

About the Legal Services Commission

The Commission is committed to providing the South Australian public with accessible legal education, legal information, legal advice and legal representation. It seeks to ensure that all South Australians have equal access to justice within the legal system

Legal Services Commission 2017-18

Vision

To provide quality, independent legal assistance to South Australians

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.*

Functions

The Legal Services Commission is an independent statutory authority established by the Legal Services Commission Act 1977 (the Act) to provide legal assistance to people throughout the State. It is funded by the South Australian Government and the Commonwealth Government. It has the powers, functions and duties prescribed or imposed on it by the Act.

The statutory functions of the Commission are to—

- a) provide, or arrange for the provision of, legal assistance in accordance with the Act;

This financial year the Commission—

- *received 18 269 applications for aid for legal representation*
- *granted aid in 15 805 of those applications*
- *provided 13 610 duty lawyer services*
- *provided 99 098 legal advice and information services*
- *provided legal education sessions to 6 176 participants.*

- b) determine the criteria under which legal assistance is to be granted;

The Commission regularly reviews the criteria under which legal assistance is granted.

The criteria include means, merit and guideline tests.

In addition, specific criteria are developed for one-off funding grants. This financial year, using such funding, the Commission was able to provide grants of aid for representation to victims of family violence who fell just outside the Commission's means or guideline tests.

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

Under the National Partnership Agreement on Legal Assistance Services 2015-2020 (the Agreement), the Commission is required to undertake a client survey every two years to assess whether services are tailored to meet clients' legal needs and capability levels. The first survey under the current Agreement occurred in 2016-17 with overwhelmingly positive results (see the 2016-17 Annual Report). The next survey is to occur in the 2018-19 financial year.

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- d) establish such offices and other facilities as the Commission considers necessary or desirable;

During the financial year the Commission provided information, advice and representation services from offices in Adelaide, Elizabeth, Port Adelaide, Noarlunga, Mount Barker, Port August and Whyalla. Duty lawyer services were provided from offices in the family law courts, the magistrates' courts and the Youth Court. Regular advice outreach services were provided at the Murray Bridge Community Centre, the Administrative Appeals Tribunal, the South Australian Civil and Administrative Tribunal, prisons and the Adelaide Magistrates Court.

24Legal, an online legal information tool that allows clients to access legal information by clicking on questions and answers provided through a decision tree, and Legal Chat, an online chat tool, have extended the Commission's ability to reach South Australians who cannot access a physical office.

- e) 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 Community Legal Education program targets four priority groups – new migrants, young people, older people and people with disabilities. These groups are prioritised by the National Partnership Agreement on Legal Assistance Services 2015–2020 and were identified by the Legal Australia Wide Survey of 2012 as amongst the groups most vulnerable to unresolved legal problems.

This financial year the Commission's Community Legal Education team produced a new legal education resource specifically designed for someone with an intellectual disability or cognitive impairment who is under arrest, or is a victim or a witness. It explains a person's rights when interacting with a police officer and demonstrates the new rules regarding communication assistance in police interviews for people with complex communication needs.

- f) 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 promotes its services to the public through traditional advertising, the Commission website, social media platforms, press releases and media opportunities. This financial year over 200 media reports (excluding court cases) were published in relation to the work of the Commission.

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

The Director of the Commission is a member of National Legal Aid, a co-operative body of legal aid directors from Australia and New Zealand. She leads the National Legal Aid Family Law Working Group, working closely with the Commonwealth government on family law reform. Senior staff

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members participate in other National Legal Aid committees, including the Criminal Law Working Group, the Dispute Resolution Working Group and the Grants and National Statistics Working Group.

The Director oversees reciprocal arrangements with other legal aid commissions, community legal centres and Aboriginal and Torres Strait Islander legal services.

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

The Commission provides interpreters for clients attending court or legal advice interviews. This year the Commission provided interpreters on 3078 occasions.

As part of the duty lawyer service in the family law courts a social worker is available to assist clients. In the last financial year 254 clients received a service from the social worker, with 92% of those clients experiencing family violence.

During this financial year lawyers from the Commission's Criminal Law Practice Division worked co-operatively with caseworkers in the gambling intervention program at the Adelaide Magistrates Court. The program is specifically designed to deal with criminal offenders who have a gambling addiction.

- i) encourage and permit law students to participate, so far as the Commission considers practicable and proper to do so, on a voluntary basis and under professional supervision, in the provision of legal assistance by the Commission;

The Commission offers four paid summer clerkships for law students, at least two of which are for indigenous law students.

The Commission also provides six week placements for students participating in practical legal training courses. In 2017-18, eight students participated in this program.

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

The Commission engages in many collaborative ventures with other agencies and organisations. This financial year, in accordance with State and Commonwealth priorities, the Commission has focussed on family violence. Accordingly, the Commission provided education, information and support to a West Java NGO providing assistance to victims of family violence in Indonesia.

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

The Commission regularly responds to requests from the State Attorney-General for analysis of proposed changes to legislation and for comment on major reviews and reforms of the State's justice system.

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In performing its 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.

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Offices

The Commission offices are located at the following addresses:

Adelaide

159 Gawler Place
Adelaide 5000

T: 08 8111 5555

F: 08 8111 5599

Elizabeth

Windsor Building
Elizabeth Shopping Centre
Elizabeth 5112

T: 08 8111 5400

F: 08 8207 9333

Mount Barker

18 Walker Street
Mount Barker 5251

T: 08 8111 5320

F: 08 8391 4747

Noarlunga

Noarlunga House
Centro Colonnades
Shopping Centre
Noarlunga Centre 5168

T: 08 8111 5340

F: 08 8207 3880

Port Adelaide

ANL House
306 Vincent Street
Port Adelaide 5015

T: 08 8111 5460

F: 08 8207 6277

Port Augusta

13 Flinders Street
Port Augusta 5700

T: 08 8686 2200

F: 08 8648 5370

Whyalla

Tenancy 7
169 Nicolson Avenue
Whyalla Norrie 5608

T: 08 8620 8500

F: 08 8648 8950