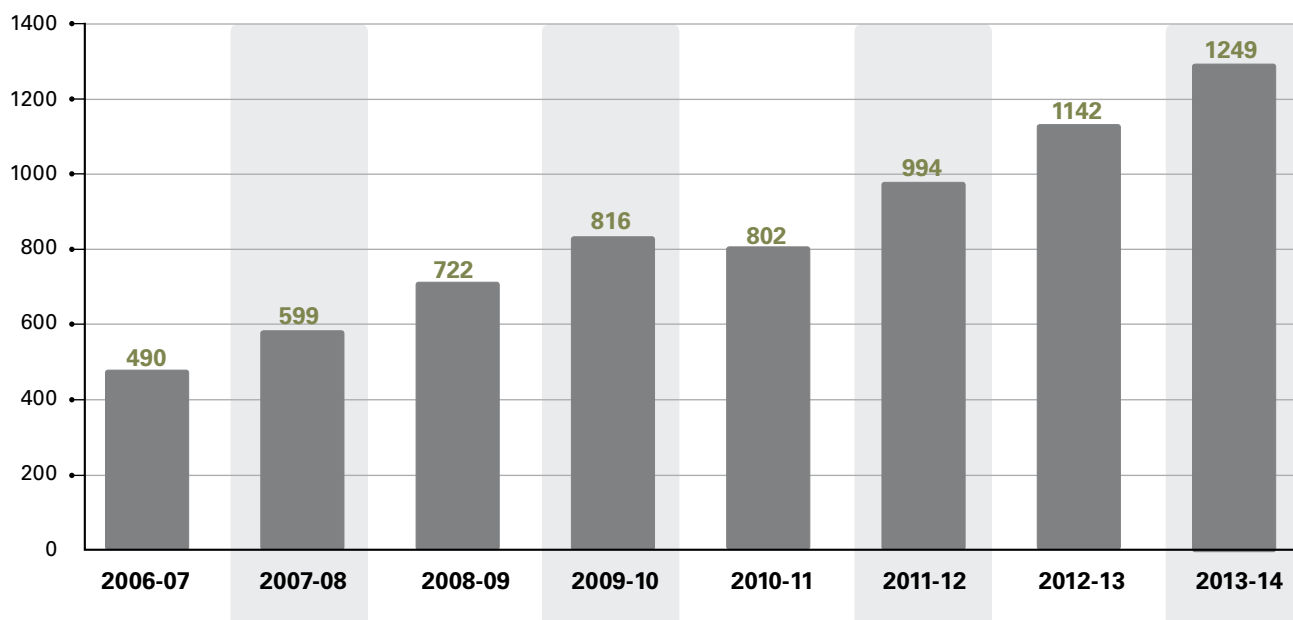
Family Dispute Resolution Unit

The Commission's Family Dispute Resolution (FDR) program had another busy year. This lawyer assisted dispute resolution program falls between the mediation offered by community based organisations, such as the family relationship centres, and litigation in the Family Law Courts. The dispute resolution model offered by this

FDR conferences 2004-05 to 2013-14



FDR files opened 2006-07 to 2013-14



program particularly assists clients in parenting disputes who have complex issues and who require the support and advice of legal representation during, and as part of, the negotiation process.

The FDR program is available both in the pre-litigation stage and also after litigation has commenced.

In an increasing number of cases,

the courts refer a matter to the Commission's court ordered conferencing program in an effort to assist parties to achieve a negotiated finalisation of the dispute. These matters have initially by-passed the FDR pathway because of urgency or other factors that exempt parties from conducting FDR in the pre-litigation stage. There is a well defined referral process agreed to

between the courts and the FDR Unit. Notwithstanding the increase in these matters, which tend to be more complex, the settlement rate of conferences has remained fairly stable.

The FDR Unit conducted 869 conferences during this financial year, with 1249 new FDR files opened during the same period. The workload of the Unit continues to increase at

Family Law Practice Division 2013-14

Family law duty lawyer services by court type and work type 2013-14

Work Type	Family Court	Federal Circuit Court	No Court nominated	Total
Legal aid application	0	1	4	5
Advice	42	564	698	1 304
Consent order explanation	0	3	0	3
Adjourned/mention	1	6	1	8
Negotiations /draft terms	0	8	0	8
Minor legal assistance	2	34	12	48
Urgent hearing	0	2	0	2
Referral	2	12	27	41
Other	3	37	27	67
Total	50	667	769	1 486

a steady rate. This has been due, in part, to the improved conferencing facilities available after the move of the Commission's head office in September 2013.

Experienced family law practitioners, with dispute resolution accreditation, chair the FDR conferences. The practitioners attend continuing professional development training through the Commission and through the SA Family Law Pathways Network.

Independent Children's Lawyers regularly participate in court ordered FDR conferences. Family Assessment Reports provide a framework for settlement discussions.

The FDR program continues to be supported by the Commission's in-house child and family counsellor who assists with the child inclusive work undertaken in the program. Conferences for regional clients are offered through the Commission's regional offices and also at Mount Gambier and Whyalla.

The co-ordinator of the Unit attends the regular National Legal Aid Dispute Resolution Working Group meetings. In October 2013, this group met in Adelaide where a number of speakers from the Family Law Courts and the Drug and Alcohol Association of SA gave presentations.

Family Law Duty Lawyer

The Commission has two duty lawyers based at the Family Law Courts. These lawyers are present at the court each sitting day to assist unrepresented parties to manage their appearances in court, to assist clients in making applications for legal aid or to refer clients to private family law practitioners or other community services, as appropriate. This service has been strongly supported by the judicial officers of the courts. In this financial year, 1486 unrepresented clients were assisted by the duty lawyer program.

Family Law Practice Division 2013-14

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Liaison

The Family Law Practice Division regularly liaises with other sections of the Commission dealing with family law issues as well as with external organisations.

The Family Law Practice Division continued its partnership with the Adelaide University Law School to provide specialist family law training to law students as part of their clinical legal education elective. The training is over a 13 week period and the student attends at the Commission's head office for a total period of 13 days. The placement is structured around the passage of a client through the family law system.

Students spend time with the Commission's Access Services program, (observing legal advice sessions and community legal education sessions), the Child Support Unit, the FDR Unit, (where they are involved in one of the Commission's lawyer assisted FDR Conferencing sessions), duty lawyers and Independent Children's Lawyers. In addition, students attend a number of sessions at the Adelaide Family Relationship Centre to gain an insight into the mediation services

that they provide. The sessions attended include a Child Focused Information session, an intake assessment and, if appropriate, a mediation. The program has been very successful and well received.

South Australian Family Law Pathways Network

The South Australian Family Law Pathways Network is made up of representatives from the major government and community based organisations in the family law sector including the Family Law Courts, the Legal Services Commission, the Family Law Section of the Law Society, Family Relationship Centres, other funded FDR services, Family Violence groups, the Child Support Agency, ALRM and Grandparents For Grandchildren. The Network receives ongoing Commonwealth funding to undertake projects.

The Commission continues to be heavily involved with the Network and the Manager of the Family Law Practice Division is currently the Chairman of the Network's Steering Committee.

The Network is successfully running an information and referral service, the "Pathways Kiosk" at the Family

Court. The Network's Project Officer, who was formerly a family lawyer in private practice, runs this service. The purpose of the Kiosk is to provide information to parties and their lawyers and the judges about family law services and, in appropriate cases, arrange bookings that are then supported by orders made in court for the attendance at these services by the parties.

The Network held its major conference *The Child's Voice* in May 2014. Most of the Commission's family lawyers attended together with a number of FDR chairpersons. The keynote speakers included Justice Berman of the Family Court and Judge Harland of the Federal Circuit Court who participated in a panel discussion following a complex case through the family law system. There were a number of other speakers from local agencies, including two of the Commission's family lawyers. The conference was fully subscribed and the feedback from attendees was highly complimentary.

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Legal Services Commission of South Australia

Whyalla & Pt Augusta Program

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Whyalla & Pt Augusta Program 2013-14

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The Legal Services Commission maintains offices in the northern South Australian towns of Whyalla and Port Augusta. These offices provide a valuable service to the residents of Whyalla, Port Augusta and some of the most remote places in the north of South Australia such as Coober Pedy and the communities of the APY Lands. Commission solicitors are relied upon by these regional and remote communities to provide quality legal advice and representation and are highly regarded by the magistrates in whose courts they regularly appear.



Tim Weiss, Manager Whyalla and Port Augusta Program.

Staff

Two senior criminal lawyers and, since the beginning of 2014, 1.6 FTE senior family lawyers are employed in the Whyalla and Port Augusta offices of the Commission. Two duty lawyers provide representation in the Magistrates and Youth Courts in Whyalla and Port Augusta and give legal advice, both in person and over the telephone.

A community legal education officer/adviser provides legal education and advice to the Whyalla and Port Augusta

communities and provides an outreach service to the surrounding rural areas of the Iron Triangle and Eyre Peninsula.

A hard working team of four administrative staff ably assists the lawyers.

Lawyers employed by the Commission in these regional offices represent people who are marginalised because of their location and personal circumstances. The practice includes providing advice and representation to the indigenous population who reside predominately within Port Augusta and Whyalla and on the Anangu Pitjanjatjara Yankunytjatjara (APY) Lands in the far north of the state.

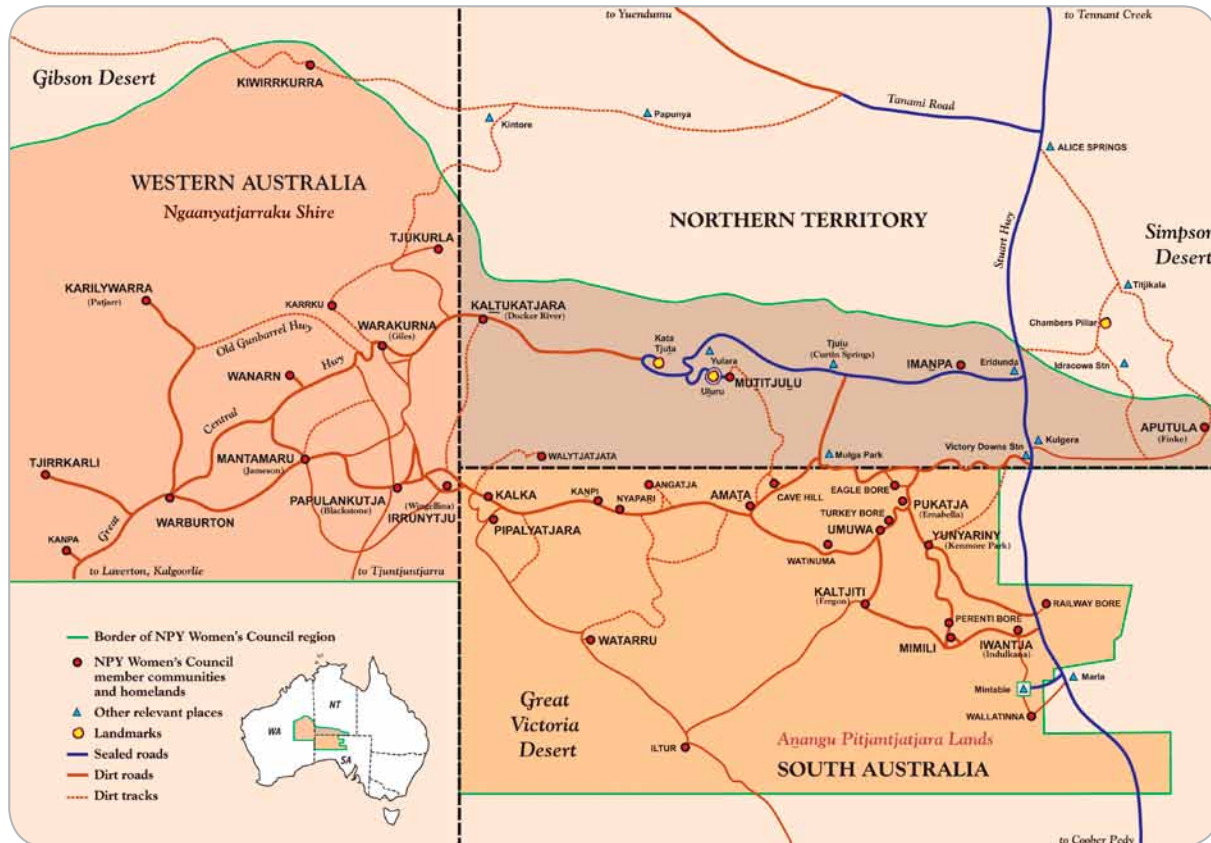
Criminal law practice

The Commission's criminal lawyers act for clients appearing in the Magistrates and Youth Courts in Port Augusta and Whyalla and for clients appearing in the District Court in Port Augusta.

Criminal Files

	2010-11	2011-12	2012-13	2013-14
Whyalla	226	233	336	277
Pt Augusta	292	273	299	279
Total	518	506	635	556

Whyalla & Pt Augusta Program 2013-14



Anangu Pitjantjatjara Lands.

The Magistrates Court sits for 45 weeks a year in Port Augusta and 37 weeks a year in Whyalla. The Northern District Criminal Court sits for 6 three week blocks throughout the year in Port Augusta.

The number of Magistrates Court circuits to the north of the state was reduced from 16 in the 2012-13 financial year to 12 in 2013-14. Six one week circuits have been scheduled for Coober Pedy and six in various communities

of the Lands, including the communities of Iwantja (Indulkana), Mimili (Everard Park), Kaltjiti (Fregon), Pukatja (Ernabella), Amata, and Pipalyatjara.

The APY Lands cover more than 103 000 square kilometres of arid land in the northwest of South Australia, running up to the border of South Australia with Western Australia and the Northern Territory.

Travel to the Lands is by road via the Stuart Highway to Marla, about

1070 km from Adelaide, and then on unsealed roads to the communities. The most remote community, Pipalyatjara, is about 480 km from the Stuart Highway and about 1580 km from Adelaide.

Accommodation is not readily available in most of the communities and solicitors usually camp at locations near the communities where the court is sitting.

Whyalla & Pt Augusta Program 2013-14

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The roads, while improving, are often very rough, corrugated, dusty, muddy or even flooded and travel between communities can take a considerable time.

Court circuits are sometimes disrupted by events over which there is no control. During one circuit early in 2014 court was cancelled in two communities. In one, a funeral was occurring and in the other men's business was taking place. Later in the year an entire circuit was cancelled when heavy rains made the roads unsafe and impassable. Court staff and lawyers from the Commission and ALRM had travelled almost to the Northern Territory border when it became apparent the circuit could not safely proceed.

Those on circuit had to reluctantly camp at Uluru before returning to Port Augusta and Whyalla.

The work of the lawyers is enriched by the experience they have travelling to the Lands, a truly beautiful part of the country, and by assisting traditional Aboriginal people in their encounters with the judicial system.

It is a privilege to be permitted to travel to these Lands.



Mulga Park Road on the way to Amata



Camping near Ernabella (Pukatja).



Uluru

Whyalla & Pt Augusta Program 2013-14

Family law practice

The family law practice is continuing to grow.

In the last financial year there has been a focus on improving services for family law clients, particularly in Port Augusta and the surrounding area. To that end, there are now 1.6 FTE senior family lawyers, allowing a family lawyer to be present in the Port Augusta office three days a week and reducing waiting times for clients to obtain advice and representation.

Commission family law services have been actively promoted at community meetings and to other service providers in Port Augusta and Whyalla. In collaboration with the community legal education officer further promotion of the family law practice is occurring through community education and media exposure.

Duty solicitors

General legal advice is provided by two duty solicitors whose time is divided between providing a duty solicitor service in the Whyalla and Port Augusta Magistrates Courts and providing general legal advice both in person and by telephone.

The duty solicitors also have the conduct of case files for clients charged with criminal offences.

Duty Solicitor	2010-11	2011-12	2012-13	2013-14
Far North*	159	294	377	200
Pt Augusta	535	663	923	731
Whyalla	557	451	637	581
Total	1251	1408	1937	1512

**Far North comprises Amata, Coober Pedy, Ernabella, Fregon, Indulkana, Leigh Creek, Marla, Mimili, Pipalyatjara.*

Duty Solicitor appearances by court type in Pt Augusta and Whyalla

	2010-11	2011-12	2012-13	2013-14
Magistrates	1054	1070	1469	1190
Youth	27	35	79	122
Total	1081	1105	1548	1312

Advice sessions *including prison advice*

	2010-11	2011-12	2012-13	2013-14
Pt Augusta	526	635	699	934
Whyalla	658	734	907	863
Total	1184	1369	1606	1797

Whyalla & Pt Augusta Program 2013-14

Community legal education officer/adviser

The community legal education officer provides general legal advice as well as developing and conducting legal education programs and promoting Commission services in the community.

In the 2013-14 financial year a number of sessions were held in Port Augusta and Whyalla, providing legal information and promoting the services of the Commission to the community and to community organisations.

Although most information sessions were in Port Augusta and Whyalla, contact was maintained with other regional communities in the north, including Port Pirie, Port Lincoln, Quorn, Ceduna and the APY Lands.

As communities become more aware of the Commission and the services offered, greater demand for advice and community legal education sessions across the mid-north and north of South Australia is expected.

In February 2014 the Commission commenced a monthly legal talk program at the Whyalla public library. Topics covered included *Wills and Advance Care Directives*, *Family Law*, *Consumer Law*, *Criminal Law* and *Supporting Young People in Police Interviews*.

Another new and exciting project that commenced this financial year was the *Legal Talk* radio information sessions conducted with Umeewarra Media. This is an Aboriginal owned and operated radio station that many people in the Port Augusta

community tune into during the week. Many of the topics covered in the sessions at the library were also covered on this radio program.

This financial year saw an important advice matter which, with legal aid assistance, was finally resolved in the Supreme Court. The matter related to an Aboriginal burial dispute. It highlighted the need to continue delivering sessions on Wills and Advance Care Directives, particularly within the Aboriginal community across the mid-north and north of South Australia.

With the changes later in 2014 to Advance Care Directives, this will become a bigger area of focus in the next financial year.

A major event in Port Augusta for the Aboriginal community is NAIDOC Week (National Aborigines and Islanders Day Observance Committee). The community legal education officer and other legal staff attended events during the week. A particular highlight was the Davenport Community Open Day where there was a display of the history of Davenport, traditional cooking and food tasting, traditional dance and song, as well as a tour of the healing garden with some story telling.

Number of participants in legal information sessions

	2011-12	2012-13	2013-14
Pt Augusta	312	225	621
Whyalla	53	339	170
CLE Outreach	N/A	714	331
Total CLE participants in the North	402	1278	1122

These figures do not include the audience in the 'Legal Talk' radio information sessions

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Legal Services Commission of South Australia

Infrastructure Program

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Infrastructure Program 2013-14

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Facilities management and record keeping functions are performed within the Infrastructure Program of the Commission.



Neil Traeger, Manager Infrastructure Program.

Infrastructure

The Commission's eight offices are supported from the Adelaide Office.

During the reporting period a new lease for the Adelaide office commenced, the lease for the Mount Barker office was renewed and the process of renewing the Port Augusta office lease continued.

Other than the completion of work associated with the move to the new Adelaide premises, and the completion of renovations at the Whyalla office, no substantial work was undertaken on other Commission premises during the reporting period.

Adelaide Office

After a number of years of working towards new accommodation for the Commission's Adelaide office, the doors at 82-98 Wakefield St

closed on 13 September 2013 and the move to the refurbished building and purpose built fit out located at 159 Gawler Place in the CBD commenced.

The new central location is modern and light filled and has significantly improved accommodation for staff and clients.

Records

The Records Unit provides strategic and operational records management support to the Commission, including regional and metropolitan offices, to ensure staff have timely access to information to support their functions. The Records Unit services include general records management advice, management of the head office switchboard, stationery procurement, incoming and outgoing mail processing, file storage, retrieval and archival services.

During the 2013-14 financial year the following activities were undertaken:

- a variety of tasks related to the relocation of the Adelaide Office including—
 - the identification of storage requirements, consultation, design and relocation planning;

Infrastructure Program 2013-14

- staff awareness and preparation to move training;
- end of lease clean out management of the former Adelaide office, including—
 - ensuring all paperwork was securely managed;
 - the management of the removal of furniture and equipment by Egans Asset Management Pty Ltd to comply with end of lease obligations;
 - achieving 98% landfill avoidance through a system of recycling and re-use;
- contract extension with Recall for off-site temporary records storage for 2 years;
- investigation of record disposal requirements arising from the Royal Commission into Institutional Responses to Child Sexual Abuse and new State and Commonwealth record destruction requirements, resulting in a disposal freeze on records of potential relevance until at least 2024;
- business case preparation for the development of a Commission communications portal and electronic document and records management system for completion and submission in the 2014-15 financial year;

- replacement of franking machines with a forms based system for use with Australia Post mail;
- systems introduction for the management of the National Disability Insurance Scheme (NDIS) and Administrative Appeal Tribunal (AAT) files.

Energy use

As part of the State Government's commitment to energy efficiency, government agencies are required to undertake a range of measures to reduce the output of greenhouse gases. In particular, energy use in government buildings must be cut by 15% from 2000-01 to 2009-10 (as an interim target) and a further 10% by 30 June 2014.

In the year 2013-14, the Commission recorded a 34.6% decrease (or 708 Gigajoules (Gj)) in the energy used in its buildings.

Since 2000, the following factors have had an impact on the recorded energy use of the Commission:

- during 2004-05, as part of the energy audit, it was determined that the Commission had not been billed by the landlord at 82 Wakefield St, as specified in the lease, for electricity on an area first leased by the Commission in May 2003. In 2013-14 this resulted in an increase of 119 Gj (\$11 886);
- on 1 July 2004 the Commission increased the size of its Adelaide office by 263 square metres.

Legal Services Commission	Energy Use (Gj)	Expenditure	Greenhouse Gas Emissions (Tonnes CO ₂)
2000-01	2 116	\$85 795	652
2008-09	1 850	\$107 813	432
2009-10	1 825	\$112 134	425
2010-11	1 818	\$119 849	424
2011-12	1 833	\$148 453	428
2012-13	2 046	\$175 564	478
2013-14	1 338	\$127 181	312
25% reduction Target 2014	1 587		489
Target 2015	1 534		473

The specific energy consumption for this area cannot be isolated. On a pro rata basis it equates to 28 Gj (\$2 574);

- 2006-07 was the first full year of operation of the Mount Barker office which, in 2013-14, consumed 51 Gj (\$5 013) of energy;
- 2007-08 was the first full year of operation of the Port Augusta office which, in 2013-14, consumed 53 Gj (\$4 632) of energy;
- in January 2009 the Whyalla office moved to a new area of 646 m² from an area of 263 m², an increase in area of 383 m² or 242%. In July 2009, 333 m² was subleased leaving an increased area of 50 m². In 2013-14 the subleased area was vacated and the Commission increased the area it occupied by 35 m² bringing the total increased area to 85 m² which, on a pro rata basis, consumes 16 Gj (\$1 424) of energy;

- in September 2013 the Commission's Adelaide office relocated to 159 Gawler Place, resulting in energy consumption at both the old and new locations from 1 July 2013 to 31 December 2013. However, due to the energy efficiency of the new location, a decrease of 761 Gj (\$66 468) was achieved.

The Commission has decreased its recorded energy consumption from 2 046 Gj in the 2012-13 financial year to 1 338 Gj in the 2013-14 financial year, a reduction of 708 Gj. This brings the Commission's energy consumption to 249 Gj below its 25% reduction target for 2014 of 1 587 Gj.

Energy management activities

In line with the Government's Energy Efficiency Action Plan, the following measures were continued this year to reduce energy consumption across the Commission:

- the Adelaide office, a high energy use office, was moved in September 2013 to a more energy efficient location;
- adjustments were made to air conditioning timers;
- staff remained vigilant in turning lights out when areas were vacated;
- timed light activation and deactivation was maintained;
- motor vehicles with dual fuel (petrol and LPG) were used to save energy and associated running costs.

Information and Communication Technology Section 2013-14

During the 2013-14 financial year the Commission undertook a significant upgrade of ICT infrastructure to implement a new client service delivery model. This was in preparation for the relocation of the Adelaide office.

In December 2013 Andrew March was appointed as Manager Information and Communication Technology, replacing Robert Zanin who had been the ICT Manager at the Commission for almost nine years.



Andrew March, Manager Information and Communication Technology

The new client service delivery model moved the Commission away from hosting, owning and managing ICT infrastructure to procuring infrastructure as a service. NEC Australia was the successful tenderer for both the provision and ongoing management of the infrastructure and associated services. To enable access to the new infrastructure the Commission implemented an upgraded data network, including an IP phone system.

To improve access for staff to services and information at all locations the Commission implemented Citrix Terminal Services. This system enables all staff to access centralised systems and removes the need to store and manage local data. Staff can move between desks, secure interview rooms and regional offices while

maintaining a single method of access for both computers and phones.

The new Adelaide office was provided with a rationalised fleet of high capacity Kyocera multi function devices. To enable ease of movement within the building a print management system was implemented. This system allows staff to print on any printer in the Adelaide office and reduces paper wastage.

The migration to the new system was successfully completed over the weekend of 14 and 15 September 2013, with the Commission commencing operation in its new premises on 16 September 2013. The regional offices were then progressively migrated onto the new network and system during December 2013. The ICT staff worked tirelessly during the migration to ensure systems were available to staff.

Business applications

Development of the LAW Office grants management system continued to ensure the changing needs of the Commission were met. The current release was installed and additional functionality was implemented to enable management of the newly established practitioner panels.

Appendices

Appendix 1

Legal Services Commission Corporate Plan

Our Vision

To provide quality legal assistance to people in South Australia.

Our Goals

- To provide clients with accessible information, advice and representation to meet their legal needs.
- To work in partnership with other members of the legal community to deliver to our clients equitable access to the justice system.
- To provide a safe, healthy, rewarding, satisfying work environment.
- To provide quality legal assistance efficiently and effectively.
- To satisfy the community that we fulfil our statutory and contractual obligations and are deserving of ongoing financial support.
- To provide timely research and advice on legal issues to the government and the community.
- To inform governments of the likely impact on the Legal Services Commission and the community of proposed changes to legislation and policy.

We Believe

- In the rule of law
- People matter
- Our clients are entitled to be fairly treated
- Integrity and quality are important
- Our staff are valuable
- We deliver an essential service
- Cost efficiency matters
- Accountability is necessary
- Change for beneficial purposes is desirable

Appendix 1

Legal Services Commission

Corporate Plan

Key Result Areas

1. CLIENTS

1.1 Improve Accessibility of Services

Key Programs / Performance Indicators

What we want to achieve

- Increase specialised outreach services to disadvantaged groups who have a barrier to legal assistance due to economic disadvantage, disability, language, culture, distance, incarceration or other factors.
- Investigate an increase in duty solicitor services to increase access to legal assistance for clients and with a view to minimising the number of unrepresented litigants, reducing remands in custody and reducing adjournments.
- Pursue opportunities to implement and publicise an effective civil legal aid program to increase access to legal assistance in the civil jurisdictions with a view to minimising the number of unrepresented litigants.

1.2 Improve Satisfaction with Services

Key Programs / Performance Indicators

What we want to achieve

- Pursue opportunities to inform the public on the services provided by the Legal Services Commission.
- Increase the exposure of politicians to the effect on clients of legislative changes.
- Participate in the development and implementation of the Justice Reform Agenda whilst retaining the independence of the Legal Services Commission.
- Constantly review services to improve client satisfaction, including access requirements and application forms.

Achievements in 2013-14

- *Moved to new Adelaide city premises, providing clients with a more accessible, comfortable and secure environment.*
- *Provided legal support for appellants involved in the National Disability Insurance Scheme.*
- *Established an advisory service in the Civil Division of the Magistrates Court.*
- *Provided a permanent advisory and education resource at Port Augusta and Whyalla.*
- *Worked co-operatively with local MPs on issues affecting their electorates.*
- *Together with other legal aid commissions around the country, promoted the Legal Australia Wide Survey on Legal Need.*

Appendix 1

Legal Services Commission

Corporate Plan

2. STAFF

2.1 IMPROVE HUMAN RESOURCES

Key Programs / Performance Indicators

What we want to achieve

- Increased ability to deliver quality services through effective human resource management.
- Provide a satisfying and challenging career environment for staff.
- Develop a staff appraisal and career development mechanism for in-house practitioners with a view to improving output standards.

2.2 IMPROVE SECURITY

Key Programs / Performance Indicators

What we want to achieve

- Ensure the Commission offices are maintained as a secure and clean environment.

Achievements in 2013-14

- *Continued the professional development review process for all staff.*
- *Moved to safer, contemporary city accommodation.*
- *Senior Managers were involved in the selection of key staff.*
- *Held a successful one day conference to which all staff were invited.*
- *Provided regular, quality training activities to comply with mandatory legal professional development.*

3. SERVICES

3.1 Improve Cost

Key Programs / Performance Indicators

What we want to achieve

- Pursue opportunities to ensure that we support nationally competitive unit costs.
- Pursue opportunities to ensure that a greater proportion of funds are spent on client services rather than overheads and indirect costs.

3.2 Improve Output Requirements

Key Programs / Performance Indicators

What we want to achieve

- Ensure output targets are appropriately determined.
- Investigate reporting requirements to ensure maximum efficiencies.
- Ensure that as far as possible the number of State and Commonwealth services delivered equal or exceed output targets.

Appendix 1

Legal Services Commission

Corporate Plan

3.3 Improve Service Standards

Key Programs / Performance Indicators

What we want to achieve

- Develop standards for the delivery of services and compliance monitoring processes.
- Develop standards for measuring our reporting performance against delivery of services.

Achievements in 2013-14

- *Improved ICT resources, boosting the Commission's operational efficiency.*
- *Reviewed and updated fraud and risk strategies.*
- *Reduced energy usage through the move to contemporary accommodation.*

4. FINANCE

4.1 Improve/Secure Adequate Funding

Key Programs / Performance Indicators

What we want to achieve

- Maintain the current value of funding and secure additional predictable funding to meet emerging demand and avoid service cuts.

4.2 Improve Financial plans and Budgets

Key Programs / Performance Indicators

What we want to achieve

- Implement programs to maintain sufficient payments to private practitioners to ensure retention of services.
- Regularly monitor performance across all financial budgets.

Achievements in 2013-14

- *Sound financial management over many years allowed the Commission to successfully relocate its Adelaide office.*
- *Introduced a panels system for allocation of grants of legal aid and set maximum times for return of commitment certificates.*

5. COMMUNITY AND GOVERNMENT AWARENESS

5.1 Government/Public Sector

Key Programs / Performance Indicators

What we want to achieve

- Inform relevant policy and legislation makers of the consequences to the Commission of under-funded agencies.
- Investigate programs to ensure recognition by funders of the importance of legal aid funding to preserve the integrity of the criminal justice system.

5.2 Community Sector

Key Programs / Performance Indicators

What we want to achieve

- Maintain staff participation at community forums and involvement with community organisations.

Achievements in 2013-14

- *Responded to the Productivity Commission Review into Access to Justice Arrangements, emphasizing the need for greater legal assistance funding.*
- *Increased visibility and delivery of community legal education and advice services.*
- *The Director was appointed to the Criminal Justice Sector Reform Council, chaired by the South Australian Attorney-General.*

Appendix 1

Legal Services Commission

Corporate Plan

6. LEADERSHIP

6.1 Provide Inspirational Leadership

Key Programs / Performance Indicators

What we want to achieve

- Instigate appropriate changes to empowering legislation to ensure the optimum delivery of legal assistance.
- Continuous research and review of client needs and appropriate service delivery to meet those needs.

6.2 Improve Change Management

Key Programs / Performance Indicators

What we want to achieve

- Maintain minimal disruption to service delivery when change is implemented.

Achievements in 2013-14

- *Met all reporting deadlines required under the National Partnership Agreement with the Commonwealth Government.*
- *Reported as required on the expenditure of State Government funds.*
- *The Director participated in regular National Legal Aid forums with other legal aid Directors.*
- *Commission staff contributed to community involvement as illustrated in Appendix 5.*
- *Commission staff participated with other agencies in improvement projects sponsored by the Criminal Justice Reform Council.*

7. STRATEGY AND PLANNING PROCESS

7.1 Improve Corporate Planning

Key Programs / Performance Indicators

What we want to achieve

- Continue to implement, monitor and develop the priorities identified in the Corporate Plan.

7.2 Maximise Technology Gains

Key Programs / Performance Indicators

What we want to achieve

- Optimise the effective use of information and technology.
- Strive to reduce operating overheads and improve services.

Achievements in 2013-14

- *The provision of services to the public was not interrupted by the move to new Adelaide premises.*

Appendix 2

Compliance with South Australia's Strategic Plan and seven strategic priorities

The South Australian Strategic Plan is comprised of six key visions, supported by 56 goals and 100 targets. These targets are specific and the Commission is able to measure its performance against those targets that are relevant to its operations.

VISION: Our Communities are vibrant places to live, work, play and visit

GOAL: We are committed to our towns and cities being well designed, generating great experiences and a sense of belonging.

Target 1:

Urban spaces: Increase the use of public spaces by the community.

In 2013 the head office of the Legal Services Commission of South Australia moved to new, modern premises in the Adelaide city. The new premises provide an increased capacity to deliver legal advice and dispute resolution services and include a comfortable, light filled reception area for clients as well as soundproof and secure interview rooms.

GOAL: We are proud of South Australia and celebrate our diverse culture and people.

Target 5:

Multiculturalism: Maintain the high rate of South Australians who believe cultural diversity is a positive influence in the community.

The Legal Services Commission provides award-winning community legal education programs, targeted at culturally and linguistically diverse communities and new migrants. Commission programs are sensitively designed to provide information about legal rights and responsibilities in South Australia.

At the inaugural 2013 Australian Migration and Settlement Awards, the Commission won the Diversity and the Law Award for assisting new migrants to successfully settle in the community.

Since 2004 the Commission's Migrant Education (MILE) program has assisted thousands of new migrants, particularly of non-English speaking backgrounds, to

achieve greater social mobility and self-reliance through improved awareness of their rights and obligations under Australian law, so as to ensure substantive equality and access to justice.

The Commission is committed to serving the needs of non-English speaking clients, with 22% of clients identifying as coming from a multicultural background. The Commission arranges and pays for interpreters to assist clients attending an appointment at any of its offices.

The Commission offers scholarships to non-English speaking background and Aboriginal students to enrol in the TAFE SA Law for Community Workers Course.

GOAL: We have a sense of place, identity, belonging and purpose.

Target 6:

Aboriginal wellbeing: Improve the overall wellbeing of Aboriginal South Australians.

Commission staff regularly visit the APY Lands to

Appendix 2

Compliance with South Australia's Strategic Plan and seven strategic priorities

provide legal representation at court circuits, advice and community based legal education to these remote communities.

A dedicated Aboriginal advice and education officer is employed from the Commission's Port Augusta and Whyalla offices.

Regular intakes of Aboriginal students undertake a paid cadetship at the Commission while completing their studies.

The Commission works co-operatively with the Aboriginal Legal Rights Movement to ensure Aboriginal South Australians have appropriate representation in court and are provided with legal advice and information and family dispute resolution services.

VISION: Strong families help build communities

GOAL: We spend quality time with our families.

Target 13:

Work-life balance: Improve the quality of life of all South Australians through maintenance of a healthy work-life balance.

The Commission offers its staff flexible working arrangements with 192 employees (or 88% of employees) either using flextime or working part time in 2013-14.

VISION: We are safe in our homes, community and at work

GOAL: We address the causes of crime.

Target 17:

State-wide crime rates:

Reduce victim reported crime by 38% by 2014 maintaining or improving thereafter.

Crime prevention legal education is provided by the Commission on an ongoing basis to young people in schools, youth services and alternative learning environments.

Commission staff participate on a number of boards and committees aimed at reducing recidivist behaviour. These memberships are set out in Appendix 5 of this report.

Target 18:

Violence against women:

A significant and sustained reduction in violence against women through to 2022.

The Commission provides a legal advisory service for victims of domestic violence and delivers community legal education sessions to

Appendix 2

Compliance with South Australia's Strategic Plan and seven strategic priorities

a wide variety of groups on the legal protections available to victims. The Commission works closely with Commonwealth funded family violence prevention legal services and a number of staff participate on community boards and committees aimed at reducing domestic violence.

The Commission provides programs in schools and youth services aimed at educating young people in the prevention of relationship violence and sexual assault.

GOAL: We reduce re-offending

Target 19:

Repeat offending: South Australia has the lowest Australian rate of repeat offenders over the period to 2020.

Commission Staff participate on a number of boards and committees aimed at reducing recidivism. These memberships are set out in Appendix 5 of this report.

VISION: We are connected to our communities and give everyone a fair go

GOAL: People in our community support and care for each other, especially in times of need.

Target 23:

Social participation: Increase the proportion of South Australians participating in social, community and economic activities by 2020.

The Commission has a focus on assisting disabled South Australians to take advantage of their legal rights. Recent funding under the State Disability Justice Plan will be used to develop and promote targeted educational resources.

The Commission is actively involved in providing assistance in disputed matters under the National Disability Insurance Scheme.

GOAL: We actively participate in shaping the future of our state.

Target 30:

Boards and committees: Increase the number of women on all State

Government boards and committees to 50% on average by 2014, and maintain thereafter by ensuring that 50% of women are appointed, on average, each quarter.

The Board of the Legal Services Commission has ten members, five of whom are women including the Commission's Director.

GOAL: Governments demonstrate strong leadership working with and for the community.

Target 32:

Customer and client satisfaction with government services: Increase the satisfaction of South Australians with government services by 10% by 2014, maintaining or exceeding that level of satisfaction thereafter.

The Commission seeks regular feedback from its clients through surveys, questionnaires and online.

The Commission employs a dedicated client relations coordinator for clients who have been unsuccessful in legal aid applications.

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Compliance with South Australia's Strategic Plan and seven strategic priorities

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VISION: We have a skilled and sustainable workforce

GOAL: All South Australians have job opportunities

Target 50:

People with disability:

Increase by 10% the number of people with a disability employed in South Australia by 2020.

The Commission employs two staff who self report as having a disability.

Target 52: Women:

Have women comprising half of the public sector employees in the executive levels (including Chief Executives) by 2014 and maintain thereafter.

The Executive level of the Commission comprises three females and five males. The current Director and Deputy Director are women.

Target 53:

Aboriginal employees:

Increase the participation of Aboriginal people in the South Australian public sector, spread across all classifications and agencies, to 2% by 2014 and maintain or better those levels through to 2020.

The Commission contributes to educational and employment opportunities for Aboriginal South Australians by offering paid cadetships to Aboriginal university students.

2.28% of staff identify as Aboriginal or Torres Strait Islander.

VISION: South Australians think globally, act locally and are international leaders in addressing climate change

GOAL: We reduce our greenhouse gas emissions.

Target 61:

Energy efficiency–government buildings: *Improve the energy efficiency of government buildings by 30% by 2020*

The Commission reached its energy reduction target for 2014. A full report is contained in the Infrastructure Program section of this report.

Appendix 2

Compliance with South Australia's Strategic Plan and seven strategic priorities

Seven strategic priorities

The State Government has developed seven priorities for South Australia's future.

The work of the Legal Services Commission conforms to the State Government's seven strategic principles in the following ways:

1. Creating a vibrant city

In late 2013, the Commission's head office moved to new city premises. These new premises provide a safe and comfortable environment for Commission clients and staff. The Commission is committed to maintaining an office in the city of Adelaide.

2. Safe communities, healthy neighbourhoods

The Commission is the pre-eminent provider of community legal education in South Australia, offering early intervention and prevention programs to build safer communities. In the financial year 2013-14, the Commission provided 533 legal education services to 18 243 participants all around South Australia. A total of 86 826 publications were distributed and there were 1.8 million page views of online legal information tools. The Commission also runs targeted community education campaigns, and advertising campaigns, focussing on particular vulnerable groups.

The Commission works closely with non-government organisations, such as cultural and ethnic groups, in providing its education services.

The Commission provides legal advice and dispute resolution services to resolve neighbourhood disputes before they escalate. Commission staff actively encourage neighbours to meet one another and provide legal information to help resolve disputes. The Commission also provides family dispute resolution for eligible couples who are involved in custody disputes, thereby reducing tension in families and keeping children safe.

Representation is provided for children by Independent Children's Lawyers in situations where children are perceived by a judge to be at risk or issues are raised where the children need a separate advocate in court proceedings.

The Commission provides duty lawyer services at both the criminal Magistrates Court and the Family Court to assist unrepresented persons. It also

provides on-going legal advice and education services to rural and remote South Australians, especially in the northern part of the State.

3. An affordable place to live

The Commission provides free 'over the counter' legal advice to all South Australians on a wide variety of matters allowing them to resolve many private legal disputes in an affordable manner. The Commission provides means tested legal representation to disadvantaged South Australians in criminal law and family law matters before the courts.

4. Every chance for every child

The Commission recognises that children and young people are one of the most vulnerable social groups, and that those who experience neglect, violence, crime and economic and social disadvantage are at greater risk of coming into contact with the justice system as victims or offenders.

The Commission works with children and young people to

Appendix 2

Compliance with South Australia's Strategic Plan and seven strategic priorities

assist them to understand the law and the legal system and to assist if they are charged with an offence. The Commission offers–

- legal advice and representation for children in the Youth and Family Courts;
- early intervention legal education initiatives for schools and youth services;
- specialised legal education programs for youth at risk, including Aboriginal young people and newly arrived young people;
- legal competence training for workers in children and youth services;
- legal advice on child protection and domestic violence matters;
- an Independent Children's Lawyer service;
- legal advice and representation on child support matters;
- assistance to applicants between birth and five years of age applying to the Administrative Appeals Tribunal under the National Disability Insurance Scheme.

5. Growing advanced manufacturing

The Commission is not directly involved in advancing manufacturing. However, it does provide workers' rights factsheets covering legal information on employment agreements, work life balance, leave and discrimination.

6. Realising the benefits of the mining boom for all South Australians

The Commission has a strong presence in the northern region of the State, particularly at Port Augusta, Whyalla, and the APY Lands, where staff work closely with community groups and have developed invaluable knowledge, networks and expertise. As mining communities grow in northern areas, the Commission is well-established to provide ongoing legal representation, advice and education in these areas.

7. Premium Food and Wine from Our Clean Environment

The Commission convenes SALAF, the South Australian Legal Assistance Forum, of which the South Australian Environmental Defenders Office is a member.

Appendix 3

Expensive Criminal Cases Funding Agreement

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ANNEXURE A THE PRINCIPAL AGREEMENT	
USO 3386 / 08/09/1 / Final	
PNP02 / 1/1/204	

DATED 2nd DAY OF December 2004


DEED OF AMENDMENT

BETWEEN

THE HONOURABLE MICHAEL ATKINSON,
ATTORNEY-GENERAL
FOR THE STATE OF SOUTH AUSTRALIA
("Attorney-General")

-AND-

THE LEGAL SERVICES COMMISSION
("Commission")


CROWN SOLICITOR
Level 9, 45 Pirie Street, Adelaide SA 5000

Appendix 3

Expensive Criminal Cases Funding Agreement

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THIS DEED is made the Second day of December 2004 between:

BETWEEN:

THE HONOURABLE MICHAEL ATKINSON, ATTORNEY-GENERAL FOR THE STATE OF SOUTH AUSTRALIA of 45 Pile Street, Adelaide, 5000, in the State of South Australia (the "Attorney-General")

AND

THE LEGAL SERVICES COMMISSION a body corporate pursuant to the Legal Services Commission Act 1977 of 82-98 Wakefield Street, Adelaide, 5000, in the State of South Australia (the "Commission")

RECITALS:

A. The Attorney-General and the Commission entered into a deed dated 29 January 2003 (the "Principal Agreement"), and described as the Expensive Criminal Cases Funding Agreement, a copy of which is annexed hereto.

B. The parties have agreed to vary certain of the terms and conditions of the Principal Agreement and to record the same in this Deed.

THE PARTIES AGREE AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATION

1.1 Words and expressions defined in the Principal Agreement have the same meanings in this Deed unless the contrary is clearly intended.

1.2 Rules for the construction and interpretation of the Principal Agreement also apply in the construction and interpretation of this Deed.

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2. RECITALS

The parties hereto agree that the matters referred to in the recitals of this Deed are true and correct in every particular and that the recitals shall form part of this Deed.

3. OPERATION OF AMENDMENTS

This Deed shall have effect from and including the date hereof, and is supplementary to and shall be read in conjunction with the Principal Agreement.

4. AMENDMENT TO CLAUSE 6

The Principal Agreement shall be amended by adding the following two clauses after clause 6.4:

"6.4A Except where a Case Management Plan expressly provides that this clause does not apply, a Case Management Plan shall be deemed to be varied automatically to take account of any new scale of fees approved by the Commission pursuant to section 19(2) of the Legal Services Commission Act, 1977 (S.A.). Such a variation of a Case Management Plan shall take effect from the date that the Commission approves that the new scale of fees shall become operative. This clause 6.4A shall apply to all new scales of fees which are operative on or from 1 September 2004."

6.4B The Commission shall, as soon as practicable after approving a new scale of fees, inform the Attorney-General in writing of the financial impact on each Case Management Plan to which a new scale of fees applies."

5. COSTS AND STAMP DUTY

5.1 Each party hereto shall bear its own costs incurred in respect of the negotiation, preparation and execution of this Deed.

5.2 The Commission shall be responsible for and pay any stamp duty assessed or charged in respect of this Deed.

CSO 55888 / 082043 / Final

PNPFO / 11204

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Expensive Criminal Cases Funding Agreement

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AGREED TERMS:

1. DEFINITIONS

In this Agreement unless a contrary intention is evident:

1.1 "Act" means the Criminal Law (Legal Representation) Act 2001;

1.2 "Agreement" means this Expensive Criminal Cases Funding Agreement and includes the Schedules;

1.3 "approved case management plan" means a case management plan, including any variations to that plan, which has been approved by the Attorney-General in accordance with clause 5 of this Agreement;

1.4 "case management plan" or "plan" means a case management plan prepared by the Commission in accordance with clause 6 of this Agreement;

1.5 "certificate of commitment" or "certificate" means a certificate, incorporating an invoice, issued by the Commission to the defendant's lawyer, authorising him or her to provide a level of legal assistance up to the gross cost specified in the certificate;

1.6 "Commencement Date" means the date upon which the Act came into operation;

1.7 "Commission" means the Legal Services Commission, established pursuant to the Legal Services Commission Act 1977;

1.8 "defence proposal" means the report prepared by the defendant's lawyer on the scope and nature of the proposed defence containing the information described in Schedule 1;

1.9 "Treasurer" means the Treasurer of the State of South Australia.

2. INTERPRETATION

2.1 In this Agreement unless a contrary intention is evident:

2.1.1 words and expressions defined in the Criminal Law (Legal Representation) Act 2001 shall have the same respective meanings herein;

2.1.2 the clause headings are for convenient reference only and they do not form part of this Agreement.

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2.1.3 a reference to a clause number is a reference to all of the clauses comprising that clause;

2.1.4 a reference to a clause, sub-clause, schedule or annexure is a reference to a clause, sub-clause, schedule or annexure of this Agreement;

2.1.5 a word in the singular includes the plural and a word in the plural includes the singular;

2.1.6 a word importing a gender includes any other gender;

2.1.7 a reference to a person includes a partnership and a body corporate;

2.1.8 a reference to legislation includes legislation repealing, replacing or amending that legislation; and

2.1.9 where a word or phrase is given a particular meaning other parts of speech or grammatical forms of that word or phrase have corresponding meanings.

2.2 This Agreement incorporates the attached schedule.

3. TERM

The term of this Agreement commences on the Commencement Date and shall continue to operate for so long as an Expensive Criminal Cases Funding Agreement is required under section 18 of the Act.

4. AGREEMENT OPERATES AS A DEED

This Agreement operates as a deed between the Attorney-General and the Commission.

5. APPROVAL OF A CASE MANAGEMENT PLAN

5.1 For the purposes of section 18 of the Act, the Attorney-General shall approve a case management plan or a proposal to vary a case management plan if it complies with this Agreement.

5.2 Approval is effected by the Attorney-General returning a signed copy of the approved plan or approved variations to the plan to the Commission.

Expensive Criminal Cases Funding Agreement

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M. G. A.

21/11/2002

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6. CASE MANAGEMENT PLANS

- 6.1 A case management plan must be submitted to the Attorney-General by the Commission in writing as soon as possible after the Commission becomes aware that the costs of the case may exceed the legal aid funding cap AND as soon as practicable after the defendant has been assigned or after a direction of the court pursuant to section 8(3) of the Act.
- 6.2 A case management plan must contain:
- 6.2.1 the names of the legal representative(s) (solicitors, lead counsel, junior counsel (if one is to be engaged) to whom the Commission has assigned this case;
- 6.2.2 a defence proposal in the terms set out in Schedule 1;
- 6.2.3 a statement that it is anticipated that the costs of legal assistance will exceed the legal aid funding cap and identifying those parts of the defence proposal which the Commission proposes to be funded under the plan;
- 6.2.4 a memorandum:
- (a) identifying measures taken or to be taken to minimise costs or reduce the length of the trial; and
- (b) addressing any part of the defence proposal which might make the proposed plan non-compliant in terms of clause 6.3;
- 6.2.5 the Commission's estimate, on the information reasonably available to it, of:
- (a) the cost of each separate item proposed to be funded, including solicitors' fees, counsel fees, disbursements for expert evidence, disbursements for travel, fees for pre-trial applications, other disbursements, including how each is calculated; and
- (b) the extent to which these estimated costs will in total exceed the legal aid funding cap and require reimbursement under the Act.
- 6.3 A case management plan will not comply with this Agreement if it proposes:
- 6.3.1 to use expert evidence from outside Australia; or
- 6.3.2 to require repeat forensic testing or examination of evidence already so tested or examined; or

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21/11/2002

- 6.3.3 to proof distant expert witnesses other than by telephone, email or other methods of long distance communication; or
- 6.3.4 to prove formally any aspect of the defence case which the prosecution will agree; or
- 6.3.5 to call evidence in person where the prosecution will agree to the tender of documentary evidence to the same effect, and this is permitted by the rules of evidence,
- unless the Attorney-General is satisfied, on the basis of the explanations given in the defence proposal, that this course of action is necessary for the defence and is a responsible use of public funds.
- 6.4 The Commission may from time to time submit in writing to the Attorney-General a proposal to vary an approved case management plan to reflect developments in the case which may affect its cost.
- 6.5 While the Attorney-General may approve expenditure retrospectively, the Commission is to use its best endeavours to avoid this by presenting proposals for variation as soon as possible after it becomes apparent that variation is necessary.
- 6.6 A proposal to vary a plan will:
- 6.6.1 describe how the plan is proposed to be varied, and the reasons for the proposed variation(s);
- 6.6.2 if any aspect of the proposed variation might be thought to make the plan non-compliant in terms of clause 6.3, include a memorandum to the Commission from defence counsel giving the reasons why this is necessary for the defence;
- 6.6.3 include an estimate, on the information reasonably available to the Commission, of the cost of each separate new item proposed to be funded, including counsel fees, disbursements for expert evidence, disbursements for travel, other disbursements, and solicitor's fees, including how each is calculated; and
- 6.6.4 if the variation proposes a change in defence counsel, a written undertaking from the new defence counsel in terms of clause 5 of Schedule 1.

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Expensive Criminal Cases Funding Agreement

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7. COMMISSION'S OBLIGATIONS

- 7.1 The Commission shall manage each case for which a case management plan is approved, efficiently and effectively, and shall ensure that the management and cost of the case are kept under constant review.
- 7.2 The Commission shall make it a term of the assignment of a serious criminal case that should the case become subject to a case management plan, the assisted person's assigned solicitor (whether a legal practitioner in private legal practice or employed by the Commission) will provide to the Commission, on a monthly basis following approval of the plan:
- 7.2.1 an indication of and explanation for any current or anticipated expenditure that may exceed the estimates of expenditure in the approved case management plan; and
- 7.2.2 any information that may suggest that the trial will last longer than the estimated time given in the approved case management plan.
- 7.3 Where the Commission has terminated legal assistance in accordance with section 6(4) of the Act, all obligations pursuant to the case management plan will cease to exist and the Commission may seek reimbursement of the cost of providing legal assistance prior to the termination of that assistance.

8. REIMBURSEMENT OF COSTS

- 8.1 If the Commission seeks reimbursement of the cost of providing legal assistance, it shall submit to the Attorney-General:
- 8.1.1 a copy of the relevant invoices signed by the defendant's lawyer;
- 8.1.2 a memorandum explaining any increase in the costs of the case from the estimates provided in the approved case management plan;
- 8.1.3 a report detailing the outcome of any investigation or enquiry into the financial affairs of the assisted person or a financially associated person, and the contribution that the Commission has received or has a reasonable prospect of recovering from the assisted person or a financially associated person.
- 8.2 In the case of an exceptionally long trial, the Commission may seek interim reimbursements of the cost of providing legal assistance.

Signed Attorney-General's Act

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9. APPLICATION OF CONTRIBUTIONS

A contribution received or recovered by the Commission from the assisted person or a financially associated person shall be applied as follows:

- 9.1 the Commission shall be entitled to retain the contribution up to the amount of the funding cap, plus the amount of any costs incurred by the Commission in investigating the financial affairs of an assisted or financially associated person, plus the amount of any costs incurred by the Commission in recovering any contribution, including court costs;
- 9.2 the balance of the contribution received (if any) or recovered shall be paid by the Commission to the Treasurer.

10. CONFIDENTIALITY

- 10.1 The Attorney-General may disclose the anticipated cost of the case, including legal fees, expert's fees, and any other associated costs, in order to secure funding for the trial under the terms of an approved case management plan.
- 10.2 Except as provided in Clause 10(1), the Attorney-General must not disclose any information received pursuant to this Agreement without the consent of the assisted person.

11. AUDIT

Nothing in this Agreement derogates from the powers of the Auditor-General under the Public Finance and Audit Act 1987 (South Australia).

12. NO ASSIGNMENT

The Commission must not assign or encumber any of its rights and obligations under this Agreement.

13. SURVIVAL

The clauses of this Agreement relating to confidentiality survive the expiry or termination of this Agreement and continue to apply unless the Commission notifies

Signed Attorney-General's Act

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Expensive Criminal Cases Funding Agreement

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The Attorney General has agreed to the Attorney General's being released from his or her obligations of confidentiality.

14. COUNTERPARTS
This Agreement may be executed in any number of counterparts each of which is taken to be an original. All of those counterparts taken together constitute one instrument. An executed counterpart may be delivered by facsimile.

15. ENTIRE AGREEMENT
15.1 This Agreement contains the entire agreement between the parties with respect to its subject matter.
15.2 This Agreement supersedes any prior agreement, understanding or representation of the parties on the subject matter.

16. PROPER LAW
The laws in force in South Australia, including law with respect to capacity to contract and manner of performance, apply to this Agreement.

17. JURISDICTION OF COURTS
The courts of South Australia have exclusive jurisdiction to determine any proceeding in relation to this Agreement.

18. MODIFICATION
Any modification of this Agreement must be in writing and signed by an authorised representative of each party.

19. SEVERANCE
If any provision or part of a provision of this Agreement is invalid or unenforceable in any jurisdiction:

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CONFIDENTIAL

19.1 the provision must be read down for the purposes of the operation of that provision in that jurisdiction, if possible, so as to be valid and enforceable; or
19.2 if the provision cannot be read down, it must be severed if it is capable of being severed without affecting the remaining provisions of this Agreement or affecting the validity or enforceability of that provision in any other jurisdiction and the parties must consult in good faith to determine whether any amendment or substituted provision is required.

EXECUTED by the parties unconditionally as a deed.

SIGNED by THE HONOURABLE
MICHAEL ATKINSON
ATTORNEY GENERAL FOR THE STATE
OF SOUTH AUSTRALIA in the presence of:
Heleen Wiegman 21/11/02
Witness
(Print Name: HELEN WIEGMAN)

THE COMMON SEAL of THE LEGAL SERVICES COMMISSION
was hereto affixed in the presence of:
Brian Withers
Chairperson
(Print Name: BRIAN WITHERS)

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Expensive Criminal Cases Funding Agreement

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COPY

(c) to proof distant expert witnesses other than by telephone, video link, email or other methods of long distance communication; or

(d) to prove formally any aspect of the defence case which the prosecution will agree; or

(e) to call evidence in person where the prosecution will agree to the tender of documentary evidence to the same effect, and this is permitted by the rules of evidence;

(transcript of anything said by the court about this course of action, and the reasons why such course of action is necessary in the defence.

5. A written undertaking by defence counsel to the Commission that he or she will:

(a) present the defendant's case as quickly and simply as may be consistent with its advancement;

(b) avoid unnecessary delay or unnecessary complication or prolongation of the proceedings;

(c) inform the defendant about the reasonably available alternatives to fully contested adjudication of the case;

(d) advise the defendant to agree matters as to which the prosecution case is overwhelming and the defence has no countervailing evidence, or matters which are purely formal;

(e) encourage consultation between defence and prosecution experts with a view to defining and containing the issues in dispute.

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SCHEDULE 1
Contents of Defence Proposal

A defence proposal shall contain the following material:

1. A copy of the information upon which the defendant has been arraigned.

2. The name of the court in which the matter is to be heard.

3. The following information:

(a) the number of witnesses who have provided declaration statements;

(b) whether any expert testing and evidence will be needed, and if so, in relation to what issues and for what purpose;

(c) if it is proposed to use an expert witness whose fees or expenses exceed Commission scale fees and expenses, or who is from outside South Australia, the reasons why this is necessary;

(d) if the case entails the use of an expert witness from outside Australia, an account of the enquiries made to identify any expert within Australia and the reasons why any identified expert is not available to the defence;

(e) where documentary evidence is significant, an indication of its volume;

(f) a preliminary estimate as to the length of pre-trial proceedings and the trial;

(g) any legal issues which are considered likely to impact upon the length of the trial;

(h) if the case requires senior or multiple counsel, the reasons;

(i) whether the case requires travel, additional reading time, conference time and viewing time or has any other features likely to add to the cost; and

(j) if the case entails travel outside South Australia, the reasons.

4. If it is proposed:

(a) to use expert evidence from outside Australia; or

(b) to require repeat forensic testing or examination of evidence already so tested or examined; or

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Appendix 4

Statutory Charge Report as at 30 June 2014

1. Summary

YEAR	AMOUNT SECURED GST EXCL.*	GST	AMOUNT RECOVERED	INTEREST LEVIED **	ADMIN FEE ***
1992-93	168 244	Nil	Nil	Nil —	Nil
1993-94	439 991	Nil	73 785	487 (Due 1/7/93)	Nil
1994-95	594 046	Nil	197 504	2 551 (Due 1/7/94)	Nil
1995-96	503 993	Nil	227 045	14 994 (Due 1/7/95)	Nil
1996-97	556 046	Nil	261 888	28 660 (Due 1/7/96)	Nil
1997-98	456 176	Nil	243 789	72 (Due 1/7/96)	Nil
1998-99	263 880	Nil	250 210	Nil	2 750
1999-00	360 977	Nil	253 335	Nil	23 420
2000-01	629 306	36 135	297 450	Nil	67 530
2001-02	688 879	67 059	609 803	Nil	75 250
2002-03	720 747	67 030	569 448	Nil	55 500
2003-04	1 046 674	101 604	885 825	Nil	51 700
2004-05	948 859	92 551	590 485	Nil	63 710
2005-06	758 695	71 762	726 033	Nil	48 970
2006-07	732 171	71 989	793 987	Nil	44 950
2007-08	1 002 285	96 587	764 477	Nil	56 100
2008-09	926 844	90 129	566 399	Nil	46 500
2009-10	938 593	91 889	593 891	Nil	41 660
2010-11	981 065	94 702	644 975	Nil	46 450
2011-12	915 429	88 175	591 926	Nil	35 400
2012-13	845 397	82 330	473 782	Nil	42 330
2013-14	915 550	87 769	643 367	Nil	40 800
TOTAL	15 393 847	1 139 706	10 260 224	46 609	783 820

*total amount
secured during each
financial year

**interest was levied
between 1/7/92
and 30/6/96

***An administration
fee has been charged
since 1-10-98. It is
currently set at \$300.

Appendix 4

Statutory Charge Report as at 30 June 2014

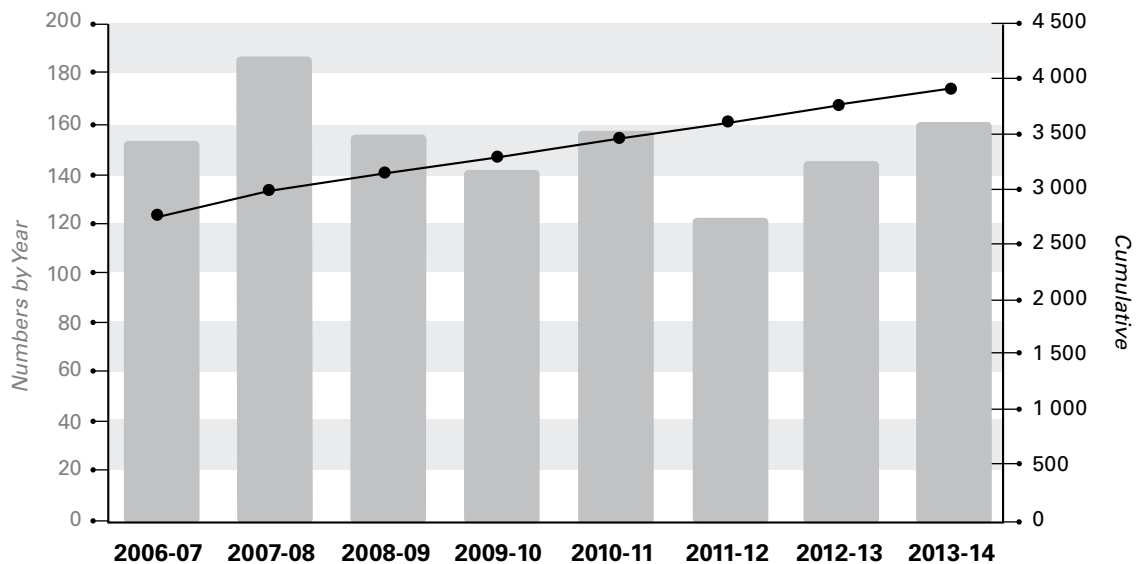
2. Cost secured analysis

a) As at 30 June 2014 the Commission had taken **3847** statutory charges, securing a total of **\$15 393 847** (GST exclusive). In the reporting period, **136** charges were taken. *Refer to graphs (i) and (ii).*

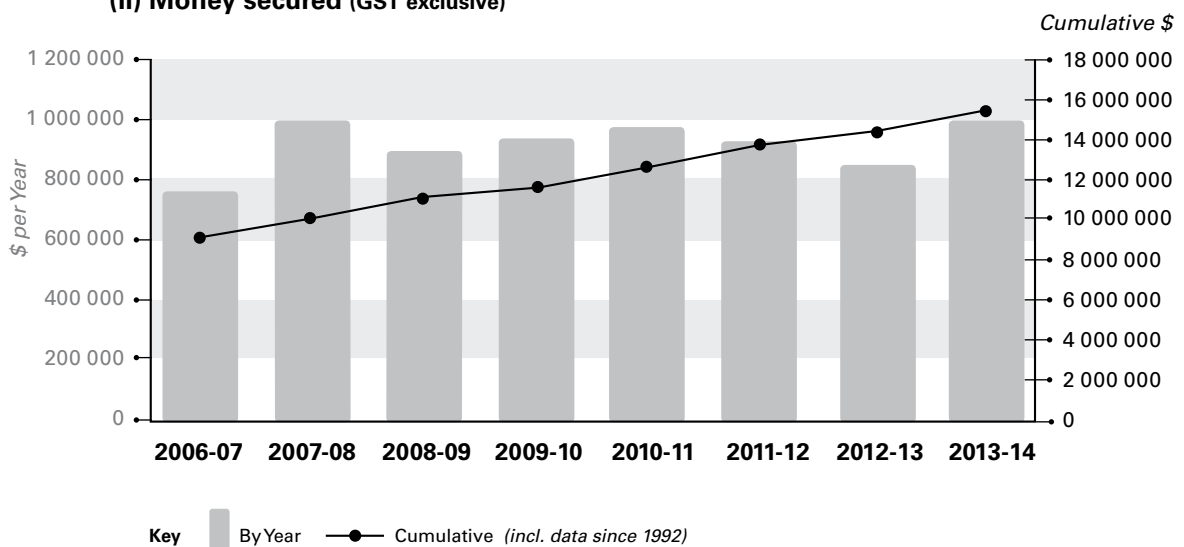
b) **956** of the 3847 charges, securing **\$6 274 096** (GST exclusive), remain outstanding. An average of **\$6563** (GST exclusive) is secured by each charge. *Refer to graph (iii).*

c) Of the total charges outstanding, **887** secure funds for legal proceedings that have finalised or are no longer funded by the Commission. The balance of **69** secure costs of ongoing matters. Therefore, the costs secured by these charges will increase.

(i) Number of charges taken



(ii) Money secured (GST exclusive)



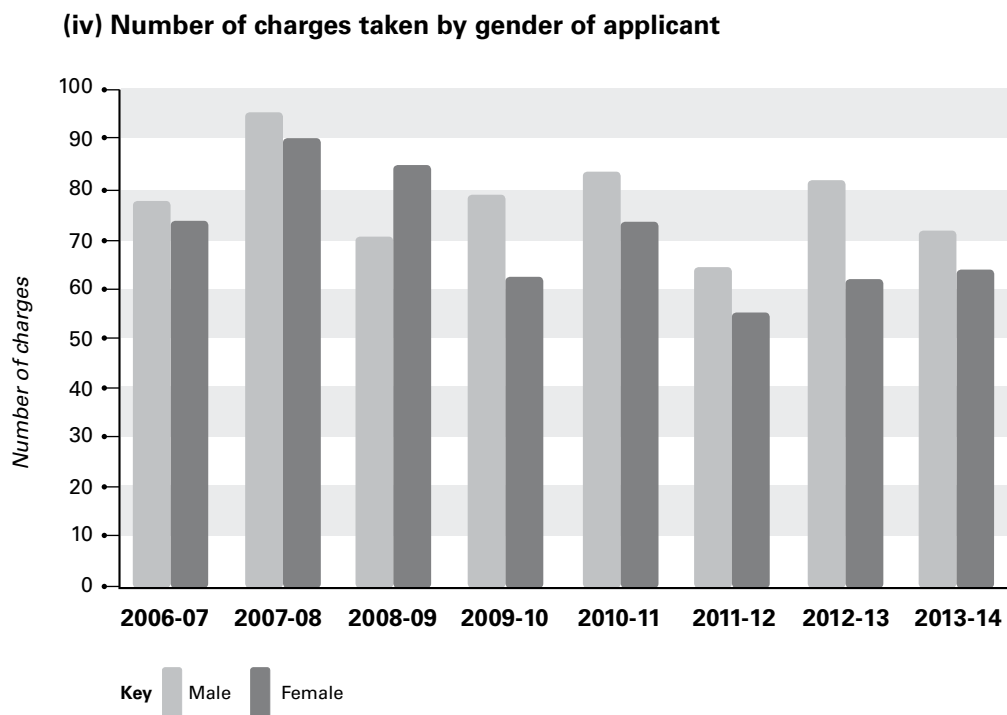
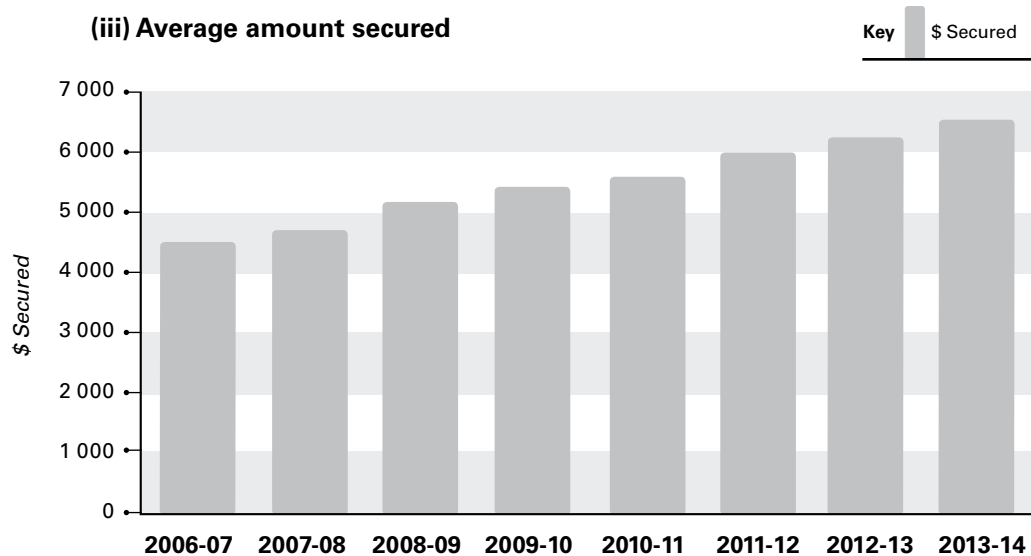
Appendix 4

Statutory Charge Report as at 30 June 2014

d) Of the charges taken in the 2013-14 financial year, **72** were taken for aid granted to male applicants and **64** were taken for aid granted to female applicants. *Refer to graph (iv).*

e) In the reporting period **62** statutory charges were taken for criminal law matters, **74** for family law matters and **0** for civil matters. **76** of the charges were for proceedings under

Commonwealth law and **60** of the charges were for proceedings under State law.



Appendix 4

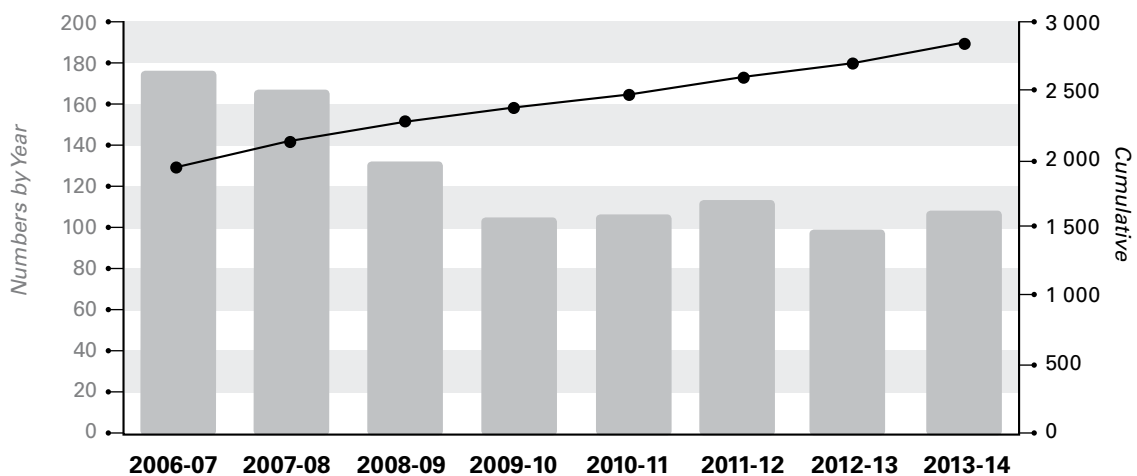
Statutory Charge Report as at 30 June 2014

3. Money recovered analysis

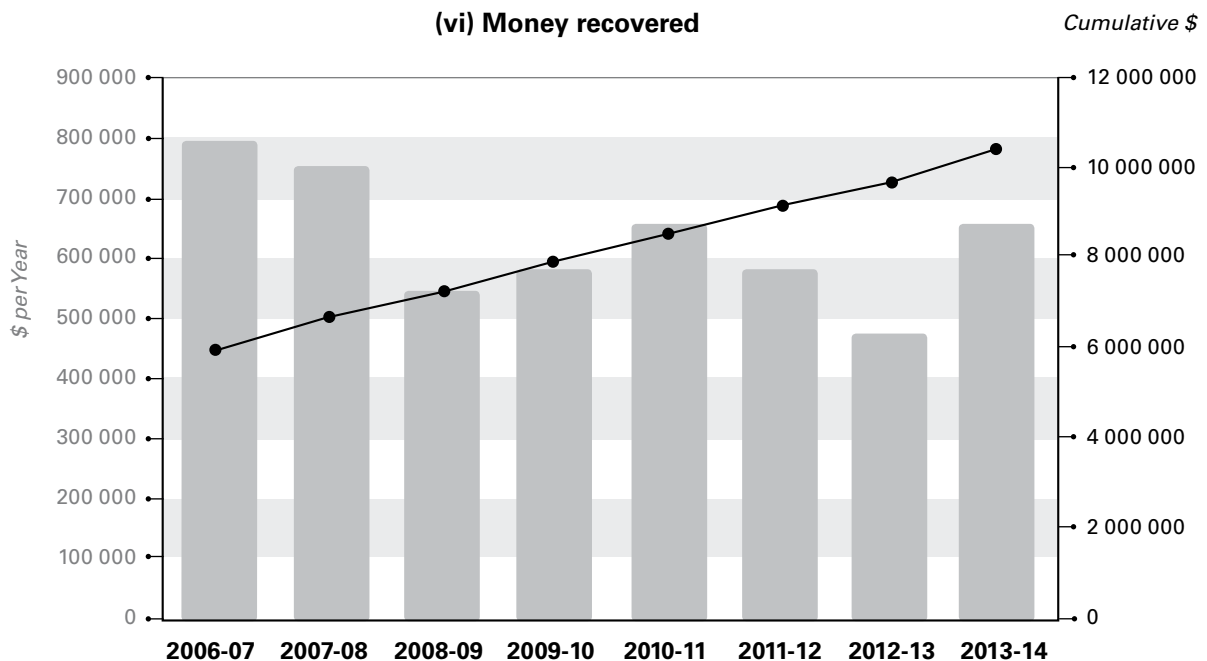
2806 of the 3847 charges taken have been removed. The Commission has received **\$10 260 224** from payments. In the reporting period **110** charges were removed. *Refer to graphs (v) and (vi) and table (vii).*

The slow down in the real estate market and the tightening of bank lending guidelines have reduced the number of clients selling and mortgaging or refinancing real estate.

(v) Number of charges removed



(vi) Money recovered



Key By Year Cumulative (incl. data since 1992)

Appendix 4

Statutory Charge Report as at 30 June 2014

In the reporting period the Commission recovered statutory charges amounting to \$643 367. The largest individual charges were for \$36 665, \$30 414, \$28 239, \$17 114, \$16 619 and \$15 676.

In the reporting period the Commission had bad debts due to non recovery of charges of \$168 556 (GST exclusive). Of this amount, \$133 140 was not recovered due to a shortfall of sale proceeds following a sale by mortgagee. There were 17 sales by mortgagees. This includes sales that occurred in previous financial years but which the Commission became aware of in the 2013-14 financial year. Refer to tables (vii) and (viii).

If a charge contribution is paid within–

- six months
the charge contribution
is reduced by \$300;
- two years
the charge contribution
is reduced by \$150; and
- four years
the charge contribution
is reduced by \$100.

The reduction of this type for the financial year totalled \$12 436 (GST inclusive).

(vii) Charges removed by reason

Reason	Number of charges	
	2012-13	2013-14
Paid–Sale	29	38
Paid –Financed	16	20
Paid –Voluntary	23	17
*Property Settlement	10	15
Finalised	0	0
Part Payment–Balance Cancelled	0	1
Deceased Estate	2	3
Substitute	3	0
Waived–Sale/Shortfall	3	3
Survivorship	0	2
Recovered–Other	0	3
Waived on Appeal	0	0
Waived–No Equity	3	3
Waived	0	1
Paid–Mortgagee Sale	1	1
**Waived–Mortgagee Sale/Shortfall	8	3
**Waived Mortgagee Sale	0	0
Correction	1	2

* The Commission is not always aware that money has been received as a result of a property settlement and so some property settlements may be recorded as Paid - sale or Paid - financed.

** This includes mortgagee sales that occurred in this financial year where the Commission was aware of the sale in this financial year. Sometimes, the Commission may not become aware of the sale during the financial year in which it occurred. These sales are not included in this table. See table below for mortgagee sale by date of sale.

Appendix 4

Statutory Charge Report as at 30 June 2014

(viii) Charges extinguished by mortgagee sale by date of sale

Financial Year	Number of charges waived mortgagee sale/shortfall*	Number of charges paid mortgagee sale*
2004-05	3	0
2005-06	5	0
2006-07	3	0
2007-08	2	0
2008-09	1	0
2009-10	3	7
2010-11	0	1
2011-12	11	3
2012-13	16	1
2013-14	4	3

* The number of charges in this table for each financial year may change, depending on when the Commission becomes aware of the sale.

Appendix 5

Community Involvement 2013-14

Staff membership of community organisations

- Law Society of South Australia
- Family Law Committee, Law Society of South Australia
- Criminal Law Committee, Law Society of South Australia
- Justice Access Committee, Law Society of South Australia
- Ethics and Practice Committee, Law Society of South Australia
- Bulletin Committee, Law Society of South Australia
- Animal Law Committee, Law Society of South Australia
- Human Rights Committee, Law Society of South Australia
- Reconciliation Action Committee, Law Society of South Australia
- Women Lawyers Committee, Law Society of South Australia
- Professional Ethics Committee, Law Council of Australia
- Sentencing Advisory Council
- Treatment Intervention Court Consultative Committee
- Courts Community Reference Group
- Disability Justice Plan Steering Group
- Advance Care Directives Implementation Steering Committee
- Advance Care Directives Website Subcommittee
- Ministerial Advisory Committee, End of Life Decision Making
- Multicultural Advisory Forum, Department of Human Services
- South Australian Aboriginal Advisory Council
- JusticeNet SA
- Port Augusta Family Violence Prevention Legal Service
- Northern Community Legal Service, Management Committee
- Australian Lawyers for Human Rights
- Women Lawyers Association of South Australia
- Brian Burdekin Clinic, Management Committee
- South Australian Council of Social Services Policy Council (SACOSS)
- Refugee Advocacy Service of South Australia
- Southern Domestic Violence Action Group
- SA Family Law Pathways Network (Chairman)
- Murray Bridge Community Services Forum (Chair)
- Murray Bridge Domestic Violence Action Group
- Low Income Support Providers Anti-Poverty Forum
- Adelaide Hills Community Services Forum
- Non-English Speaking Background Domestic Violence Action Group
- Domestic Violence Gateway Board
- Alliance for the Prevention of Elder Abuse
- Mental Health Act User Group
- Editorial Committee, Alternative Law Journal
- Australian Law Librarians' Association
- National Accreditation Authority for Translators and Interpreters, Regional Advisory Committee (SA)
- Working Party for Quality Legal Interpreting
- External Merits Review Stakeholder Group
- Industrial Relations Society of SA
- John Bray Law Alumni Network
- Your Life, Your Choice, Your Voice Day, Planning Ahead Subcommittee

