

# Our Year

41st Annual Report 2018-19

Legal Services Commission of South Australia  
[www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

*“Every person in South Australia is required  
to live under, and obey, the law.*

*But every person is also entitled to use the  
law to protect his or her rights and interests.*

*If some members of the community, but not  
others, have access to the protection of the  
law, then people are denied justice, the path of  
the law is skewed and the law itself inevitably  
becomes unfair.*

*The Legal Services Commission was established  
by the South Australian government to ensure  
that all people in this state have access to legal  
services, regardless of whether or not they can  
afford to pay for private legal representation.”*

Susan Armstrong  
First Director of the Commission, 1979

# Highlights 2018-19

Port Augusta office moved to new and improved premises

Over 600 private and in-house panel practitioners available to provide legal representation

90% plus client satisfaction in the Commission's biennial survey

40th year since the establishment of the Commission

Funding secured for a dedicated men's social worker in the *Family Advocacy and Support duty lawyer service*

Establishment of the Commonwealth *Family Violence and Cross-examination of Parties Scheme*

Further funding from the Commonwealth government for the online dispute resolution tool for family law matters

Successful tender for the *Women's Domestic Violence Court Assistance Service*

More than 135 000 legal assistance services delivered

# Director's Report 2018-19

The Commission faced a challenging year with State Government funding cuts of \$6.07m over five years impacting on service delivery from 1 July 2018.

Every aspect of the Commission's operational and overhead costs were examined to find savings. This resulted in the need to reduce staff numbers and changes were made to the items funded under the legal aid fee scales. Our office at Mount Barker was closed.

I am pleased to report that the Commission finished the 2018-19 financial year within budget. Careful management of costs however will need to continue over the next four years.

Negotiations have commenced for the next funding agreement with the Commonwealth government. Sufficient funding through this four year agreement is vital for us to deliver much needed family law services to the South Australian public.

## Highlights and Achievements

In January 2019 the Commission celebrated the 40th anniversary of service delivery. It is a pleasure to report that in this auspicious year the Commission achieved outstanding results in its biennial client satisfaction survey. The survey is conducted pursuant to the *National Partnership Agreement on Legal Assistance Services* and first took place in 2017. While the Commission's 2017 results were excellent, there was further improvement in the 2019 survey. Overall the percentage of respondents who were satisfied with the services provided by the Commission was over 90%. These results highlight how much clients value the work of the Commission and demonstrate to our funders that the Commission is delivering quality services, listening to clients and treating them with respect.

In January the Commission was nominated by the Commonwealth Attorney-General to take the lead role in establishing the family law *Family Violence and Cross-examination of Parties Scheme*. This national scheme is designed to provide protection to victims of family violence who are cross-examined as part of their family law proceedings. Personal cross-examination is now banned in certain circumstances where allegations of family violence have been raised. Instead cross-examination is to be conducted by private legal practitioners or by legal practitioners funded by the Commonwealth through legal aid commissions.

The Commission continued to enjoy the support of the Commonwealth Attorney-General with the provision of further funding for the development of an innovative online dispute resolution tool for family law matters. This national online resource will provide an alternative pathway for families to resolve disputes arising through separation.

## Director's Report 2018-19

010

In May 2019 the Commission was the successful tenderer to provide the *Women's Domestic Violence Court Assistance Service* based at the Adelaide Magistrates Court. This service is funded by the South Australian government and will commence on 1 July 2019. The Commission will be providing a range of services, including helping women apply for intervention orders and ending lease agreements under the domestic abuse provisions in the *Residential Tenancies Act 1995*. The Commission's success reflects its long experience working with vulnerable community members.

In June 2019 the Commission moved its Port Augusta office to new premises. These modern, high-quality facilities will ensure that our regional staff and clients have a safe and comfortable environment in which to deliver and receive legal services. Out-reach services have been established in Mount Barker and Elizabeth GP Plus Clinics, reflecting the need to deliver services to clients at places convenient to them. The 2012 *Legal Australia Wide Survey* demonstrated that clients will often discuss their legal needs with a doctor before they approach a lawyer.

Other key highlights and achievements during 2018-19 included the following:

- The introduction of an automated answering service, reducing reliance on call transfers by our switchboard operators.
- Entering an information-sharing partnership with the *Women and Children Protection and Family Planning Office of West Java*. In March 2019 the Commission hosted a visit by the head of the organisation, Dr Jatti Indriati and two of her colleagues. A return visit by our staff is being organised for August 2019.
- Taking on a new jurisdictional responsibility in the Youth Court of representing children who are parties to proceedings under the *Adoption Act 1988*. Increased demand for representation for children under the *Children and Young People (Safety) Act 2017* resulted in an increase in staffing in this court.
- Refreshing the Corporate Plan with new strategic goals for 2019 to 2022.

I thank all staff of the Commission for their dedication, expertise and commitment in delivering legal assistance services during a challenging year. It was great to celebrate two of the Commission's practitioners receiving awards for their work this year. The *Law Society of South Australia's Gender Equity in Law Award* was presented to Leah Marrone, and the other, the *Dr Robyn Layton AO QC Award* presented by the Women Lawyers Association of South Australia for outstanding efforts in the law as a practising lawyer in South Australia, was won by Trish Johnson.

## Director's Report 2018-19

I also express my thanks to the private legal practitioners who act on grants of aid and look forward to their continuing support.

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.

Finally, our Chairperson Michael Abbott AO QC, has indicated he will not seek a new term as Chairperson once his term expires in December 2019. I thank him for his dedicated service over the last six years and for his guidance and support. I wish him well for the future.

I also thank former Commissioner Alan Herald who provided invaluable advice and good governance over his seven year term. I acknowledge and thank the Panel of Assessors who volunteer their time to hear appeals against refusals to grant legal aid.

Gabrielle Canny

**Director**

**Legal Services Commission**

# Summary of Services 2018-19

	2016-17	2017-18	2018-19
Telephone information and advice sessions	67 591	66 577	66 439
Advice appointments	20 601	18 373	15 077
Legal Chat online sessions	4 788	5 090	6 342
<sup>24</sup> Legal <i>(information accessed through a decision tree)</i>	*1 401	8 686	11 143
Participants in legal education sessions	7 250	6 176	7 055
Duty lawyer services	14 249	13 610	12 790
Grants of aid for legal representation	16 727	15 805	16 161
Other legal representation		372	484
<b>Total client services</b> <i>(excluding website page views)</i>	<b>132 607</b>	<b>134 689</b>	<b>135 491</b>
Distribution of publications	67 888	65 418	51 207
Law Handbook page views	2 089 860	2 521 500	2 297 545
Commission website page views	931 234	1 002 364	804 069
Applications for aid received	19 612	18 269	18 270
Applications assigned in-house	5 474	4 825	4 345
Applications assigned externally	11 253	10 980	11 816
FDR conferences held	953	863	875
FDR conferences settled - percentage	79%	83%	86%
ICL appointments	334	274	297

\*<sup>24</sup>Legal commenced in March 2017