



LEGAL AID
WESTERN AUSTRALIA



ANNUAL REPORT
2002 - 2003



Statement of Compliance

The Hon Jim McGinty MLA

Attorney General

In accordance with Section 66 of the *Financial Administration and Audit Act 1985*, we submit the Annual Report of Legal Aid Western Australia, covering the period 1 July 2002 to 30 June 2003. This report has been prepared in accordance with the provisions of the *Financial Administration and Audit Act 1985*.

At the date of signing, we are not aware of any circumstances that would render the particulars in this Annual Report misleading or inaccurate.



Malcolm McCusker QC

Chairman



George Turnbull

Director

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Hi Mary, can you pass on my thanks to the front desk personnel who dealt so expeditiously with a party (Mrs Brown) to proceedings where I am the child rep. Their assistance has been very helpful in a difficult matter where I am anxious that the mother brings an application as soon as possible - one of the children threatening suicide and is self harming.

You provide a wonderful service and in particular the phone is always answered quickly and nobody ever says anything silly to me.

I was overwhelmed by the support and assistance received from the staff at Legal Aid. Well done!!

Once again, thank you very much for your help and advice. The people at Legal Aid have been my "godsend" over the last 2 years and no words can convey the appreciation I have for your department.

Thank you for your advice and support. Conciliation Counselling session went great. Mr Brown and the registrar agreed with your suggestion.

I couldn't have done it without your help. You're a credit to legal Aid. Thanks again.

By the way - the valium worked well!!!

I would like to thank you for all your help and support in the matter involving my daughter, Mary. It was a very trying time for our family but your professionalism and courtesy ensured we were able to cope. Mary specifically wanted me to thank you for the caring way you dealt with her concerns and fears. She was so grateful for the outcome you achieved on her behalf.

Dear Sir

CLASSROOM VISIT

On Friday 16th August 2002 I was pleased to welcome guest speaker Janette McCahon to the school. I would like to take this opportunity of thanking you for providing such a valuable resource to the students of Western Australia.

Janette addressed my Year 11 Political & Legal Studies class on the topic of refugees and immigration. The presentation was thoroughly prepared, presented with clarity and Janette built a great rapport with the students in a very short time. There followed a number of classroom discussions over the next few lessons on this subject, so clearly the students had been given food for thought!

Again, many thanks for making it possible for speakers like Janette to visit the classroom and motivate our students.

Section 1 At a Glance



Legal Aid WA Services

Services for the general community

Telephone advice line, and face to face legal advisory services:

Assists members of the public to identify and solve legal problems, by understanding the choices for resolution and the resources available to them. Provide referrals to appropriate sections of Legal Aid and to other agencies where appropriate.

Duty Lawyer services:

Makes sure that members of the public brought before the courts have access to legal advice. Help them to understand the options available for responding to legal actions in which they are involved.

Services for specific groups

Legal advice and minor assistance services:

Assists in solving legal problems through advice and self-help services designed to reduce the need for legal representation including preparing court documents.

Development services:

Improve the reach and service potential of Legal Aid WA and identified stakeholder agencies such as courts and Community Legal Centres by providing knowledge based resource systems, publications and self-help kits and paralegal training.

Assessment services for a grant of aid:

In suitable circumstances, arrange for legal representation to priority clients, including children, so that community expectations for a fair and equitable justice system are protected.

Legal representation:

Provides legal representation to priority clients, including children, on a range of family, civil and criminal law matters.

Alternative Dispute Resolution (ADR)

A four-tiered ADR program in the area of family law that fills the gap between Minor Assistance and traditional grants of aid. Services range from very minor disputes through to late intervention conferences for serious family law disputes including those involving domestic violence.

Chairman's Report

Legal Aid WA is an independent statutory authority that operates under the *Legal Aid Commission Act 1976*. It complies with requirements set out in State and Commonwealth funding agreements and practises open, accountable governance and management.

Legal Aid WA plays an important role in the administration of justice in Western Australia. As an independent authority, it is an important counterweight to the Police Service and the Department of Public Prosecutions and ensures that the general public retains confidence in the judicial system. Legal Aid WA also ensures access to justice for those that cannot afford to pay for a lawyer. Often as the provider of last resort, the Commission plays a vital role assisting the most disadvantaged in our community. Legal Aid WA is also at the forefront of changes and improvements to the justice system, working closely with key stakeholders in many specialist courts and actively participating in law reform where appropriate.

Each year Legal Aid WA undertakes a Client Satisfaction Survey. This year the overall satisfaction rate for the criminal law clients surveyed was 71.4%. It is interesting to note but not surprising, that the more assistance clients received from Legal Aid WA the more satisfied they were. For example, satisfaction rates for legal representation before the Drug Court and the District Court were 84% and 82% respectively compared with a satisfaction rating of 59% for legal advice and other more limited forms of assistance.

Legal Aid WA continues to refine its complaints policies and procedures resulting in a 42% reduction in oral and written complaints this year.

Independence in the decision making process is maintained by Legal Aid WA's external review process for applications for legal aid. Review Committees, each consisting of two private practitioners with relevant expertise and a layperson from the community, volunteer their time to make final determinations, where requested, on applications for aid. This year 289 matters were sent to review with 24% successful in obtaining a grant of aid.

Legal Aid WA continues to meet the challenge of providing services in the most cost effective, economic and efficient manner. As demand for services constantly exceeds the funds available, Legal Aid WA is always looking at ways to make the dollars go further. Legal Aid WA is improving the way it provides in-house legal services, and continues to focus on extending the range of services available for people who do not qualify for a grant of legal aid, particularly in regional, remote and rural areas.

This Annual Report provides an interesting, accurate and informative overview of Legal Aid WA's performance and objectives for the year, reporting on key achievements, discussing major services and presenting statistical information in a clear and understandable way. The performance reporting is balanced with case studies, staff profiles, impressions and reflections from a range of stakeholders. I hope that the information it provides is useful and of assistance to you.



Malcolm McCusker QC
Chairman Legal Aid WA



Director's Report

This year marks the 25th Anniversary of the opening of the Legal Aid Commission in Western Australia and although great progress has been made in the way we deliver services, our core focus of providing equitable access to legal assistance to those most in need regardless of regional and time constraints remains unchanged. This year 90% of our applicants had an income of less than \$251 per week with 82% of applicants having no income at all.

In 2002/2003, in conjunction with many of our service partners, we continued to play an important role in the justice system. Whilst the courts implemented and developed alternative solutions for sentencing, treating and rehabilitating offenders, Legal Aid WA, through its in-house lawyers and through private practitioners working on legally aided matters, maintained its position at the forefront of the implementation of these initiatives. A key trend this year has been the focus on therapeutic jurisprudence and rehabilitative justice. In 2002/2003 we continued our involvement in specialist criminal courts including the Perth Drug Court, the Joondalup Family Violence Court, the Perth Children's Court and the Yandeyarra Circle Court. We also participated in the Columbus Pilot in the Family Court of Western Australia, which involved the individual case management of matters involving allegations of spousal violence, child or sexual abuse or family violence where there were significant risk issues.

Demand for services in State criminal law matters continues to exceed our available funds. An increase in the average length of District and Supreme Court criminal trials over the last 12 months, which we fund automatically subject to means, has resulted in less Petty Sessions matters being funded. Recent changes to our criminal law guidelines should result in more assistance being provided to certain

disadvantaged groups in the Court of Petty Sessions and Children's Court. In continuing to focus on assisting clients with special needs, we have placed extra emphasis on providing specialised assistance to clients with mental health issues who are facing criminal charges.

In family law our challenge has been to give preference when granting aid to matters suitable for Alternative Dispute Resolution (ADR) whilst at the same time balancing and preserving the need for representation for people in domestic violence situations or where sexual abuse allegations have been raised.

We have continued to expand legal advice and self help services through partnering arrangements with Northern Suburbs and Gosnells Community Legal Centres. We also entered into new arrangements with the Southern Communities Advocacy and Legal Education Service (SCALES) where we are providing the equivalent of one full time lawyer whilst a SCALES lawyer is on sabbatical, and with the Geraldton Resource Centre where we have allocated resources in return for the equivalent of one day's legal aid work each week. This work is done by Kelly Bajgerytsch, who previously worked at Legal Aid WA for many years. Kelly's insights into working in a regional Community Legal Centre and into her involvement with the Geraldton Alternative Sentencing Regime are featured at page 12 of the Report.

In 2002/2003, we continued to develop our electronic databases and other resources, many of which have been made available to the community legal sector. We also significantly improved our staff development programs with the introduction of a new performance and development system for all staff, and criteria progression and career planning for in-house practice legal staff. We continued to give high priority to

training, particularly in relation to our paralegal and junior legal staff. During the past 12 months, in conjunction with the Central West College of TAFE, we developed a nationally accredited paralegal training course (Certificate IV in Business - Legal Studies) 25 of our paralegals are due to complete this course in February 2004.

In 2002/2003, 57% of legal aid grants were referred to private practitioners, compared to 53% in 2001/2002. Once again I would like to thank the private profession for continuing to provide high quality legal services on behalf of the Commission at significantly reduced rates. I also thank them for the pro bono legal services that they provide that greatly assist many of our clients and for volunteering their valuable time to sit on our Review Committees and participate in other consultative processes.

The commencement of our Grants Online Pilot this year will improve our efficiency in processing grants of aid and give private practitioners a bigger role in determining which applicants receive aid. We look forward to the expansion of Grants Online over the next 12 months. We have also introduced two criminal law specialised panels in relation to cleanskin grants of aid (applications for aid submitted directly by the applicant where no private practitioner has been nominated and the matter cannot be dealt with in-house). These panels ensure the equitable distribution of grants of aid and will be reviewed annually to maintain the integrity of the system.

In 2003/2004 we will continue to focus on providing services in a cost effective, economic and efficient manner. The challenge remains to find ways to achieve this in regional, remote and rural areas. Initiatives we plan to introduce and/or

continue to develop in the next 12 months include:

- the expansion of our ADR program into the Midwest, Gascoyne, Southwest and Great Southern areas with an anticipated doubling of the number of conferences provided in the next 12 months.
- the development and expansion of outreach strategies and services, particularly in the Midwest and Peel regions.
- continued development of training courses, programs and seminars for our staff and relevant service partners.
- continued implementation of electronic lodgement of applications for aid and simplified assessing procedures through merits checklists.
- continued modification, development and expansion of service partner access to legal resources, databases and other materials.

Once again I express my thanks and appreciation to all of the dedicated and diligent staff at the Legal Aid Commission. Although there are never enough resources to assist everyone, they have worked hard all year to make the most of what is available to provide assistance to the less fortunate and disadvantaged in our community. I commend them for their efforts. This year Legal Aid WA won the 2002 StateWest Achievement Award for its effort in developing and implementing its expanded Alternative Dispute Resolution Program in the area of family law. My congratulations also go to Fran Marsh, a senior lawyer in our Youthlaw team who won the 2002 Children's Lawyer of the Year Award for Western Australia.

I would also like to acknowledge the invaluable and tireless work provided by the many volunteers who assist the Commission on an ongoing basis.

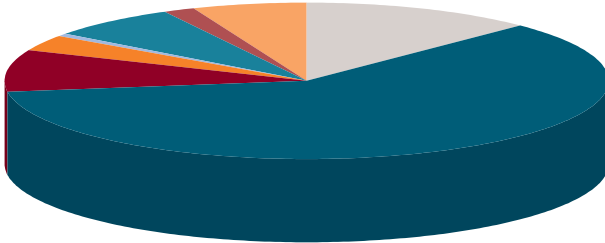


A handwritten signature in blue ink that reads "George Turnbull".

George Turnbull
Director of Legal Aid

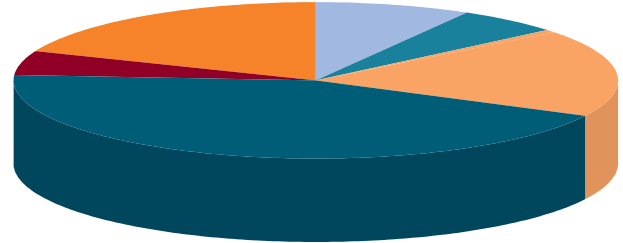
Budget and Service Delivery Highlights

RESOURCE ALLOCATION BY SERVICE



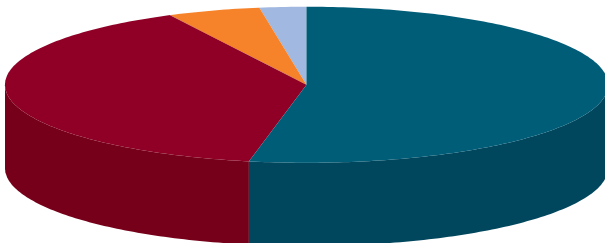
- 59% Legal Representation
- 9% Legal Advice and Minor Assistance
- 3% Telephone Information Line
- 1% Face to Face Services
- 7% Duty Lawyer
- 2% ADR Program
- 6% Other Community Services
- 13% Assessment and Case Management

OCCASIONS OF SERVICE BY SERVICE TYPE



- 45% Telephone Information Line
- 5% Face to Face Services
- 19% Duty Lawyer
- 8% Assessment and Case Management
- 5% Legal Representation
- 18% Legal Advice and Minor Assistance

WHERE THE FUNDS HAVE COME FROM



- 53% State Government
- 39% Commonwealth Government
- 5% Client Contributions
- 3% Other Income

- **Operating surplus of \$113,757 delivered against budget.**
- **Net assets increased by 2.6% or \$136,084.**
- **Revenue from services increased by 5.6% or \$75,465.**
- **Expenditure related to grants of aid for legal representation awarded to private legal practitioners increased by 8.9% or \$852,480.**
- **Revenue from the State Government increased by 11.4% or \$1,538,559.**
- **Revenue from the Commonwealth Government under the 2000 Funding Agreement increased by 7.6%.**

Grants of Aid for Legal Representation

- Total expenditure on grants of aid increased by \$378,469 or 2.4%.
- Total grants of aid awarded for the year were marginally below the previous year (0.4%), although applications granted for family law matters increased by 7%.
- Grants of Aid for Alternative Dispute Resolution Conferences trended strongly upwards over the course of the year, with the number awarded in the final quarter up 75% on the average of the first three quarters.
- Despite an overall decrease in applications for aid (2.4%), the approval rate of 65% remained consistent with last year's result of 64%. The biggest swing (3%) was recorded in the area of criminal law with the approval rating increasing to 75%.

Non-Litigation Service Delivery

- Legal Aid WA provides non-litigation services in three primary areas - telephone advisory services, face to face advisory services, and legal advice and minor assistance services.
- All areas delivered reduced unit cost performance against the previous year, with telephone advisory services down 17%, face to face advisory services down 21%, and legal advice and minor assistance services down by 1%.
- All areas also produced unit costs below budget with telephone advisory service down 2%, face to face advisory services down 22%, and legal advice and minor assistance services down 3%.
- Occasions of service for telephone advisory services were down by 6% from the previous year, whilst face to face advisory services were up by 7%, and legal advice and minor assistance services increased by 7%.
- All areas produced occasions of service above budget with telephone advisory services up 2%, face to face advisory services up 11% and legal advice and minor assistance services up 12%.

Regional Service Delivery

- This year Legal Aid WA expanded services to the Central Wheatbelt, the Goldfields, the Albany region, the Mandurah region and the Midland and Fremantle regions.
- Legal Aid WA also continued to use improved technology to assist geographically isolated clients. This year we introduced video conferencing. We also provide services by telephone, email, mail and facsimile to make sure people receive assistance as quickly as possible.

Commissions of Inquiry

During the year Legal Aid WA realised expenditure related to providing legal representation in support of two Commissions of Inquiry established by the State Government.

- Expenditure totalling \$721,477 to enable legal representation for police officers called before the Police Royal Commission.
- Expenditure totalling \$291,035 in support of legal actions to recover losses from defaulting finance brokers and borrowers, and those who provided "professional services" to those persons.

I write this letter in support of the drug court program. I had until last year been involved in a downward spiral of drugs and crime lasting 12 years. During this time the damage I have done to myself, my family and to society is impossible to measure. Every time I went to court for my crimes I was punished and my problems became worse, so I turned to drugs as a coping strategy. This is how the downward spiral works.

The drug court, while imposing some punishment on me, also offered me a reduced sentence to break the cycle and support to do so. For four months I had my drug use monitored and was provided with counselling to address my problems and the distorted perspective I had developed about my role in society.

I have now completed the drug court regime and also a period of time on probation and I am for the first time in my adult life not involved in drugs or crime, or caught up in the justice system.

Whether I am one of 10 per cent or 90 per cent of participants who complete the program is academic. The real success is in the positive impact that taking me and other like me off that downward spiral is going to have a society over the years to come.

The drug court program is up for review in December and I urge people to consider that a court system that works to unite the offender with society rather than fuelling the drug addict's level of dysfunction can only be a step in the right direction for us all.

My heartfelt thanks go to the staff at the drug court and to the Perth Community Drug Service team for the support I have received to turn my life around.

I respectfully put pen to paper and must thank you for the compassion yourself and the Legal Aid Dept gave me, and the time and legal advice. On all my interviews with your dept the staff were all kind patient and considerate and looked at all avenues in ways of helping me.

I received the direction from the Department of Immigration on Thursday 27th March 2003 letting me know on this occasion not to order the cancellation of my permanent residence visa on the basis of this conviction.

They also say nevertheless, you are warned that any further criminal conviction will lead to reconsideration of the cancellation of my visa and to disregard it, this warning will weigh heavily against me if the case is reconsidered.

Again Miss Morcombe I cannot thank you enough for all your help and understanding.

Section 2

Special Projects and New Initiatives



Community Legal Centres

Partnering Arrangements

We have continued to expand advice and minor assistance services through service partners. The original pilot project with Northern Suburbs Community Legal Centre has been extended to the Gosnells Community Legal Centre to provide outreach services in Armadale. This has resulted in 1077 additional appointments for assistance during the past 12 months.

Geraldton Resource Centre

To expand service delivery in the Central Western region (including the Murchison and southern Gascoyne), extra resources were allocated to Geraldton Resource Centre in return for one day's legal aid work each week. Legal aid work undertaken included identifying people in isolated communities who can deliver outreach services and expanding telecommunications services for clients unable to be assisted locally. Legal Aid WA lawyer Kelly Bajgerysch took a position at the Geraldton Resource Centre in 2002. Kelly reflects on some of her encounters so far:

Goal Achievement – Customer Service

Development of strategies to ensure equity of access to services regardless of regional and time constraints

Our partnerships with Community Legal Centres continue with more new partnerships formed this year. We also continue to ensure effective client referrals between services to minimise the referral merry-go-round.

“

It's not yet 8am, but I am alone at the back of the Geraldton Police Station interviewing my first client for the day. I have been told that this is one of the biggest police stations outside the metropolitan area in this State. Certainly, there are enough criminal arrests to keep me busy.

I have been placed into the holding cell with a defendant and there is rain pouring through the open ceiling. It is a different environment from the holding cells at the East Perth lock-up or at the Central Law Courts. Those days seem a million miles away. When the Children's Court is sitting here there is often no access to an interview room at all. Interviews are conducted outside or at the front of the courthouse. Beyond the horizon, you can see the ocean crashing away.

It is a big area in this holding cell, but the only place to sit is on the concrete bench that is saturated in rain. I am trying to take notes but they are just getting washed away. This client is a participant in the Geraldton Alternative Sentencing Regime ("the Program"). I have met him many times before. In my eight months here he is the second defendant looking at leaving the Program. Although he will be regarded as one of the failures, he has not re-offended, but failed to meet his bail conditions.

He tells me that for the first time in his life he feels as though the legal system and people generally have listened to him and treated him like a "normal human being". He mentions the support he got from the team and says that the experience not only helped to uplift him, but promoted his steps towards rehabilitation. It makes me realise that there is something quite exceptional about this Program. He is not afraid any more and wants to thank everyone for helping him this far. What I do not tell him is that it is a tough challenge to secure more resources to keep this Program going.

I am now at the Police Station talking to the Prosecuting Sergeants. Paperwork is not what gets things happening here, instead it is about developing trust and relationships and sitting down and talking things out. I ask who might be new on my list for today. These police officers have been in Geraldton for quite some time and know the history of everyone here. Not much is private in this town.

I head back to my office to try to make the most of getting a few extra things done before going to court. I am one of two lawyers and about thirteen other workers at the Geraldton Resource Centre. This is a one-stop shop - clients come for emergency relief, food vouchers, financial counselling, Centrelink assistance, legal advice and just about anything else you could think of. We are the only free legal service in the Midwest apart from the Aboriginal Legal Service and one of the only services of its kind for thousands of kilometres. We organise video conference linkups to some of the more rural and remote areas so that workers and clients can access advice and assistance. I used to think that working at Legal Aid WA involved being involved at the grass roots level. That really does not compare.



**Kelly Bajgerysch, Solicitor
Geraldton Resource Centre**

It is back off to court for the twenty people already on my list. I am the only Duty Lawyer and there is no luxury of being able to sit at the back of the court and talk to colleagues. Every week the Magistrate comments about the lack of a Legal Aid WA office and related services and the fact that clients are continually not receiving grants of aid. As a lawyer at the Community Legal Centre I cannot represent defendants at hearings because we simply do not have enough resources.

I do not just practice criminal law. There is also an abundance of need for family and civil law advice and assistance. We do not have the funding to do it all. The best I can do is design and run a monthly information session for unrepresented litigants. We have been getting a good response to the sessions and clients are commenting that for the first time they understand what is going on. It has made the court process a bit less daunting and a bit more familiar, but it is not the ideal answer.

There is no glitz or glamour here and never enough resources or support. But everyone has insight and belief here and a vision for change. Whenever one project is achieved, there is another one waiting in the wings. I am continually amazed by what can be achieved, and that is what often spurs me on.

It is a long way from family and friends and it can be extraordinarily isolating being on your own. There are no familiar faces or places to retreat to when you are having a bad day. It is easy to spend all day in your office and not feel as though your in-tray is actually moving. Often you sort one legal problem out for a client, only to discover that they want help with several more.

Working here is about making a difference. It is about not being able to walk down the street without clients approaching you. They do not differentiate between work and play and in their state of desperation they feel that they can always talk to you regardless of the setting.

There will always be more people to service here than we can help. But, for the very first time, I think that we can make a difference. What we do is important and it can change people's lives. I will not make a million dollars here, and I will not head to the top of my profession, but there is a place for what lawyers at a Community Legal Centre do.

Kelly Bajgerytsch
Geraldton Resource Centre

Southern Communities Advocacy and Legal Education Service (SCALES)

In 2003, three of Legal Aid WA's Restricted Practitioners, Claire Murray, Alexa Morcombe and Brianna Lonnie are enjoying the benefits of working at the Southern Communities Advocacy Legal and Education Service (SCALES). They are backfilling SCALES' principal solicitor, Mary Anne Kenny, while she is on sabbatical for 12 months.

"I wanted to let you know how delighted we in the School are with having restricted practitioners from the Commission posted to SCALES this year... The Commission's contribution to SCALES is proving a most valuable one, both to SCALES and I believe the Commission itself. We see the Commission's involvement as a basis for an ongoing partnership in clinical legal education between the two of us."

Ralph Simmonds, Dean and Professor of Law, Murdoch University

SCALES is a Community Legal Centre that covers the Rockingham, Kwinana, Mandurah and Pinjarra areas. In conjunction with Murdoch University, SCALES provides law students with the opportunity of real experience in a working legal practice. Claire, Alexa and Brianna, along with other clinical legal staff, oversee the law students' work and formulate an academic assessment on their performance. As students progress through the course, they develop skills in interviewing and liaising with clients, problem solving, preparing documents and advocacy. They also learn about ethical issues and professional responsibility.

"Working at SCALES has been an invaluable learning experience. You are exposed to remarkably diverse areas of law and learn so much more than you could in the classroom. Working with Claire and Alexa has been excellent - they are very approachable and willing to share their practical knowledge."

Colin McKellar and Ben Stanwix,
Murdoch University Law Students

Working at SCALES gives Legal Aid WA's Restricted Practitioners the chance to practice in a multitude of legal areas with an emphasis on migration law, while also giving them an excellent opportunity to learn through supervising others.



Therapeutic Jurisprudence

Community Legal Centre Funding - 2002/2003

During 2002/2003 we continued to administer the Commonwealth Community Legal Services Funding Program which delivers community legal services to the disadvantaged in our community. Commonwealth funding of \$2.9 million was provided to 18 centres in WA, four of which also received State funding. State funding was also provided to the Association of Community Legal Centres WA.

In 2003 service standards were implemented in all funded centres. The standards relate to Information and Referral, Advice, Casework, Law Reform and Policy, Community Legal Education, Accessibility, Organisational Management, Data Management and Client Satisfaction. Self-audits will be conducted later this year to measure compliance with the new standards.

In November 2002, the Commonwealth and State Attorneys General agreed upon Terms of Reference for a Joint Commonwealth and State Review of Community Legal Centres in WA. Forty-five public submissions were received from various community groups, government departments and members of the judiciary. The Steering Committee conducted consultations with generalist, specialist and regional centres via workshops and centre visits. A survey was compiled to provide a snapshot of locations of centres and services provided. A detailed demographic analysis of WA was also conducted. The Review is expected to report to Government later this year.

Legal Aid WA continues to play an important role in the administration of justice. A key trend this year has been the focus on therapeutic jurisprudence and rehabilitative justice. Through our in-house lawyers and private practitioners working on legally aided matters, we have maintained our position at the forefront of the implementation of new initiatives in the criminal justice system and in case management generally.

The **Perth Drug Court** implements therapeutic jurisprudence through judicial case management, non-adversarial adjudication and treatment programs with structured goals. The focus on rehabilitation is of long-term benefit to both the offenders and the community. Participants assessed as suitable are placed on a treatment program and case managed by the Drug Court team for a period of four to six months. The Legal Aid Drug Court Unit forms part of that team. Two lawyers and a paralegal provide intensive assistance to Drug Court participants. Their success is reflected in the 84% client satisfaction rating from this year's survey of Drug Court clients.

The **Joondalup Family Violence Court** is a specialist court that deals with people charged with offences that have a direct connection to domestic violence, such as breach of a violence restraining order, assault occasioning bodily harm or threatening behaviour. Like the Drug Court, this court involves elements of therapeutic jurisprudence where offenders are encouraged to strive towards rehabilitation instead of merely awaiting retribution. Offenders are placed in a six-month group counselling program run by Relationships Australia where they are encouraged to focus on anger management strategies so as to address the cause of their offending behaviour. Every Tuesday the Family Violence Court is assisted by a Legal Aid Duty Lawyer who represents people appearing in the Court, and those that have already been convicted and are progressing through the program.

The **Children's Court** has jurisdiction to hear care and protection matters for children, restraining orders against children and criminal matters when the offender is under the age of 18 at the time of the offence. It aims to provide young offenders with options and strategies in sentencing that address the underlying issues of offending behaviour. The fundamental aim is to rehabilitate the young offender. Legal Aid WA provides legal advice and

representation through grants of legal aid and Duty Lawyer services to young people appearing in the Children's Court. Most grants of aid are for complex matters before the President.



Rehabilitative Justice in the Regions

To accommodate the special needs of many local and often indigenous communities, many regional courts have been implementing their own forms of rehabilitative justice for many years. Our regional staff play a major part in this process. The recently opened **Circle Court** at Yandeyarra, a remote Aboriginal community about 170 kilometres from Port Hedland, sits once per month and is presided over by the Chief Stipendiary Magistrate with Community Elders having an advisory and over-seeing role. The Circle Court brings open justice to the community at a grass roots level and is very visible and accessible. Legal Aid WA's Pilbara Office participates directly in the operation of the Circle Court with Lee Jones, our Solicitor in Charge, having an in-depth understanding of the issues confronting indigenous people.

Restricted Practitioner, Nathan Laird considers rehabilitative justice Goldfields style:

Rehabilitative justice presents additional challenges in a regional environment. The jurisdiction is often vast - our Legal Aid WA office in Kalgoorlie operate circuits to Leonora and Laverton taking in people from remote communities and stations from as far as the South Australian border, and to Norseman and Esperance and the remote townships along the south coast.

Often the system risks overload, but with everyone in the criminal justice working closely together, it has been possible to overcome those factors that would ordinarily cause the system to become burdened. This level of co-operation allows the sentencing of offenders to take place within a dynamic and supportive environment that gives the offender an opportunity to accept responsibility and to become involved in the process, rather than simply being acted upon.

The court is then able to make orders that increase the likelihood of the offender engaging with the various supports available and to reach an outcome that benefits not only the offender, but the community as well.

Nathan Laird, Legal Aid WA Restricted Practitioner, Kalgoorlie

In the Kimberley there has also been an increasing use of regional community courts, even where the alleged offence occurred in a town. This has reduced the number of bench warrants for arrest being issued for non-attendance on the remand date at the town court, and also reduced the risk of re-offending while waiting in town for court.

Family Court Initiatives

In July 2001 the Family Court of Western Australia in Perth commenced the Columbus Pilot to individually case manage matters involving allegations of spousal violence, child abuse or sexual abuse or family violence where there were significant risk issues. We undertook to provide a separate representative for each case allocated to the Columbus Pilot and funded 95 grants of aid until the pilot ended on 31 December 2002. The Child Representative is an important participant in the Columbus conferencing process. The inclusion of referrals by Child Representatives to therapeutic services and education programs as part of the conference process, are crucial. Child Representatives funded by Legal Aid WA have continued to play the vital role of "broker" in ensuring that the parties are connected with the appropriate support services. Legal Aid WA continues to fund Child Representatives and the appointment of Court Experts. Court Experts report to the Family Court on family dynamics to assist the Court on making a determination as to what is in the best interests of the child.

Mentally Impaired Defendants

Part of our Strategic Plan is to provide greater assistance to people disadvantaged in the justice system because of a mental illness or impairment. Recent changes in our Criminal Law Guidelines give higher priority to people with mental impairments. To facilitate this change, we have provided an experienced criminal lawyer to represent mentally impaired defendants. David Bodeker has taken on this new role.



Profile: David Bodeker

David has worked mainly in our Criminal Law Section since doing his Articles at Legal Aid WA in 1995. He has also worked with the Duty Lawyer service and the Kimberley Regional Office in Broome. David teaches criminal law to paralegals through the Law Society.

In his new role David acts for clients with any kind of mental impairment, whether it be an intellectual disability, a head injury, a mental illness or brain damage. At David's initiative, the Perth Court of Petty Sessions has set up a special list for mentally impaired defendants. Any defendant with a mental impairment can be remanded to appear in the Tuesday list at noon. The objectives of this arrangement are to:

- keep mentally impaired defendants generally before the one Magistrate, achieving continuity;
- allow the Magistrate to develop a better understanding of the issues and allow more scope for counsel to provide the Magistrate with reports, written submissions or applications before court, saving time;
- avoid mentally impaired clients being forced to wait for long periods by having the list operate at a time of day when the early rush has passed; and
- possibly operate as a pilot for any proposed diversionary court that might be set up in the future.

David liaises with other agencies working in the field and recently prepared a submission on behalf of Legal Aid WA for the review of the *Criminal Law (Mentally Impaired Defendants) Act 1996*. David will work with the new Intellectual Disability Diversion Coordinator at the Perth Court of Petty Sessions.

David and other Legal Aid WA staff have also developed a training package for dealing with mentally impaired clients. The training will be an annual event delivered in 3 sessions and will address issues arising in dealing with mentally impaired clients. Each year new topics will be covered. This year topics include ethical issues, interpreting psychiatric reports, the meaning of drug induced psychosis and personality disorders and the mental health system from the consumer's perspective.



Assignments Special Projects

Grants Online

Using available internet and email technologies, we introduced Grants Online in April 2003. Initially this has been limited to a select number of practitioners. Grants Online allows practitioners to receive and process applications, extensions and tax invoices electronically.

"The grants online process has greatly improved the turn around time for receiving grants of aid and has also resulted in quicker and efficient communication with Legal Aid".

*Stacey Ryan, Grants Online supervisor,
Bayly & O'Brien*

Accepting applications over the internet improves our capacity to turn around applications within 48 hours. Similarly, requests for extensions can also be fast tracked. The introduction of checklists and online certification of merit by the practitioner will also result in greater transparency in decision-making.

Practitioners involved in Grants Online retain proof of means and a copy of the application on their client file. Legal Aid WA will carry out periodic audits of client files and aim to sample 10-20% of matters for means and merit.

Key Strategy – Service Improvement

Extending access to services through appropriate use of technology, and developing management information systems to promote continuous improvement in the services delivered

Continuing implementation of electronic lodgement of applications for aid will improve response times and realise substantial efficiencies.

David Bodeker

Changes to Criminal Law Guidelines

This year we have simplified and reframed some of our criminal law guidelines and priorities to ensure that they properly target the people most in need of legal representation. The changes only affect Petty Sessions and general Children's Court matters as applicants in the District and Supreme Courts and before the President in the Children's Court are automatically granted aid, subject to financial eligibility.

The changes introduce a new threshold test for grants of aid in Petty Sessions and general Children's Court matters. The representation required must be outside the normal level that could be provided through Legal Aid WA's Duty Lawyer service, which is provided without a grant of legal aid. Duty Lawyers provide legal advice on all types of matters and representation on pleas in mitigation and adjournments. Both in-house and private practitioners currently provide Duty Lawyer services.

The changes give higher priority to people:

- with mental illnesses or impairments;
- with intellectual disabilities;
- with physical disabilities;
- who have locational disadvantages;
- with a first language other than English; and
- who are about to be imprisoned for the first time.

Lower priority has been given to people who have been previously imprisoned for similar offences to those for which they have applied for aid. The risk of imprisonment still remains a factor to be taken into account when assessing applications for aid.

Criminal Law Specialised Panels

In May 2003 we introduced two criminal law specialised panels for rostered 'cleanskin' grants of aid. 'Cleanskin' grants of aid are applications submitted directly by the applicant where no private practitioner has been nominated and the matter cannot be dealt with in-house. The specialised panels are also used to transfer in-house matters due to conflict or lack of capacity.

The introduction of the specialised panels ensures the equitable distribution of rostered grants of aid to private practitioners and makes the current Legal Aid WA panel (in excess of 1000 practitioners) manageable and accountable. The specialised panels are reviewed annually to ensure that the integrity of the system is maintained.

Fifty-four barristers and solicitors are currently on the Supreme Court/Complex District Court panel and 56 barristers and solicitors are on the District Court/ Court of Petty Sessions panel.

Requirements to be included on the specialised panels are:

Supreme Court/Complex District Court pleas and trials

- A current unrestricted practising certificate
- 5 years post admission experience
- Undertaken a minimum of 15 jury trials
- Agree to the Legal Aid Practitioner undertakings.

District Court/ Court of Petty Sessions pleas and trials

- Current unrestricted practising certificate.
- Agree to the Legal Aid WA Practitioner undertakings.

Goal Achievement – Information and Measurement

Creating a business environment that uses research data and performance information to shape interventions and assistance that is made available

Enterprise Reporting Tool: An agency-wide electronic business intelligence tool that enables our staff to report and analyse data held on our corporate databases providing timely access to information while reducing dependence on computer programmers to develop specific reports.

Key Strategy – Information and Measurement

Creating a business environment that uses research data and performance information to shape interventions and assistance that is made available

ATLAS: We are taking a leading role in this national project in conjunction with National Legal Aid to replace mission critical software applications with best fit vendor solutions to meet grants management, legal practice, case management, document management and e-business needs.

Staff Development and Training

New Performance and Development System

All of our staff take part in this process. Managers conduct assessment and development interviews each March so that the process links into budget requirements for the following financial year. Performance Assessment and Development Reports are prepared for all staff. Different Reports are used for Articled Clerks and Restricted Practitioners. These have fixed tasks and objectives (rather than objectives set by the employee) and less emphasis is placed on rating the performance of Articled Clerks.

Criteria Progression

This year a new criteria progression model for our in-house practice solicitors based on continued development has been introduced. The model provides ongoing support for lawyers in their generic roles and allows them to progress to higher levels once set criteria have been reached without going through a competitive selection process.

Career Planning

The Career Planning Program gives junior staff the opportunity to play a significant role in shaping their own legal careers, develop new skills and experience, and gain a better understanding of the broader objectives of the agency. The Program encourages staff to identify and prioritise the different sections at Legal Aid WA they would like to work in and provides managers with the logistical support to make these rotations a reality.

I just wanted to say a big thank you for giving me the opportunity to have some time out of court earlier this year. I really enjoyed the project work and my time in the Children's Court. It gave me time out to re-focus and gain direction again which was invaluable. The career planning has also been great - I'm really happy with my next two rotations and it makes a big difference knowing where I'll be for the next two years, and that I'll be doing work that I enjoy doing.

*Thanks again
Regards
Joanna*

Goal Achievement – People Management

Developing a workforce with portable skills that respond to new challenges and which values professionalism

The introduction of a new Performance and Development System for all staff that provides greater certainty in the area of performance management.

A new criteria progression model for In-House Practice solicitors based on continuous development.

Rotations and Career Planning opportunities continue for both senior and junior legal staff with a significant number of junior lawyers participating in rotations of 6 to 12 months over the next 18 months.



Articled Clerks and Restricted Practitioners

Our Articled Clerk program is the primary entry point for junior lawyers into our organisation. Successful applicants are given a two-year contract that includes Articles and the Restricted Practice Year. During this time they:

- complete a comprehensive three-day Induction Program;
- complete six two-month rotations during the Articles year and two six-month rotations as Restricted Practitioners;
- attend a weekly in-house Professional Development Program that covers Professional and Administrative Standards, Special Client Groups, an overview of Legal Aid WA Business Units/Sections, Advocacy and Court Procedures and General Legal Issues;
- attend intensive Advocacy Workshops in criminal and family law and other ongoing general training programs and seminars; and
- participate in a structured Mentor Program.

Reflections from our Articled Clerks

In securing Articles, most law graduates are looking for workplaces with extensive training, opportunities for hands-on experience, quality supervision, exposure to diverse areas of law, good working conditions and a developed mentoring program. Legal Aid WA has all these attributes and more.

Legal Aid WA places great importance on developing its Articled Clerks into exceptional lawyers. Legal Aid WA sees the Articled Clerk program as integral to the long-term future of the organisation and, as such, we have felt like our development has been a priority to Legal Aid WA.

Articled Clerks at Legal Aid WA are given great responsibility, yet the quality of supervision is second to none. Staff are more than willing to share their time and knowledge, and the atmosphere is very friendly and supportive.

Articled clerks also have the responsibility of running the Social Club, so there is the opportunity to meet and socialise with other members of the organisation.

*Briony McGinty & Brie Ayling,
Articled Clerks, Legal Aid WA*

Before I came to Legal Aid WA, because of my previous work experiences, I thought I had more or less seen most things. However, working here, one's notions of human nature are continually extended. During my family and civil law rotation I soon found out that family law is not so much to do with "law" or even "family", but people and all their diverse problems. Passions (the clients') often run high and thus the practitioner has to remain level-headed, open-minded and above all, patient. Communication was everything and what I learnt at law school about family law was thrown out of the window.

*En Wong Articled Clerk,
Legal Aid WA*

*Articled Clerk
Forensic Advocacy
Workshop with
Principal Counsel
Gail Archer*

In-house Legal Training

Seminars, lectures and advocacy workshops presented by senior members of staff and outside professionals continue to be available to staff as part of their ongoing legal education. Next year we plan to open some of these programs to the general legal profession:

- the "Wednesday Seminars" in criminal law. Aimed at junior lawyers, experienced in-house and private criminal lawyers present these seminars on a pro bono basis;
- ADR and mediation training on family law matters;
- Restraining Orders and training in relation to other Domestic Violence issues;
- numerous other courses, such as Managing Difficult Behaviours, Writing in Plain English, Dealing with People under the Influence of Drugs and Alcohol, are also run as required;
- in-house training on IT related issues, including use of the intranet and internet;
- video conferencing training for our regional offices and service partners; and
- advanced Library training sessions.

Key Strategy— People Management

Developing a workforce with portable skills that respond to new challenges and which values professionalism

Skills development: We continue to place importance on training and workplace initiatives to ensure that quality services are delivered to clients. New initiatives include nationally accredited paralegal training, more training seminars and advocacy workshops and more opportunities for junior staff to work closely with senior staff on very complex matters.



Profile: Gail Archer, Principal Counsel, Legal Aid WA

Gail began her career at the Crown Solicitor's Office in early 1989 before moving to the office of the Director of Public Prosecutions in 1993. In January 2002 she took up the new position of Principal Counsel at Legal Aid WA. Her role involves appearing as counsel in complex criminal matters and assisting the professional development of junior practitioners and Articled Clerks.

Working with Gail, our Articled Clerks and junior practitioners are given the opportunity to be involved in serious criminal matters as they progress to trial, carrying out supervised tasks such as taking instructions from clients and preparing chronologies and summaries of witnesses' evidence. Recently Clare Hay, a junior practitioner, had the opportunity to assist Gail with a High Court appeal. She relates her experience:

"I was very fortunate to be given the opportunity to work with Gail Archer on a High Court appeal. Months of preparation, reading cases from all over the world on a very fine point of law, numerous drafts of appeal papers, submissions and arguments all culminated in an appearance at the High Court in Canberra. It was fantastic to be part of the appeal process and to see Gail's advocacy before the five-member bench of the High Court".

Clare Hay, Junior Practitioner, Legal Aid WA

This year Gail:

- instructed at the University of Western Australia undergraduate Forensic Advocacy Course and guest lectured in Evidence and Criminal Law at the University of Western Australia and the University of Notre Dame.
- was an instructor at the Supreme Court of Western Australia Trial Advocacy Course and is developing a pro bono program to enable course graduates to gain practical advocacy experience whilst providing assistance to people who would not normally get legal aid.
- developed a Continuing Legal Education program for junior Legal Aid WA lawyers consisting of a series of lectures delivered by experienced in-house and external practitioners on a range of criminal law topics.
- conducted a workshop on Training and Professional Development of Legal Staff at the National Legal Aid Best Practice Conference.

Other Training

Paralegal Training

For many years, we have continued to offer internal and external paralegal training for service providers. The increasing demand for this led to the development of self-paced learning packages designed to provide paralegal officers with a sound understanding of the legal system, legislative and common law requirements, client and file management skills and a solid grounding in common family, civil and criminal law matters.

During the past 12 months, our Development Services Section has worked with Central West College of TAFE to design a nationally accredited enterprise training strategy incorporating existing materials and supplementing these with additional materials required for national recognition. We worked closely with Community Legal Centres, particularly Geraldton Resource Centre and other rural agencies to ensure course content, materials and other resources are suitable as the foundation for a relevant qualification of benefit to the broad range of service providers and course participants.

The course provides the foundation for a recognised skills base for service delivery and quality assurance strategies through better resourced and trained staff across the whole agency. 27 paralegals have completed the Certificate III in Business (Legal Studies) with 25 expected to complete the Certificate IV qualification.

"The introduction of the Certificate IV in Business Legal Studies is a very positive initiative by Legal Aid WA. It has enabled me to have my experience and skills formally endorsed by a tertiary institution and will enhance my future job opportunities. It also has the potential of considerable credit toward a University Degree in a similar discipline".

Mary Cameron, Paralegal



Gail Archer

Community Worker Training Courses

Eleven "LawTalk!" training sessions for community based workers were delivered throughout this year covering issues including negligence and professional responsibilities, advocacy skills, Centrelink issues, debt and consumer credit, family law (property and children's issues), child support, domestic violence and employment law. Less than 40% of formal enrolments could be accommodated with each class filled within days of notification. A total 234 attendees from 87 external agencies included financial counsellors, refuge workers, mental health nurses, community support services, government agency officers and others.

The Development Services Section is exploring video conferencing and other training options as part of their particular focus on resourcing rural, regional and remote communities.

These courses are not currently accredited. As the course content forms the basis of training for outreach service support workers, negotiations have commenced with registered training agencies to investigate adapting the materials as the basis for a Certificate IV in Information and Referral.

Working with Local Communities

Regional offices continue to provide outreach talks and seminars to local organisations, schools and other services to promote an awareness of the law and legal processes as an early intervention strategy. This service is in particular demand where few other community agencies can address these needs. Family law, family relationships and an understanding of the criminal law legal system are the most commonly requested themes.

Our consultation with a number of regional communities has highlighted the need for greater local information and support services to supplement various outreach and telecommunications services provided by us. A pilot project has been established in the Midwest and Peel regions to identify needs, existing community supports, training and other service requirements, and to determine a training strategy particularly designed to support local personnel who assist Legal Aid WA and Community Legal Centre clients receiving assistance through self-help services. Strong existing links in these communities will enable us to supplement existing services, identify training and other requirements and determine what common training and supports can be cemented into a State-wide approach.

*Stephen Lau,
Infoline Advisor*

Working with Law Students

This year we continued to develop and maintain strong links with the law schools at Murdoch, Notre Dame and the University of Western Australia. This has proved mutually beneficial - we benefit from the assistance law students provide and the students benefit from the hands on experience, training and professional development opportunities available at Legal Aid WA. This year:

- 264 law students participated in our winter and summer clerkship program that enabled them to gain practical experience in different areas while developing an understanding of the values and practices of our organisation.
- law students from the University of Western Australia, through the Law Students Community Support group, attended East Perth lockup on Saturday mornings and observed our Duty Lawyers in action.
- law students from the University of Notre Dame attended the Fremantle Court of Petty Sessions and some other metropolitan courts and observed our Duty Lawyers in action.
- as part of an ongoing Legal Aid WA/Notre Dame externship program, a Notre Dame law student was placed with a Legal Aid WA lawyer specialising in assisting clients with a mental illness or impairment.
- as part of the Unrepresented Litigants Program (a combined Legal Aid WA, Notre Dame and Department of Justice initiative) Notre Dame law students assisted in a review of the Magistrates' Courts legislation.

We also continue to employ law students on a part time and casual basis on our Infoline. These students benefit from the 'hands-on' experience of delivering information and advice on diverse areas of law to a wide range of clients and gain first hand knowledge about our organisation.

"Working on the Infoline at Legal Aid WA has been an excellent, eye-opening experience. I have gained an insight into how the practical side of the law works in real life, and this can only be beneficial. The people are wonderful to work with, making it a joy to go to work."

*Mustafa Yildiz, Murdoch University,
Final Year Law Student*



Volunteers

Profile: Judge Ivan Gunning

Judge Ivan Gunning was admitted to practice in 1952 after completing a five year Articled Clerkship. He was a senior partner at Kott Wallace & Gunning until his appointment as a District Court judge in 1977. At that time, there were only six District Court judges. He was on the bench for 22 years until he turned 70 - the age of compulsory retirement.

Following his departure from the bench, Ivan, as he is known amongst colleagues at Legal Aid WA, had occasion to speak to Mr Malcolm McCusker QC, Chairman of the Legal Aid WA Board. Ivan suggested to Mr McCusker that he do some voluntary work at Legal Aid WA.

On 1 July 1999, Ivan commenced work on Wednesdays and Fridays in Client Services. On those days, he is usually fully booked with appointments for Legal Advice Bureaux in which he provides clients with advice on criminal law and traffic problems. Ivan is one of 39 private solicitors who have volunteered their expertise on a pro-bono basis. While Ivan is scheduled to come in twice a week, the other solicitors are each rostered on the remaining days once a month to give advice to clients on a wide spectrum of legal problems such as property settlement, employment law or family law.

Ivan continues to be amazed at the variety of legal issues that cross his desk. "After 25 years in practice, you think you'd have seen the lot, but there's a whole other layer," he said.

In the future, Ivan may be, with the permission of the Attorney, travelling north to do a bit of relieving Duty Lawyer work. He is looking forward to that opportunity should it arise.

When asked what motivates him to volunteer his time, Ivan is humble in his response:

"I'm just giving a little back to the law that's been very kind to me."

Judge Ivan Gunning



Voluntary Court Welfare Service

For the uninitiated, courts can be scary places. The Voluntary Court Welfare Service are experts in diffusing some of that fear and making courts all over the State more personable and less threatening places to be. They assist people attending court through the provision of information and through referral to the Duty Lawyer service at the court. Their friendly and efficient contribution to the operation of the court is greatly appreciated by our staff and our clients. Some of the Court Welfare Officers have been doing this work for as long as 28 years - a testament to how much they enjoy it.

"We love it, because we feel as though we are helping people."

Denise and Glad, Voluntary Court Welfare Service, Central Law Courts Team.

A thank you letter received from the parents of one client illustrates the valuable work performed by Voluntary Court Welfare:

"As it was his and our first appearance in any legal matters, we were very nervous and unsure of the procedures. The lady who saw us as we waited for Legal Aid WA was very helpful and reassuring and we really appreciated her support."



Section 3 Report on Operations



Criminal Law Services

People charged with or convicted of criminal offences can access a range of Perth based and regional criminal law services, including legal representation, Duty Lawyer assistance, Prison Visits, Minor Assistance, Legal Advice Bureau, and the telephone Infoline to resolve their legal problems.

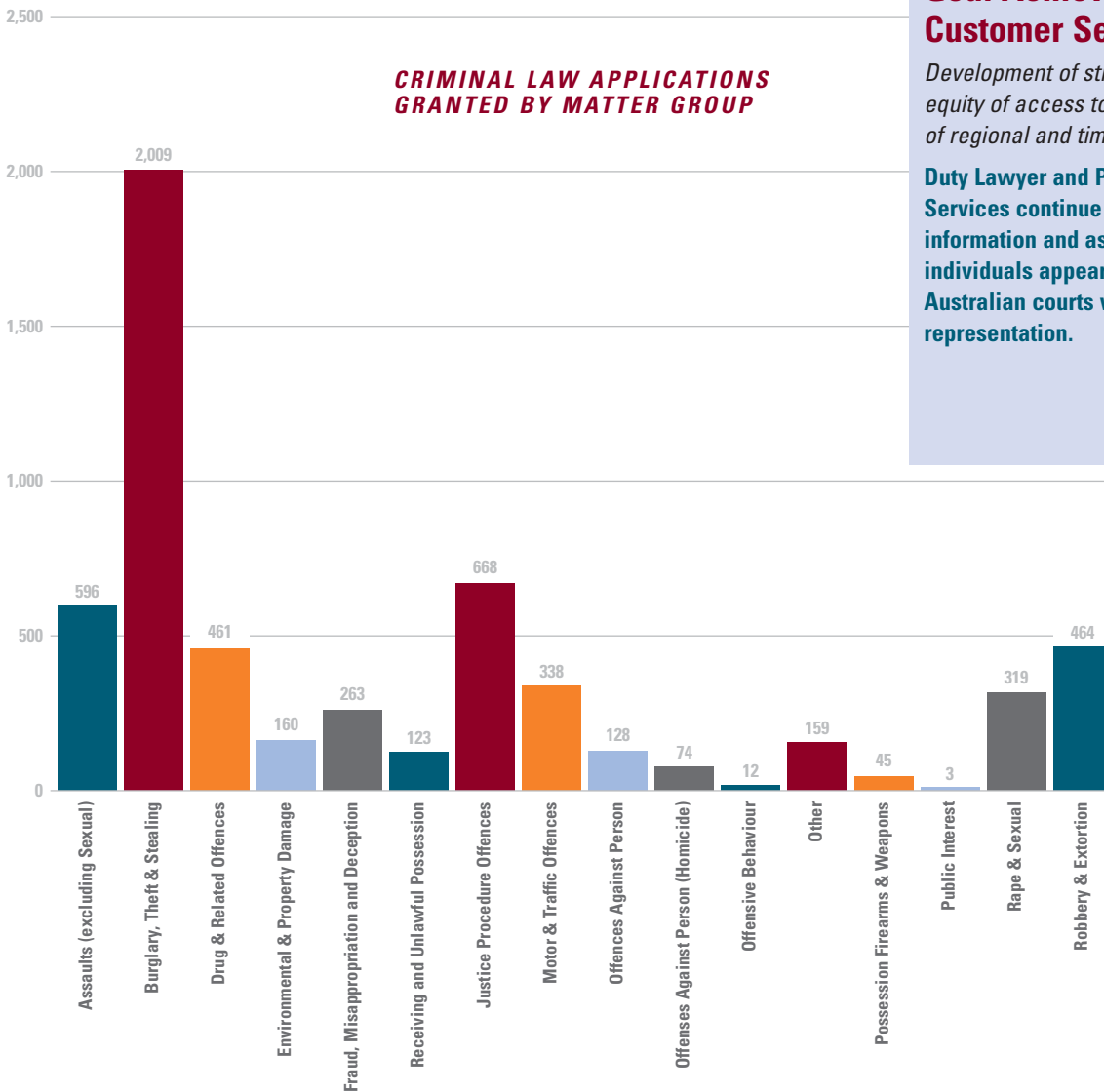
Casework

Where an application for legal aid is successful, a client will be allocated an in-house practitioner or private practitioner to conduct their case. Our in-house criminal law practitioners work in the Criminal Law Section and Youthlaw Team at the Perth office and also at the regional offices throughout the State. Practitioners represent clients in all criminal jurisdictions for pleas of guilty, trials and appeals.

Duty Lawyer & Prison Visiting Service

Duty Lawyer services are provided in Courts of Petty Sessions and Children's Courts by in-house lawyers and private practitioners. They provide legal advice and representation on pleas of guilty, pleas of not guilty, adjournments and applications for bail.

Staff lawyers attend Hakea Prison daily to assist prisoners appearing in court by video link. A staff Duty Lawyer attends the Joondalup Family Violence Court on Tuesdays to represent defendants charged with offences relating to family violence. Paralegals visit Acacia, Bandyup, Casuarina and Hakea Prisons each week to assist prisoners. Other prisons are visited upon request. Regional offices provide services to regional prisons.



Goal Achievement – Customer Service

Development of strategies to ensure equity of access to services regardless of regional and time constraints

Duty Lawyer and Prison Visiting Services continue to provide advice, information and assistance to individuals appearing in Western Australian courts without legal representation.

This year Duty Lawyers assisted **27,894** clients at an average unit cost of **\$69.38** per client.

Our Client Satisfaction Survey results show that nearly one third of the Duty Lawyer clients surveyed waited less than one hour at the court before they were called before the Magistrate. About half had to wait between one and three hours and 15.9% had to wait over three hours. The majority of the clients (79.7%) thought that the Duty Lawyer explained their situation to the Magistrate well.

Drug Court

Our Drug Court Unit consists of two lawyers, a paralegal and an administrative assistant. The Unit provides intensive legal advice and representation and ongoing support to Drug Court participants.

This year our Drug Court Unit opened 163 files and provided 3,209 services in relation to those files. This illustrates the comprehensive nature of the assistance provided by the Unit. This year's Client Satisfactory Survey found that 84% of clients surveyed were satisfied with services provided by the Drug Court Unit.

As well as legal support, the Drug Court Unit assists the Drug Court by providing information sessions and by assisting with the setting up of individual treatment plans for participants, monitoring progress and in the setting of future goals for participants.

Case Study

A client was charged with social security fraud in the amount of approx. \$11,000. She didn't have a record but given the amount, she was definitely facing immediate imprisonment. There were huge mitigating circumstances - she came from a very oppressive family environment, was then in a relationship involving chronic domestic violence, resulting in her being hospitalised when pregnant. After she left the relationship she was continuously harassed despite having a Violence Restraining Order. She became extremely depressed, wasn't coping financially, had no support from family (they ostracized her when she fell pregnant to her partner as she wasn't married) and huge legal fees due to pending Family Court matters (also a single mother by this stage). Ultimately, she received the equivalent of a suspended sentence so she didn't go to jail. It was a very emotional appearance as her 9 year old daughter had written a letter to the Magistrate begging him not to send her mum to jail, and the client cried continuously throughout the appearance. It is interesting that she volunteered to take part in the restorative justice program, which no longer operates. Although Centrelink refused to take part she received huge support from the coordinators of the program. She also received support from a person from the Prison Fellowship, in terms of referrals to financial counsellors. The consequences of her receiving imprisonment were far-reaching in terms of her daughter not having anywhere suitable to go (foster care would have been the only option) and losing the first stable full-time job she had managed to gain.

Criminal matters

The representation of children on criminal matters requires specialised skills. In addition to legal representation, it also encompasses a detailed understanding of welfare, mental health and multi-cultural issues. Lawyers who act for children in the Criminal Justice System must also be skilled in addressing the particular and special needs of children as clients. Children were assisted with criminal matters by in-house lawyers and private practitioners. Most matters required representation at a superior court level before the President of the Children's Court. Many involved complex issues such as psychiatric defences, and gang-related activities.

A major highlight this year was the presentation of the 'Children's Lawyer of the Year for Western Australia Award' to our Youthlaw lawyer Fran Marsh. The award recognised the dedicated and outstanding service Fran has provided to children in her capacity as Duty Lawyer.

Child Welfare Issues

Separate representation is provided to children in both Family Court and Children's Court proceedings. The Family Court appoints a Child Representative when the parties raise serious issues that affect the welfare of a child. All Child Representatives are trained in child protection, child development and family dynamics and are appointed to promote the best interests of the child. They encourage parties to take part in alternative dispute resolution strategies including late intervention mediation when family law proceedings proceed to trial. The Child Representative attends the mediation to represent the child and promote an outcome in the child's best interest. At trial, the Child Representative appears as counsel on behalf of the child and ensures that all material relevant to the welfare of the child is placed before the court. In 2002/03, Legal Aid WA approved 229 grants of aid for Child Representatives in Family Court proceedings.

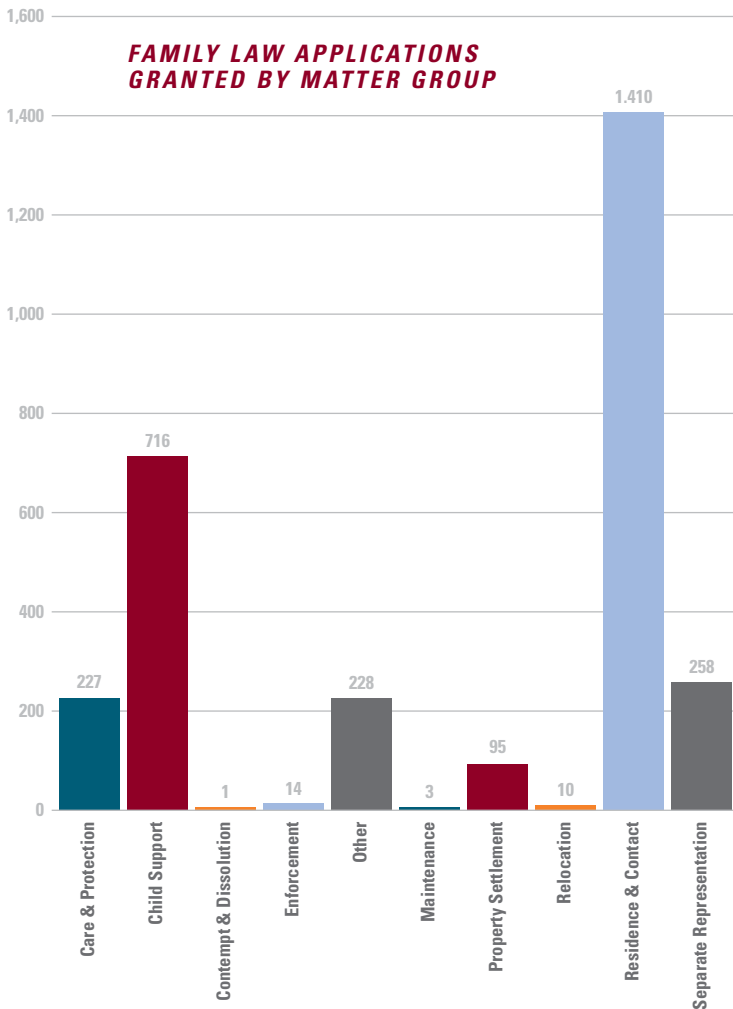
In the Children's Court the Child Representative acts on the instructions of the child. The child must be of an age to understand the concept of wardship and be competent to instruct their legal representative. The Child Representative attends all pre-hearing conferences to try and resolve the matter without a trial. At trial, the Child Representative appears for the child client and ensures that the child's instructions are made known to the court.



*Fran Marsh, Winner,
Children's Lawyer of the Year
Western Australia 2002*

Family Law Services

People affected by family law matters can access a range of Perth-based and regional services to resolve their legal problems through both litigation and non-litigation alternatives. Services include legal representation, the telephone Infoline, Legal Advice Bureau, Minor Assistance and publications. Specialist advice and assistance is also available for child support and domestic violence matters.



Casework

Family law legal aid applications make up 33% of all applications. These include requests for representation in matters involving child welfare, property and restraining orders. Consistent with an increased number of applications for family matters this year (6%), the number of grants of aid approved were up by 7%.

Some people are assisted by more than one section at Legal Aid WA. A recent case started with our family law section representing the mother in a residence dispute. The mother had a history of mental illness whilst the father suffered from a bipolar disorder. There were also issues of domestic violence. The matter was first adjourned for several months whilst the mother underwent treatment, counselling and parenting courses. The children were returned to her care. However, the Department of Community Development became involved when there were allegations of neglect so it became a Care and Protection matter. Legal Aid WA represented the mother in the Children's Court. Later, the Department withdrew their application. Finally, the parents had an Alternative Dispute Resolution conference where an agreement was made regarding residence and contact with the children.

Alternative Dispute Resolution (ADR)

If clients have an interest in the care and welfare of a child, have been married or lived in a defacto (including a lesbian or gay) relationship they can use our ADR family conferencing program to resolve disputes about contact, residence and care arrangements for children and property settlement. The program aims to identify suitable clients as early as possible and assist as many people as possible to achieve fair and durable agreements through a process other than litigation. This year conference numbers increased to 270 with an overall success (settlement) rate of 78%.

Goal Achievement – Customer Service

Development of strategies to ensure equity of access to services regardless of regional and time constraints

The introduction of Alternative Dispute Resolution Programs in the area of family law has provided many clients with an alternative cost effective avenue for resolving their disputes.

Civil Law Services

In December 2002 our ADR Program won the Group category of the Statewest Achievement Awards which recognise and reward "outstanding achievements of Western Australian public sector employees". This award acknowledged the work done in the development, implementation and promotion of the Family Law ADR program as a Legal Aid WA service.

In March 2003, we received additional Commonwealth funding to outreach the ADR Program in the Midwest/Gascoyne, Great Southern and Southwest regions in Western Australia. Considerable work has gone into the planning and preparation for the expansion of the program, including extensive consultation and specialised training for relevant stakeholders. The expansion of the program was commenced on 1 July 2003.

Key Strategy – Customer Service

Development of strategies to ensure equity of access to services regardless of regional and time constraints

Expansion of the ADR Program in the Midwest/Gascoyne, Great Southern and Southwest regions in Western Australia in 2003/04.

People affected by civil law matters can access a range of Perth-based and regional advice and self-help services, ranging from Legal Advice Bureau and Minor Assistance service through to publications and our Infoline.

Grants of legal aid for representation in civil law matters are extremely limited. Our in-house lawyers provide some representation on criminal injuries compensation claims. State grants of legal aid are usually confined to 'disbursement only' grants for medical reports on personal injury or criminal injury compensation claims. Commonwealth grants of legal aid are largely for veteran's affairs matters, with representation provided for a small number of immigration appeals. We also provide representation pursuant to contracts with the Department of Immigration and Multicultural Affairs.

The increasing concern about our ability to resource civil law matters resulted in our Development Services Section conducting a State-wide audit of available free, low cost or pro bono services across Western Australia. The audit identified perceived needs, available services and gaps. A series of recommendations were reviewed and adopted by Legal Aid WA. They will now be used as the basis for developing responses to meet civil law demand as opportunities arise.

Immigration Advice and Application Assistance Scheme

This year we successfully tendered to the Department of Immigration and Multicultural and Indigenous Affairs to provide migration legal advice and application assistance to clients. As part of this program, talks have been given to various community groups about a variety of migration law issues. Workers from women's refuges have been particularly interested in presentations covering the domestic violence provisions in the Migration Act. Clients in Australia on spousal visas who are enduring domestic violence fear they must remain in the relationship or their partner will ensure they are returned to their country of origin, perhaps without their children. These provisions enable survivors of domestic violence to apply for permanent residence in their own right. Feedback from these presentations has been very positive. After attending these talks, refuge workers have assisted their clients to obtain legal advice through Legal Aid WA to make an application for permanent residence and for assistance in family law matters.

Regional Services

We provide legal services to regional, remote and rural areas of Western Australia through our State-wide Infoline, through minor assistance and legal advice services provided from our head office and through our seven regional offices located in Bunbury, Kalgoorlie, South Hedland, Broome, Midland, Fremantle and Christmas and Cocos Islands.

This year we have:

- introduced video-conferencing for rural, regional and remote clients;
- expanded services to the Mandurah region;
- expanded outreach services in Atwell and Coolbellup;
- expanded family law services in the Midland and Fremantle regions;
- expanded services to the Central Wheatbelt;
- expanded services in the Goldfields region to include the Leonora and Laverton Courts;
- expanded services in the Albany region particularly in the area of family law;
- expanded Community Legal Education programs on Christmas Island;
- developed a legal education package for senior grade primary and high school students in the Goldfields; and
- developed domestic violence seminars targeting disadvantaged indigenous women in the Pilbara.

Challenges Faced

One of our ongoing challenges is to continue to meet the increasing demand for services in regional areas. Geographical remoteness, clients with first languages other than English, clients with other special needs, a lack of local legal services, and conflicts of interest are examples of the types of issues we face when providing services to rural, regional and remote communities. Improved technology is helping us to overcome some of these hurdles, for example this year we introduced video conferencing to assist geographically isolated clients. We also provide services by telephone, email, mail and facsimile to make sure people receive assistance as quickly as possible.

Goal Achievement – Communications

Implementing strategies that ensure open and clear communication about our services with our customers and the community

Our Perth office continues to expand its telephone, fax, email and postal services for those clients in regional areas unable to be assisted through local offices. Clients can make an appointment with the Perth office to discuss their legal issue through the range of communication services available.

A reduction in the number of private lawyers available to do legal aid work, mainly in the area of family law, and particularly in the Great Southern region, also created some difficulties for our clients this year. This has been partially addressed by the appointment of an additional family lawyer to our Bunbury office who, along with other staff, conducts a fortnightly legal advice and minor assistance outreach service in Albany with an emphasis on family law.

Meeting the wide and varied demands of practice in a regional office can be demanding and exhilarating. The following article covers one day's activities of Restricted Practitioner, Brianna Lonnie, in our Bunbury office:



Over the past 5 months, I've learnt that the exposure to different areas of law in a regional office is quite incredible. I had a day recently that really confirmed for me the huge benefit to junior practitioners in spending time in a regional office. I realised afterwards that in one day I had effectively dealt with a variety of matters from the equivalent of seven sections in the Perth office - YouthLaw, Duty Lawyer, Criminal Law, Family Law, Domestic Violence, Civil Law and Client Services.

My day started with the 40 min drive to Collie where I was rostered as the circuit Duty Lawyer. The Aboriginal Legal Service solicitor was not able to attend Collie on this day, so I was also dealing with all the Aboriginal clients appearing on that day. I think I got the new record for the most clients appearing on a Collie circuit (and a new personal record!! - 19) and the clients for the day consisted of juveniles, Aboriginal and non-Aboriginal clients. I also presented a plea on the outstanding charges for a client who had a grant of aid for and for whom I had done my first District Court Plea the week earlier. While at the courthouse, I also provided advice to a woman who was representing herself that afternoon at a hearing.

When I returned to Bunbury at about 2pm, I returned a call to the owner of a car hire company who I had been negotiating with earlier in the week for a Minor Assistance Program client, regarding a car accident. By the end of the phone call, the owner had moved from claiming that our client was 100% at fault, to perhaps only 30% at fault, and then eventually agreeing to withdraw the proceedings they had commenced in the Local Court, accepting our client was not at fault.



Brianna Lonnie,
Restricted Practitioner,
Bunbury

Specialist Legal Units

Domestic Violence Legal Unit

The prevalence of domestic violence in many Western Australian families is a major concern for Legal Aid WA and matters involving domestic violence receive a high priority.

Our Domestic Violence Legal Unit was established in 1994 to create a holistic approach to domestic violence. The Unit empowers women in situations of domestic violence and provides access to legal advice and helps them make decisions concerning their own lives and safety. The Unit also provides legal representation, initial counselling, referrals and support to women and their families as well as taking an active role in law reform and training issues.

Training workers from agencies who deal with clients in situations of domestic violence is an integral part of the Unit's services. We have trained settlement workers at DIMIA, women's refuge workers and Police officers, as well as our own staff at Legal Aid, including all Articled Clerks, Alternative Dispute Resolution Coordinators and Infoline workers.

Creating valuable partnerships with other service providers is an important part of creating a holistic approach to domestic violence. This year the Unit re-introduced liaison meetings between Police Domestic Violence Liaison Workers, Community Legal Centre lawyers and the Domestic Violence Legal Unit to discuss issues relevant to their working partnerships. Guest speakers from government and non-government organisations are often invited to participate.

'On behalf of the Women's Refuge Group of WA Inc I would like to congratulate the Domestic Violence Legal Unit on their valuable contribution for women and children who have experienced family and domestic violence'...I look forward to the continuing partnership between the DVLU and the WRG as we work towards the safety and protection of women and children'

*Angela Hartwig - Executive Officer -
Women's Refuge Group of WA*

A client then arrived who had just been served with Family Court papers and the hearing was in 2 days time. She had presented for the first time the previous week with bruises and cuts all over, distressed that her husband had taken their 13 month old child and she didn't know where he was. To make matters worse her English was poor, and she had no understanding of who could help or how our legal system worked. I attended the Bunbury courthouse with her and assisted her to obtain an interim Violence Restraining Order. We then returned to the office and began preparing the response documents for the Family Court hearing on Friday.

So, it was a major day, and it really made me appreciate how incredible this opportunity has been for me. Having the flexibility to do what you can for a client, and working in the environment that we have here makes the work we do so much more enjoyable and satisfying. The way everyone works together within this office is fantastic, and I love being a part of this team!

*Brianna Lonnie, Legal Aid WA
Restricted Practitioner, Bunbury*

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Profile: Nawdy Roussety - Co-ordinator Domestic Violence Legal Unit

Nawdy Roussety has co-ordinated our Domestic Violence Legal Unit since its inception in 1994. It is the only specialised legal unit providing domestic violence services in the State. The Unit was established to create a holistic approach to domestic violence and provides legal advice, representation, initial counselling, and support to women and their families in situations of domestic violence.

“My aim is to maintain a holistic approach to domestic violence... to pass on my convictions on the rights of individuals to be respected and safe in their relationships..... and to empower people in their decisions”.

*Nawdy Roussety B.A., Ps Dip. Wel. Stu -
Coordinator DVLU*

Nawdy has extensive experience in community service, with a background in psychology and welfare. In addition to co-ordinating the Unit, Nawdy also provides paralegal assistance, a counselling service and training for our staff and others who work in the area of domestic violence including police, Magistrates, doctors and nurses.

As community awareness is vital in creating a holistic approach to domestic violence, the Unit focuses strongly on Community Legal Education. Nawdy also participates in many consultative committees, advocating strongly for the introduction of the restraining order legislation in 1997 and participating in the development of the Best Practice Guide for the Domestic Violence Prevention Unit, the government organisation responsible for a co-ordinated response to domestic violence.

Nawdy also established a Domestic Violence Police Liaison Committee that meets monthly and through the Domestic Violence Unit, has supported the Armadale Domestic Violence Intervention Pilot Project by providing a Duty Lawyer for 12 months.



Child Support Legal Unit

Child support (maintenance) is an issue of great importance to many families. Many people find that dealing with child support can be confusing and overwhelming. Often there are things people can do to make sure the child support system works more fairly for them, but they are unaware of what to do, or need help to do it.

We have a specialist Child Support Legal Unit to help people with problems with child support. The Unit helps both those seeking child support and those who are responsible for paying it. We assist clients from all over the State, from Esperance to Oombulgarri.

The Unit takes an interagency approach to child support, working closely with other agencies to raise awareness of child support issues, support other services and foster effective interagency referrals. We have a very active outreach and training program. This year we conducted outreach programs in conjunction with the Child Support Agency and Community Legal Centres in the Pilbara, Kimberley, Midwest and Southwest of the State. This has linked the Unit with Community Legal Centres, women's refuges, the Aboriginal Legal Service, electoral officers, Centrelink staff, rural counsellors and other workers and agencies.

During the past 12 months we have also provided training for staff from Centrelink, women's refuges, Community Legal Centres, tertiary students and other non-government agencies. The Unit also has organised links from the Child Support Agency web site to the Legal Aid WA Child Support Units in each state, in order to raise awareness of Legal Aid WA services and facilitate referral from the Agency.

Over the next 12 months the Unit will, in partnership with Community Legal Centres, the Aboriginal Legal Service, Centrelink and the Child Support Agency, address issues of concern for people in regional and remote areas.

‘I would like to extend my sincere appreciation to you for your ongoing commitment to the Child Support Scheme Legal Services Program. ...You have proved yourselves very capable in this specialised field and have admirably earned your reputations as dedicated solicitors and child support workers among your peers.... I have been informed that my department has the highest regard for the work of the unit and has often benefited from your input in relation to the development of Commonwealth policies and procedures relating to the Child Support Scheme Legal Services Program’.

Daryl Williams, Commonwealth Attorney General

Nawdy Roussety

Goal Achievement – Communications

Implementing strategies that ensure open and clear communication about our services with our customers and the community

We continue to provide advice and training for Community Legal Centres, our regional offices, government agencies, and other relevant service providers to increase the awareness about the services available through Legal Aid WA, including specialist assistance available through the Domestic Violence Legal Unit and the Child Support Legal Unit.

Royal Commissions

Police Royal Commission

The Royal Commission into Police Corruption, headed by the Hon. Geoffrey Kennedy QC, began in Western Australia on 1 July 2002.

Legal Aid WA administers a fund established by the State Government to provide legal assistance for serving and former police officers and public servants employed by the Police Service called as witnesses or served with notices or summonses by the Royal Commission. This fund does not form part of the "Fund" referred to in the *Legal Aid Commission Act 1976* and is not administered in accordance with its provisions.

This year nearly 200 eligible officers have applied for legal representation/advice and been assisted under the fund with the total amount of funds granted being \$646,293.73.

At the request of Counsel assisting the Commission, we initially maintained a watching brief at each day of proceedings. One of our lawyers was available to provide advice to witnesses appearing before the Commission. We ceased attending the hearings in mid December, however, maintained close contact with the Counsel assisting the Commission and remain available if required.

Finance Brokers

In July 2001 we commenced administering a fund provided by the State Government for investors to start legal actions to recover losses from defaulting finance brokers and borrowers, and those who provided professional services to them. A total of 707 investors applied for aid either as individuals, or as members of syndicates with syndicate sizes ranging from 4 to 63 members. Their total estimated loss was approximately \$34 million.

To date a total of 36 grants of aid have been made. We have committed \$395,877 to fund litigation by investors, with \$330,121 of that amount already paid to lawyers for the litigants. Two actions in the Federal Court for a Mortgage Syndicate (of 62 members) seeking damages of \$2.8 million in total are proceeding to a hearing, possibly at the end of the year.

A Supreme Court action for a Mortgage Syndicate against a mortgage broker and a solicitor has just been successfully settled, with the amount paid out by Legal Aid WA having been totally refunded. Another action in the Supreme Court has resulted in judgment for the investors, with the amount granted in costs by Legal Aid WA likely to be refunded shortly.

This year we extended the Finance Brokers fund to assist investors who sustained losses in relation to finance broking matters centred in Geraldton. To date, 12 applications for aid have been received. A grant of aid of \$12,000 has been made to allow for the appointment of a provisional liquidator to a company that borrowed funds from investors.

Client Services

Our Client Services section is the main entry point for people seeking assistance from Legal Aid WA. Clients can access legal information, advice, assistance with document drafting and court preparation, and referrals to other agencies in the event that Legal Aid WA cannot assist.

Goal Achievement – Customer Service

Development of strategies to ensure equity of access to services regardless of regional and time constraints

We continue to update and expand our self help resources both in electronic and print form.

Key Strategy – Customer Service

Development of strategies to ensure equity of access to services regardless of regional and time constraints

Next year we plan to provide assistance to people appearing before the Social Security Appeals Tribunal and the Administrative Appeals Tribunal.



Legal Advice Bureau

Clients can make appointments for legal advice in a range of family, criminal and civil law matters. These appointments may be conducted in person, at various places around the State, or they can be via telephone or video conference.

Since the introduction of Legal Aid WA's Alternative Dispute Resolution Unit taking on more family law matters, Client Services has been exploring the possibility of increasing its capacity to offer a wider range of civil law advice. It's expected that this increase in capacity will become apparent over the next twelve months.

This year, Legal Aid provided 21,892 advice appointments, a 4.8% increase from last year.

Minor Assistance Program

"Minor Assistance" at Legal Aid WA is a service aimed at helping clients to deal with and progress their own legal matters across a range of family and civil law areas. Assistance is provided by solicitors and paralegal advisers, who may draft letters and documents, help a client prepare to represent themselves in court and negotiate their way to settling a legal dispute.

This year minor assistance appointments were mainly conducted in person at various locations around the State. However, as we aim to be able to offer minor assistance wherever a client might be, we also used telephone, email, mail, fax and video conference facilities to provide services to clients who were unable to attend appointments in person.

Over the past year, Legal Aid WA provided 4874 minor assistance appointments across the State representing a 17% increase in service delivery over the past 12 months.

Frontline Services

Frontline Services incorporates the Infoline and the Front Counter of Client Services.

Infoline

Our Infoline received 75,658 calls this year, an increase of 12% from 2001/02. 60% of all calls were answered immediately and the average wait in the queue was just 75 seconds. The average call length last year was 6.50 minutes but this has increased to 7.20 minutes. There are many factors that have contributed to this over the year. The two main areas are changes in family law legislation that require a greater amount of explanation to callers and clients receiving extensive telephone legal advice so they can then be referred to Legal Aid WA's ADR Unit.

In May 2003 a new telephone system was installed in the Perth office allowing the integration of the Infoline into our main telephone structure. In the month (June 2003) that this has been available, 1,150 calls have been transferred to Infoline from internal areas saving our clients the inconvenience of making another phone call. The number of lines into the Infoline has also increased, giving us greater capacity to service callers as well as an increased capacity to monitor demand.

Infoline continues to book Legal Advice Bureau and Minor Assistance Program appointments for Perth and Regionals and now offers video conferencing to clients in a limited number of regional areas.

Front Counter

Our front counter is staffed by paralegals so that clients who attend in person can receive the same legal advice and information they would receive from the Infoline. The staff book and check in clients attending Client Services for appointments and book and maintain our register of private practitioners who volunteer their time to offer legal advice appointments. Legal Aid WA Application Forms are checked and collected by front counter staff and clients are referred to non-legal services as required.

Goal Achievement – Service Improvement

Extending access to services through appropriate use of technology, and developing management information systems to promote continuous improvement in the services delivered

Our front line services and the quality of legal information available to the public continued to be enhanced through our Legal Resource Database, which summarises legal, procedural and case law issues across criminal law, civil law and family law matter types.

Continuation of the new content management system for reviewing and updating of web pages. Simultaneous updating of other printed publications and publications available on our intranet facility.

Development Services

Publications and Information services

Our publications and information services play an important role in the self help services available to clients with legal problems. They range from simple information pamphlets through to complex self-help kits and manuals, web pages, and comprehensive legal and referral databases. In 2002/03, 22 brochures and 53 information sheets were updated and/or created. All brochures and kits can be ordered through our web site. Information sheets for staff and service partner use are available through a secure access section of the web site and on Legal Aid WA's intranet, "Circuit". Many organisations order their printed publications through the web site.

Knowledge Systems

The Legal Resource Database

An intranet system developed for solicitors and paralegal officers is available across the State and through extranet services to identified service partners and courts. The database covers 122 areas of law divided into civil, family and criminal. Any anticipated or actual legislative amendments, procedural changes or court decisions likely to impact on existing materials are routinely monitored and service alerts provided to staff and service partners with access to this database. The system serviced in excess of 500 queries from Community Legal Centres this financial year.

Goal Achievement – Service Improvement

Extending access to services through appropriate use of technology

A new digital phone system that ties the Infoline in with our Perth office system enabling the transfer of calls between the two systems, and call conferencing to resolve issues. The system increases line availability, reduces the number of lost calls and provides more accurate statistics for the Infoline service.



The Legal Aid WA web site:

Our web site has grown to more than 180 pages of legal information, assistance and referrals, and has recorded over 99,000 visits in the year. We have developed an 'Our Partners' section for our service partners to access information on Grants of Aid, the new Grants Online facility and dedicated legal resources. This includes access to the Legal Resource Database. The web site received a 90% rate of satisfaction in terms of its usefulness and appearance. Service partners using the web site have indicated that it is accessible and simple to navigate. They confirm that information provided is comprehensive and easy for clients to understand.

Goal Achievement – Communications.

Implementing strategies that ensure open and clear communication about our services with our customers and the community

Our web site continues to provide ready access to selected Legal Aid applications (eg internet site, electronic appointment system, Legal Resource Database) for the community and service partners.

Family Law Precedents

This system underpins advice and minor assistance services and is being adopted by the In-house Practice. It contains not only all standard templates and precedent materials, but provides a reference framework to court reports, CCH references and other practical supports for most family law negotiations and court applications. Work has commenced in developing common civil law templates and precedents and will continue in the next financial year.

All materials developed are available to our "not-for-profit" service partners. Almost all Community Legal Centres access the Legal Resource Database, and a number are presently upgrading their IT systems and accessing the Family Law Precedent systems. Information Sheets designed to support legal advice services are also now available to service partners through the "Our Partners" button on the Legal Aid WA web site.

Community Legal Development is a primary function. As always our Development Services Section has an internal and external focus.

Externally, agencies are supported and resourced with information, resources, training and other strategies so they, in turn, can better service their local communities. Internally, materials, advice about technique and presentation skills and strategies are made available to lawyers and others undertaking community legal education or other public awareness strategies.

Referrals

Our electronic referral database has continued to be updated and refined over the past 12 months. Legal Aid WA staff can now easily and appropriately refer clients to over 400 services, agencies and departments by searching the referral database for assistance in:

- complaint handling;
- counselling;
- courts and tribunals;
- Duty Lawyer services;
- emergency accommodation and relief;
- financial counselling;
- government departments;
- legal advice;
- mediation;
- minor assistance;
- legal representation;
- specialised services; and
- supervised contact and handover.

We are developing standard procedures to screen agencies prior to their inclusion on the database, and to continually verify and update the information contained in the database.

Library and Information Services

The Library and Information Service provides legal materials, information and reference services to all Legal Aid WA staff. The major focus this year has been to increase access to legal resources on the internet and to train all staff to use these resources effectively. Regular bulletins advising staff of new developments in the law and of recent important cases are disseminated electronically and where appropriate links to materials on external web sites are included.

Goal Achievement – Service Improvement

Extending access to services through appropriate use of technology, and developing management information systems to promote continuous improvement in the services delivered

The library continues to promote the use of electronic resources by providing hypertext links from the Library databases and electronic judgment bulletins to the full-text of Supreme Court Judgments on external web sites. The library also offers customised training to meet specific subject needs, in the use of electronic resources.

Section 4 Our Employees



EMPLOYEE PROFILE 2002/03

Level	Lawyers			Paralegal			Administration			Articled Clerks			Total 2001/02	Total 2002/03	% 2001/02	% 2002/03
	P	O	C	P	O	C	P	O	C	P	O	C				
1							21	4	1				21	26	10.0%	11.7%
2				4	1		31	1			6		43	43	20.6%	19.3%
3		9		24	3		10			1			43	47	20.6%	21.1%
4	9	1		8			2						17	20	8.1%	9.0%
5	15			4			6	1					24	26	11.5%	11.7%
6	8	1					2	1					16	12	7.7%	5.4%
7	17						1						16	18	7.7%	8.1%
8	7						2						7	9	3.3%	4.0%
9	15												15.4	15	7.4%	6.7%
Class 1							1						1	1	0.5%	0.4%
Class 2	3												3.2	3	1.5%	1.3%
Class 3													0	0	0.0%	0.0%
Class 4	2												1.4	2	0.7%	0.9%
Special Division		1											1	1	0.5%	0.4%
Total	88			44			84			7			209	223		

P - Permanent Employee O - Contract Employee C - Casual Employee

FTEs PER CATEGORY OF EMPLOYEE 2002/03

Category	No of FTE's	Perth Office (FTE's)	Regional Office (FTE's)
Lawyers	80.60	61.46	19.14
Paralegals	42.59	38.59	4.00
Articled Clerks	6.60	6.60	0.00
Administration	72.31	57.53	14.78
Total	202.10	164.18	37.92

YEARS OF SERVICE BY TOTAL NUMBER OF EMPLOYEES 2002/03

Years of Service	No of Employees	Lawyers	Paralegals	Admin	Articled Clerks	%
0 - 5	144	58	24	56	6	62%
6 - 10	33	12	9	12	0	14%
11 - 15	30	13	5	11	1	12%
16 - 20	13	6	2	5	0	5%
21 - 25+	11	2	3	6	0	4%
Total	231	91	43	90	7	100%

Employee Relations

Increased job security for Legal Aid WA staff

This year, in keeping with the Government policy, criteria were developed to address the use of fixed term contracts in the public sector and increase the incidence of permanent employment. The criteria provided that permanent employment would be offered to staff who were on fixed term contracts and who:

- had been continuously employed on rolling contracts at the same level performing substantially the same duties for 12 months or more;
- during this period continuously occupied a position that was filled through open competition; and
- were not currently involved in documented action relating to sub standard performance or disciplinary matters.

Permanency was granted to 70 staff members with effect from 13 December 2002. Another seven staff members who did not meet the criteria requiring continuous service were granted permanency once the 12 month qualifying period had been satisfied. A further seven staff members were employed on fixed term contracts that were not of an ongoing nature and were not eligible for permanency.

Agency Specific Agreement

Earlier this year, an agency specific agreement was negotiated with the Civil Service Association and registered with the Industrial Relations Commission. The agreement covered a range of working conditions including contracts of service for Articled Clerks and Restricted Practitioners, requirements of a performance appraisal system and hours of work. The agency specific agreement together with the governing award and a general agreement that applies to many agencies in the public sector provides staff members at Legal Aid WA with a comprehensive coverage of their conditions of employment.

Worker's Compensation

Claims for worker's compensation remain low with no new claims being lodged this year. There are 5 ongoing claims from previous years. One claim from last year proceeded to a hearing before the case review officer in the Conciliation and Review Directorate of Western Australia. The following four factors are indicators of worker's compensation at Legal Aid WA:

• Premium/ Contribution Rate	0.62
• Cost of claims incurred per \$100 wage bill	0.00
• Frequency Rate/Lost Time	1
• Rehabilitation Success Rate	n/a

Occupational Health and Safety

During the year, we continued to develop our Occupational Health and Safety strategic framework. This complements the fully trained Safety Representative. An additional two Safety Representatives are to be trained during 2003 and a Safety Committee formalised.

Security

In response to recent world events, frontline security was examined. A number of security issues were identified, and long-term solutions are currently being considered. Some positive changes have already been implemented which enhance frontline security. These include:

- secure access to all floors in our main offices;
- an increased staff awareness of safety issues, including regular attendance at drills and improved induction training for all new staff;
- training for frontline staff in dealing with threatening or difficult behaviours, with the emphasis on personal safety;
- training for staff in recognising, handling and dealing with suspicious articles; and
- increased training and awareness for staff in the use of the duress alarm system.

First Aid

We provided funding in 2002 for 8 staff members to complete their St. John's Ambulance Senior First Aid Certificate.

Employee Assistance Program (EAP)

Legal Aid WA continues to offer all staff and their immediate family members access to a professional and confidential counselling service through the OSA Group. In addition to providing details of these services through induction to new staff, a range of posters and leaflets were posted to all notice boards advertising the services available to staff through OSA. A reported increase in the use of OSA's services followed. Increased use by immediate family of staff was of particular note and likely attributable to the increased awareness of the services offered.

Establishment of Focus Group

The establishment of a joint consultative focus group reinforced our commitment to a safe and healthy working environment for all staff. The group's work includes identifying and implementing positive ways of continually improving the quality of working life for staff.

Identified outcomes for the group include:

- reviewing existing and/or establishing new policies and guidelines for dealing with workplace bullying, harassment and other inappropriate behaviours;
- identifying and training a number of Contact Officers to complement the trained Grievance Officers already in place within Human Resources; and
- training for managers and staff in effectively managing conflict situations in the workplace, including the application of existing and new policies and procedures.

This is just a note to say a sincere thank-you for the help and support you gave to our son Tim in Court and before and after he appealed last Monday. As it was his and our first experience in any legal matters, we were very nervous and unsure of the procedures. The lady who saw us as we waited for Legal Aid was very helpful and reassuring and we really appreciated her support.

Again our sincere thanks to you for your care and time.

For a number of years both my husband and myself have attended the Family Law Court with regards to our two grandchildren Tim and Mary. The case is now finished so we feel in a position to able to write to the court.

Firstly we wish to thank all the Magistrates involved for their time, effort and certainly patience in an effort to do their best for our two grandchildren. Also for the appointment of Mr Lee Mather from the Legal Aid Department as a child representative for Tim and Mary.

We feel Mr Mather's attendance cannot do without mention. During the three years Mr Mather represented our grandchildren he always had their best interest at heart. Since there was three parties involved it was not always an easy task to see which way to go, as there were different statements and points of view. But Mr Mather always acted very professionally always letting each party know what was happening and he left no stone unturned in his efforts to find the right solution for Tim and Mary.

He always came to the court prepared with the correct paperwork (which we observed from our time in court not every lawyer did) he was always at the court of time, and knew what he was doing.

My husband and I appreciate the work and effort Mr Mather put into this case. We believe the court listened to his recommendations and found in favour of them thus acting in Tim and Mary's very best interests at this time.

The Family Court is a very sad place to find oneself and we feel for the many children that are the subject of a case there. Please rest assured the decision made in the courts regarding Tim and Mary was the best that could have been made for them. They are well cared for happy and really well loved by us and all of their extended family.

Section 5 Corporate Governance



Corporate Governance

History of Legal Aid in Western Australia

In the 1960's and 1970's the Law Society of Western Australia began to establish an organised legal aid scheme. Before this, the only subsidised legal help available was the voluntary work undertaken by the private legal profession. In 1974 the Federal Government set up the first Australian Legal Aid office in Fremantle but that office was limited to dealing with Commonwealth law issues or assisting people for whom the Commonwealth had a special responsibility, such as war veterans. From 1974 there were two schemes operating side by side but this was not very efficient. In 1978, through a joint initiative of the State and Federal Governments, an amalgamation took place resulting in the establishment of the Legal Aid Commission of Western Australia. This was the first Commission of its kind in Australia with a head office in Perth and metropolitan regional offices at Fremantle and Midland. Regional offices were also established, firstly in Broome and Bunbury and later in South Hedland, Kalgoorlie and Christmas/Cocos Islands.

About Legal Aid Western Australia

Legal Aid WA provides information and resources to assist the community with their legal concerns and offers a range of services aimed at target groups or individuals with particular legal problems. Assistance is designed to help people resolve their problems at the earliest opportunity, to improve their access to the law, to avoid unnecessary litigation, and to ensure that legal representation is in keeping with community expectations for fairness.

Legal Aid WA is committed to providing equitable access to services, regardless of regional and time constraints. Through its network of seven regional offices and the main office in Perth, and working in partnership with private practitioners and other service providers, Legal Aid ensures that more than 40 regional centres across the State, including the Christmas and Cocos Islands, are visited regularly by trained staff.

Our Mission is to provide quality legal services to those in need and to assist the community to access justice.

Our Vision is to be recognised as a leader in the coordination and delivery of legal assistance services that reflect community expectations and are responsive to need.

Legal Aid Commission

The Legal Aid Commission is the governing body of Legal Aid WA. The Commission is an independent statutory authority that operates under the *Legal Aid Commission Act 1976*. The Commission meets monthly and as required and consists of:

- A Chairman, who must be a lawyer with at least 7 years experience, appointed on the nomination of the State Attorney General;
- Four members, nominated by the State Attorney General, two of whom are lawyers nominated by the Law Society and one (not being a lawyer) who has administrative experience at senior level;
- One member, a non-lawyer, nominated by the Minister of Fair Trading; and
- Two members appointed by the Commonwealth Attorney General (although since April 2000 the Commonwealth Attorney General has declined to replace members whose terms have expired and the Commission has operated without Commonwealth representatives).

Frequency Of Meetings

The Commission meets monthly and as required. Ten meetings were held in 2002/03.

Disclosure

The *Legal Aid Commission Act 1976* requires members to disclose their pecuniary interests in matters being considered and about to be considered, and to have such disclosure recorded in the minutes of that meeting.

In terms of financial interests, Rick Cullen is a partner of Dwyer Durack and Richard Bayly is a partner of Bayly & O'Brien. These firms received professional fees from Legal Aid WA during the year for representation of legally aided clients on assigned matters.

Remuneration

Remuneration is fixed by the Governor on advice from the Salaries and Allowances Tribunal. Rates were last varied on 16 November 1999. Fees are not payable to members who are employed elsewhere in the public sector. The Chairman receives \$17,100 per annum and ordinary members \$6,800 per annum.

Director

The Director, who is the Chief Executive Officer, manages Legal Aid WA and is responsible for:

- Long term strategic direction and operational management;
- Administering the scheme of legal assistance established by the Act; and
- Providing legal services to assisted persons and arranging and supervising the provision of such services by practitioners who are members of staff.

The Director is also an ex-officio member of the Commission.

The Executive

The Director is supported in his role by the General Managers of the Legal Practice, Program Co-ordination and Corporate Services Divisions. Together the Director and these General Managers form the Executive. The Executive ensures the effective management of Legal Aid WA in a manner consistent with the values of each Division. The Executive is responsible for overseeing:

- Policy making and developing organisational strategies;
- Planning and budgeting;
- Monitoring and evaluating organisational performance;
- Ensuring compliance with Government Reporting and accountability requirements; and
- Staff morale and development - achieving a workplace culture that encourages enterprise and values the contribution of staff.

The Executive meets weekly and as required. Other divisional representatives attend Executive meetings as required.

Board Members

Audit Committee

Our Board of Commissioners also operates an Audit Committee with responsibility for assessing and reporting on:

- the effectiveness of systems and standards of internal control;
- the management of business risk;
- compliance with legislation, standards, policies and procedures; and
- the quality and reliability of management reporting.

The Audit Committee has unhindered access to management and can avail itself of *independent professional advice* any time. The Audit Committee has developed a three-year strategic audit plan and monitors progress of the annual audit program, including management follow-up of audit findings. The Audit Committee is assisted by Internal Auditors and a representative of the Auditor General at its meetings. The Committee met four times during the year.



Malcolm McCusker was appointed as Chairman of the Commission in December 1982 and is the Western Australian Attorney General's nominee. After graduating from the University of Western Australia, he returned as a part-time lecturer and helped to devise the content of the final LLB year. Since his admission to practice in 1961, he has appeared as counsel in a wide range of commercial and criminal cases before the District and Supreme Courts, Federal Court, High Court and Privy Council. He was appointed Queen's Counsel in January 1982. In 1989, as special inspector, he conducted an investigation into the collapse of the Rothwells Merchant Bank. In 1992-93 he was Chairman of the Western Australian Constitutional Committee and is currently Chairman of the Advisory Board to the Western Australian Constitutional Centre. Mr McCusker attended 10 of the 10 Committee Meetings held in 2002/03.



George Turnbull was appointed Legal Aid WA Director in June 1999. He was first admitted to practice as a barrister and solicitor of the Supreme Court of Victoria in 1973. Mr Turnbull was until June 1998 the Director of the Victorian Office of the Australian Government Solicitor, and was previously Director of the New South Wales and South Australian Offices. During the 1980s, he was Deputy Crown Solicitor and Director for Western Australia. Mr Turnbull attended 10 of the 10 Committee Meetings held in 2002/03.



Richard Bayly was appointed a Commissioner in July 1997 as a nominee of the Law Society of Western Australia. He graduated from the University of Western Australia with a law degree in 1973 and was admitted into practice in 1976. Mr Bayly was employed by Wesfarmers, London in 1977 and then acted as a solicitor with the Aboriginal Legal Service from 1979 until 1981. He has practised as a partner of Bayly & O'Brien since 1981, specialising in criminal law. Mr Bayly is the immediate past president of the Criminal Lawyers Association, and is on the Law Society Council. Mr Bayly attended 9 of the 10 Committee Meetings held in 2002/03.



Patrick Walker was appointed a Legal Aid Commissioner on 14 December 1999 as a nominee of the Minister for Fair Trading. He was appointed Chief Executive Officer and Commissioner for Fair Trading in June 1998. Prior to this, he had extensive management experience in local government with his most recent positions including Chief Executive Officer at the City of Subiaco (1993 to 1998) and Chief Executive Officer at the Town of Narrogin (1986 to 1993). He is a former Western Australian President and National Director of the Institute of Municipal Management (IMM). He is currently a member of the Medical Board of Western Australia. Mr Walker attended 6 of the 10 Committee Meetings held in 2002/03.



Patricia Blake is the Community Legal Centre (CLC) nominee to the Board of Commissioners. Ms Blake obtained a Bachelor of Social Work (Hons) from Curtin University in 1991 and Post-Graduate Degree in Public Policy from Murdoch University in 1998. She was employed at Community Legal and Advocacy Centre for five years as a Welfare Rights Advocate, and in 1995 was seconded to the position of Resource and Policy Officer for the Federation of CLCs' Secretariat. Ms Blake is currently employed as Manager of the Gosnells Community Legal Centre (also a CLC). Throughout her employment in CLCs, Ms Blake has been an active member of the Federation of CLCs, having held the position of State Representative for three years and then the position of National Funding Representative for a further three years. Ms Blake attended 6 of the 10 Committee Meetings held in 2002/03.

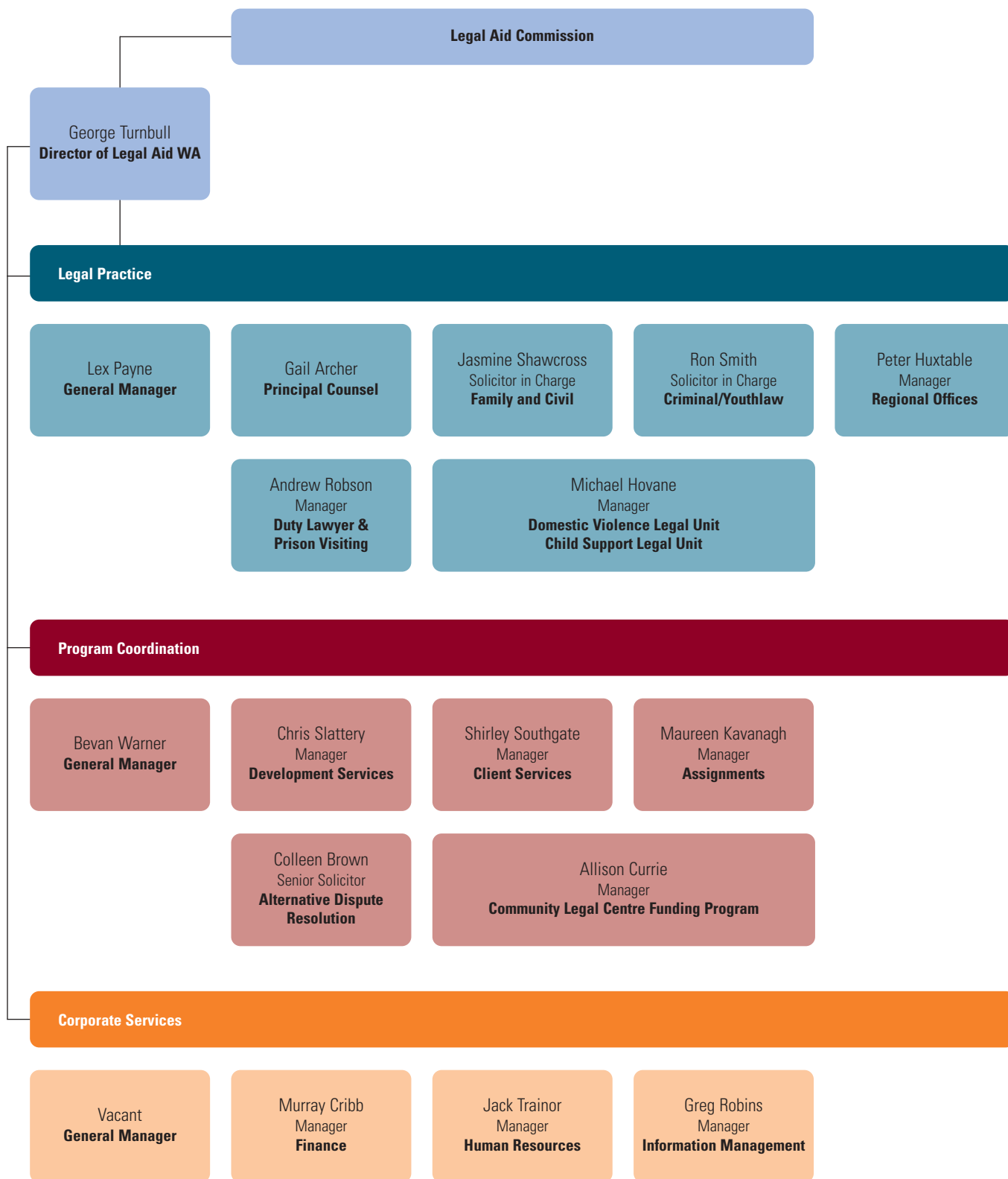


Rick Cullen was appointed a Commissioner in January 1995 as a nominee of the Law Society of Western Australia. He is a graduate of the University of Western Australia in Science (1969) and Law (1975) and since his admission as a lawyer in 1977 has practised in a variety of law areas, concentrating on commercial litigation areas over the last 10 years. He has been a partner of Dwyer Durack since 1989. He was a Councillor of the Law Society of Western Australia for 13 years and was President of the Society in 1992. He has been a member of the Law Council of Australia's Access to Justice Committee since 1987. Mr Cullen attended 8 of the 10 Committee Meetings held in 2002/03.



Raymond Hughes was appointed in January 1999 and is the current nominee of the Western Australian Attorney General as a person with 'administrative experience at a senior level'. He has been a Chairman and a Director on several statutory corporations. Mr Hughes is currently the Chief Executive Officer and a Director of the Western Australian Treasury Corporation. He is a member of the Australian Society Certified Practising Accountants and is a member of the Audit Committee. Mr Hughes attended 9 of the 10 Committee Meetings held in 2002/03.

Organisational Structure - Legal Aid WA



Section 6 Compliance



Reports on Customer Outcomes

Customer Focus

Our customers come from all walks of life, although the majority of applicants are dependent on Centrelink benefits. Our Access and Equity Policy ensures that clients are not disadvantaged because of means, age, gender, disability, language, culture, race or geographical location. Our Service Charter and Practice Standards also ensure that services are confidential and independent, easily accessible, and that our staff are fully equipped to handle every issue, flexible to suit individual needs, and informative and supportive.

Outcomes and Outputs

Our outcome is to ensure that the community and target groups have access to and are provided with quality legal services. This is achieved through our range of services. Clients can access these services either in person, on the telephone, in writing, through the Duty Lawyer service, through a private lawyer, or through other organisations, such as Community Legal Centres or contact centres. Once a client has sought assistance, their needs are matched to the most appropriate service in order to maximise the number of clients assisted with the most effective use of resources. Some clients may need to be referred to a number of different services. In-house lawyers or private practitioners provide legal representation on grants of aid. Where clients are not eligible for legal aid, they may be referred to other Legal Aid WA services or to outside organisations for assistance.

Our outputs represent the range of business services provided to meet different client needs. The outputs distinguish between services provided to the general community and specific target groups. Legal Aid WA uses effectiveness and efficiency indicators to assess how its outputs contribute to the achievement of its outcome. Effectiveness is measured by the extent of access to services by the general community and target groups. Unit costs are used to measure efficiency (see Section 8 for full report on Performance Indicators).

Disability Services

Last year an upgrade of our web site ensured that it was compatible with the various software applications designed for people with disabilities. This year Legal Aid has maintained its "Bobby Approved" status, which is an accreditation that requires web sites to comply with accessibility guidelines for users with a disability.

Training seminars for community workers in the disability sector were promoted and an increased number of disability workers attended these sessions compared with last year.

The Community Development Officer has also increased disability agency contacts with the other services provided by Legal Aid and provided a range of supplementary resources for these agencies to disseminate legal information and undertake community legal education.

Training has also been undertaken by staff on the topics of Working with Clients with a Mental Illness and People with Mental Illness or Intellectual Disability and the Criminal Justice System.

Human Resources has established contacts with agencies involved in the placement of people with disabilities and this year two staff members with disabilities were employed.

This year, Legal Aid WA was invited to participate in a number of working parties established by the Health Department to review the criteria for admission and maintenance of people as involuntary patients and the provisions concerning the treatment and care of people with mental illness as part of the State-wide review of the Mental Health Act 1996. The involvement in these working parties was ongoing throughout most of the year.

Earlier this year the position of Mentally Impaired Defendants' Solicitor was established to enable greater access to representation by persons suffering from either a mental illness or who are intellectually disabled. The guidelines for assessing and granting legal aid were also amended to facilitate greater representation of these clients.

The Mentally Impaired Defendants' Solicitor represents clients in the various criminal jurisdictions, including the Court of Petty Sessions, the District Court and the Court of Appeal. From this, a valuable relationship has developed with the Disability Services Commission, various hospitals and the courts, which ensures that Legal Aid WA clients are provided with appropriate representation and ancillary services.

Equal Employment Opportunity/Cultural Diversity and Language Services Outcomes

Equity and Diversity Plan 2002-2005

In keeping with the plan that was implemented in May 2002, Legal Aid WA has been active in progressing strategies for the employment and retention of Equal Employment Opportunity (EEO) groups and raising the awareness of EEO principles among management and staff.

We continue to establish working partnerships with specialised agencies in both government and private spheres and provide avenues for work experience and employment of EEO groups.

This year Legal Aid WA has been nominated for the Prime Minister's Employer of the Year Award, in the government employer category, as a result of our demonstrated commitment to providing work experience opportunities and employment for persons within the EEO groups.

Legal Aid WA continues to provide flexible work arrangements where possible with 29% of staff working on a reduced hours or part-time basis.

A number of staff are currently enjoying a career break to undertake lifestyle opportunities overseas and interstate.

Home based working procedures were developed in 2002 and several staff are currently participating in such an arrangement. We continue to review and develop policies and strategies which promote flexible working arrangements to facilitate a work/life balance.

Legal Aid continues to perform well in the representation of designated EEO groups within this organisation.

These groups are represented in the workforce as follows:

Women	74.0%
Culturally diverse	4.3%
Mature workers	37.6%
Youth	3.4%

In addition, 37.25% of Legal Aid WA female employees fell within the \$49,293 (GOSAC Level 4(3)) and above salary bracket.

MALE-FEMALE STAFF RATIO 2002/03

	Legal	Non-Legal	Total	%
Female	53	100	153	74%
Male	31	24	55	26%
Total	332	124	208	100%

Cultural Diversity and Language Service Outcomes

The Legal Aid web site has Babel Fish translation available to assist persons with different cultural backgrounds to understand the information listed.

Legal Aid WA uses interpreters to assist clients who are seeking legal advice and help. In 2002/03, over 200 interpreters were used to help clients with many language translations, including Auslan.

Youth Outcomes

State Government's Plan For Young People

In response to "ACTION: A State Government Plan for Young People, 2000-2003", Legal Aid WA has demonstrated its commitment to young people through the following services:

- a Duty Lawyer for criminal matters in the Children's Court in metropolitan and major regional centres; and
- the YouthLaw section which provides:
 - a Legal Advice Bureau for children, giving advice in all areas of law, including assisting children to apply for legal aid;
 - representation for children charged with criminal offences before Magistrates and the President of the Children's Court;
 - an intensive Duty Lawyer service assisting children on the Children's Court Drug Court Program; and
 - representation for children in Care and Protection jurisdiction, and for the separate representation of children in applications for residence and contact before the Family Court in appropriate matters.

Reports on Other Accountability Issues

State Domestic Violence Action Plan

Legal Aid WA is an active member of the new Family Violence Coordinating Committee and the Senior Officers Group of this Committee. These Committees have replaced the former Domestic Violence Action Plan and Implementation Committee.

The Family Violence Coordinating Committee is presently in the process of developing a new State Strategic Plan in relation to Family and Domestic Violence, which should be finalised in July 2003 and will replace the existing State Domestic Violence Action Plan.

Also, Legal Aid WA continues to support an interagency, collaborative approach to domestic violence by participation in the multi-agency Domestic Violence Resource and Referral Centre at Perth, the Joondalup Family Violence Court, the Family Court of Western Australia's Columbus Project and the Restraining Order Support Service at the Perth Central Law Courts with the Victim Support Service, Police and Court Services.

Legal Aid WA is also continuing collaborative work on other projects, including working with prosecuting authorities on the provision of restraining orders through the criminal justice system.

We are also continuing to train our own staff on domestic violence issues and awareness. We now have mandatory domestic violence training for all new Articled Clerks and Infoline workers. Legal Aid WA will further be adopting best practice principles on domestic violence to Legal Aid services more generally. These will ensure a high level of awareness, screening and support to clients in situations of domestic violence.

Information Statement

The *Freedom of Information Act 1992* requires that an Information Statement be made available to members of the public and that this should be updated every 12 months. The objective of this statement is to assist the public in gaining information held by Legal Aid WA in accordance with Section 96 of the *Freedom of Information Act 1992*.

The Information Statement includes:

- the structure and functions of Legal Aid WA;
- how Legal Aid WA's services affect the public;
- how the public may participate in the formulation of departmental policy;
- the types of documents held by Legal Aid WA; and
- how members of the public may obtain access to these documents.

Our aim is to make information available promptly and at the least possible cost. Whenever possible, documents are provided outside the FOI process. Any formal requests made under the *Freedom of Information Act 1992* should be directed to:

Freedom of Information Coordinator
Legal Aid Western Australia
55 St George's Terrace
PERTH WA 6000
Tel: 9261 6263

This year five requests were received under the *Freedom of Information Act 1992* - four for personal information and one for non-personal information. Three of the requests for personal applications were approved and one was denied. The non-personal information application is still awaiting an outcome. The average processing time for each request was three days.

Statement of Compliance with relevant Written Law

Responsible Minister

Attorney General of Western Australia

Enabling legislation

Legal Aid Commission Act 1976

Other relevant Legislation impacting on Legal Aid WA Activities

Copyright Act 1968 (Cth)
Disability Discrimination Act 1992 (Cth)
Disability Services Act 1993
Equal Opportunity Act 1984
Family Law Act 1975 (Cth)
Financial Administration and Audit Act 1985
Freedom of Information Act 1992
Government Employees Housing Act 1964
Government Employees Superannuation Act 1987
Government Financial Responsibility Act 2000
Industrial Relations Act 1979
Land Administration Act 1997
Legal Contributions Trust Act 1967
Legal Practitioners Act 1893
Library Board of Western Australia Act 1951
Minimum Conditions of Employment Act 1993
Occupational Health, Safety and Welfare Act 1984
Public and Bank Holidays Act 1972
Public Sector Management Act 1994
Racial Discrimination Act 1975 (Cth)
Salaries and Allowances Act 1975
Sex Discrimination Act 1984 (Cth)
State Records Act 2000
Transfer of Land Act 1893
Worker's Compensation and Rehabilitation Act 1981
Workplace Agreements Act 1993

Statement of Compliance with Public Sector Standards

In the administration of Legal Aid WA, we have complied with the Public Sector Standards in Human Resource Management, the Western Australian Public Sector Code of Ethics and our Code of Conduct.

We have put in place procedures designed to ensure such compliance and have conducted appropriate internal assessments to satisfy that the statement made above is correct.

The applications made for breach of standards review and the corresponding outcomes for the reporting period are:

Number of applications lodged	(2)
Number of breaches found	(0)
Number still under review	(0)



George Turnbull
Director
30 June 2003

Public Sector Standards

We operate in accordance with public sector standards. This means that, apart from Part 3 of the *Public Sector Management Act 1994*, which has been specifically excluded by section 21 of the *Legal Aid Commission Act 1976*, all public sector standards are observed by our staff. Western Australian Public Sector Standards are contained in the *Public Sector Management Act 1994*. These are standards in human resource management that encourage best practice through open recruitment practices and the equitable treatment of people employed in the sector.

Code of Ethics

All of our staff comply with the public sector Code of Ethics. This sets out the principles, values and behaviours staff must adhere to as public sector employees. Three key principles of the Code of Ethics are:

- Justice - being impartial and using power fairly for the common good. Not abusing, discriminating against or exploiting people.
- Respect for persons - being honest and treating people courteously, so that they maintain their dignity and their rights are upheld. Not harassing, intimidating or abusing people.
- Responsible care - protecting and managing with care the human, natural and financial resources of the State. Decisions and actions do not harm the short and long-term well-being of people and resources.

Code of Conduct

To comply with Public Sector Standards, we have developed our own Code of Conduct. This sets out the standards applicable to our staff when dealing with customers and work colleagues.

Legal Aid WA Practice Standards

Quality Practice Standards

Our Legal Practice complies with the Law Society of Western Australia's Quality Practice Standards. Law Society accreditation is subject to annual audit and a comprehensive evaluation of our professional practice standards. Our Quality Practice Standard sets out each standard criteria along with the Professional Practice Standard complying with that criteria.

Professional Practice Standards

Our Professional Practice Standards set out the general standards that must be followed by all professional staff.

Law Society Professional Conduct Rules

All legal staff must also abide by the Law Society Professional Conduct Rules.

What Happens when We Don't Get it Right

Not everyone is left satisfied after dealing with us. This may be because they have been refused a grant of legal aid or because they are unhappy with the service provided on a grant of aid or otherwise.

Reconsideration and review of a refusal to grant legal aid

Every person who is refused a grant of legal aid has a statutory right to request reconsideration and then review of that decision.

Reconsideration

The Legal Aid WA Assessor who made the original decision on the file conducts reconsiderations. Reconsiderations are often granted when further relevant information is provided. In 2002/2003, there were 1463 reconsiderations (3% less than last year). If an application is refused on reconsideration, the applicant can request that the matter to go to review.

Review

Reviews are conducted by an independent Review Committee consisting of two private legal practitioners who practice law in the relevant area and a layperson from the community. The Review Committee considers the information provided by the Legal Aid WA Assessor and any further information provided by the applicant either in person, by telephone or in writing before making its decision. All decisions made by the Review Committee are final and the applicant has no further right of redress. There were 289 reviews in 2002/03 (7% less than last year).

Complaints, Urgent Correspondence and Ministerials

All complaints, urgent correspondence and Ministerials received by us are forwarded to our Complaints Co-ordinator. Oral complaints are noted and forwarded to the appropriate manager for resolution. Written complaints, urgent correspondence and Ministerials are acknowledged in writing within 48 hours and assigned to the relevant manager to prepare a written response within 7 days for complaints and within 3 days for urgent correspondence and Ministerials. The response must address all issues raised and set out the action that has or will be taken as a result. The response must also, where appropriate, advise the complainant of their rights to seek redress under the *Legal Practitioner's Act*. The original letter and the draft response are then, where appropriate, forwarded to the Director of Legal Aid to consider whether any further action is required.

This year Legal Aid WA received:

- 26 complaints (42% less than last year) with most relating to alleged poor service from either in-house or private lawyers or from other Legal Aid WA staff.
- 17 urgent correspondences (15% less than last year) mainly from Members of Parliament making enquiries on behalf of constituents relating to refusals to grant or extend legal aid;
- 49 Ministerials (11% more than last year) half of which related to client matters most concerning refusals to grant or extend aid.

What we are doing to Improve our Performance

We continue to take significant steps to improve our performance and reduce the number of requests for review and reconsideration, complaints, urgent correspondences and Ministerials that we receive. These steps include:

- Electronic lodgement: The Grants Online pilot is underway and the general implementation of e-lodgement over the next 12 months will result in a simpler, faster and more user friendly process that is more efficient and cost effective than the current system and which should lead to a reduction in the number of decisions sent for reconsideration and review.
- Performance management system for legal staff: This year we have introduced a comprehensive performance assessment and development system for all legal staff. This ensures that their progress and development is formally monitored and that training and other work related issues are addressed at an early stage.
- Advocacy Training and Seminar Programs: Our In-house Principal Counsel conducts intensive Forensic Advocacy Workshops for Articled Clerks, Restricted Practitioners and junior lawyers. Senior in-house family lawyers also conduct family law advocacy workshops. We also conduct ongoing training programs and seminars on a wide range of topics. Including criminal law, domestic violence and mental health issues.
- Paralegal training: In conjunction with the Midwest TAFE, we have developed a comprehensive paralegal training program for paralegals at Legal Aid WA and in other agencies. A number of our paralegals are well on the way to receiving accreditation.

Other Accountability Measures

Strategic Plan

Our Strategic Plan is reviewed annually and endorsed by the Board of Commissioners. This year we have also introduced quarterly strategic planning meetings that involve all staff with managerial responsibility.

Risk Management

Our Risk Management Program complies with the requirements of the *Financial Administration and Audit Act 1985*. A Risk Management Policy and a Risk Register outline the key risks and mitigation strategies that have been developed.

Security

A review and update of the policies and procedures covering staff security, building access and evacuation was undertaken this year. A new digital closed circuit duress button system was installed in our head office which involves the use of an outside monitoring company that provides monthly reports on instances where the duress buttons have been activated. An upgrading of physical security is being undertaken which includes the installation of additional self locking and digital locks on doors, as well as altering of reception counters where required. Other measures in keeping with an increase in the physical security of staff are also being considered.

Policies and procedures

We maintain written policies and procedures covering key areas of operation. During the year key corporate management policies were updated in a format for deployment via the agency's Intranet.

Financial reporting

Actual financial results are reviewed against budget each month. Reports on performance are produced quarterly and submitted to the responsible Minister.

Protection of assets

A register of assets exceeding \$1,000 in value is maintained, and a comprehensive Disaster Recovery Plan is maintained that sets out the procedures for responding to adverse events and for protecting information assets.

Advertising And Sponsorship

During 2002/03, advertising and market research payments were made to:

Advertising agencies	
Marketforce Productions	\$16,983.90
Market research	
Data Analysis Australia	\$12,134.00

Waste Paper Recycling

Legal Aid WA operates a paper recycling scheme.

Energy Smart policy

In accordance with the Energy Smart Government policy, Legal Aid WA has committed to achieving a 12% reduction in non-transport related energy use by 2006/07.

Energy Smart Government Program	Baseline	2002/2003	Variation
Energy Consumption (MJ)	1829236	1937570	
Energy Cost (\$)	\$79,236	\$82,125	
Greenhouse Gas Emissions (tonnes of CO ₂)	467.6	495.2	
Performance Indicators			
MJ/sqm	10219.19	9526.38	-6.78%
MJ/FTE	390.78	392.18	0.36%

Promotions

Promotions undertaken by Legal Aid WA during the year included:

- promotion of Legal Aid WA at the Law Graduate Fair organised by Murdoch University;
- attendance at the Domestic Violence Memorial March in April 2003; and
- participation in the Gay and Lesbian Pride Parade.

Evaluations

Each year we undertake an annual Client Satisfaction Survey to determine the effectiveness indicator for "provision of quality legal services." The annual satisfaction indicator alternates between family law and criminal law clients, this year criminal law clients were surveyed.

The criminal law client groups included as part of this year's survey were Grants of Aid, Duty Lawyer, Drug Court and Legal Advice/Minor Assistance. A separate survey was also conducted in relation to Community Legal Centres. As a result of the survey, the overall satisfaction rating for criminal law clients was 71.7%. The Grants of Aid clients were the most satisfied group, with a satisfaction rating of 82%. Duty Lawyer clients had a satisfaction rating of 72% and Legal Advice/Minor Assistance clients had a satisfaction rating of 59%. The Drug Court had a satisfaction rating of 84%.

A survey of Community Legal Centres found that the web site achieved a 90% rate of satisfaction, in terms of usefulness and appearance. About 65% of the Community Legal Centres who knew about the Legal Aid WA web site use it at least once a week.

The main points of interest that resulting from running the surveys were:

- The more assistance that clients receive from Legal Aid WA, the greater their satisfaction tends to be;
- Around 80% of the clients in each client group were satisfied that the lawyer listened to them while they explained their situation. This was the statement that achieved the highest level of satisfaction.
- The highest negative response was to the re-use of the same lawyer's services, with between 18% and 37% of the clients in each client group stating that they would not like to use the same lawyer again if a similar situation arose in the future.
- Community Legal Centres generally find that Legal Aid WA's online and print publications are useful and that it is easy to find the information they require. However there was some feeling that the print publications did not appear welcoming and were not easy to understand. There was also some negative feedback from their clients concerning our web site.

“
Three years ago Mr Lee Mather of the Legal Aid department was appointed to represent our grandchildren Tim and Mary by the Family Law Court. Previous to this appointment my husband and myself had been, since almost the birth of these children constantly either in a Family and Children’s Services office or the Family Law Court. We knew things were not going well for our grandchildren and was very disappointed with the inaction of the Family and Children’s Services.

In the September of 1999 things took quite a dramatic turn leading to Mr Lee Mather being appointed. I am writing now because both my husband and I feel Mr Mather’s services should not go unnoticed and since the court case is finished we are in the position to draw attention to this matter.

After much frustration and disappointment Mr Mather’s appointment was like a breath of fresh air. We had not know what to expect, but was hoping that at last the children may be getting someone to help them. We was yet to realise what a champion the children and ultimately ourselves had been given.

Mr Mather represented our two grandchildren in the most professional, unbiased and caring manner. He certainly left no stone unturned in an effort to make sure their best interests were always taken into account. This was no easy task with three interested parties and at time conflicting stories and accounts.

The magistrates at the Family Law Court, we think respected this man (as they well should) and took notice of what his views and recommendations were and since he did his job so thoroughly our grandchildren are now safe, well and happy. They are also doing extremely well at school.

We ourselves were the lucky ones to be given custody of Tim and Mary but this letter is not written because of that. We only ever wanted them to have a good chance in life, and thanks to Mr Mather they will get that because we love dearly.

Mr Mather is a credit and an asset to the Legal Aid Department and we are very grateful our grandchildren were lucky enough to be represented by him.

”

Section 7 Statistical Summary



Client Profile

Data Representation 02/03

Aid Granted Profile

1. Aid granted tables and charts exclude Child Support (CSS) and Drug Court (DC) clients.

Services by Service Type

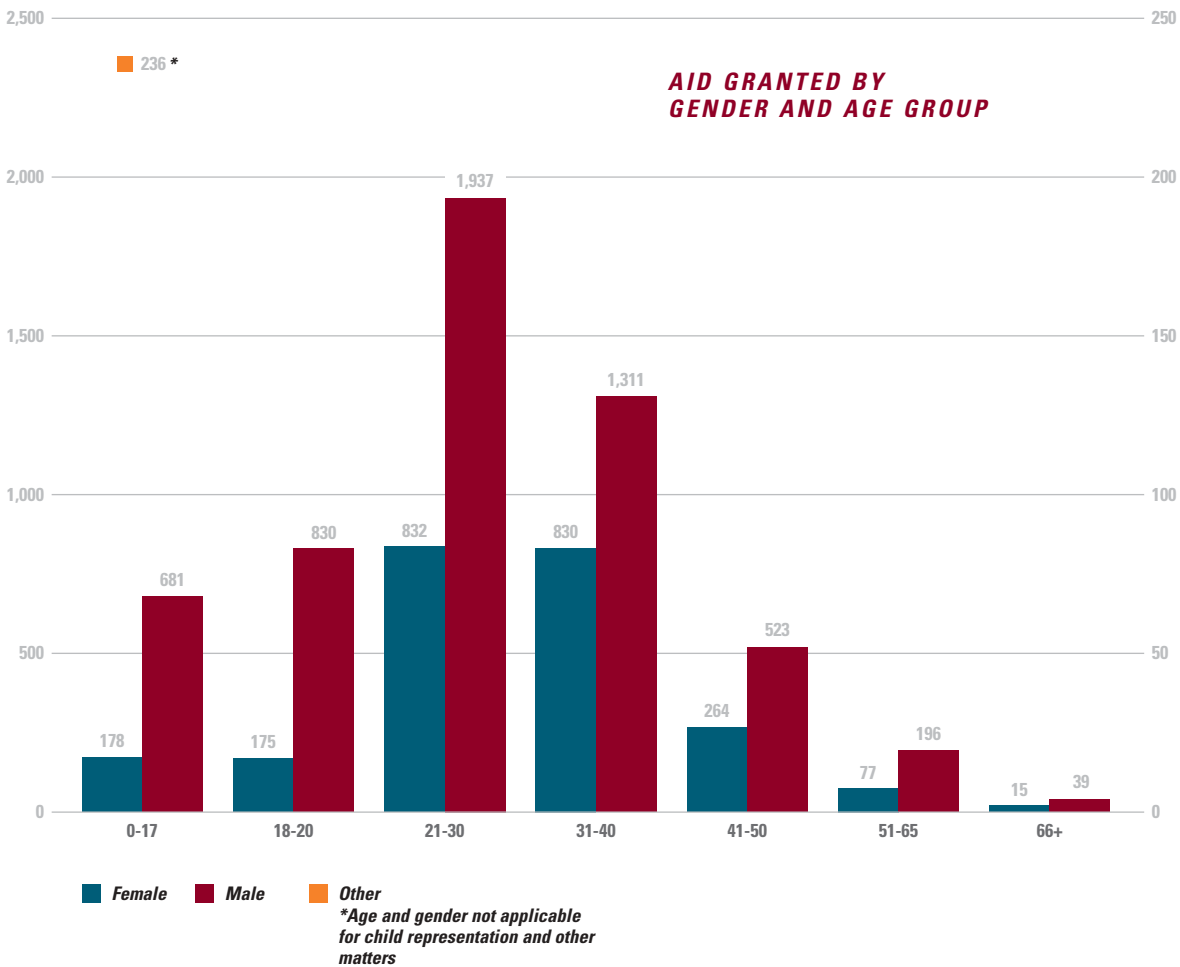
1. Assessment and Case Management, applications received tables and charts, Legal Representation and applications granted tables and charts exclude CSS (separated service type) and DC applications.

Aid Granted

AID GRANTED BY WEEKLY INCOME

	No.	%
\$0	6,695	82
\$1-\$50	24	0*
\$51-\$100	61	1
\$101-\$150	143	2
\$151-\$200	228	3
\$201-\$250	149	2
\$251+	824	10
Total	8,124	100

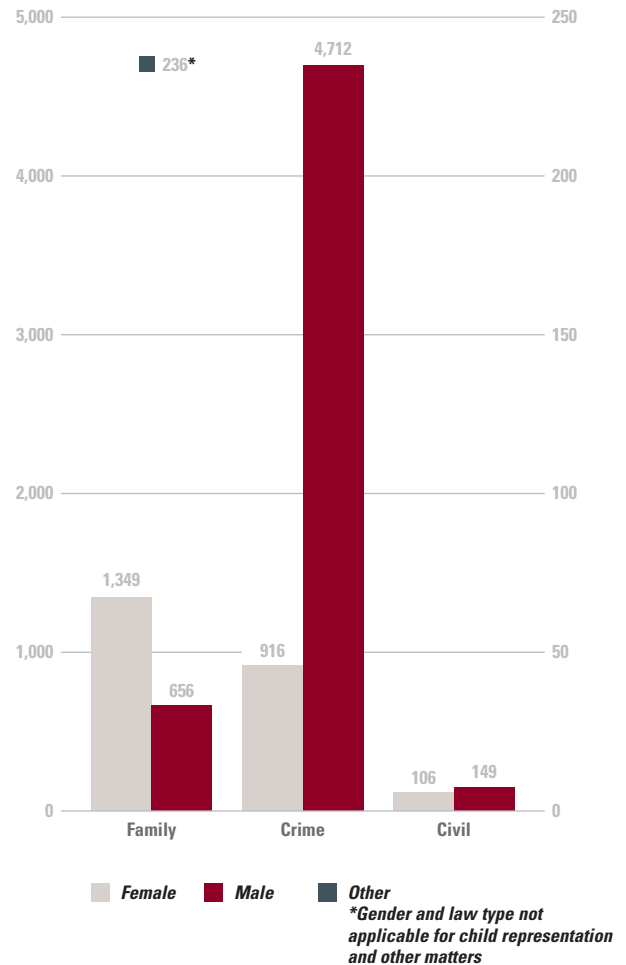
*0% caused by rounding of percentages



INDIGENOUS AID GRANTED

	02-03	%	01-02	%
Family	148	12	160	14
Crime	1,086	86	997	85
Civil	27	2	20	2
Total	1,261	100	1,177	100

AID GRANTED BY GENDER AND LAW TYPE



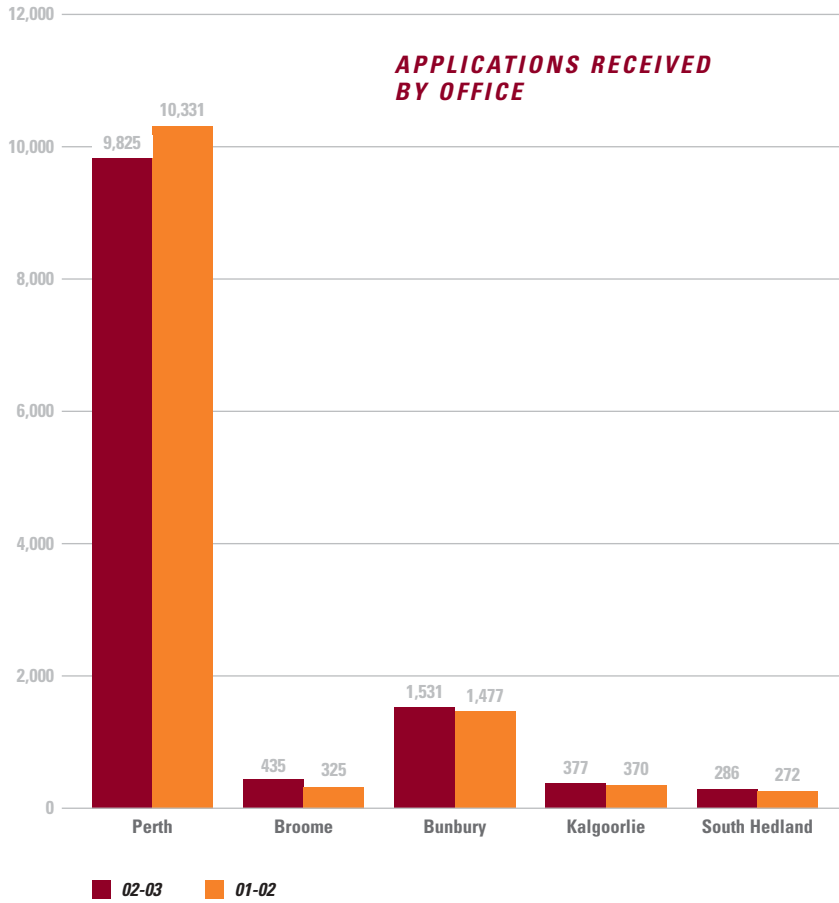
Services by Service Type

SERVICES BY SERVICE TYPE

	02-03	%	01-02	%	% change
Assessment and Case Management	12,454	8	12,775	8	-3
Legal Representation	8,127	5	8,168	5	-1
Child Support Assistance	721	0*	831	1	-13
Legal Advice and Minor Assistance	26,766	18	25,030	16	7
Telephone Information Line	64,805	44	68,930	45	-6
Face to Face Services	7,684	5	7,205	5	7
Duty Lawyer	27,894	19	29,661	19	-6
Total	148,451	100	152,600	100	-3

*0% caused by rounding of percentages

Applications



APPLICATION TURNAROUND TIMES

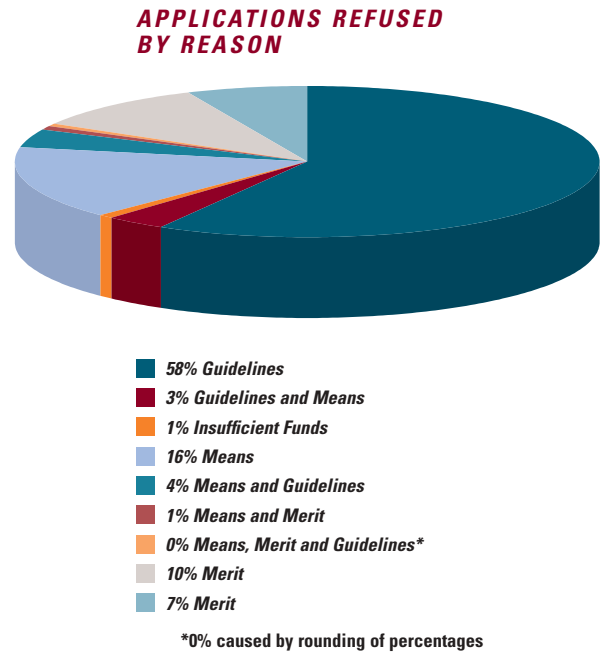
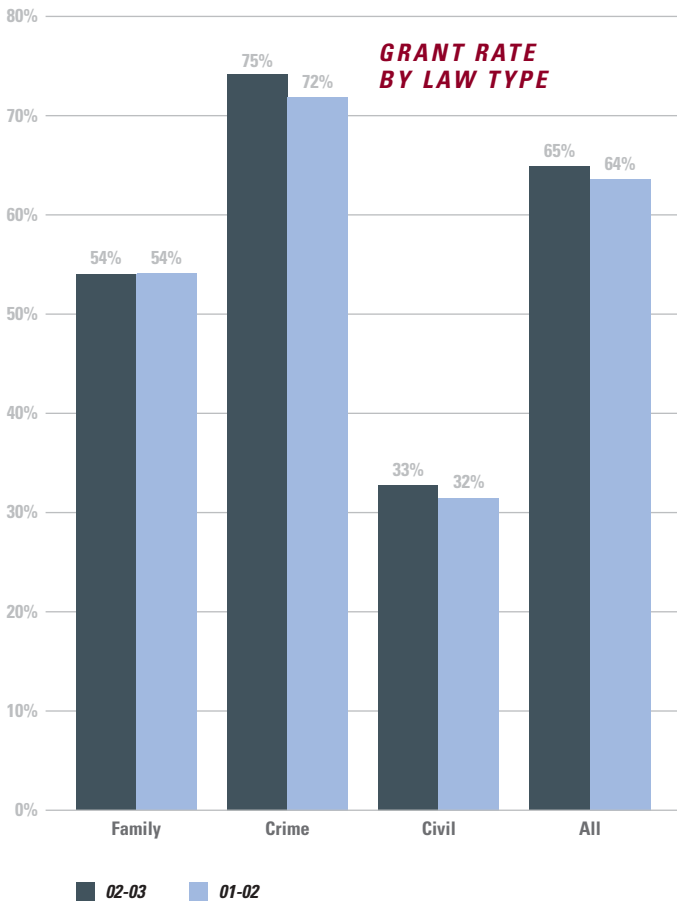
	No.	%
Same day	3,561	29
1-5 days	6,724	54
6-10 days	1,396	11
11-15 days	342	3
16-30 days	259	2
30+ days	172	1
Total	12,454	100

APPLICATIONS RECEIVED BY LAW TYPE

	02-03	%	01-02	%	% change
Family	4,112	33	3,879	30	6
Crime	7,553	61	8,068	63	-6
Civil	789	6	828	6	-5
Total	12,454	100	12,775	100	-3

APPLICATIONS GRANTED BY LAW TYPE

	02-03	%	01-02	%	% change
Family	2,236	28	2,082	25	7
Crime	5,632	69	5,824	71	-3
Civil	259	3	262	3	-1
Total	8,127	100	8,168	100	-1



APPLICATIONS REFUSED BY LAW TYPE

	02-03	%	01-02	%	% change
Family	1,608	40	1,942	41	-17
Crime	1,884	47	2,236	47	-16
Civil	488	12	606	13	-19
Total	3,980	100	4,784	100	-17

APPLICATIONS GRANTED BY PRACTITIONER TYPE

	02-03	%	01-02	%	% change
Private					
Family	1,636	35	1,426	29	15
Crime	2,889	61	3,317	67	-13
Civil	183	4	212	4	-14
Total	4,708	100	4,955	100	-5
Inhouse					
Family	600	18	656	20	-9
Crime	2,743	80	2,507	78	9
Civil	76	2	50	2	52
Total	3,419	100	3,213	100	6

Duty Lawyer Services

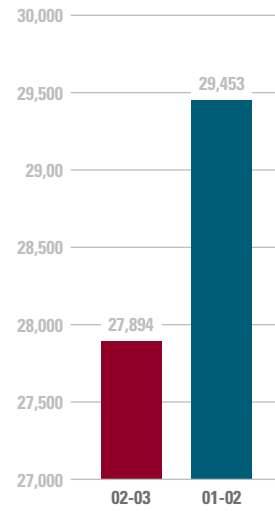
RECONSIDERATIONS

	02-03	%	01-02	%	% change
Confirmed	837	57	901	60	-7
Varied	471	32	530	35	-11
Pending	155	11	75	5	107
Total	1,463	100	1,506	100	-3

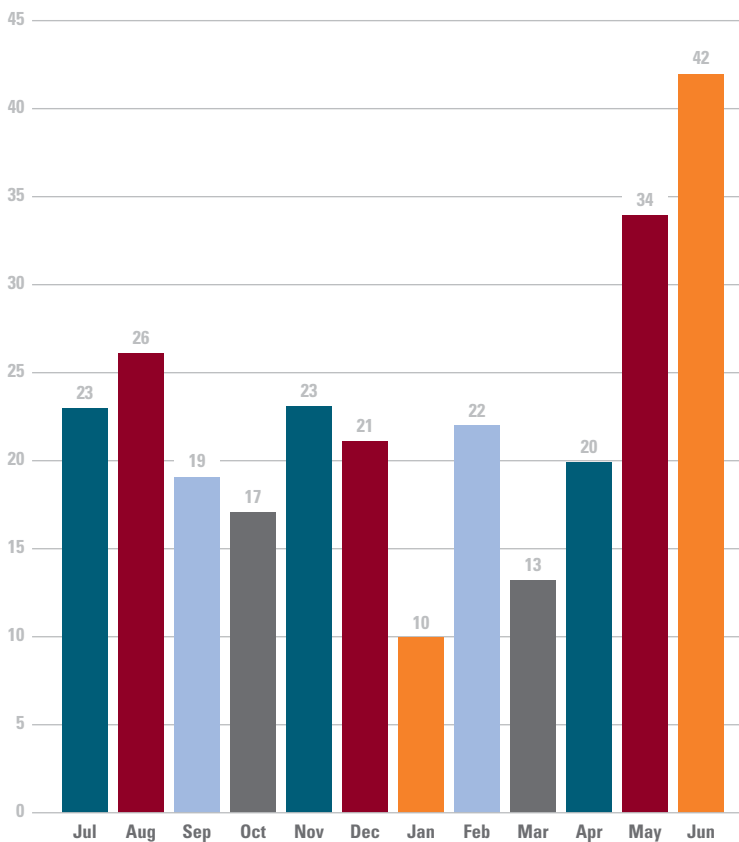
EXTERNAL REVIEW

	02-03	%	01-02	%	% change
Confirmed	205	71	229	74	-10
Varied	70	24	67	22	4
Pending	14	5	15	5	-7
Total	289	100	311	100	-7

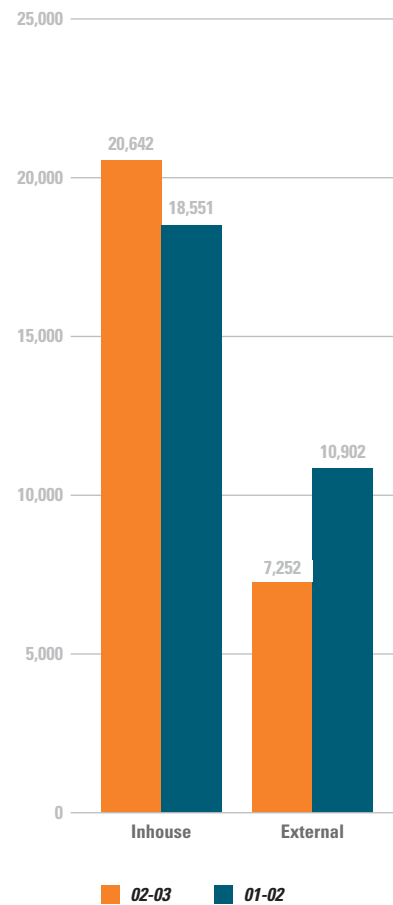
DUTY LAWYER SERVICES



ADR CONFERENCES HELD

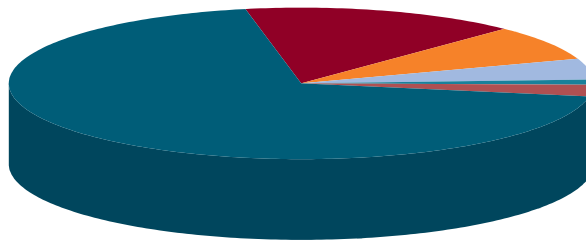


DUTY LAWYER SERVICES BY PRACTITIONER TYPE



Payments

CERTIFIED PAYMENTS TO PRACTITIONERS



- 70% Under \$20,000
- 15% \$20,000-\$49,000
- 7% \$50,000-\$99,999
- 4% \$100,000-\$149,000
- 1% \$150,000-\$199,999
- 3% \$200,000+

CERTIFIED PAYMENTS TO PRACTITIONERS BY TOP 20 RANKING

Firm	\$
Andree Horrigan	324,710
McDonald & Sutherland	308,472
Ian Hope	307,792
Paterson & Dowding	277,035
Bayly & O'Brien	239,630
Gunning Barristers & Solicitors	225,955
Sicard Crisp & Bannerman	217,565
Jamieson Johnston	208,119
Donna M Webb & Associates	202,276
Christie & Strbac	164,634
Kott Gunning	161,592
G C & K C Christou	160,437
George Giudice Law Chambers	153,623
Rattigan Kearney & Bochat	142,187
J D Hawkins & Associates	141,718
Paul Sullivan	136,354
Hammond Worthington Lawyers	135,635
Lisa Boston	135,375
Shaddicks Lawyers	134,180
Carr & Co	132,838

Just a little gift from my heart to say Thank You (regardless of the outcome). I would never have had the courage to fight if it weren't for you.

You're an amazing person and a credit to your profession. You make me glad I am a woman.

Stand tall and keep up the fight for us "the little people".

Once again Thank You Susan.

I would like to specially Thank you for all your support.

Thankyou "beary" much for being so helpful...

Thankyou so very very much for this opportunity in Drug Court.

You have really made a huge difference in our lives. Thankyou.

We would like to take this opportunity to thank you very much for the concern and advice given with regards to our son Andrew. We have appreciated the fact you have gone above and beyond regarding our situation.

We look forward to it all being finalised shortly, but, we would like you to know the effort you have put in, we as a family, as well as Andrew are very thankfull, and we consider ourselves very fortunate to have had you assist us in this situation.

Thank you very much once again.

Section 8

Performance Indicators



Statement of Certification

Performance Indicators for the Year ended 30 June 2003

The Hon Jim McGinty MLA
Attorney General

The following performance indicators for the Legal Aid Commission of Western Australia provide measures of Legal Aid WA's effectiveness and efficiency in achieving its outcomes.

We hereby certify the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of Legal Aid WA and fairly represent the performance of Legal Aid WA for the financial year ended 30 June 2003.



Malcolm McCusker QC
Chairman



George Turnbull
Director
28 August 2003



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

LEGAL AID COMMISSION OF WESTERN AUSTRALIA
PERFORMANCE INDICATORS FOR THE YEAR ENDED JUNE 30, 2003

Audit Opinion

In my opinion, the key effectiveness and efficiency performance indicators of the Legal Aid Commission of Western Australia are relevant and appropriate to help users assess the Commission's performance and fairly represent the indicated performance for the year ended June 30, 2003.

Scope

The Commission's Role

The Commission is responsible for developing and maintaining proper records and systems for preparing performance indicators.

The performance indicators consist of key indicators of efficiency and effectiveness.

Summary of my Role

As required by the Financial Administration and Audit Act 1985, I have independently audited the performance indicators to express an opinion on them. This was done by looking at a sample of the evidence.

An audit does not guarantee that every amount and disclosure in the performance indicators is error free, nor does it examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the performance indicators.

K O'NEIL
ACTING AUDITOR GENERAL
August 28, 2003

Performance Indicators for 2002 - 2003

Services are provided through Legal Aid WA to ensure:

“The community and target groups have access to, and are provided quality legal services”.

This outcome is achieved through the provision of a range of services designed to meet the different needs of the community and specific target groups. Services include:

- general information and advice to the community, for example, via a telephone information service, or where necessary, via a Duty Lawyer service
- legal assistance, for example, offering self-help advice to clients to help them resolve a legal problem, or providing an out-reach preliminary consultation service, and
- legal representation, where in special circumstances and when no other solution is considered appropriate, a person may be recognised as in need of assistance.

The form and extent of assistance provided through is regulated by policies and procedures relating to clients means, the nature and seriousness of their legal problem and the availability of resources.

Effectiveness Indicators

The two key aspects of the outcome sought by Legal Aid WA as a result of the services provided are “access to legal services” and “service quality”.

Access to legal services is measured by Legal Aid WA in terms of:

- the extent to which legal services are made available to the general community and to target groups
- the extent to which the general community and target groups use the available services.

The quality of legal services is measured by Legal Aid WA in terms of client satisfaction with particular aspects of service delivery, for example the effect the assistance had in helping them understand their legal situation, and how well they believed the lawyer represented them in court.

The purpose of reporting the following performance indicators is to enable government and the community to monitor the effectiveness and efficiency of Legal Aid WA in achieving its agreed outcomes.

EXPLANATORY NOTES FOR EFFECTIVENESS INDICATORS

- 1 Services where no eligibility criteria apply to regulate access include telephone information services, community education services, and Duty Lawyer services.
- 2 Applicants for a grant of aid must satisfy certain criteria.
- 3 In areas of family law only, some applicants are assisted via a grant of aid to pursue a resolution through non-litigation options.
- 4 Telephone information and community education services include telephone information service both in Perth metropolitan and regional areas, policy advice sessions, community legal education and training, face to face consultation, and Family Court information services.
- 5 Legal advice services include minor assistance where a solicitor or paralegal (under the supervision of a solicitor) provides personal assistance of up to three hours in drafting negotiation letters, applications and court documentation in most areas of law for non-complex matters.
- 6 Figures for legal representation services represent the number of cases where legal representation is supplied. A case is defined as an application for aid where a grant has been made.

TECHNICAL NOTES FOR EFFECTIVENESS INDICATORS

Survey Methodology

Where possible, the surveys were designed to allow meaningful comparisons to be made to the most recent Criminal Law customer satisfaction surveys, which were conducted for inclusion in the 2000-2001 Annual Report.

Questionnaire

The questionnaires were designed to balance the conflicting needs of maintaining compatibility with previous years' surveys and improving the questionnaire structure. This year's surveys were heavily based on those used in previous years. One area in which the questionnaires were changed substantially was replacing four point scales of satisfaction with five point scales (with 1 being very negative responses, and 5 being very positive). This change was also made to the Family Law questionnaires last year.

This was the second year that the Online and Print Publications Users Community Legal Centres Survey was run. Last year's questionnaire was primarily aimed at the Legal Aid WA web site, while this year it was expanded to cover print publications and to clearly differentiate between the web site and the Legal Resource Database, which has restricted access only. The additional questions were drafted by Legal Aid WA and were modified where appropriate by Data Analysis Australia with the agreement of Legal Aid WA. Although the changes mean that care must be taken when comparing this year's results to last year's, it was felt that the changes would provide more information and improve the interpretability of the results.

Survey Population

The target populations for the Duty Lawyer, Legal Advice, Grants of Aid and Drug Court surveys were those clients who received these respective types of assistance from Legal Aid WA in these between 1 May 2002 and 30 April 2003. The target population sizes were 3621 for Duty Lawyer, 712 for Legal Advice, 744 for Grants of Aid and 61 for the Drug Court.

The Online and Print Publications Users Community Legal Centres Survey was conducted as a Census of all Community Legal Centres in Western Australia. The list of the Community Legal Centres was provided by Legal Aid WA. For each centre, Legal Aid WA also provided a contact name of the most appropriate person to answer the questionnaire on the Centre's behalf.

Sample Sizes

The sample sizes for the four Criminal Law client groups' satisfaction surveys were designed to balance the requirements of obtaining accuracy to within about 5% and having sufficient sample sizes for each survey group to allow valid statistical analysis at the individual survey level and to make comparisons between the surveys. The requirements of surveying a target of 400 clients in total also had to be satisfied.

When examining the client lists for the surveys, it was found that the number of clients who appeared in the Drug Court in the last year was very small. There were only 33 clients of the Drug Court with valid phone numbers and so it was decided to include all 33 in the sample. The remainder of the sample of 400 was allocated proportional to the square root of the population size between Duty Lawyer, Legal Advice and Grants of Aid. Each of the samples was selected randomly. The in-scope clients for each survey were randomly ordered, and given an index of 1,...,N. The first n clients in each list were then selected to be included in the survey.

The following table shows the breakdown of the sample into the four survey areas, after adjusting for the low number of successful Drug Court interviews. As the number of interviews required was dependent on the number of Drug Court interviews, slightly more than 400 interviews were conducted to ensure that the minimum requirements were met.

TABLE 1. SAMPLE SIZES AND RESULTING LEVELS OF ACCURACY

Client Group	Population Size (N)	Sample Size (n)	Level of Accuracy
Duty Lawyer	3621	207	+/-6.1%
Legal Advice	712	93	+/-8.7%
Grants of Aid	744	94	+/-8.7%
Drug Court	61	10	+/-26.0%
Total	5077	404	+/-5.4%

The estimated level of accuracy obtained from this design is 5.4%, assuming a satisfaction level of 70% for each client group. The accuracy levels for the individual surveys are higher, but still within acceptable error bounds. The achieved overall level was 4.8%.

There were 23 Community Legal Centres to be surveyed in the Online and Print Publications Users Community Legal Centres Survey.

Survey Implementation

To sustain comparability in methodology to past client satisfaction surveys, telephone interviewing was adopted, using a Computer Aided Telephone Interviewing (CATI) system. The CATI system is scripted to guide the interviewer through the interview so that interviewer bias is minimised and data quality is improved over paper-based alternatives. The interviewers were instructed to make three attempts to contact each client selected in the survey before deeming that client non-contactable and replacing them with the next client in the sampling list.

Since the Online and Print Publications Users questionnaire was targeted at agencies instead of individual respondents, pre-contact was made in the form of an email and fax which had an explanatory letter and a copy of the questionnaire. Nominated representatives from each of the surveyed Community Legal Centres were asked to corroborate with other staff at the centre to obtain appropriate responses to the questions. Staff were asked not to fill in the questionnaires and return them, but to have the answers ready for when a fieldworker contacted them to conduct a telephone interview. Centres that had not heard of or used the Legal Aid WA online and print publications were screened out of the survey. The CATI system was used to conduct this survey as well.

Estimation Methodology

In the previous Criminal Law survey, satisfaction levels were calculated as the sum of responses on the positive side of neutral (that is, agree and strongly disagree), expressed as a percentage of the total number of responses including “not applicables”. This year, satisfaction levels were calculated as the sum of the non-missing responses on the positive side of neutral (that is, agree and strongly agree), expressed as a percentage of the total number of responses excluding “not applicables”. It was decided to exclude the “not applicables” from the denominator because their inclusion can artificially deflate the observed satisfaction levels. This is the same method used in last year’s Family Law Survey.

The denominator in the percentage is not always equal to the sample size. This is because the denominator is calculated as the number of responses to that particular question, and each question could have different numbers of responses due to clients refusing to answer a particular question, or being skipped past the question due to an earlier response.

THE OUTCOME OF SERVICES PROVIDED THROUGH LEGAL AID WA IS TO ENSURE THE COMMUNITY AND TARGET GROUPS HAVE ACCESS TO, AND ARE PROVIDED QUALITY LEGAL SERVICES.

	2002-03	2001-02	2000-01	1999-00
TO INDICATE THE EXTENT TO WHICH LEGAL SERVICES ARE ACCESSIBLE TO THE GENERAL COMMUNITY AND TARGET GROUPS				
The extent to which legal services are made available to the general community and to target groups (based on occasions of service)				
Community Services				
Percentage of all services where no eligibility restrictions apply to regulate access	71%	76%	75%	75%
Target Group Services				
Applications approved for a grant of aid as a percentage of all applications received	65%	65%	68%	68%
Applications approved for a grant of aid to pursue non litigation resolution as a percentage of all grants of aid approved (family law only)	23%**	13%***	18%***	4%***
The extent to which the general community and target groups use the available services (based on occasions of service/1000 pop*)				
Community Services				
Usage rate for telephone information and community education services	34.6	37.0	37.7	35.0
Usage rate for duty lawyer services	14.4	15.5	15.8	14.8
Target Group Services				
Usage rate for legal advice services	13.8	13.0	13.2	12.3
Usage rate for legal representation services	4.2	4.8	4.7	4.7
TO INDICATE A QUALITY LEGAL SERVICE				
% of clients satisfied with service provided				
Criminal	71% (+/-4%)		83% (+/-4%)	
Family		74% (+/-4%)		
Website	90%	75% (+/-4%)		

* Figures based on population estimates as December 2002, 2001, 2000 and 1999 respectively (source: ABS)

** Figure does not include Child Support grants of aid

*** Figure includes Child Support grants of aid

EFFICIENCY INDICATORS

The efficiency of Legal Aid WA in providing services is measured in terms of the cost per occasion of service for each of the following business service outputs.

Business service outputs provided to the general community

- 1 Telephone advice line services
- 2 Face to face legal advisory services
- 3 Duty lawyer services

Business service outputs provided to specific target groups

- 1 Legal advice and minor assistance services
- 2 Assessment services for a grant of aid
- 3 Legal representation

THE COST PER OCCASION OF SERVICE FOR EACH BUSINESS SERVICE OUTPUT OF LEGAL AID.

	2002-03	2001-02	2000-01	1999-00
TO INDICATE THE EXTENT TO WHICH LEGAL SERVICES ARE PROVIDED IN A COST EFFICIENT MANNER¹				
Cost (\$) per occasion of service for service outputs to the general community				
Telephone Information Line Services				
2002-03 expenditure of \$940,181 for 64,805 occasions of service	14.51	17.54	18.95	19.33
Face to Face Advisory Services²				
2002-03 expenditure of \$171,286 for 7,684 occasions of service	22.29	28.22	36.3	57.41
Duty Lawyer Services				
2002-03 expenditure of \$1,935,350 for 27,894 occasions of service	69.38	61.10	56.67	54.23
Cost (\$) per occasion of service for service outputs to specific target groups				
Legal Advice and Minor Assistance Services³				
2002-03 expenditure of \$2,449,373 for 26,766 occasions of service	91.51	92.41	78.19	81.72
Assessment and File Management Costs in Terms of the Number of Applications for a Grant of Aid				
2002-03 expenditure of \$3,565,291 for 12,454 occasions of service	286.28	215.9	191.6	195.82
Assessment and File Management Costs in Terms of the Number of Grants of Aid				
2002-03 expenditure of \$3,565,291 for 8,127 occasions of service	438.70	333.43	280.82	289.83
Legal Representation				
2002-03 expenditure of \$15,247,192 for 8,127 occasions of service	1,876.12	1,634.2	1,779.32	1,793.81
Expensive Cases				
2002-03 expenditure of \$702,311 for 24 occasions of service	29,262.96	20,461.29	-	-
Finance Brokers				
2002-03 expenditure of \$351,755 for 36 occasions of service	9,770.97	998.61	-	-

¹ Total expenditure for 2002-03 is \$28,402,652. Of this, \$2,259,517 could not be reliably attributed to specific service outputs (see table "Community service expenditure not attributed to specific outputs.")

² Prior to 2000-01 indicator represents Perth only.

³ Representing 2002-03 legal advice expenditure of \$1,599,461 for 21,892 occasions of service (cost per occasion of service \$73.06), and 2002-03 minor assistance expenditure of \$849,912 for 4,874 occasions of service (cost per occasion of service \$174.38).

SERVICE COSTS ACCORDING TO STATE AND COMMONWEALTH LAW MATTERS¹

	2002-03 State Law Matters			2002-03 Commonwealth Law Matters		
	Total Cost \$	Occasions of Service	Cost per Occasion of Service \$	Total Cost \$	Occasions of Service	Cost per Occasion of Service \$
Service outputs to the General Community						
Telephone Information Line Services	432,206	34,121	12.67	507,975	30,684	16.56
Face to Face Advisory Services	92,563	3,697	25.04	78,723	3,987	19.75
Duty Lawyer Services	1,904,841	27,364	69.61	30,508	530	57.56
Service outputs to Specific Target Groups						
Legal Advice and Minor Assistance Services ²	1,165,270	10,882	107.08	1,284,103	15,884	80.34
Assessment and File Management Costs in Terms of Applications for a Grant of Aid	1,356,652	8,665	156.57	2,208,639	3,789	582.91
Assessment and File Management Costs in Terms of Grants of Aid	1,356,652	6,112	221.97	2,208,657	2,015	1096.10
Legal Representation	9,521,457	6,112	1557.83	5,725,735	2,015	2841.56
Child Support Assistance				779,951	721	1081.76
Expensive Cases	702,311	24	29,262.96			
Finance Brokers	351,755					

1 Total expenditure for 2002-03 is \$28,402,652. Of this, \$2,259,517 could not be reliably attributed to specific service outputs (see table "Community service expenditure not attributed to specific outputs.")

2 State Law Matters representing 2002-03 legal advice expenditure of \$733,043 for 8,988 occasions of service (unit cost \$81.56), and 2002-03 minor assistance expenditure of \$432,227 for 1,894 occasions of service (unit cost \$228.21).

Commonwealth Law Matters representing 2002-03 legal advice expenditure of \$866,418 for 12,904 occasions of service (unit cost \$67.14), and 2002-03 minor assistance expenditure of \$417,685 for 2,980 occasions of service (unit cost \$140.16).

**COMMUNITY SERVICE EXPENDITURE NOT
ATTRIBUTED TO SPECIFIC SERVICE OUTPUTS**

	State Law Matters \$994,732	Commonwealth Law Matters \$1,264,786	Total \$2,259,518
Alternative Dispute Resolution	4,191	11,088	15,279
Community Legal Education	138,619	117,624	256,243
Policy Advice	74,868	26,989	101,857
Publications	164,411	99,835	264,246
Community Development	179,666	157,547	337,213
Services to Indian Ocean Territories		162,746	162,746
Refugee Tenders		7,445	7,445
Community Legal Centres	31,000	147,035	178,035
Prison Visiting	112,725	19,251	131,976
ADR Program		515,226	515,226
Drug Court Casework	247,615		247,615
Police Royal Commission – File Management	41,637		41,637

Acknowledgments

Survey data used to assess the quality of legal services was collected and analysed by Data Analysis Australia.

Section 9

Financial Statements



Statement of Certification

Financial Statements for the Year ended 30 June 2003

The Hon Jim McGinty MLA
Attorney General

The accompanying financial statements for the Legal Aid Commission of Western Australia have been prepared in compliance with the provisions of the Financial Administration and Audit Act 1985 from proper accounts and records to present fairly the financial transactions for the financial year ended 30 June 2003, and the financial position as at 30 June 2003.

At the date of signing, we are not aware of any circumstances which would render the particulars included in the financial statements misleading or inaccurate.



Malcolm McCusker QC
Chairman



George Turnbull
Director



Murray Cribb
Principal Accounting Officer
28 August 2003



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

**LEGAL AID COMMISSION OF WESTERN AUSTRALIA
FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2003**

Audit Opinion

In my opinion,

- (i) the controls exercised by the Legal Aid Commission of Western Australia provide reasonable assurance that the receipt, expenditure and investment of moneys, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions; and
- (ii) the financial statements are based on proper accounts and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the Treasurer's Instructions, the financial position of the Commission at June 30, 2003 and its financial performance and cash flows for the year ended on that date.

Scope

The Commission's Role

The Commission is responsible for keeping proper accounts and maintaining adequate systems of internal control, preparing the financial statements, and complying with the Financial Administration and Audit Act 1985 (the Act) and other relevant written law. The financial statements consist of the Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and the Notes to the Financial Statements.

Summary of my Role

As required by the Act, I have independently audited the accounts and financial statements to express an opinion on the controls and financial statements. This was done by looking at a sample of the evidence.

An audit does not guarantee that every amount and disclosure in the financial statements is error free. The term "reasonable assurance" recognises that an audit does not examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the financial statements.

K O'NEIL
ACTING AUDITOR GENERAL
August 28, 2003

LEGAL AID COMMISSION OF WESTERN AUSTRALIA
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2003

	Note	2002/03 \$	2001/02 \$
CURRENT ASSETS			
Cash Assets	2	4,698,574	5,416,695
Restricted Cash Assets	3	4,749,122	4,534,958
Receivables	4	1,055,938	590,210
Prepayments		21,967	12,915
Total Current Assets		10,525,601	10,554,778
NON-CURRENT ASSETS			
Property, Plant Equipment and Vehicles	5	1,500,768	1,538,841
Receivables	4	3,029,093	3,018,122
Total Non-Current Assets		4,529,861	4,556,963
Total Assets		15,055,462	15,111,741
CURRENT LIABILITIES			
Payables	6	6,877,878	7,160,254
Provisions	7	1,164,667	1,430,575
Total Current Liabilities		8,042,545	8,590,829
NON-CURRENT LIABILITIES			
Provisions	7	1,645,459	1,289,538
Total Non-Current Liabilities		1,645,459	1,289,538
Total Liabilities		9,688,004	9,880,367
Net Assets		5,367,458	5,231,374
EQUITY			
Accumulated Surplus	8	506,513	547,593
Asset Revaluation Reserves	9	111,823	148,823
Asbestosis Account Reserve	3	4,749,122	4,534,958
TOTAL EQUITY		5,367,458	5,231,374

The Statement of Financial Position should be read in conjunction with the accompanying notes.

**LEGAL AID COMMISSION OF WESTERN AUSTRALIA
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2003**

	Note	2002/03 \$	2001/02 \$
COST OF SERVICES			
Expenses from Ordinary Activities			
Legal Services Expenses	10	10,788,333	9,861,664
Employee Expenses	11	12,649,898	11,613,202
Cost of disposed non-current assets	18	139,185	100,626
Services and Contracts	13	3,249,384	3,431,340
Depreciation expenses	14	364,947	282,571
Other Expenses from Ordinary Activities	12	1,345,636	1,297,792
Total Cost of Services		<u>28,537,383</u>	<u>26,587,195</u>
Revenues from Ordinary Activities			
<i>Revenue from operating activities</i>			
Revenue from services	15	1,428,942	1,353,477
Commonwealth Grants and Contributions	16	11,146,029	10,615,551
<i>Revenue from non-operating activities</i>			
Proceeds from disposal of non-current assets	18	133,560	92,379
Interest Revenue	19	573,410	510,462
Implicit Interest	4	161,007	(4,550)
Other Revenue from Ordinary Activities	17	198,736	308,965
Total Revenues from Ordinary Activities		<u>13,641,684</u>	<u>12,876,284</u>
Net Cost of Services	22	(14,895,699)	(13,710,911)
REVENUES FROM STATE GOVERNMENT			
State Government Grant	20	15,068,783	13,530,214
Total Revenues From State Government		<u>15,068,783</u>	<u>13,530,214</u>
Change in Net Assets		173,084	(180,697)
Net Increase/(decrease) in asset revaluation Reserve	9	(37,000)	6,751
Total changes in equity other than those resulting from transactions with WA State Government as owners		<u>136,084</u>	<u>(173,946)</u>

The Statement of Financial Performance should be read in conjunction with the accompanying notes.

**LEGAL AID COMMISSION OF WESTERN AUSTRALIA
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2003**

	Note	2002/03 \$ Inflows (Outflows)	2001/02 \$ Inflows (Outflows)
CASH FLOWS FROM STATE GOVERNMENT			
State Government Grant		13,802,580	14,488,000
Net Cash provided by State Government		13,802,580	14,488,000
Utilised as follows:			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Payments for legal services		(10,727,714)	(10,164,140)
Employee Costs		(11,027,347)	(10,242,675)
Supplies and Services		(5,955,550)	(5,776,920)
GST Payments to Taxation Authority		(1,562,915)	(1,628,046)
Receipts			
Sale of Goods and Services		1,550,571	1,169,087
Commonwealth grants and contributions		11,468,456	10,271,551
Interest received		564,281	549,857
GST Receipts on sales		81,788	35,895
GST Receipts from Taxation Authority		1,495,514	1,571,527
Other Receipts		154,095	192,309
Net Cash Used in Operating Activities	22	(13,958,822)	(14,021,555)
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of Non-Current Physical Assets		(481,275)	(693,717)
Proceeds from sale of Non-Current Physical Assets		133,560	92,379
Net Cash Used in Investing Activities		(347,715)	(601,338)
Net Cash Used in Operating and Investing Activities		(14,306,537)	(14,622,893)
Net increase/(decrease) in cash held		(503,957)	(134,893)
Cash assets at the beginning of financial year		9,951,653	10,086,547
Cash assets at the end of financial year	21	9,447,696	9,951,653

The Statement of Cash Flows should be read in conjunction with the accompanying notes.

**THE DIRECTOR OF LEGAL AID IN TRUST
STATEMENT OF RECEIPTS AND PAYMENTS
FOR THE YEAR ENDED 30 JUNE 2003**

	2002/03	2001/02
	\$	\$
FUNDS ON HAND 1 July 2002	21,677	34,066
RECEIPTS in year	0	0
Interest received in year	63	771
	21,740	34,837
PAYMENTS in year	21,724	13,112
Bank charges	16	48
FUNDS ON HAND 30 June 2003	0	21,677
Represented by funds in BANKWEST	0	21,677



*George Turnbull
Director of Legal Aid*



*Murray Cribb
Principal Accounting Officer
28 August 2003*

1 Significant Accounting Policies

Statement of Accounting Policies

The following accounting policies have been adopted in the preparation of financial statements. Unless otherwise stated these policies are consistent with those adopted in the preceding year.

General Statement

The financial statements constitute a general purpose financial report which has been prepared in accordance with Accounting Standards, Statements of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standards Board and Urgent Issues Group (UIG) Consensus Views as applied by the Treasurer's Instructions. Several of these are modified by the Treasurer's Instructions to vary application, disclosure, format and wording. The Financial Administration and Audit Act and the Treasurer's Instructions are legislative provisions governing preparation of financial statements and take precedence over Accounting Standards, Statements of Accounting Concepts and other authoritative pronouncements of the Australian Accounting Standard Board and UIG Consensus Views. The modifications are intended to fulfil the requirements of general application to the public sector, together with the need for greater disclosure and also to satisfy accountability requirements.

If any such modification has a material or significant financial effect upon the reported results, details of that modification and where practicable the resulting financial effect are disclosed in individual notes to these financial statements.

Basis of Accounting

The statements have been prepared on the accrual basis of accounting using the historical cost convention, except for certain assets and liabilities which, as noted, are measured at fair value.

(a) Depreciation

All non current assets having a limited useful life are systematically depreciated over their estimated useful lives in a manner which reflects the consumption of their future economic benefits.

Depreciation is calculated on the straight line basis, using rates which are reviewed annually. Expected useful lives for each class of depreciable asset are:

Buildings on Freehold Land	20 to 40 years
Furniture and Fixture	5 to 13 years
Leasehold Improvements	6 to 20 years
Office Equipment	5 to 20 years
IT Equipment	3 to 4 years
Motor Vehicle	6 years

(b) Grants of Aid

Grants of Aid are recognised as a liability on approval of a grant of aid based on a provisional cost estimate. The provisional cost estimate reflects the estimated cost of the assignment based on the relevant scale of fees.

Levies towards the cost of aid by Legal Aid WA clients are recognised as an asset on approval of the grant of aid. Provision for bad debts is provided for in accordance with paragraph 4(iii).

(c) Revaluation of Land and Buildings

The Commission has a policy of valuing land and buildings at fair value. The annual revaluations are undertaken by Valuer General's Office and are recognised in the financial statements. The revaluation was provided by the Valuer General's Office. Increments have been taken to assets revaluation reserve. Decrements have been offset against previous increments (if any) relating to the same class of assets and the balance (if any) charged against profits. Other assets are recognised at cost.

(d) Employee benefits

Annual Leave

This benefit is recognised at the reporting date in respect to employees' services up to that date and is measured at the nominal amounts expected to be paid when the liabilities are settled.

Long Service Leave

A liability for long service leave is recognised, and is measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date, after the officer has completed three years of service. An actuarial assessment of long service leave was carried out at 30 June 2002, and it was determined that the actuarial assessment of the liability was not materially different from the liability reported. This method of measurement of the liability is consistent with the requirements of Australian Accounting Standard AASB 1028 "Accounting For Employee Entitlements".

Superannuation

Staff may contribute to the Pension scheme, a defined benefits pension scheme now closed to new members, or to the Gold State Superannuation Scheme, a defined benefit and lump sum scheme now also closed to new members. All staff who do not contribute to either of these schemes become non-contributory members of the West State Superannuation Scheme, an accumulation fund complying with the Commonwealth Government Superannuation Guarantee (Administration) Act 1992. All of these schemes are administered by the Government Employees Superannuation Board (GESB).

The Pension Scheme and the pre-transfer benefit for employees who transferred to the Gold State Superannuation Scheme, are unfunded and the liability for future payments is provided for at reporting date.

The liability for superannuation charges under the Gold State Superannuation Scheme and West State Superannuation Scheme are extinguished by payment of employer contributions to the GESB.

The note disclosure required by paragraph 6.10 of AASB 1028 (being the employers share of the difference between employees accrued superannuation benefits and the attributable net market value of planned assets) has not been provided. State Scheme deficiencies are recognised by the State in its whole of Government reporting. The Government Employees Superannuation Board's reports are not structured to provide the information for the Commission. Accordingly, deriving the information for the Commission is impractical under current arrangements, and thus any benefits thereof would be exceeded by the cost of obtaining the information.

Employee benefit on-costs

Employee benefit on-costs are recognised and included in employee benefit liabilities and costs when the employee benefits to which they relate are recognised as liabilities and expenses. (See note 7 and 11).

(e) Leased Assets

The Commission has entered into a number of operating lease arrangements for buildings, office equipment and a motor vehicle, where the lessors effectively retain all of the risks and benefits incident to ownership of the items held under the operating leases. Equal instalments of the lease payments are benefits charged to the operating statement over the lease term, as this is representative of the pattern to be derived from the leased property.

(f) Grants

Grants are recognised as revenues in the period in which the Commission gains control of the appropriate funds. Control is normally obtained upon their receipt.

(g) Receivables

Unsecured Debtors

Unsecured debtors are recognised at the amounts receivable as they are due for settlement no more than 42 days from the date of recognition.

Collectability of receivables is reviewed on an ongoing basis. Debts which are known to be uncollectable are written off. A provision for doubtful debts is raised where some doubts to collection exists.

Secured Debtors

Secured debtors balances are only payable to the Commission on the sale or other alienation of the property. Due to the long term nature of these debts, a provision for discount is raised which enables the balance to be shown at the Net Present Value.

Collectability of receivables is reviewed on an ongoing basis. Debts which are known to be uncollectable are written off. A provision for doubtful debts is raised where some doubts to collection exists.

(h) Payables

Payables, including accruals not yet billed, are recognised when the Commission becomes obliged to make future payments as a result of a purchase of assets or services. Trade payables are generally settled within 30 days. Grant of aid commitments are settled as the case progresses. Given time constraints matters can be outstanding for between 3 months and 2 years.

(i) Accrued Salaries

Accrued salaries represent the amount due to staff but unpaid at the end of the financial year, as the end of the last pay period does not coincide with the end of the financial year. The Commission considers the carrying amount approximates net fair value. (See note 6).

(j) Comparative figures

Comparative figures are, where appropriate, reclassified so as to be comparable with the figures presented in the current financial year.

2 Cash Assets

	2002/03	2001/02
	\$	\$
Bank Accounts	4,692,989	5,411,320
Cash on Hand - Petty Cash	5,585	5,375
	4,698,574	5,416,695

3 Restricted Cash Assets

The Asbestosis Account was established in January 1989 to fund the granting of legal aid in relation to asbestos-related actions. The Commission pays into the Account all amounts that it receives as costs recovered from asbestos-related actions by plaintiffs to whom the Commission has granted legal aid. The overall costs of those actions are met from the Account. The cash is restricted for Asbestosis matters only.

	2002/03	2001/02
	\$	\$
Balance of Funds 1 July 2002 - Opening Balance	4,534,958	4,336,484
Revenue:		
~ Recovered Costs	-	8,527
~ Interest	226,732	202,610
	<u>4,761,690</u>	<u>4,547,621</u>
Expenditure		
~ Private Practitioners	12,568	12,663
Balance of Funds 30 June 2003 - Closing Balance	4,749,122	4,534,958

4 Receivables

	2002/03	2001/02
	\$	\$
Current		
Unsecured debts	1,456,837	955,102
Less: Provision for doubtful debts	(400,899)	(364,892)
	<u>1,055,938</u>	<u>590,210</u>
Non Current		
Secured Debts	3,732,245	3,882,281
Less: Provision for doubtful debts	(20,000)	(20,000)
Less: Provision for discount	(683,152)	(844,159)
	<u>3,029,093</u>	<u>3,018,122</u>
	4,085,031	3,608,332

Secured Debts

Legal assistance may be granted subject to a condition that the legal costs be secured by a charge being lodged against property registered in the name of the legally assisted person. Full payment of the debt secured is required on sale or other alienation of the property.

History has shown that the average repayment period of secured debts is around eight years. No interest is charged on the outstanding debt. In accordance with AAS 15 an implicit interest adjustment is made to take account of this long term repayment aspect.

Secured debtors were discounted at 4.725% (2002: 5.795%) using the 5 year government bond rate as at June 30, 2003.

(iii) Provision for Doubtful Debts

	2002/03	2001/02
	\$	\$
Balance 30 June 2002	384,892	318,101
Bad debts written off 2002/03	(13,196)	(3,025)
	371,696	315,076
Provision 2002/03	49,203	69,816
	420,899	384,892
	2002/03	2001/02
	\$	\$
Debts written off for 2002/03 were authorised by -		
the Accountable Commission -	13,196	3,025

(iv) Provision for Discount

	2002/03	2001/02
	\$	\$
Balance 30 June 2002	844,159	839,609
Implicit interest charge / (writeback)	(161,007)	4,550
Provision 2002/03	683,152	844,159

5 Non-Current Assets - Property, plant, equipment and vehicles

(i) Profits and losses on disposal of non-current assets are taken into account in determining the results for the year.

	2002/03	2001/02
	\$	\$
Land		
At Fair Value (I)	60,300	67,000
Accumulated Depreciation	-	-
Net Value	60,300	67,000
Buildings		
At Fair Value (I)	267,700	298,000
Accumulated Depreciation	(17,314)	(11,960)
Net Value	250,386	286,040
Fixtures and Fittings		
At Cost	27,863	27,863
Accumulated Depreciation	(17,842)	(16,063)
Net Value	10,021	11,800
Leasehold Improvements		
At Cost	967,221	958,311
Accumulated Depreciation	(579,927)	(470,272)
Net Value	387,294	488,039
Furniture and Equipment		
At Cost	1,218,351	1,010,489
Accumulated Depreciation	(730,900)	(575,134)
Net Value	487,451	435,355
Motor Vehicles		
At Cost	359,039	289,282
Accumulated Depreciation	(53,722)	(38,675)
Net Value	305,317	250,607
Total Net Value of Assets	1,500,768	1,538,841

(I) Land and Buildings

The revaluations were provided by Department of Land Administration as at 1 July 2002 and represent the valuations in the Government Property Register managed by the Government Property Office. The valuation was provided on the basis of current market value using "curb side" estimate.

LEGAL AID COMMISSION OF WESTERN AUSTRALIA
Notes to and forming part of the Financial Statements
for the year ended 30 June 2003

(iii) Reconciliations

Reconciliations of the carrying amounts of property, plant, equipment and vehicles at the beginning and end of the current and previous financial year are set out below.

	Land	Buildings	Fixtures & Fittings	Leasehold Improvements	Furniture & Equipment	Motor Vehicles	Total
	\$000	\$000	\$000	\$000	\$000	\$000	\$000
2003							
Carrying amount at start of year	67,000	286,040	11,800	488,039	435,355	250,607	1,538,841
Additions				8,910	256,365	237,786	503,061
Disposals					(7,307)	(131,879)	(139,186)
Revaluation increments							-
Revaluation decrements	(6,700)	(30,300)					(37,000)
Depreciations		(5,354)	(1,779)	(109,655)	(196,962)	(51,197)	(364,947)
Write - off of Assets < \$1,000							-
Carrying amount at the end of year	60,300	250,386	10,021	387,294	487,451	305,317	1,500,768

6 Payables

	2002/03	2001/02
	\$	\$
Grant of Aid Commitments	5,323,728	5,428,970
Grant of Aid Commitments - Police Royal Commission	174,809	-
Accrued Salaries	308,539	210,052
Staff Benefit Fund	38,235	30,616
Accrued Expenses	411,100	190,174
Government Grants in advance	620,303	1,298,761
Unclaimed Monies	1,164	1,681
	6,877,878	7,160,254

(i) Payables

The Commission considers the carrying amounts of accounts payable approximate their net fair values.

(ii) Accrued Salaries

Amounts owing for the 7 working days from 20 June - 30 June 2003

(2002 - 21 June to 30 June, 6 working days)

7 Provisions

	2002/03	2001/02
	\$	\$
Current		
Annual leave	786,424	908,031
Long service leave	378,243	522,544
	1,164,667	1,430,575
Non Current		
Long service leave	1,240,237	828,696
Superannuation	405,222	460,842
	1,645,459	1,289,538

(i) The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including superannuation and workers compensation premiums. The liability for such on-costs is included here. The associated expense is included under Salaries and Staff Related Expenses.

(ii) The superannuation liability has been established from an actuarial assessment of the present value of the employer's unfunded liability for superannuation associated with the Commission, and the present value of the amounts of that liability that will be met by the Treasurer without recovery from the Commission. The assessment is dated 30th June 2003.

8 Equity

	2002/03	2001/02
	\$	\$
Accumulated Funds		
Opening Balance	547,593	926,764
Less: Transfer to Asbestosis Reserve Account	(214,164)	(198,474)
	333,429	728,290
Change in net assets resulting from Operations	173,084	(180,697)
Closing balance of accumulated surplus	506,513	547,593

9 Reserves

	2002/03	2001/02
	\$	\$
Asset Revaluation		
Opening Balance	148,823	142,072
Net Revaluation Increment/(Decrement)		
Land	(6,700)	
Buildings	(30,300)	(2,000)
Furniture		8,751
Closing Balance	111,823	148,823

The asset revaluation reserve is used to record increments and decrements on the revaluation on non-current assets, as described in accounting policy note 1(c).

10 Legal Service Expenses

	2002/03	2001/02
	\$	\$
Grant of Aid Expenses		
~ Assignment Costs	10,357,621	9,505,141
~ Asbestosis Case Costs	12,568	20,957
	<u>10,370,189</u>	<u>9,526,098</u>
Other Service Expenses		
~ Legal Advice	232,492	109,182
~ Duty Lawyer	185,652	226,384
	<u>10,788,333</u>	<u>9,861,664</u>

11 Employee Expenses

	2002/03	2001/02
	\$	\$
Salaries and Staff Related Expenses		
Salaries	11,118,145	10,219,570
Annual Leave Expense	(121,724)	97,846
Long Service Leave Expense	267,241	323,011
	<u>11,263,662</u>	<u>10,640,427</u>
Staff Related Expenses		
Superannuation	1,182,709	845,029
Superannuation Provision		
State Superannuation - Pre Transfer	(55,620)	(85,413)
Staff Training	68,279	47,812
Other Staff Related Expenses	190,868	165,347
	<u>1,386,236</u>	<u>972,775</u>
	<u>12,649,898</u>	<u>11,613,202</u>

These employee expenses include superannuation, workers compensation premiums and other employment on-costs associated with the recognition of annual and long service leave liability. The related on-costs liability is included in Provisions at Note 7.

12 Other Expenses from Ordinary Activities

	2002/03	2001/02
	\$	\$
Communications	403,667	345,820
Consumables	486,516	514,692
Maintenance	211,808	133,524
Bad Debts written off	13,196	3,025
Doubtful Debts Expense	36,006	66,791
	<hr/>	<hr/>
	1,151,193	1,063,852
Other	194,443	233,940
	<hr/>	<hr/>
	1,345,636	1,297,792

13 Services and contracts

	2002/03	2001/02
	\$	\$
Accommodation	1,799,234	1,665,760
Information Technology	677,736	1,165,220
(i) Audit Fees	65,742	72,618
Other	706,672	527,742
	<hr/>	<hr/>
	3,249,384	3,431,340

(i) Services and Contracts includes	2002/03	2001/02
	\$	\$
Audit Fees for		
Audit by the Office of the Auditor General	27,000	23,000
	<hr/>	<hr/>
	27,000	23,000

14 Depreciation expenses

	2002/03	2001/02
	\$	\$
Depreciation		
Buildings	5,354	5,960
Office Equipment	54,492	46,311
IT Equipment	139,776	131,543
Motor Vehicles	51,197	42,172
Fixtures and Fittings	1,779	2,321
Leasehold Improvements	109,655	46,752
Furniture	2,694	7,512
Library	-	-
	364,947	282,571

15 Revenue from Services

	2002/03	2001/02
	\$	\$
Client contributions and fees on grants of aid	837,732	845,758
Cost recoveries on grants of aid	367,214	294,759
Recovered Costs on Asbestosis matters	-	8,527
Legal Advice Fees	127,337	120,887
Duty Lawyer Fees	65,053	56,447
Community Legal Education	31,606	27,099
	1,428,942	1,353,477

16 Commonwealth Grants and Contributions

	2002/03	2001/02
	\$	\$
Operating Grant as per 1997 Funding Agreement	10,935,812	10,425,801
Christmas/Cocos Islands	210,217	189,750
	11,146,029	10,615,551

17 Other Revenue from Ordinary Activities

	2002/03	2001/02
	\$	\$
State - Specific Purpose Contributions	171,742	146,856
Other Misc. Income	20,096	166,273
Dept of Immigration and Ethnic Affairs	6,898	(4,164)
	198,736	308,965

18 Net Gain(losses) on disposal of non-current assets

	2002/03				2001/02		
	\$				\$		
	Land	Buildings	Furniture & Equipment	Motor Vehicles	Leasehold Improvements	Furniture & Equipment	Motor Vehicles
Gain on Sale of Non-Current Assets							
Asset written down value			1,824	16,379		-	31,082
Gross proceeds on disposal of asset			4,372	25,227		3,767	33,773
Loss on Sale of Non-Current Assets							
Assets written down value			5,481	115,500		13,071	56,473
Gross proceeds on disposal of asset			1,233	102,727		748	54,091
Net Gain/(Loss)			(1,700)	(3,925)		(8,556)	309

19 Interest Revenue

	2002/03	2001/02
	\$	\$
Interest on Legal Aid Operational Funds	346,678	307,852
Interest earned on Asbestosis Account	226,732	202,610
	573,410	510,462

20 Consolidated Fund - Recurrent Appropriation

	2002/03	2001/02
	\$	\$
State Government Funding		
State Government Funding	15,068,783	13,530,214
	15,068,783	13,530,214

The Legal Aid Commission is an output of the Department of Justice for the purposes of the State Budget, and receives State Government funding through the Department.

21 Reconciliation of Cash

For the purpose of the Statement of Cash Flows, cash includes cash resources and restricted cash resources.

	2002/03	2001/02
	\$	\$
Cash Resources		
Bank Accounts	4,692,989	5,411,320
Cash on Hand	5,585	5,375
	<u>4,698,574</u>	<u>5,416,695</u>
Restricted Cash Resources		
Asbestosis Account	4,749,122	4,534,958
	<u>9,447,696</u>	<u>9,951,653</u>

22 Reconciliation of Net Cash Used in Operating Activities to Net Cost of Services

	2002/03	2001/02
	\$	\$
Net Cash used in operating activities	(13,958,822)	(14,021,555)
Non Cash Items		
Depreciation	(364,947)	(282,571)
Net profit (Loss) on disp. of Non-Current Assets	(5,625)	(8,246)
Accrued Assets	21,785	-
Asset write down		(38,212)
Changes in Assets and Liabilities		
Increase (Decrease) in Accounts Receivable (I)	455,080	(37,986)
Increase (Decrease) in Prepayments	9,052	(9,016)
Decrease (Increase) in Accounts Payable (II)	(983,828)	938,442
Increase (Decrease) in Provision for Doubtful Debts	36,006	66,791
Decrease (Increase) for Annual and Long Service Leave	(145,633)	(424,595)
Decrease (Increase) in Provision for Superannuation	55,620	85,413
Accounts Receivable write down		-
Adjustment to opening surplus		-
Change in GST in receivables/payables	(14,387)	20,624
Net Cost of Services	<u>(14,895,699)</u>	<u>(13,710,911)</u>

(I) This is the net GST paid/received, ie. Cash transactions.

(II) This reverses out the GST in accounts receivable and payable.

23 Leasing Commitments

At 30 June 2003, the following commitment existed in respect of operating leases.

	2002/03	2001/02
	\$	\$
Amount payable:		
Not later than 1 year	1,739,963	1,804,518
Later than 1 year and not later than 2 years	1,645,564	1,733,529
Later than 2 years and not later than 5 years	468,175	1,837,768
Later than 5 years.	106,672	128,625
	3,960,374	5,504,440
	2002/03	2001/02
	\$	\$
Representing:		
Non-cancellable operating leases	3,960,374	5,504,440
	3,960,374	5,504,440

24 Remuneration of Members of the Accountable Commission and Senior Officers

	2002/03	2001/02																																							
	\$	\$																																							
The total remuneration of of the members of the Accountable Commission is:	307,783	217,567																																							
The total remuneration of senior officers is:	341,500	355,095																																							
<p>The superannuation included here represents the superannuation expense incurred by the Commission in respect of members of the Accountable Commission.</p> <p>No members of the Accountable Commission are members of the Pension Scheme</p> <p>The number of members of the Accountable Commission whose total of fees, salaries, superannuation and other benefits for the financial year, fall within the following bands are:</p> <table> <tbody> <tr> <td>\$0 - \$10,000</td> <td style="text-align: right;">3</td> <td style="text-align: right;">3</td> </tr> <tr> <td>\$10,000 - \$20,000</td> <td style="text-align: right;">1</td> <td style="text-align: right;">1</td> </tr> <tr> <td>\$240,000 - \$250,000</td> <td style="text-align: right;">1</td> <td style="text-align: right;">1</td> </tr> <tr> <td></td> <td style="text-align: right;"><hr/></td> <td style="text-align: right;"><hr/></td> </tr> <tr> <td></td> <td style="text-align: right;">5</td> <td style="text-align: right;">5</td> </tr> </tbody> </table>			\$0 - \$10,000	3	3	\$10,000 - \$20,000	1	1	\$240,000 - \$250,000	1	1		<hr/>	<hr/>		5	5																								
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<p>The number of Senior Officers other than senior officers reported as members of the Accountable Commission, whose total of fees, salaries, superannuation and other benefits for the financial year, fall within the following bands are:</p> <table> <tbody> <tr> <td>\$0 - \$40,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$40,000 - \$50,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$50,000 - \$60,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$60,000 - \$70,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$70,000 - \$80,000</td> <td style="text-align: right;">1</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$80,000 - \$90,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">1</td> </tr> <tr> <td>\$90,000 - \$100,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$100,000 - \$110,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td>\$110,000 - \$120,000</td> <td style="text-align: right;">1</td> <td style="text-align: right;">1</td> </tr> <tr> <td>\$120,000 - \$130,000</td> <td style="text-align: right;">1</td> <td style="text-align: right;">1</td> </tr> <tr> <td>\$140,000 - \$150,000</td> <td style="text-align: right;">-</td> <td style="text-align: right;">-</td> </tr> <tr> <td></td> <td style="text-align: right;"><hr/></td> <td style="text-align: right;"><hr/></td> </tr> <tr> <td></td> <td style="text-align: right;">3</td> <td style="text-align: right;">3</td> </tr> </tbody> </table>			\$0 - \$40,000	-	-	\$40,000 - \$50,000	-	-	\$50,000 - \$60,000	-	-	\$60,000 - \$70,000	-	-	\$70,000 - \$80,000	1	-	\$80,000 - \$90,000	-	1	\$90,000 - \$100,000	-	-	\$100,000 - \$110,000	-	-	\$110,000 - \$120,000	1	1	\$120,000 - \$130,000	1	1	\$140,000 - \$150,000	-	-		<hr/>	<hr/>		3	3
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26 Client Trust Funds

Monies held in trust for persons who are or have been assisted persons are held in a centralised trust fund.

	2002/03	2001/02
	\$	\$
Balance of Funds 1 July 2002	1,364	17,000
Receipts	456,557	866,511
	457,921	883,511
Payments	442,981	882,147
Balance of funds 30 June 2003	14,940	1,364

In addition to the above, individual interest bearing trust accounts in the name of the Director of Legal Aid in trust for "clients" administered by the Legal Aid Commission. These accounts are used when substantial amounts are involved or the Court so directs. At 30 June 2003 there were no accounts maintained at BankWest compared to one such account at the conclusion of 2001/2002 totalling \$21,677.

27 Indian Ocean Territories

The Commission provides a full range of legal services to the residents of Christmas and Cocos Islands. The service is provided pursuant to the service delivery agreement with the Commonwealth government.

Opening Balance 2002	-\$7,482
Receipt from Commonwealth	\$210,217
Client Contributions	\$1,145
Expenditure	-\$197,379
Closing Balance 2003	\$6,501

28 Interest rate risk exposure

The following table summarises interest rate risk to the Legal Aid Commission as at 30th June 2003.

	Floating interest rate	Fixed Interest Maturing in			Non-interest bearing	Ave. Interest Rate		
		Six months or less	6 months to one year	More than one year		Total	floating	fixed
	\$	\$	\$	\$	\$	\$		
Financial Assets								
Cash	4,698,574					4,698,574	4.60%	
Restricted Cash	4,749,122					4,749,122	4.66%	
Debtors					4,085,031	4,085,031		
Financial Liabilities								
Creditors					6,877,878	6,877,878		

The following table summarises interest rate risk to the Legal Aid Commission as at 30th June 2002.

	Floating interest rate	Fixed Interest Maturing in			Non-interest bearing	Ave. Interest Rate		
		Six months or less	6 months to one year	More than one year		Total	floating	fixed
	\$	\$	\$	\$	\$	\$		
Financial Assets								
Cash	5,416,695					5,416,695	4.60%	
Restricted Cash	4,534,958					4,534,958	4.98%	
Debtors					3,608,332	3,608,332		
Financial Liabilities								
Creditors				7,160,254	7,160,254			

Notes: Floating interest rates represent the most recent rate applicable to the instrument at balance date.

Fair Value

The carrying amount of financial assets and financial liabilities recorded in the financial statements are not materially different from their net fair values, determined in accordance with the accounting policies disclosed in note 1 to the financial statements.

Credit Risk

Secured creditors are secured by way of caveat or memorial over creditors' properties. All other financial assets are unsecured.

In respect of all financial assets, the carrying amount represents the Commission's maximum exposure to credit risk in relation to these assets.

29 Events occurring after Balance Date

There were no events occurring after balance date which related to any conditions existing at balance date or were material in relation to the financial statements.

30 Explanatory Statement

Comparisons of actual results with those of the preceding year	2002/2003	2001/2002	VARIATION
Details and reasons for significant variations between actual revenue and expenditure and the corresponding item of the preceding year are detailed below. Significant variations are considered to be those greater than 10% over the preceding year or abnormal in nature.	ACTUAL	ACTUAL	
	(\$)	(\$)	(%)
Expenses from Ordinary Activities			
Legal Service Expenses	10,788,333	9,861,664	9%
Increase primarily relates to expenditure of \$646,294 on legal representation for the Police Royal Commission.			
Employee Expenses	12,649,898	11,613,202	9%
Increase due to abnormal backdated superannuation expense, increased staffing level, and wage increase.			
Revenues From Ordinary Activities			
Revenue form Services	1,428,942	1,353,477	6%
Increases primarily relates to additional client contributions on grants of legal aid.			
Interest Revenue	573,410	510,462	12%
Increase due to higher average level of funds invested and earlier receipt of Government revenues.			
Implicit Interest	161,007	-4,550	>10%
In the year 1999/2000 an audit recommendation was adopted in respect of AAS15, Fair Value of Revenue. This discounted the value of the secured debtors. Reduction in the applicable interest rate has led to a reduction in the value being discounted.			
Other Revenue From Ordinary Activities	198,736	308,965	12%
2001/02 revenue includes abnormal revenue of \$139,035 adjustment related to correction of prior year computing processing error.			
Revenues from Government			
State Appropriation	15,068,783	13,530,214	11%
Increase due to funding received in support of Police Royal Commission and recurrent appropriation.			

LEGAL AID COMMISSION OF WESTERN AUSTRALIA
Notes to and forming part of the Financial Statements
for the year ended 30 June 2003

Comparisons of Estimate and Actual Results	2002/2003	2002/2003	VARIATION
	ACTUAL	ESTIMATE	
	(\$)	(\$)	(%)
Section 42 of the Financial Administration and Audit Act requires statutory authorities to prepare annual budget estimates. Treasurer's Instruction 945 requires an explanation of significant variations between these estimates and actual results. Significant variations are considered to be those greater than 10% of budget.			
Expenses from Ordinary Activities			
Legal Service Expenses	10,788,333	9,238,588	7%
Actual expenditure includes \$646,294 for legal representation on Police Royal Commission and \$702,311 for expensive cases (i.e. greater than \$20,000). Budgets for these items were not available when the budget was formulated.			
Employee Expenses	12,649,898	11,924,078	6%
Increase over budget due to unbudgeted abnormal backdated superannuation expense and higher than budgeted expenditure on annual leave liability.			
Revenue From Ordinary Activities			
Interest	573,410	320,000	7%
There was no budget provision for interest earned on the Asbestosis Account which amounted to \$226,732.			
Implicit Interest	161,007	0	>10%
The actual for implicit interest is subject to movements in interest rates which may increase or decrease. Hence no budget is estimated for this item.			
Revenues from Government			
State Appropriation	15,068,783	13,719,000	10%
Increase over budget due to revenue related to expensive case expenditure and revenue received in support of expenditure on legal representation costs on the Police Royal Commission.			

31 Commonwealth Expenditure

Legal Aid WA maintains systems to distinguish the actual cost of delivering Commonwealth and State funded services. These systems utilise activity data to produce accrual costs. Costs in relation to funding arrangements with the Commonwealth Attorney General's Department in 2002/2003 were:

	\$' 000's
Carry Forward Surplus/(Deficit)	(240)
Income	
Commonwealth Funding - Recurrent	10,486
Commonwealth Funding - Expensive Cases	290
Commonwealth Funding - ADR Grant	110
Community Legal Centres	3,001
Contribution / Cost Recovery/Sundry	594
Interest	154
Abnormal Revenue - Audit Adjustment On Debtors Discount	92
TOTAL INCOME	14,727
Expenditure	
Family Law Legal Representation	5,930
Civil Law Legal Representation	130
Criminal Law Legal Representation	445
Assessment and Case Management	2,209
Total Cost of Legal Representation	8,714
Duty Lawyer Services	30
Community Legal Centres	3,001
Legal Advice and Minor Assistance	1,284
Telephone Information & Referral	508
Face to Face Advisory Services	79
Community Legal Education	118
Alternative Dispute Resolution	526
Policy Advice	27
Publications	100
Community Development	158
Prison Visiting	19
State Law Matters	524
Total Cost of Non-Litigation Services	6,374
TOTAL EXPENDITURE	15,089
2002/03 SURPLUS/(DEFICIT)	(362)
Closing Surplus/(Deficit)	(602)

32 State Expensive Cases

Arrangements exist with the State Government for additional funding to be provided to ensure expensive criminal trials involving serious charges are not delayed through lack of legal representation. Expensive cases are categorised as matters where the cost of legal representation are expected to exceed \$20,000.

The reconciliation of the expensive cases fund for 2002/03 is as follows:

Budget Funding	454,228
Adjustment relating to prior years	
Supplementary Funding 2002/03	
Expenditure 2002/03	(686,261)
Available Funds 30/06/2003	(-232,033)

Supplementary funding wasn't sought in 2002/03 as the Commission was able to cover the shortfall from cash reserves relating to other special category funding provided during the year. As and when the need arises, supplementary funding will be sought to restore the funding situation within the fund.

33 Special Category Funding

During the course of the year the Commission realised expenditure related to legal representation costs in support of two Commissions' of Inquiry:

(i) Police Royal Commission - to enable police officers before the Police Royal Commission to have legal representation. The Legal Aid Commission raised expenditure and was subsequently reimbursed from a special appropriation maintained by the Department of Justice. Financial activity was as follows:

Budget Funding (to Department of Justice)	1,100,000
Expenditure 2002/03	721,477
Funds remaining 30 June 2003	378,523

(ii) Finance Brokers Legal Fund. In July 2001 the Legal Aid Commission commenced maintaining special funding provided by the State Government for investigators legal actions to recover losses from defaulting finance brokers and borrowers, and those who provided professional services to those persons.

Financial activity was as follows:

Budget Funding (in 2001/02)	1,125,000
Expenditure 2001/02	336,273
Expenditure 2002/03	291,045
Funds remaining 30 June 2003	497,682

34 Community Legal Centres

The Commission is a conduit through which the Commonwealth Government directs funding to Community Legal Centres in Western Australia. Such monies do not form part of the Commission operational funding and are accordingly not included as part of the Commission financial statements.

Financial transactions related to this are as follows:

Opening Balance 01/07/2002	60,214
Revenue	3,065,588
Expenditure	2,998,297
Closing Balance 30/06/2003	<hr/> 127,505

Legal Aid Offices

TELEPHONE INFORMATION LINE:

General Enquiries - 1300 650 579

CHILD SUPPORT LEGAL UNIT:

Carer Parents - 9261 6253

Liable Parents - 9261 6318

Country Callers (Toll-Free) 1800 199 363

DOMESTIC VIOLENCE LEGAL UNIT:

9261 6254 or 9261 6320

TTY (for the hearing impaired): 1800 241 216

www.legalaid.wa.gov.au

PERTH OFFICE

55 St Georges Terrace, Perth, WA 6000

GOLDFIELDS REGIONAL OFFICE

Suite 3, 120 Egan Street, Kalgoorlie, WA 6430

SOUTHWEST AND GREAT SOUTHERN REGIONAL OFFICE

Koombana Court, 141 Victoria Street, Bunbury, WA 6230

FREMANTLE REGIONAL OFFICE

Shop 7, Queensgate Centre, William Street, Fremantle, WA 6160

MIDLAND REGIONAL OFFICE

DOLA Building

Cnr Midland Square and The Avenue,

Midland, WA 6056

KIMBERLEY REGIONAL OFFICE

40 Dampier Terrace, Broome, WA 6725

PILBARA REGIONAL OFFICE

28 Throssell Road, South Hedland, WA 6722

CHRISTMAS/COCOS ISLANDS OFFICE

Administration Building Gaze Road,

Christmas Island, Indian Ocean, WA 6798