

# Director's Report 2017-18

*The Legal Services Commission continued to demonstrate its value to the State and Commonwealth Governments this year by successfully delivering core services whilst introducing new initiatives.*

I thank the Chairperson of the Commission, Michael Abbott AO QC and Commissioners Alan Herald, Cathy Nelson and Alison Lloyd-Wright for their ongoing support and good governance. I also acknowledge and thank the panel of assessors who volunteer their time to hear appeals against refusals to grant legal aid.

I acknowledge the commitment to legal aid of the South Australian Attorney-General, the Hon Vickie Chapman MP and the Commonwealth Attorney-General, the Hon Christian Porter MP. I also thank the Hon John Rau MP for his support of the Commission as Deputy Premier and Attorney-General in the first part of the year.

The Commission's panel system for legal practitioners has now been operating successfully for four years. The panel system ensures that clients receive the most appropriate and best qualified legal practitioners to advise and represent them. Legal practitioners who are members of the Commission panels provide representation on grants of aid at lower than market rates of remuneration. I express my thanks to all of these practitioners and look forward to their continuing support in acting on grants of aid in future years.

I thank all staff of the Commission, for their expertise and commitment in delivering legal assistance services as required by the *Legal Services Commission Act 1977*.

## **Financial Result**

The Commission finished the year with a net result of \$22 984 000. This was due to the State Government paying \$21 960 000 in advance funding for the 2018-19 financial year.

In addition to our core funding from both State and Commonwealth governments, the Commission has been tasked with specific roles through pilot project funding. This funding covers the Family Advocacy Support Service at the family courts, the Health/Justice Partnership at the Lyell McEwin Hospital and the specialist Family Violence Prevention Unit based at Elizabeth. These services acknowledge the wide holistic needs of clients affected by family violence and see our lawyers working alongside social workers and medical professionals to achieve long term solutions for clients.

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## Highlights and Achievements

In December 2017 the Commission celebrated the 25 year anniversary of one of its most unique services, the *After Hours Custody Service*. In 1992 staff volunteers put their names forward to be on call to assist persons arrested overnight. They were given a bag that contained, amongst other things, a pager primed to beep if calls came in during the night. Today the pager has been supplemented by a mobile phone, but the same volunteer spirit and commitment to access to justice is ongoing as Commission staff continue to provide this important free service each day of the year.

During the year Oliver Koehn, a senior member of the Commission's criminal law practice, was appointed a Magistrate. Magistrate Koehn was employed at the Commission for 30 years. He joins a long list of Commission former employees to attain judicial appointment. The judiciary are a great support to the Commission and have generously volunteered their time and expertise this year in delivering a number of continuing professional development training sessions.

Other key highlights and achievements during 2017-18 included–

- Extending the reach of our service delivery in civil law to include a presence at the South Australian Civil and Administrative Tribunal in the Guardianship and Mental Health stream and at the Administrative Appeals Tribunal, providing assistance in social security and NDIS cases.
- Implementing the new community legal centre triage delivery model whereby the Commission is the first point of call for all clients seeking legal help. 1310 referrals were made to community legal centres in South Australia over the financial year.
- In November 2017 the Commission launched a new website with improved search and navigation tools. The website plays a vital role in informing clients, practitioners and other agencies of the services and assistance provided by the Commission.
- Commonwealth grant funding was received by National Legal Aid to establish an Online Dispute Resolution project. The Commission is leading this national project to develop alternative, online dispute resolution options in family law. Using a client centred design approach, significant progress was made during the year, with a prototype designed and developed based on user testing and feedback. It is intended that this tool will assist couples who are separating and divorcing, resulting in less reliance on formal pathways.
- The Commission continued to enhance its digital service platforms, allowing people to seek assistance in whatever way that suits them – over the phone, face to face, accessing

## Director's Report 2017-18

information on the website or using the newer 24Legal and Legal Chat platforms. This variety of delivery ensures people can get the information they need, at a time and place convenient to them.

- In May 2018 Content Manager, the Commission's Electronic Document and Records Management System (EDRMS), went live - ahead of time and within budget. This was a significant achievement made possible by the hard work of many of staff members, particularly in the Records and Grants sections where staff juggled high workloads with intensive consultation and training. The success of the project was due to effective staff participation and cooperation during the project. The implementation of this project ensures that now and in the future the Commission will be able to achieve greater efficiencies in document receipt, retrieval and storage.
- In June 2018 the Commission delivered another successful conference for staff and private practitioners. The theme of the conference was *Brave New World* with the focus was on legal, technological and societal future change. The conference was opened by the Deputy Premier and Attorney-General, the Hon Vickie Chapman MP. The plenary session was presented by the Chief Justice of South Australia, the Hon Chris Kourakis and the foundation Dean of the Swinburne University Law School, Professor Dan Hunter. There were well attended sessions on the future of legal practice by Kris Wilson from Flinders University and the President of the Law Council of Australia Morry Bailes, as well as popular sessions on driverless cars, artificial intelligence in the lawyer's office and cross cultural issues in domestic violence, to name only a few.

The coming year presents many new challenges both fiscally and operationally as the Commission continues to provide legal assistance in an environment of continued constrained funding and evolving technological advances.

In addition to the previous funding cuts, State legal aid funding will be further reduced by \$6.07 million over five years. Previous funding cuts introduced from 2015-16 were absorbed by reductions in non front-line services and internal efficiencies. These new cuts, announced in the 2018-19 State Budget, reflect a further 5% cut in total funding and will require the Commission to cut services for it to operate within the reduced funding allocation.

Gabrielle Canny

**Director, Legal Services Commission**