



LEGAL AID
WESTERN AUSTRALIA



Annual Report
2005-2006

Dear Mummy and
Daddy Dad; when you
make me laugh you
make me happy. Mum
when you take me
out I love it, Thank
you for every thing
and thank you for
being my parents. Thank
you for Romeo when I
was little. I love him
lots. I love you very
very much. Love from
Jaia xxx ooo xoxoxo

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Chairman's report



I have pleasure in presenting the Legal Aid Commission's Annual Report for 2005-06.

Almost every person seeking legal assistance will be a member of a family – a family affected, often deeply, by the issues that bring their son, daughter, mother, father or extended family member to Legal Aid.

Whether it is an alternative dispute resolution process, assistance in negotiations to right a wrong, or representation before one of Western Australia's many courts or tribunals, Legal Aid plays a major role in assisting members of families in crisis.

Recent changes to laws relating to children, parents and extended family members at both commonwealth and state levels have resulted in fresh challenges for service providers dealing with financial, social and legal issues.

The Commonwealth Family Law Amendment (Shared Parental Responsibility) Act 2006 has made significant alterations in the way in which families or members of families will be guided through the family law system in the future. Sixty-five Family Relationship Centres are to be established around Australia over the next three years. There is to be a greater emphasis on the use of alternative dispute resolution programs to solve family law problems.

Significant change has also occurred at a state level. The Children and Community Services Act 2004, which came into operation in March 2006, addresses many of the weaknesses in child welfare and protection which had become evident over the years, both to practitioners and the wider community.

The Commission is very pleased that the State Government has recognised the importance of Legal Aid's role in the justice system by providing additional funds to enable Legal Aid to provide much needed representation and legal assistance to needy persons, who in the past could not be assisted because of budgetary constraints. With this additional state funding, Legal Aid is now able to provide a comprehensive Duty Lawyer Service for respondent parents, to better negotiate care arrangements for their children while also assisting the court by making available the specialist children's lawyers who are needed in demanding and complex cases.

State funding has also been provided to enable Legal Aid to expand the legal representation available to persons appearing on serious criminal charges in Magistrates Courts throughout WA. This will ensure that magistrates have better and more complete information when sentencing, and should result in more appropriate sentencing outcomes for persons than in the past, where representation was unavailable due to lack of resources.

Additional state funding made available in the previous year had enabled Legal Aid to establish an office in Geraldton, to service the Midwest and Gascoyne regions of WA. This followed the opening of a new office in Albany some months earlier, bringing the number of non-metropolitan Legal Aid offices to seven. Kununurra (East Kimberley), Mandurah (Peel) and Joondalup (Northern Metropolitan) are now being considered as potential sites for new offices, should additional commonwealth or state funds become available in the future.

The Legal Aid scheme could not work without the much appreciated contribution of private practitioners and our community legal centre partners, to whom the gratitude of Legal Aid and the community generally is owed. Additional state funding has allowed a small increase in fees to practitioners for criminal trials, and we have also been able to increase fees in criminal appeals to a level more commensurate with the work undertaken in this challenging area. However, notwithstanding those increases, the overall level of fees remains low, and it has become increasingly difficult for Legal Aid to retain the services of the comparatively small numbers of private practitioners experienced in criminal law.

I would also like to thank the Director of Legal Aid, George Turnbull, my fellow board members, and the committed and enthusiastic staff of Legal Aid for their tireless work throughout the year, as well as the Law Society and the judiciary, for the encouragement and support they have given to the work undertaken by Legal Aid.

Legal Aid's objective is to meet the needs of disadvantaged members of the community by offering a range of legal services, and by ensuring that where children are involved, they are given high priority.

I hope you find this report useful and informative, and that you enjoy the artwork and contributions to it by the children of Western Australia.

Malcolm McCusker AO QC
Chairman

Total cost of services increased by \$3,350,143 or 9.9 per cent.

Total expenditure on legal representation increased by \$1,363,620 or 7.8 per cent.

Expenditure on legal representation performed by the private profession increased by \$1,085,577 or 10.2 per cent.

Total income increased by \$1,640,750 or 4.7 per cent, boosted by an increase in the distribution from the Legal Contribution Trust of \$583,519.



The
Unique Tale



SECTION 1

Highlights and Special Projects

Section 1

Highlights and Special Projects

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Reflections of a Winter Vacation Clerk

Monday, 26 June 2006 – Overview

This was my first day as a Winter Clerk at Legal Aid. I was overwhelmed by the size of Legal Aid and amazed to learn how many female staff they employ, and how many different departments there are. I went to the Duty Lawyer Section and met the staff and lawyers. In the afternoon we took part in some role-playing exercises with the Articled Clerks. I learnt how to improve my advocacy skills in a safe and supportive environment.

Tuesday, 27 June 2006 – Duty Lawyer

I watched many interviews at Duty Lawyer in Magistrates Court. I was truly amazed at the amount of work involved – a huge number of clients, each with totally different charges and issues. Duty Lawyers have to know the law (which is constantly changing) and be advocates, counsellors, psychologists and sometimes a friend to their clients. They need to be extremely focused, clear-thinking, rational, empathetic, sympathetic, compassionate, reasonable – and all this at a very fast pace.

In the afternoon we had an overview of the Criminal Law Section. This was very informative and made me want to work there at some point in the future.

Future outlook – new Magistrates Court funding

The State Government has allocated \$1.8 million in additional funding from 1 July 2006 to Legal Aid to provide Magistrates Court services. We anticipate providing 1100 additional services per year to people facing serious charges in Magistrates Courts. Around 20 per cent of the extra services will be trials and the remaining 80 per cent complex pleas.

The funds will enable Legal Aid to establish a new, dedicated legal team to provide Magistrates Court case services. The key focus is to reduce the number of unrepresented people imprisoned by Magistrates Courts. The new unit will target low income and disadvantaged people charged with serious offences to:

- ensure proper legal representation is provided in Magistrates Courts, with particular emphasis on assisting special needs clients and clients with complex matters
- achieve better outcomes by way of information exchange and negotiations with police, prosecutors and other relevant parties and
- offer alternative sentencing outcomes to magistrates by providing relevant information readily identifiable to a lawyer but not known or understood as significant by an unrepresented person intent on pleading guilty.

The new unit will begin operating early in the new financial year. However, it will take some time before it is working at full capacity.

To encourage specialisation in Magistrates Court matters, Legal Aid will create a new Magistrates Court Section. This will consist of:

- Magistrates Court Case Work Services
- Mentally Impaired Defendants Services
- Duty Lawyer Services
- Carnarvon Flying Duty Lawyer Services
- Drug Court Services
- Prison Visiting Services

The creation of this new section will also enable Legal Aid's in-house Criminal Law Section to focus on superior court pleas, trials and appeals.

Legal Aid's guidelines have been revised to accommodate the new services. The changes will result in more grants of aid for complex clients and clients with complex matters in Magistrates Courts. Although there is scope for some additional private practitioner grants in Magistrates Courts, it is anticipated that the majority of additional work will be taken in-house with private practitioners assuming a greater role in District and Supreme Court matters. The new guidelines commenced on 10 July 2006.

Case study – Duty Lawyer

A 21-year-old man faced 15 charges, including disorderly behaviour in public, damaging property, possessing things for applying graffiti and assaulting public officers. He had alcohol and illicit drug problems and was intoxicated at the time of the offences. He was assessed for the Pre Sentence Opportunity Program (POP) and, after pleading guilty to two of the charges, was referred to the Perth Community Drug Service Team.

The POP is an early intervention program that aims to divert offenders with drug issues into treatment and rehabilitation. The man's bail conditions included counselling at the Fremantle Palmerston Centre and participating in an art course.

Many positive changes resulted from the POP. He has limited his drinking, stopped taking drugs, broadened and enhanced his artistic ability by moving from street art to mainstream art, re-established a relationship with his mother, dealt with his personal issues and gained employment.

When read the facts relating to his charges, he felt disgusted and ashamed. The man appreciated the chance he had been given and said he had learnt a valuable lesson. Magistrate Woods and the Community Justice Services officer were very impressed by this man's progress and he was placed on an Intensive Supervision Order after pleading guilty to 12 of the remaining 13 charges.

This case is an example of the court using therapeutic jurisprudence creatively and effectively. The man has now turned his life around, has support structures in place and the determination to continue to positively contribute to the community.

Children's Court (Protection) Services

On 10 April 2006, Legal Aid has established a duty lawyer service called Children's Court (Protection) Services.

The service is based at the Perth Children's Court and is staffed by a full-time lawyer and a full-time paralegal who provide respondents to protection applications brought by the Department for Community Development in relation to their children with:

- legal and procedural advice
- representation in court, including applying for adjournments, appearing on behalf of clients on at least the first and second return dates of protection applications on matters which can include interim contact and placement issues (the duty lawyer cannot represent clients in trials)
- minor assistance services, including negotiating on behalf of clients with the Department for Community Development and other parties to the proceedings, and the preparation of court documents such as applications for interim contact, placement, and minutes of consent orders
- assistance with completing Legal Aid application forms and information about the likelihood of legal aid being granted
- referrals to private practitioners when there is a conflict, as well as referrals to other Legal Aid services and non-legal support services
- assistance with accommodation, social security and other issues that may arise once protection proceedings begin.

Child representation in the Children's Court

To support the implementation of the Children and Community Services Act 2004, Legal Aid received new state funding of \$593,000. Of this funding \$254,000 was committed to establishing a duty lawyer service known as Children's Court (Protection) Services. The balance of \$339,000 was allocated to fund the anticipated increase in orders for child representatives.

Prior to the new Act's commencement, lawyers were appointed to act as child representatives in Children's Court care and protection proceedings (now known as protection proceedings) only when the child or children were mature enough (usually 8 years of age or older) to provide instructions to their solicitor.

Under the new legislation if a child is not mature enough to provide instructions a child representative can now be appointed to act "in the best interests" of the child. If the child is mature and able to provide instructions the child representative will act "on the instructions" of the child as has been the case in the past. Sometimes a child representative will be acting on the instructions of some of the children in a family and in the best interests of the other children at the same time. This is only possible when the instructions of the mature children are consistent with the best interests of all of the children.

In the first three months of the new Act the number of appointments of child representatives has increased from 14 to 60 compared to the same period in 2005. Most of these have been assigned to in-house lawyers.

This trend and the issues associated with information sharing between the Department for Community Development (DCD) and child representatives have presented a number of challenges for Legal Aid, DCD and the Children's Court. We are currently working together to address these challenges to develop processes and achieve outcomes in the best interests of the children the subject of protection proceedings.



DCD provides Legal Aid with funding

The Department for Community Development provided Legal Aid with \$380,000 for lawyers on Legal Aid's panel to investigate and advise persons in cases of alleged abuse or negligence giving rise to injury while the person was a child in the care of DCD.

Current wards of the state and former wards who have not turned 24 years of age may be eligible under the scheme. To qualify, DCD's Legal Section must refer the applicant to Legal Aid.

These grants of aid enable the lawyer to:

- read all of DCD's files
- interview the client where appropriate
- obtain further documents as required
- provide a letter of advice to the Public Trustee (where the child is still a ward of the state), the child's guardian (where the child is no longer a ward) or to the client direct (where the client is now an adult).

If applications for legal aid are received direct from a client, or if the client is over the age of 24 years and therefore not eligible to have their claim processed through DCD, their application will be considered under the normal Legal Aid guidelines. These currently allow for disbursement-only grants. Accordingly, these clients will need to have solicitors who agree to act for them on the basis that their fees are paid when the proceedings finish.

Client Pathways Review

A review of the way people with family law issues move through Legal Aid was initiated in June 2005. The intention of the review was to map and examine the process by which a client with family law issues was assisted with a view to making sustainable improvements to service delivery where necessary.

In Stage 1 of the review a project team investigated, recorded and reported on client pathways in more than thirty case studies. This sample was used as a guide to the sorts of challenges facing clients accessing services. Staff information sessions and workshops were held in December 2005 with a total of 69 staff from all intake areas to record ideas for improvement.

We learnt from Stage 1 that staff commitment to "assist clients as best they can" could be improved with better training, supervision and support structures. We also learnt that timely access by staff to information concerning a client's previous dealings, including the assistance they received and the advice provided, is critical if services are to improve. Screening and assessment of clients was identified as an area for development, as was the need to improve staff knowledge of services available.

Stage 2 of the review will commence in July 2006 and will, through a series of workshops, further examine some of the key areas identified in Stage 1. The purpose of this second stage is to collaboratively design "ideal" service pathways, assuming no constraints with regards to legal conflict or limitations around technology or delegated authorities for decision-making. Workshops will be conducted during July, August and September 2006. Stage 2 should contribute to a shift from managing functions towards comprehensive case management of clients.

Although it is still early days, the development of protocols for the exchange of client information within and between agencies, rotation of staff across service boundaries, and the Client Pathways Review process itself reflect a desire from staff at all levels within Legal Aid to achieve better outcomes for clients.



Children's Views Reports (originally called Children's Wishes Reports) have been used in Alternative Dispute Resolution Conferences since 2004. They were produced when it was felt that, had the matter been before the Family Court, independent evidence from the children's perspective would have been required. Consent from both parents is required for the report.

In 2005 the Clinical Services Coordinator, Mark Proud, was asked to review how Wishes Reports contributed to the ADR process and how their material was presented.

Mark identified the conference chairpeople as the primary "user group" of the reports. He developed a questionnaire and asked over 20 chairpeople, both metropolitan and regional, for their views about the purpose, usefulness and content of the reports, and any suggested improvements.

Overwhelmingly, feedback was that reports were to "make the children visible" to parents who were locked in their conflict. Most of those interviewed felt the reports generally achieved this purpose. However, other comments were that it was vitally important for the children's perspectives be provided within a context of the underlying reasons for that perspective, and that the reports needed to be worded so that they were truthful yet palatable to the parties.

Mark presented this feedback to the group of professionals who write reports for the ADR program in an all-day workshop in October 2005. The recommendations were adopted and a standard format was developed.

The name of the reports was also changed from "Wishes" to "Views". Wishes had implied that children were asked to make a choice between their parents, while Views reflects the fact that the reports give children an opportunity to tell their parents, through an independent professional, how the family looks from their perspective.

Mark reviews all Children's Views Reports prior to their release and provides professional suggestions as to their content, resulting in a more consistent standard of report for the program.

The Alternative Dispute Resolution Program at Legal Aid continues to provide an alternative to litigation for people experiencing family disputes involving children, property or child support matters that do not come under the Child Support Agency's jurisdiction. The aim of the program is to help people achieve lasting and fair agreements.

The program gives clients the opportunity to have independent legal advice prior to and during an ADR conference, which is chaired by an independent experienced practitioner who will assist clients to reach agreement and resolve their dispute. Conferences may take place by telephone or video link, face-to-face, or by shuttle on the premises of legal offices which have conferencing facilities.

Rural offices

In the last 12 months ADR conferencing facilities have been purposely built at the new Albany and Geraldton Legal Aid offices, including facilities for observing conferences for supervision and training purposes.

Supervision and accreditation of chairpeople

The Senior Mediator has been working during the year on developing and implementing a program to provide supervision of chairpeople in the program. Legal Aid aims to have all chairpeople currently operating within the program eligible for accreditation as Family Dispute Resolution Practitioners as defined under the new Family Law Amendment (Shared Parental Responsibilities) Act 2006 and the associated regulations by 1 July 2007.

Training

In July 2005 the Senior Mediator provided a two-day training course for chairpeople to increase their skills and to ensure compliance with Regulation 61 of the current Family Law Regulations.

In February 2006 training was provided to magistrates of the Family Court of Western Australia on the conferencing principles, procedures and model. Also in February 2006 chairperson training was provided in Geraldton.

Training has also been provided to solicitors in mediation theory and the Legal Aid ADR conference model in Perth in August 2005 and January 2006 and in Port Hedland in February 2006.

As part of the program's ethos of continual improvement, the Senior Mediator in May 2006 provided a two-hour training session to chairpeople in property conferencing. A similar course is planned for the new year in Geraldton. Further chairperson training sessions on various topics will be conducted throughout the coming financial year.

The Clinical Services Coordinator also provided training to assessors and coordinators in the Assignments Section of Legal Aid on mediation theory, ADR conference procedure and the roles of all of the parties involved in organising and participating in a conference. Also throughout the year, training and/or information was provided to Legal Aid Infoline and Client Services staff and external agencies seeking information about the conferencing program.

Impact of the new family law legislation on the ADR Program

Within the spirit and intention of the new Family Law Amendment (Shared Parental Responsibilities) Act 2006, the ADR program has introduced the potential for parties to formalise the resolution of their dispute by way of a Parenting Plan or Parenting Orders.

Likewise all ADR documents, screening and intake tools have been modified to ensure that they comply with the new family law legislation and where necessary new forms and procedures have been introduced.

Projects for 2006-07

The ADR unit will continue to review its procedures and practices associated with property conferencing, a review to commence during the latter stages of this year. Over the next 12 months research will take place into the feasibility of introducing arbitration for certain property matters.

The ADR unit will also review the introduction of grandparents and other external family members or special people participating in the conferencing program.



Mark's work at Legal Aid involves mentoring and supervising ADR coordinators and chairpeople by monitoring their progress personally and professionally and providing training and debriefing where required. He also monitors Children's Views Reports to make sure they conform to a set standard.

Mark sees a big difference between his previous role at the Family Court and his work at Legal Aid. At the Family Court he was operating in a court-based environment where litigation had usually started. At the court, Mark found it was sometimes difficult to achieve positive outcomes in an atmosphere that was already adversarial and where counselling was often considered a diversionary process.

In contrast, Mark says that Legal Aid's ADR services are provided in an environment more conducive to negotiation and agreement. The process at Legal Aid is facilitated by solicitors trained in mediation and provides more time for people to truly negotiate their matters with some sessions lasting over four hours.

Mark says the best thing about ADR is that it is very client focused. Everyone is there with the goal of reaching an agreement as opposed to the court adjudicating an outcome.

Mark was appointed permanently to the position of Clinical Services Coordinator in Legal Aid's ADR Program in June 2006.

Schools Conflict Resolution and Mediation

Legal Aid continued to be a principal sponsor of SCRAM (Schools Conflict Resolution and Mediation), an interactive mediation role-play competition for Western Australian Year 9 and 10 students.

Administered by the School of Law and Justice, Edith Cowan University, the program aims to empower young people with the skills and confidence to facilitate peaceful dispute resolution in an assertive and respectful manner. Students, their schools and their communities benefit. Key communication, negotiation and decision-making skills are taught, including active listening, analysing, questioning, empathising, and creative and logical thinking. The skills used to reach an agreement that acknowledges the needs of all involved are the same skills used by the ADR chairpeople.

Legal Aid provides meeting rooms for the SCRAM committee and some administrative assistance, while Legal Aid staff members contribute to the committee with coaching and adjudicating.

SCRAM is organised entirely by a group of volunteers, with people trained in mediation as adjudicators and coaches. Students generally volunteer to participate and their teachers volunteer to support the team. This year there are 16 schools participating in SCRAM, including public and private schools, same sex and co-educational schools, as well as Perth-metro and regional schools.

Annual feedback from participating students continues to be positive, with most of the students returning the next year because

they enjoy the role-playing and because they genuinely realise the relevance of the skills to everyday life.

As well as extending students' cognitive abilities, SCRAM also helps to develop their social and interpersonal skills. From a practical standpoint, the program aims to reduce schoolyard disputes, as well as familial conflict, and promote more positive relationships.

In 2005 SCRAM was awarded an Australian Institute of Criminology Australian Crime and Violence Prevention Award to recognise it as an outstanding practical project aiming to prevent or reduce violence in Australia.

Key Strategy – Customer Service

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

Family Court Services established to provide full range of family law services including Duty Lawyer services, legal advice and minor assistance to those who are unrepresented before the Family Court.



Domestic Violence Advocacy Support Central

Innovative “one-stop-shop” family violence service

DVAS Central offers a “one-stop-shop” collaborative multi-agency service through the co-location of refuge, legal, family support, police and counselling services. DVAS is staffed by workers from the Orana Women’s Refuge, Legal Aid, Police and Department for Community Development, with visiting sessions from Centrecare, the Domestic Violence Children’s Counselling Service and other agencies.

The service represents international best practice standards of service delivery for victims of family violence and embodies the aspirations and recommendations of both the Gordon Inquiry Report and the Western Australian Family and Domestic Violence State Strategic Plan.

Evaluation

Edith Cowan University evaluated the service in 2005 and found that the one-stop-shop model was working extremely well for clients, staff, the community and the state. Access to existing services for vulnerable clients has been markedly increased by the multi-agency approach.

The report noted that the success of the future roll-out of services depends significantly on the commitment of participating agencies to dedicate personnel on-site on an ongoing basis. The report identified Legal Aid as a key agency and recommended that the greatest need for legal services was in relation to family law.

Prior to October 2005 a solicitor from Legal Aid’s Domestic Violence Legal Unit visited DVAS Central once or twice a week. It became apparent that the setting was attracting significant numbers of women and that the demand for legal services on-site was extensive.

Increased commitment of Legal Aid

In October 2005 Legal Aid responded to this need and increased its commitment to DVAS Central by providing a full-time solicitor on-site for an initial 12-month period. The role of the solicitor is to assess women’s legal needs, provide legal advice and minor assistance, and support and refer women for grants of aid and further assistance.

In the eight months between late October 2005 and June 2006, Legal Aid solicitor Tina Price conducted 323 LAB appointments and 175 MAP appointments – 15 legal assistance sessions per week – demonstrating that the service operates at very high capacity. Tina estimates that 70 per cent of the appointments are for family law issues, 25 per cent for restraining order issues, and 5 per cent for criminal issues.

In addition, Tina has represented women with grants of legal aid at restraining order hearings and regularly participates in the duty roster for restraining order matters at the Perth Magistrates Court.

Future developments

DVAS Central continues to attract funding for expansion and consolidation. The Department for Community Development has granted funding for a full-time coordinator of the service. In addition, a grant from Microsoft has been secured to develop a much-needed integrated multi-agency database. Such developments will help ensure the streamlining of administrative functions and provide more efficient information management regimes.

DVAS Central represents a model for future development of family violence services and agencies elsewhere. Both Fremantle and Rockingham are developing similar services on the same model and philosophy. Most importantly, based on the evaluation and feedback from women using the service, it provides “a great service, understanding and supportive, without (women) having to go all over the place” at a time when they are particularly vulnerable and often have children to care for.

Key Strategy – Customer Service

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

Offering greater accessibility to legal advice and assistance for people living in regional, rural and remote regions with use of telephone and video conferencing technology and building strong community links.

Future outlook – new Children’s Legal Unit

From July 2006 Legal Aid will establish a new business unit within its Legal Practice Division to deal with children’s matters. New child protection legislation introduced in March 2006 triggered the initiative because it led to more Children’s Court orders for child representatives on DCD care and protection matters. The new unit will pick up the bulk of this additional work.

It will also amalgamate Legal Aid’s family law Child Representatives with the Youth Law Unit, which is currently part of the Criminal Law Section. The unit will consist of three family law Child Representatives, four to five criminal lawyers, up to two Restricted Practitioners and Articled Clerks on a rotational basis, and three administrative support staff.

The new unit will provide:

- a more holistic service for children, particularly where their matters cross jurisdictions
- additional support to the Children’s Court within current funding parameters
- better support and more cohesion for solicitors representing children
- easy exchange of information and ideas and the identification of training requirements in all jurisdictions
- scope for development of policy initiatives that will enhance the process of providing children with a voice in legal proceedings and raise the profile of Legal Aid Child Representatives and Children’s Court lawyers in the wider community and
- excellent training opportunities for in-house lawyers and Articled Clerks.

Profile – Child Representatives



Julie Jackson

Julie is a long-standing and popular member of staff at Legal Aid. Julie attended Mirrabooka and Hampton High Schools before obtaining a Rotary Scholarship to Canada in 1977.

Following her year overseas, she returned to Perth to attend the University of Western Australia where she completed a Bachelor of Laws and was admitted to the Supreme Court of Western Australia in December 1983.

Julie joined Legal Aid in 1985 and worked initially in the Family Law Section. Her bright and endearing personality was particularly suited to children’s law and the Youthlaw Unit soon beckoned. Julie worked as a children’s lawyer and as a child representative in both the Children’s Court and the Family Court from 1987.

Julie’s negotiation skills and problem solving ability then led her to the Alternative Dispute Resolution Program for two years from 2002 where she trained as a Child and Family Mediator. Julie’s most recent appointment was in March of 2005 as the Solicitor-in-Charge of both the Family Court Duty Lawyer Service and the Children’s Court Protection Service.

Julie is the mother of three teenage sons and so has ample opportunity to practise her negotiation skills outside Legal Aid. She is heavily involved in junior sport, being the football manager of the Swanbourne Tigers U16 football team and vice president of the Wembley Baseball Club. Julie aims, with Joy Taylor, to establish the Georgette Heyer Book Club.



Joy Taylor

Joy was born in England and immigrated to Australia in 1975. After completing mature age entry, Joy attended Claremont Teachers College and proceeded to teach maths and

English at high school level in Perth for a number of years. A political animal, Joy was drawn to Canberra and became the national coordinator of the Women’s Electoral Lobby. Following this, she was the inaugural chairperson of the TAFE college in East Gippsland and continued to teach.

A return to Perth saw Joy complete studies in law and she was admitted to the Supreme Court of Western Australia in 1995. In 1997, Joy joined Legal Aid. Her teaching background was a significant asset in the area of child representation and Joy has worked as a Child Representative for eight years. Joy’s recent appointment as Solicitor-in-Charge of the Children’s Legal Unit has been well received by all those working in this difficult area of the law.

Joy is the by far the youngest looking 60-year-old on earth. She has three adult daughters and six grandchildren. Joy’s “spare” time is taken up with managing her growing family and completing a Masters in Creative Writing.

Key Strategy – 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.

Working with law students

Profile – Simone Pillinger

Simone completed her law degree in mid-2006 and finished her part time job on Legal Aid's Infoline soon after when Legal Aid offered her an Articled Clerkship.

She began studying law in 1992 at Murdoch University, but with only one year to go she upped stumps, travelled the world and landed in New York for 12 years. There Simone worked as a television producer and a graphic designer. Her notable achievements include working on original programming for Bravo and promos for *Queer Eye for the Straight Guy*.

After eight years Simone's passion for law reignited and she began volunteering at the Brooklyn Community Legal Centre and for a criminal lawyer in Manhattan. She then started her final year of law at Brooklyn University in New York, but returned to Perth for holidays and decided to finish her studies at Murdoch University.

Simone took part in a one-week intensive training program when she started at Legal Aid but says the best training has been on-the-job. In particular, her exposure to family law through Infoline has assisted her studies, helping her to the top mark in family law and the Family Law Prize for 2005.

Simone loves working at Legal Aid and enjoys being involved in law that helps people. She says working on Infoline has given her an amazing insight into people's lives and the many different ways life can go. And even though Simone says she has benefited from her work on the Infoline, she also says it makes her feel very useful (on most days!).

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.

Together with enhancement of electronic lodgement and management of applications for aid, expansion of merits certification/checklist approach continues to improve response times for practitioners participating in Grants Online and realise substantial efficiencies.

Legal Aid's Vacation Clerk Program

Each year Legal Aid receives hundreds of applications from law students wanting to do vacation work at Legal Aid. In keeping with its commitment to provide excellent training and professional development for junior legal staff, this year Legal Aid has restructured its Vacation Clerkship Program. In addition to providing hands-on exposure to clients and lawyers working in the field, the new program also provides structured training and a formal overview of many of Legal Aid's services. This allows vacation clerks to get a better sense of how the whole organisation works, rather than just the section they have been assigned to. Each vacation clerk is given a program of training and other events, plus a list of the types of matters they should undertake during their clerkship. These include attending court, observing client interviews, assisting with trial preparation, drafting letters and performing research.

UWA law student Kim Jennings found herself constantly busy as she worked her way through a two-week winter clerkship at Legal Aid in 2006. Posted to the high-pressure environment of Client Services, Kim was able to perform hands-on tasks such as drafting and interviewing, as well as watch experienced practitioners work with a range of clients.

The work slotted neatly with Kim's professional development training – provided by Legal Aid throughout the clerkship – which gave specific attention to interviewing technique.

The clerkship also took her to other parts of Legal Aid, such as the Duty Lawyer Service, Children's Court and Family Court Services.

"I just think it's really good training," she said. "The things you learn are things you can take anywhere."

Kim said she was impressed by the high professional standards at Legal Aid, particularly given the high volume and variety of legal matters.

A volunteer at the Mental Health Law Centre for almost two years, Kim hopes to find work on Legal Aid's Infoline in future after her clerkship gave her the opportunity to sit in while advisers took calls from the public.

Kim Jennings
Vacation Clerk



Profile – Stephen Smith, Geraldton office Solicitor-in-Charge

Stephen Smith saw the opening of a new Legal Aid office in Geraldton as the perfect challenge. The boy who grew up in the country saw an opportunity to leave the city behind, and the passionate advocate for the underdog saw a great chance to use his skills.

Stephen was admitted as a practitioner in March 1990 and subsequently worked as a solicitor in the Criminal Law Section of Legal Aid. Stephen left Legal Aid in 1992 to commence his own practice as a barrister and solicitor. Since 1996, he has practised exclusively in criminal law. He did not forget his Legal Aid connections and continued an involvement with the legal advice bureau. He was also a successful tenderer for the Duty Lawyer Service at Joondalup for a number of years.

The Alternative Dispute Resolution Centre included in the design of the Geraldton office makes Geraldton slightly different from other regional offices. Stephen has a great understanding of the importance of ADR in all areas of law and this is something he is keen to develop in the Geraldton office. In addition to running family law conferences, Stephen is keen to pursue ADR options in other areas of law.

Stephen is enjoying his role as Solicitor-in-Charge of the Geraldton office and has helped make Legal Aid an important part of the Geraldton community over the past 12 months. He is enjoying country life and is looking forward to all of the challenges that lie ahead.



Legal Aid in the Midwest and Gascoyne

The Geraldton Legal Aid office, servicing the Midwest and Gascoyne regions, officially opened on 19 August 2005. Staffed by three full-time lawyers and three paralegal/administrative support staff, the office undertakes the full range of legal work.

Legal representation

One-on-one legal representation is provided to priority clients, including children, on a range of family, civil and criminal law matters.

Duty Lawyer

A Duty Lawyer attends the Geraldton Magistrates Court daily to provide legal advice and representation on criminal and traffic matters in the Magistrates Court and Children's Court. A Duty Counsel also attends the Family Court Division of the Magistrates Court in Geraldton and the Family Court of Australia on circuit.

Legal advice

Ten advertised legal advice bureau sessions are provided per fortnight in addition to clients without a booking being seen on urgent matters. Each session consists of 30 minutes of legal advice provided by Legal Aid solicitors and private lawyers working on a pro bono basis. The demand for legal advice bureau services continues to increase rapidly and is one of the fastest growing areas of service in the office. A solicitor or paralegal also provides legal advice at the Greenough Regional Prison on a weekly basis.

Self-Help Program (minor assistance)

Up to three hours of assistance is provided by Legal Aid solicitors and supervised paralegals to the general public to deal with legal problems, usually through self-help mechanisms. Family law clients are mainly assisted with the preparation of documents. Criminal law clients are mainly assisted by representation at short half-day hearings in the Geraldton Magistrates Court.

Alternative dispute resolution

The Alternative Dispute Resolution Centre, which forms part of the Geraldton office, is a major focal point with all three solicitors and our paralegal participating in a chairperson's course earlier this year. The centre is now being used for conferencing family law and other types of disputes and for its video conferencing facilities.

Community development

Legal Aid in Geraldton has quickly developed rapport with court staff, Community Justice Services and other ancillary services in the region. In particular, Legal Aid works most closely with solicitors from the Aboriginal Legal Service of Western Australia in both Geraldton and the Carnarvon area to provide the best possible assistance for people in the Midwest and Gascoyne regions.

Circuit work

Legal Aid in Geraldton provides services to Dongara, Kalbarri, Leeman, Morawa, Perenjori, Northampton, Three Springs, Carnamah, Mingenew, and from August to November 2005 to the Carnarvon Magisterial District.

The Carnarvon Flying Duty Solicitor Service

The Carnarvon magistrates circuit goes to Paraburdoo, Tom Price, Onslow and Exmouth. From August to November 2005, the circuit ran every two weeks and was attended by lawyers from our Geraldton office.

The lawyer would drive 470 km to Carnarvon on Sunday afternoon for court in Carnarvon on Monday, then fly to Paraburdoo with the magistrate on Tuesday morning to start court at 9 am, then drive 70 km to Tom Price for court that afternoon, then drive back to Paraburdoo, fly to Onslow for court at 9 am Wednesday morning, then fly to Exmouth for court that afternoon, and then fly from Exmouth to Carnarvon to finally drive 470 km back to Geraldton for court on Thursday.

Since December 2005 the Carnarvon magistrates circuit has operated on a monthly basis. The Carnarvon circuit is now serviced by a roster of Perth-based Legal Aid lawyers, who fly into Carnarvon and then pick up the circuit by car and plane as required.

“On these circuits the lawyer is a jack of all trades. On my last trip I did one hearing on the spot with last-minute instructions and disclosure. I split the list with the Aboriginal Legal Service lawyer and thus represented many Aboriginal accused, and I gave advice to a bankrupt and represented an Aboriginal corporation charged under the Land Administration Act. The circuit runs on a tight schedule and the days are long with everyone working hard to get through the list. Lawyers will often go the extra mile to help out an unrepresented client with a simple three-witness hearing even though this is beyond the scope of a traditional Duty Lawyer Service.”

David Bodeker, Senior Solicitor, Legal Aid WA



Originally from Wongan Hills, Melissa completed a Bachelor of Arts and Laws at Murdoch University in 2004. Throughout university Melissa volunteered at various community legal centres, and then did a short stint at the Child Support Agency before starting her articles at a small firm in West Perth focusing on employment law. Melissa’s true interest lay in family law, so when an opportunity came to complete her restricted practice year at the Geraldton Legal Aid office, she jumped at it.

Within a week Melissa was doing legal advice bureaux and acting as Duty Lawyer, and within a month she had her first trial. Having never practised in criminal law, she was essentially thrown in the deep end but says she loved the challenge. Melissa has now primarily become the “family lawyer” in the Geraldton office but still assists with criminal matters on a need-to basis. Melissa also runs Legal Aid information sessions to help community members represent themselves at criminal trials or on basic family law matters.

Recently Melissa was invited to sit on the committee for Geraldton’s Juvenile Remand Centre. The centre is a State Government initiative, which by mid-2008 aims to offer a 12-bed remand centre for young people so they can stay close to their families and social ties while remanded in custody. Melissa is proud to be representing Legal Aid throughout the process.

The Geraldton Legal Aid office is located on the banks of a pristine marina, and although too busy so far, Melissa looks forward to enjoying quiet lunches on the picnic bench watching the dolphins swim by. Not that she’s complaining – Melissa loves the variety of work and diversity of clients that come through Legal Aid’s doors and enjoys being able to provide a service that is much-needed both in the city of Geraldton and other regional areas.

Other regional initiatives

Great Southern region

Legal Aid opened its Great Southern regional office in Albany on 27 June 2005. The office services Albany, Narrogin, Katanning, Kojonup, Ravensthorpe, Denmark, Walpole, Mt Barker, Gnowangerup, and Ongerup.

Legal Aid's presence in Albany has:

- resulted in increased service delivery in the Great Southern region
- improved access to justice for rural, regional and remote clients
- improved family law services, particularly in relation to urgent matters such as the recovery of children taken without consent, and matters involving violence which can now be dealt with immediately
- improved Children's Court representation in the Albany Children's Court by introducing a Duty Lawyer Service and
- created a stable community presence allowing staff to become part of the local community and accrue the necessary knowledge to respond quickly and effectively to local situations.

Staff moved into new premises in Duke Street, Albany, in May 2006. Attorney General Jim McGinty MLA officially opened the new office on 12 July 2006.

In 2006-07 Legal Aid in Albany plans to make good use of its new purpose-built Dispute Resolution Centre to improve existing mediation services and act as a catalyst for the development of new dispute resolution programs in Albany and the Great Southern region.

Central Wheatbelt

Legal Aid provides legal services to the Central Wheatbelt region via a visiting solicitor service. The Wheatbelt Outreach Service

provides legal assistance to clients from Northam, York, Toodyay, Wundowie, Beverley, Cunderdin, Dowerin, Goomalling, Wongan Hills and Merredin. People from smaller towns within this area can also access the service.

The outreach solicitor operates legal advice bureaux and a Duty Lawyer Service at Northam once a week and at Merredin every second week. The legal advice appointments cover the areas of civil, criminal and family law.

The outreach solicitor also provides additional assistance under the Minor Assistance Program. This is a "self-help" type of service where clients are assisted to draft letters of demand, summonses and various family law documents. This enables clients to pursue legal remedies that would not ordinarily be covered by a grant of legal aid.

Key Strategy – Customer Service

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

Expansion of court based services into the specialist area of the Administrative Review Tribunal is aimed at providing timely access to advice services and referrals where appropriate and to target an identified gap in services available for social security clients.



Profile – Louise Romano, Restricted Practitioner

Louise never intended to be a lawyer. She grew up in Innisfail in Queensland, where she met her husband and had two children now aged 21 and 17. In Innisfail Louise never had trouble finding work, but she never seemed to get anywhere with her employment. She and her husband tried private enterprise first with a restaurant then a taxi business and finally a music business.

Louise and her family moved to Perth about 10 years ago. She immediately started looking for work, but as she had not done any study in 20 years, Louise decided to do a TAFE course in the hope of eventually working with juveniles at a detention centre.

She was unable to get into the course she wanted so she instead started a bridging course at Murdoch University. After enjoying the bridging course, Louise kicked on to do two years of Legal Studies. She was then persuaded by her friend Monica Collard (now an Articled Clerk at Legal Aid) to do pre-law at Murdoch University. The pre-law course, called Koora Kudidj, is an intensive four-week course that commences at the beginning of each year. It is designed to prepare and assess Aboriginal and Torres Strait Islander students for admission to Bachelor of Laws and Bachelor of Legal Studies. Successful graduates are guaranteed a place in first year law or legal studies. The course has run, in its current form, for six years. There are currently 12 Indigenous students enrolled in the law program, all of whom entered through Koora Kudidj.

Louise completed her law degree in 2004 and secured articles at Legal Aid in 2005. During her time at Legal Aid, she has worked in the Client Services section, the Domestic Violence Legal Unit, Family and Civil, at Legal Aid's Midland office, and since February 2006 at Legal Aid's Fremantle office.

She has enjoyed her time in Fremantle the most because she lives close by and has had the opportunity to work on a wide range of matters.

Against all plans, Louise says she is really happy doing what she is doing and is thoroughly enjoying her time at Legal Aid. She says she would love the chance to work in a regional office in the future.



Review Committees

Not every person who applies for legal aid receives a grant of aid. However, anyone who is refused a grant of aid can request a reconsideration of that decision. If aid is refused again, the applicant can request that the matter go to an independent review.

Legal Aid's Review Committees consist of two private legal practitioners, who practise law in the relevant area, plus a layperson from the community. The members of each committee are volunteers and are independent of Legal Aid.

Review Committees play an extremely important role in ensuring that appropriate decisions are made in relation to grants of aid at Legal Aid. Applicants can attend Review Committee meetings in person or by telephone if they wish. Fourteen per cent of decisions were varied at review, down from 21 per cent the previous year. Legal Aid extends its thanks to all of the Review Committee members who continue to volunteer their time to provide this valuable service.

Legal Aid also extends its congratulations to Mr Bruce Goetze who was appointed to the District Court Bench in June 2006 and to Mr Mark Ritter who was appointed as Acting President of the WA Industrial Relations Commission in October 2005.

Mr Goetze was a Review Committee member for 17 years and Mr Ritter for almost 9 years.

Court Welfare Service

The Court Welfare Service has provided voluntary services in courts throughout Western Australia for over three decades. Its dedicated volunteers assist restraining order applicants, Duty Lawyers, defendants and the courts by providing a range of welfare services.

In 2005-06 the Court Welfare Service had 90 frontline volunteers aged between 25 and 75 years. Each year the service assists more than 40,000 people in Magistrates Courts, Children's Courts and District Courts throughout Western Australia.

Court Welfare also provides many valuable services to Legal Aid, including collecting details and fees from clients, assisting clients before, during and after court, and explaining court results and options to defendants and their families, particularly when someone has been remanded in custody. All of these services help free up Duty Lawyers' time so more clients can be assisted by the Duty Lawyer Service.

Some of the more interesting and less noted services include providing support to victims, support to family and friends of defendants, assisting with child care, arranging transport, providing referrals and even minding pet rats and chickens while their owners attend court! On one occasion the volunteers rescued a dog locked in a car after its owner was sent to prison.

In 2006 Legal Aid, in association with the Court Services Division of the Department of the Attorney General, again nominated the Court Welfare Service for the Golden Swan Western Australian Citizen of the Year Award. This nomination is in recognition of Court Welfare's invaluable contribution as a voluntary service association to the smooth operation of Legal Aid's Duty Lawyer Service and the courts themselves.

Legal Aid takes this opportunity to thank the Court Welfare Service for the outstanding service and ongoing support it provides to both Legal Aid lawyers and clients.

MY

DOING

WORDS





SECTION 2

Report on Operations

Section 2 Report on Operations

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Reflections of a Winter Vacation Clerk

Wednesday, 28 June 2006 – Drug Court

I spent the morning in the Drug Court with one of the Duty Lawyers. First, the Duty Lawyer sees the client to ascertain how they are doing on the program. Then she or he represents them in Drug Court. I couldn't believe the way the court works – it is a much more informal court with an emphasis on therapeutic jurisprudence. This experience reinforced my interest in this area of law. I believe in therapeutic measures and strategies to help offenders restore their lives. This exposure made me want to work there in the future. It's a place where one could really make a practical difference.

Thursday, 29 June 2006 – Prison Visiting Service

I went to Casuarina Prison today as part of the Prison Visiting Service. What an incredible experience! We saw some very interesting clients with extremely challenging problems. One man wanted to apply for regular contact with his son and was extremely anxious about the boy's safety. We were able to provide him with information about how to apply for this and he seemed immediately relieved.

We had an overview of the Client Services section in the afternoon. I was amazed to learn how many clients they see in one day. It's amazing to think people in real trouble can walk in off the street and get legal assistance and advice.

Alternative Dispute Resolution Services

Legal Aid's Alternative Dispute Resolution (ADR) Program has further developed over the last 12 months. Although the number of conferences is lower this year, the unit continues to work on improving the program. In the current changing family law environment, it is more important than ever to ensure that program design includes an emphasis on long-term outcomes.

The Legal Aid model used in the ADR Program is a mixture of four basic mediation types. The first half of the conference is based on a facilitative model, including opening statements by the chairperson and the parties, clarification, setting agendas, et cetera.

In the second part of the conference, the model includes aspects of a settlement model. If agreement is not reached, there is the evaluative aspect of having the chairperson make recommendations to Legal Aid regarding funding. There is also the opportunity for the chairperson to offer option generation and give an opinion as to likely outcomes with the benefit of having solicitors ultimately responsible for advising clients. The whole process can and often does have a therapeutic overlay.

The program provides four options for conference lengths – ranging from one to four hours – to deal with matters of varying complexity. The majority are ADR 3 conferences for children's issues.

We currently have 51 chairpeople on our panel from which to choose. Five of these are from the family law in-house practice. Solicitors assisting clients can be appointed from a panel specially trained in mediation and the Legal Aid ADR model, or clients can choose to nominate their own practitioner.

Four hundred and fifty conferences were held in the 2005-06 year. Of these 314 fully settled and 60 partially settled, providing an overall settlement rate of 83 per cent.

Of the ADR 3 conferences held throughout the year, 292 dealt with only children's issues, 24 with a mixture of children and property, and 81 with only property matters.

Overall client satisfaction with the program is currently at 71 per cent, which is the second-most satisfied group of Legal Aid family law clients.

The vast majority of the conferences are held face-to-face followed by telephone and video conferences. Shuttle conferences are available in cases where it is deemed necessary because of violence or for safety reasons.

A letter from Sarah – Year 9 Sacred Heart College student

I am a student who is participating in the SCRAM activity this year and I am writing to tell you how SCRAM has helped me in many ways.

Firstly, SCRAM has taught me how to make peace in situations while staying neutral and getting both sides to an agreement they can live with. This is extremely helpful socially because most of my friends now come to me if they feel they need a disagreement to be settled.

Secondly, SCRAM also has showed me that it is always best to think level-headedly, as doing so can change bad circumstances to good. For example, if someone does something irritating to me it is best not to get annoyed, because if you simply explain to them how it makes you feel the problem goes away much faster.

Thirdly, while participating in SCRAM mock mediations I have slowly realised that everybody has a different opinion and that there is always two sides to every story. It has also helped me to understand that in most cases, the best way to get someone else to see another person's point of view is to get them to put themselves in that other person's shoes.

Finally, working with the other students in SCRAM activities has helped me to strengthen relationships with my peers and also helped me to interact better with people.

I have learnt that certain things you say affect people in many different ways. Before SCRAM I usually wouldn't have noticed if something I said without thought may have hurt the person the comment was directed at. Now, however, I am much more thoughtful of the consequences of my speech and actions.

It has been great participating in mock mediations as it has taught me all these useful skills and more. Thank you for making this program available to students like myself, who very much enjoy the lessons that SCRAM has to offer.

People involved in family law matters can access a range of Perth-based and regional services to assist them to resolve their legal problems through both litigation and non-litigation alternatives. Services include legal representation, the Infoline, legal advice bureaux, minor assistance and publications. Specialist advice and assistance is also available for child support and domestic violence matters. Legal Aid's Family Court Services – introduced at the beginning of 2005 – operated successfully throughout the year. The service is based at the Family Court of WA and provides a duty lawyer service as well as advice, minor assistance and referrals.

Casework

Family law applications for legal aid include requests for representation in the Family Court, the Children's Court and the Magistrates Court. The types of proceedings are varied and include matters involving separate representation of children, child welfare, property and restraining orders. The number of family law applications increased by 3 per cent compared to the previous year. However, the rate of family law grants of aid approved outstripped this increase in applications, coming in at a 4 per cent increase on the previous year.

Children's issues

Child representation is provided to children in both Family Court proceedings and in Children's Court protection proceedings. Both of these jurisdictions have seen the implementation of new changes to the law which has directly affected the role of lawyers representing children.

The new Family Legislation Amendment Act 2006 has introduced a radical change in the way the court manages child welfare matters. Child representatives, now called independent children's lawyers (ICL), continue to represent children in the Family

Court. However, they will now be working closely with a Family Court consultant to ensure that the best interests of the child are promoted. The Family Court appoints an independent lawyer when serious concerns are raised that affect the welfare of a child. The independent children's lawyer is appointed to promote the best interests of the child. All independent children's lawyers receive specialised training and Legal Aid now has three lawyers working exclusively in this area. The independent children's lawyer is not bound by information or direction given by the child but must ensure that where appropriate the child's views are put before the court. It is the role of the ICL to ensure that all information relevant to the welfare of the child is put before the court. In gathering the relevant information, the ICL will liaise with Family Court consultant and with relevant stakeholders, which could involve government and non-government agencies, health practitioners, educational institutions and any other organisation with which the child is involved. In some circumstances the ICL may arrange for further investigation by an appropriate expert such as a child psychiatrist or a social worker.

Part of the ICL's role is to encourage parties to resolve their dispute without the recourse to litigation. An ICL will encourage the parties to consider alternative dispute resolution strategies. This could involve participating in an informal conference or a late intervention mediation conference when a matter is due to proceed to trial.

Under the new legislation, the role of the ICL has for the first time been defined in the new Act.

In 2005-06 Legal Aid approved 224 grants of aid for ICL in Family Court proceedings.

In the Children's Court the most significant change during 2005-06 was the commencement of the new Children and Community Services Act 2004. Previously a child representative (the title has not undergone any change) acted only on instructions from a child considered sufficiently mature to provide instructions. Under the new legislation if a child is not mature enough to provide instructions a child representative can now be appointed to act "in the best interests" of the child.

A child representative acting in the best interests of a child has a similar role to that of the ICL in the Family Court. The child representative has to ensure that all relevant information is before the court in order for the court to make informed decisions about the child's welfare. The child representative endeavours to work in a collaborative manner with the Department for Community Development. However, the child representative has a duty to act independently and make decisions in the best interests of the child.

The child representative attends all pre-hearing conferences to try to resolve the matter without a trial. At trial, the child representative appears for the child and ensures that the child's legal position is made known to the magistrate or judge. In 2005-06 Legal Aid approved 114 grants of aid for child representatives in Children's Court proceedings

Case study

This case began in 2004 with a contravention application brought by the father (“B”) when the mother (“M”) withheld their young son from contact with B. It escalated dramatically when M subsequently raised allegations of severe sexual and physical abuse toward the child by B and B’s father.

M’s Form 4 Notice of Child Abuse or Risk of Child Abuse and subsequent evidence alleged that the child had made a series of disclosures to M and other witnesses that strongly indicated sexual abuse by B.

It was further alleged that the abuse caused the child to exhibit behavioural changes such as violence towards animals, sexualised behaviour including – at 4 years old – masturbating himself, simulating oral sex with his schoolmate and attempting to sexually assault his then 2-year-old sister. M also alleged that the child would on almost every occasion vomit during the car journey before contact with B.

B strenuously denied the allegations and alleged that the child was either being coached by someone or being abused by someone other than himself.

The Family Court ordered that a child representative be appointed and a grant of legal aid was subsequently made for a specialist in-house practitioner to represent the child.

M had also contacted the Child Protection Unit at Princess Margaret Hospital in relation to the alleged abuse. CPU referred the matter to the Department for Community Development and the Police Child Abuse Investigation Unit. An interview between the child and CPU personnel did not disclose sexual abuse. Similarly, police interviewed the child and no disclosures about sexual abuse were made. The child was then tested for sexually transmitted diseases and returned a clean result. Two doctors from PMH also examined the child and found no abnormalities or signs that the child had been sexually abused.

However, PMH referred the child to a social worker, who interviewed the child and concluded that sexual abuse had occurred.

The child began weekly therapy sessions with a clinical psychologist for one month. During these sessions the child disclosed abuse. But the interviews were conducted in the presence of M and M’s new partner, who had discussed the abuse allegations in front of the child. This may have influenced the reliability of the child’s disclosure. The psychologist also noted that the child’s disclosure seemed detached from his actual experience.

The child representative successfully applied for a single expert witness to be appointed. The single expert interviewed the child and the parties, and found that:

- the child did not know the difference between the truth and a story
- some of the alleged behavioural changes the child had exhibited were not uncommon for his age
- the child’s disclosure about sexual abuse – or “bad secrets”, in the child’s words – appeared to have been made without the belief that they had actually occurred
- it appeared that the child’s disclosure could have been prompted by a “protective behaviour book” given to the child by the social worker
- the information provided by the child was above and beyond that which would be expected of a child of his age, indicating that someone had coached the child or that the protective behaviour training had produced the child’s disclosure
- it was difficult to establish that the child has been sexually abused by B and

- there was no indication that the child would be harmed by further contact with B, B’s current partner, the child’s step brother or paternal grandparents.

The single expert recommended initial supervised contact between the child and his step brother and B, with unsupervised contact to follow if the early contact proceeded well. It was further recommended that the child, B and M undergo counselling and therapy.

Mother Hen supervised the contact and their reports indicated that the child coped well with contact.

To inform the court of the evidence made available to the child representative, the child representative submitted affidavits and reports to the court and subpoenaed relevant witnesses to trial. The child representative’s papers for the judge noted that:

- M had been the primary carer for all of the child’s life
- the child’s attachment to M was significant
- the child bonded with his step sister and school friends
- the child bonded with his step brother, paternal grandparents and B’s current partner as well
- the child had initially denied that B was his father but had later started to refer to B as “Dad” and
- both M and B were capable of recognising and providing adequately for the emotional, social and physical needs of the child – but if it was concluded that the abuse allegations were true, B’s ability to care and provide for the child would be a great concern, or if it was concluded that the allegations were not true, M’s ability to care and provide for the child would be a great concern.

The case proceeded to trial – which lasted 10 days – and the child representative called the most witnesses. Judgment was reserved.

Family Court Services

The Legal Aid Family Court Services (FCS) operates within the Family Court of WA building and is staffed from Monday to Friday by two lawyers, a coordinator/paralegal and a paralegal advisor.

The service offers clients:

- a Duty Lawyer Service
- legal advice bureau appointments
- minor assistance, including drafting court documents and assisting with applications for grants of legal aid and
- family law information and referrals.

As clients are attending the Family Court they often expect to encounter an adversarial process. FCS is uniquely placed to:

- play a comprehensive assessment role
- act as the gateway to a range of Legal Aid services, including non-adversarial processes where appropriate and
- provide emergency advice, document preparation and representation.

FCS also plays an important role in developing, managing and enhancing Legal Aid's working relationships with the Family Court of WA, the Department for Community Development (DCD) and other external agencies.

The service assisted 3512 clients during the last financial year – an average of 293 clients each month. These statistics include a number of clients who would have received more than one occasion of service.

Approximately 25 per cent of clients received legal advice, 12 per cent received minor assistance and 23 per cent were provided with representation in court. The balance of clients assisted by the service received in person or telephone information.

A majority of clients (approximately 76 per cent) seek assistance in relation to residence, contact and recovery orders and injunctions in relation to the removal of children. There is also a consistent number of clients seeking property advice, totalling around 8 per cent of clients during the financial year.

Many clients have experienced domestic violence, usually as a victim but in some cases as the alleged perpetrator of the violence, and require assistance in relation to family law disputes and other services such as DV counselling and accommodation.

Clients who have had contact with DCD often arrive at the Family Court expecting to leave with interim residence or recovery orders. These clients can vary from those who have had a "one-off" telephone contact with DCD to those with a complex history of DCD involvement. FCS has been able to identify particular case studies that have assisted Legal Aid, the Family Court and DCD to begin to make some progress in working together to manage, assist and share information about this client base through developing a pilot program involving DCD's Cannington office.

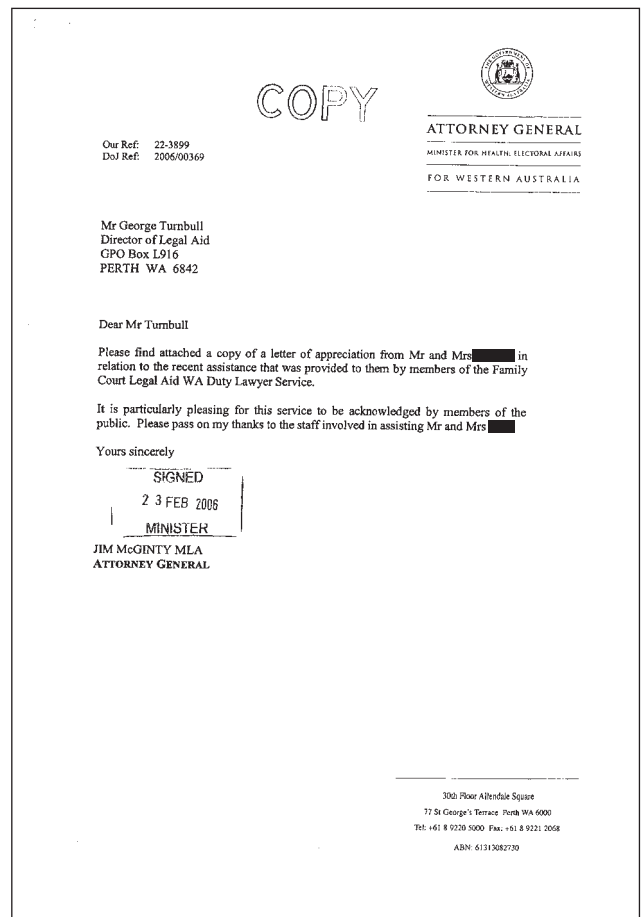
Referrals to FCS continue to predominantly come from the Family Court's registry, judiciary and counselling service. The feedback from the Family Court and other family law service providers has been overwhelmingly positive.

The information collected by the service has assisted Legal Aid to identify the profile of the in-person litigant to an extent that has not previously been possible. It is also ideally placed to identify and communicate to relevant stakeholders many of the workflow and client management issues that can arise in respect of our client base within Legal Aid, the Family Court of WA, the Department for Community Development and other external agencies, which will now include the new Family Relationships Centres.

Key Strategy – Communications

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

Critical services including telephone, fax, email and postal services are provided by the Perth office for clients in regional areas who are unable to be assisted through local offices or agencies. Clients can make an appointment with the Perth office to discuss their legal issues through the range of communication services available.



COPY



Our Ref: 22-3899
DoJ Ref: 2006/00369

ATTORNEY GENERAL

MINISTER FOR HEALTH; ELECTORAL AFFAIRS

FOR WESTERN AUSTRALIA

Mr and Mrs [REDACTED]
[REDACTED]
JOONDALUP WA 6027

Dear Mr and Mrs [REDACTED]

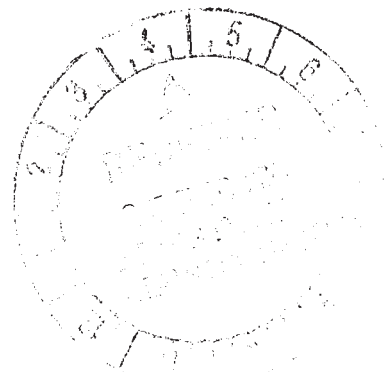
Thank you for your letter dated 7 February 2006 expressing your appreciation for the assistance you received from the staff at the Family Court of Western Australia when obtaining an order for contact with your grandchildren.

As you appreciate family law is a difficult and emotional jurisdiction. I know that court staff appreciate positive feedback in relation to the service they provide. I have forwarded a copy of your letter to Mr Gavan Jones, Executive Manager of the Family Court of Western Australia. As Ms Julie Jackson, Ms Kathryn Ashby and Ms Brianna Lonnie form the duty lawyer service provided by Legal Aid WA operating from the court premises, I have also taken the liberty of forwarding a copy of your letter to Mr George Turnbull, Director of Legal Aid.

Thank you for taking the time to write to me advising of your positive experience.

Yours sincerely

SIGNED
23 FEB 2006
MINISTER
JIM MCGINTY MLA
ATTORNEY GENERAL



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ABN: 61313082730

Domestic Violence

Family and domestic violence continues to affect many women, children and men in Western Australia. In recognition of the devastating effects of domestic violence, Legal Aid has developed strategies for screening, identifying and responding to family and domestic violence. Legal Aid has a commitment to funding Family Court cases involving family and domestic violence, and to providing advice, support and representation to victims of violence. A major part of that commitment is the funding of a specialist Domestic Violence Legal Unit (DVLU).

Increase in client-based services

The DVLU aims to promote the safety of women and children in a variety of ways. It provides legal advice, minor assistance, representation at restraining order hearings, Duty Lawyer Service, counselling, safety planning and support to women who are experiencing domestic violence.

Demand for client services is increasing and Legal Aid has responded to this need with an increase in funded services. The DVLU has seen significantly more clients in the past year, both in the Duty Lawyer Service and in legal advice contacts.

In August 2005 Legal Aid funded a DVLU solicitor to attend as DV Duty Lawyer at the Joondalup Family Violence Court one morning per week. This is in addition to the DV Duty Lawyer Service provided every weekday at the Perth Magistrates Court.

And in October 2005 Legal Aid increased its commitment to DVAS Central by providing a full-time DVLU solicitor on-site for an initial 12-month period.

In addition, the DVLU now offers legal advice on migration matters, specifically responding to the needs of migrant women in relation to the family and domestic violence provisions in the Migration Act.

Community involvement and legal education

The unit continues to be committed to a collaborative approach to addressing domestic violence. Networks with women's refuges, courts, the Department of the Attorney General, the Family and Domestic Violence Unit, Amnesty International and other community and government agencies remain strong.

The unit is part of the Domestic Violence Legal Workers Network, and bi-monthly meetings have commenced with the Family Protection Unit of the WA Police.

The DVLU has also recently hosted placements for social work and forensic psychology students from TAFE and Edith Cowan University.

Current collaboration is being undertaken to develop a pilot project for the legal education of recent immigrants.

Training and community legal education is an ongoing part of the core business of the unit, comprising training for Legal Aid staff in safety planning and risk assessment, as well as for Articled Clerks, Client Services staff and Infoline advisors.

Legal services in regional areas of WA are often limited and the DVLU aims to improve accessibility to specialised legal advice and training for regional workers operating in the area of family and domestic violence. In June 2006 the unit conducted a two-day workshop in Karratha for a total of 14 service providers. The workshop gave participants an opportunity to discuss the impact of the new legislation on their work practices, and provided general support and professional development.

Policy development and law reform issues

The Department of Public Prosecutions has recently finalised policy guidelines for prosecutors seeking restraining orders in criminal matters on behalf of the victims of violent crime. This was an issue raised by the DVLU and illustrates the effectiveness of the collaborative approach.

DVLU solicitors are also currently engaged with the working party set up to review the new restraining order legislation, to monitor progress and work towards continued improvement.

Child support is an issue that touches many Western Australian families. If parents feel that the child support system is not working fairly, it can cause stress and have the potential to negatively impact on the relationship they have with each other and their children. While some people deal with child support without difficulty, many others find the system confusing. Many people benefit from help with negotiation, and are able to conduct themselves more effectively with specialised support and information.

Legal Aid has a specialist Child Support Legal Unit that helps people with child support matters. We help people sort through the sometimes confusing processes involved with child support and related Centrelink requirements. Our unit is independent of the Child Support Agency and helps both people paying child support and people seeking or receiving child support. We can help with:

- legal advice
- negotiation with the other parent
- writing up, varying or discharging agreements
- preparing administrative and court documents
- proving who is the father of a child through DNA testing
- hearings at the Child Support Agency and Family Court
- getting child support where the children are over 18
- getting child support where a parent is overseas

If our unit has already seen one parent, we can arrange for the other parent to get legal advice and help from somewhere else. Mothers on Centrelink benefits are required to take action to get child support or they will have their payments reduced or cancelled. We can also help these mothers by paying for the DNA testing to prove who is the father of their child.

Part of our service is to provide weekly information forums to those receiving or seeking child support. These forums cover important information about how the child support system works and what to do if you are not receiving a fair amount.

A recently released report conducted by the Socio-Legal Research Centre at Griffith University evaluated our Child Support Forum group-based service very favourably. The study noted that the Child Support Legal Unit has a well-designed feedback mechanism in place, and that the forums are well received by clients and are generally considered to be a useful basis for further one-to-one legal advice.

We can help clients across the whole of the state, from Esperance to Oombulgarrri. Our unit works closely with other agencies to train and educate workers and the community about child support and the services we provide. In the past 12 months we have continued to conduct outreach visits to regional areas.



We have also provided training to Centrelink, women's refuges, financial counsellors, community legal centres and young women's groups, men's advisory groups, and law and social work students.

Child support laws are undergoing considerable changes that are being introduced in three stages. The unit has provided feedback to the commonwealth on these proposed changes through our network with Child Support Units from other Legal Aid Commissions in other states. Some of this feedback has been taken onboard in the changes.

While any changes will hopefully result in a fairer system for both payers and payees of child support, it is reassuring for the community to know that specialist child support services like our unit are available to help them through times of change.

Key Strategy - Customer Service

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

The continuing expansion of the Alternative Dispute Resolution Program into regional offices and the use of telephone and video conferencing technology offer real options to many clients who are involved in family disputes.

Case study

After 13 years in a dangerous Kenyan refugee camp, things finally appeared to be getting brighter for a Sudanese family of four in 2004 – they had successfully applied to the Australian Government for humanitarian visas and were on their way to safety.

But the visas – granted in June 2004 – required the family to travel to Australia before 2 June 2005, and they hit trouble when the mother unexpectedly fell pregnant. With the flights booked for February 2005, they scrambled to bring their travel plans forward so the new child could be born in Australia, but no earlier bookings were available. As a result, their little girl was born in Nakuru Hospital just three weeks before the flight was due to leave.

The father frantically asked around other refugees and was incorrectly advised that if he tried to include his daughter on the travel documents, the entire family would be turned away from Australia. The family made the painful decision to travel ahead to Australia without their new baby girl, leaving her with her grandmother in the hope that they would one day be reunited. The separation traumatised both parents, particularly when they discovered they could have easily included the baby on their travel documents.

Legal Aid assisted the parents in making an urgent application to sponsor their daughter under a humanitarian visa. The application was successful, and after nine months of communication between Legal Aid and the Kenyan High Commission in Canberra, the family had all the necessary documents to present to the Kenyan authorities.

But because the parents had no passports and were restricted by the terms of their visas, they were unable to return to Kenya to collect their daughter. They needed to instead authorise a family friend to travel to Nairobi and bring the baby back to Australia. Legal Aid helped the family to get the relevant visa from the Kenyan government and for the parents to legally give permission for their daughter to be removed from Kenya.

Despite all the preparation, difficulties arose even when the child was collected in Nairobi because she was not registered with the UNHCR and required an exit visa and a letter from the refugee camp certifying that she was a refugee.

Negotiations followed between Legal Aid, the family friend in Nairobi, the Kenyan High Commission in Canberra, Australian High Commission in Nairobi and the UNHCR. Eventually, the child was registered with the UNHCR as a refugee and an exit visa was secured. The baby arrived in Australia in December 2005 – just in time for her first birthday and Christmas – and was reunited with her overjoyed parents.



Civil Law Services

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 injuries compensation claims. Commonwealth grants of legal aid allow representation for a small number of immigration appeals. We also provide representation in line with contracts with the Department of Immigration and Multicultural Affairs.

Social security issues – including both civil and criminal aspects – were previously identified as an area of high need among Legal Aid’s client-base. Legal Aid has in 2005-06 continued its social security project providing representation in Magistrates Court matters and civil administrative review proceedings. Representation has been provided for clients in Social Security Appeals Tribunal and Administrative Appeals Tribunal proceedings. A Duty Lawyer service has been provided on a fortnightly basis at the AAT and clients with social security matters have received advice and assistance through this service. Legal Aid is continuing to identify the needs of clients with social security problems and develop appropriate service delivery to address these needs.

Immigration

For over 10 years Legal Aid has successfully tendered to DIMA to provide legal advice and assistance to clients on migration matters.

In 2005-06 we provided application assistance to clients in the community and in the immigration detention centre at Perth Airport. Advice and application assistance was provided across a broad range of visa types, including close ties, spousal and protection visas. Assistance has also been provided to clients appealing to the Migration Review Tribunal and the Refugee Review Tribunal.

We have continued to provide significant support and assistance to clients who have arrived in Australia on spousal visas and then been subjected to domestic violence. The domestic violence provisions in the Migration Act allow these clients to apply for permanent residence in their own right. Legal Aid works closely with community groups, refugees and government agencies to provide information, education and advice to these clients and their support workers. We also provide talks to various community groups on a variety of migration law issues, including domestic violence and asylum seekers.

Department for Community Development

Civil Law Section continued to receive referrals from the Department for Community Development. Under special funding from DCD, Legal Aid provides independent legal advice to clients in cases of substantiated abuse while the client was in the care of DCD. In the last financial year, 105 additional grants were approved, bringing the total number of children assisted under the scheme to around 300. It is likely that DCD will provide Legal Aid with ongoing funding for ongoing and new matters, with new matters to be assigned to private practitioners.

Client Services

Client Services is the main entry point for people seeking assistance from Legal Aid. Clients are able to access legal information, advice, assistance with document drafting, court preparation and referrals to other agencies if required.

New ground floor reception

During 2005-06 Legal Aid secured office space on the ground floor of the Perth office and built a new client reception and interview area. The front counter, staffed by paralegal advisers, carries out a critical role in filtering in-person enquiries. The staff also assist people with applications for legal aid and, where appropriate, refer people to non-litigation services.

The new ground floor area provides easy access for people wanting to access Legal Aid services and has complimented arrangements for improved security measures for the agency.

Information services

In addition to information provided in person to people who present at front counters all over the state, Legal Aid's telephone Infoline service assists people to access information on a range of options to help them find the best possible solution for their legal issue. Access to Legal Aid's Legal Resource Database ensures each caller receives up-to-date and correct legal information relevant to his or her legal issue. In 2005-06 the Infoline received 68,548 calls, a decrease of 4 per cent on 2004-05.

Legal advice services

Clients can make appointments for legal advice in a range of family, criminal and civil law matters. Legal advice appointments are offered either face-to-face at various places around the state, or by telephone or video conference options depending on the location and needs of clients.

Demand for legal assistance continues to be high across all areas of law. This year Legal Aid provided 22,295 advice appointments, an increase of 1 per cent on last year.

Minor Assistance Program – helping self-represented litigants

Legal Aid continues to provide the Minor Assistance Program, which is designed to help clients deal with and progress their own legal matters across a range of family and civil areas. This service is another option available to clients who are not eligible for a grant of aid for legal representation.

Solicitors and paralegal advisers provide this service and may assist the client with drafting letters and/or documents, as well as assist in preparing a client to represent themselves in court or negotiate their way to settling their legal dispute.

The service is mainly conducted in person throughout the state. However, as we aim to offer minor assistance wherever a client might be, we also use telephone, email, mail, fax and video conference facilities to provide services to clients who were unable to attend in-person appointments.



Case study

The client contacted Infoline in great distress on a Friday afternoon. She was a single mother of a toddler and a six-month-old child, and was facing eviction from her home on Monday.

She had been forced to leave her rental property earlier in the week because the sewerage pipes had blocked and flooded the whole house, making the property unsuitable until thousands of dollars of repairs and cleaning were done. The landlord had initially placed the client in alternative accommodation, but the very next day terminated the fixed term lease, arguing the house was uninhabitable.

The landlord blamed the client for the sewerage problems, although his own plumber had named tree roots as the primary cause. The landlord was requesting significant compensation from the client.

The client's personal property had remained in the house and much of it was irreparably damaged. Her temporary accommodation was available only until Monday and the client had paid rent in advance for her original home and so had no funds to secure more accommodation.

The advisor recognised that the client needed immediate practical assistance with living arrangements and finances. The advisor contacted an external service and arranged an urgent appointment with a financial counsellor for short-term financial assistance.

This was followed up with extensive and detailed advice to the client about her matter. Legal Aid was able to obtain the help of a tenancy advocate to argue the client's case on her behalf.

Lastly, the client was encouraged to seek the intervention of the Department of Consumer and Employment Protection in expectation that they would pursue the landlord in relation to breaches of the relevant laws. We recently spoke to the client again and she indicated that the tenancy advocate was well on the way to negotiating a positive outcome for the client and her family.

Criminal Law Services

During the 2005-06 year, the Criminal Law Section continued to provide advice, assistance and representation to persons with problems of a criminal nature.

Case work was performed by in-house practitioners for persons in whose favour a grant of legal aid had been made, and who were allocated to a staff practitioner. Depending on the age of the assisted person, the grant of legal aid was made either to the Criminal Law Section, which provided representation in adult courts, or to the Youthlaw Unit which provided representation in the Children's Court, before Magistrates or the President of that court.

Clients in the Criminal Law Section were represented on both relatively minor and complex matters, including charges of attempted murder and murder. In addition to hearings in Magistrates Court, the section undertook superior court work including trials and appeals.

The section also conducted fortnightly legal advice bureaux, and assisted the Duty Lawyer Service in the Perth Magistrates Court whenever possible.

Similarly, the Youthlaw Unit represented children on charges from minor to the most complex, including trials. In addition, the unit provided a Duty Lawyer Service to Perth, Joondalup, Midland and Mandurah Children's Courts. Further, the unit continued to provide advice and assistance to young persons participating in the Drug Court Program at the Perth Children's Court.

The Criminal Law Section continued to provide a dedicated solicitor to assist and represent mentally impaired defendants

in all jurisdictions. That solicitor continued to be involved in the Intellectual Disability Diversion Program, which considers the special needs and goals of each individual mentally impaired defendant and structures a program for that person to complete.

The ongoing close liaison with the Disability Services Commission, various hospitals, and welfare groups was strengthened during the year.

The section continued to provide Duty Lawyer services in Perth Magistrates Court. Both in-house lawyers and private practitioners were involved. The Duty Lawyers provide advice generally and as to plea, make applications for bail, and present pleas in mitigation. As a training exercise, junior in-house practitioners also conducted several hearings in the Perth Magistrates Court.

The Legal Aid Drug Court Unit was comprised of two lawyers and a paralegal and provides legal services to the Drug Court Program in the Perth Magistrates Court. Significant changes to the Drug Court Program occurred during the year with the appointment of Doctor Michael King as the Drug Court Magistrate.

Legal Aid maintained its policy of rotating lawyers through the Drug Court, exposing them to the workings of a court practising in therapeutic jurisprudence. However, during the later part of the year, this was restricted to more senior lawyers in order to provide stronger support to that court.

Lawyers within the Drug Court Unit provided advice and representation to defendants appearing in the Drug Court. This is done in the traditional manner, in court, as well as during Drug



Court Team Meetings, which are unique to this specialised court.

As during the 2005-06 period, the circumstances of defendants seeking assistance from the Drug Court has continued to change in line with pre-sentence orders. These orders have meant defendants charged with more serious offences and with more complex personal circumstances, have been included in the program.

This change in the nature of matters before the Drug Court has seen the role of Drug Court lawyers expand to include a number of District Court pleas.

Necessary back-up to the lawyers is provided by a paralegal, who takes instructions and performs various tasks in the office that cannot be undertaken by the lawyers while they are in court. A further important role of the paralegal is presenting Drug Court information sessions. These sessions are compulsory for all defendants.

Legal Aid's Drug Court Unit is a vital component of the Drug Court as the majority of defendants are unrepresented when they first appear. The increased seriousness and complexity of matters coming before this court have been challenging for all involved. The continued success of the Drug Court Program during this transitional period demonstrates the value of this program and the role of Legal Aid in it.

A senior staff practitioner represented a tribal Aboriginal man who was accused of two murders. That matter was complex because of the relationship and kinship connection between families in the Northwest.

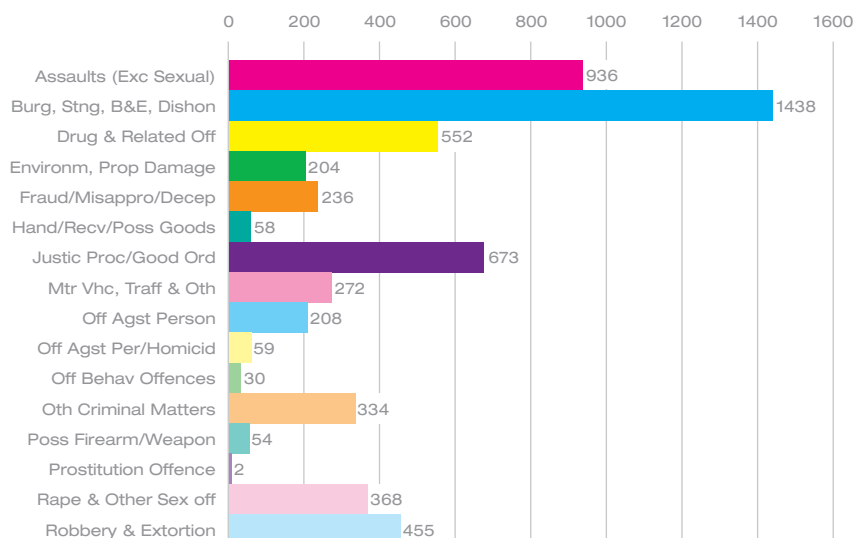
The accused had been sentenced to death by way of tribal punishment. Accordingly, it was not possible to have him return to the Northwest for the court proceedings. As a result, closed circuit television was set up to transmit the proceedings from Perth to six communities in the Northwest.

The sentencing procedure involved submissions on the extent to which tribal punishment should be considered in sentencing in such matters.

The same staff practitioner also dealt with a matter where a full-time carer of a woman with Huntington's Disease was charged with the patient's murder.

Having obtained a forensic pathology report, submissions were made to the Director of Public Prosecutions that, given the advanced stage of the disease at the time of death, the precise cause of death could not be established beyond reasonable doubt. The submission was accepted, and after 12 months in custody awaiting trial, a plea of guilty to attempted murder was made. The client was then released on a suspended sentence.

Criminal law applications granted by matter group



Key Strategy – Communications

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

Continuing education of staff in community organisations and government agencies in dealing with domestic violence and this year emphasis on the new restraining order legislation.

Regional Services

Legal Aid provides a range of legal services to regional, remote and rural areas of Western Australia. Those services are provided in a number of ways – through the Statewide Infoline, through in-person legal advice and minor assistance provided from regional offices and from head office in Perth, and through family law alternative dispute resolution conferences held both in the regional offices and in the Perth office.

Legal Aid has regional offices based in Albany (established during the reporting year), Bunbury, Broome, Christmas Island, Fremantle, Geraldton (established June 2005), Kalgoorlie, Midland and South Hedland.

There has been a number of significant developments in the provision of regional services during the past year, including the following:

- Promoting, consolidating and expanding the services provided out of the Midwest office in Geraldton, particularly in relation to promoting the purpose-built dispute resolution facility for general use by the community.
- Introducing a Flying Solicitor Service to go with the magistrate on the Carnarvon and Gascoyne/Pilbara regional court circuit.
- Relocating Albany office from temporary premises to purpose-built long-term premises.
- Refurbishing Fremantle and Midland offices with a view to better client service delivery.
- Upgrading computer servers and line speeds to regional offices to enable greater access to intranet and centralised knowledge databases as well as online subscription services such as law reports.

In other regional initiatives, Legal Aid has been part of a Roebourne Prison pilot video link to our South Hedland office – replacing in-person prison visits and saving time and money – and the Carnarvon Flying Solicitor Service, which started in August 2005 to service the Carnarvon Magistrates circuit.

Future challenges

One of the key challenges in the provision of regional services is the recruitment and retention of staff, particularly in remote regional offices. Legal Aid is continually looking at ways of improving its recruitment and retention strategy for regional offices.

The recruitment and retention of staff in remote regional areas is a national problem, and has attracted considerable discussion between Legal Aid Commissions and Law Societies throughout Australia.

Key Strategy – People Management

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

We continue to expand the use of law students in the provision of legal services through winter and summer clerkships as well as employment with the added benefit of hands-on experience for students.



Development Services

In addition to online database and training resources, Development Services produces regular updates and overviews about pending legislative and procedural changes, amendments to rules and regulations, published research and reports of meetings held with the courts and other stakeholders about service issues through a broad email update service to all registered users, currently in excess of 300 in WA alone.

Content control for this resource was extremely resource-intensive due to active state and commonwealth legislative agendas that included major overhauls or rewrites in employment law, family law, limitation periods, anti-terrorism legislation, prisons and sentencing and considerable changes to the Criminal Code.

The current database is used by Legal Aid staff and in excess of 20 external not-for-profit legal services in Western Australia and interstate. It is also available to staff in the Family Court of WA and a number of other state courts and tribunals. Over 170 individual legal matters commonly handled by Legal Aid are covered in the database, providing a legal overview of each matter with reference to legislation, procedural requirements and practice commentary.

Supporting these staff and service partner resources, publications for clients, training materials and other printed resources were reviewed and maintained or developed to support service delivery.

While a number of client publications are simple overviews, a greater proportion are intended as resources for self-representing litigants, including kits on preparing and filing court documents, preparing for hearings and how to self-represent. This latter type of resource includes considerable detail and care, and is normally only released after approval by the court or tribunal concerned. Examples are the District and Supreme Court Appeals Kit and the Spent Convictions Kit, both of which were reviewed and updated during the year.

A special focus on the requirements of regional staff resulted in a series of training updates via monthly video conference links across Western Australia. Update sessions covered topics including family law, social security, immigration, child protection and care, propensity and relationship evidence, and amendments to the Limitation Act. These legal updates were supplemented by other training and information including Human Resources reports, information about service strategies being implemented, and updates about regional activities.

Information Management

Legal Aid is becoming more and more dependant upon technology and the ability to reliably access information online, regardless of location. The current focus on client-centred service delivery will require rapid access by staff to information that is client-centred and readily accessible within legal conflict guidelines.

Key achievements

The financial year 2005-06 saw significant tailoring of the Document Management System and restrictions placed upon the use of non records-compliant repositories.

The new Albany and Geraldton regional offices were set up with information and communications technology infrastructure, while all other regional and metropolitan offices received significant server upgrades.

Across the organisation, IM implemented an upgraded intranet application and a new Content Management System.

The section also negotiated a new out-sourcing contract for providing certain IT services and support for the next five years. This has included a key decision to in-source two positions previously out-sourced to achieve savings and build internal capacity and resilience. Key technical and management staff were relocated into new open-plan office facilities.

More formal project management procedures and a more transparent governance process were introduced, while improved processes for management of budgets and expenditures were implemented.

Grants Online

One of the major initiatives to streamline legal aid processes in WA has been Legal Aid's electronic lodgement process Grants Online. This system allows applications for legal aid, requests for extensions and tax invoices to be lodged electronically. The benefits include faster turnaround of applications and easier communication between Legal Aid and practitioners due to use of email.

Grants Online is able to accept applications for legal assistance for all areas of law, with 52 per cent of all applications from private practitioners now submitted online. Legal Aid intends to extend the use of GOL to the in-house legal practice in the next financial year.

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

The implementation of the Records and Document Management System currently underway will significantly improve client management and record keeping practices throughout the agency.

Special funding

Corruption and Crime Commission

The Corruption and Crime Commission was established under the Corruption and Crime Commission Act 2003 on 1 January 2004 to reduce the incidence of corruption and misconduct in the public sector. It also has limited functions with regard to organised crime. Legal Aid receives funding from the State Government for serving and former public officers called as witnesses or served with a notice or summons by the CCC or the Parliamentary Inspector.

Finance brokers

Legal Aid has since 2001 administered a fund provided by the State Government to finance litigation by investors seeking to recover losses incurred in failed finance broker matters. This year three actions in the Supreme Court were settled prior to trial on favourable terms for the investors. A further action was settled prior to the commencement of Supreme Court proceedings with the settlement being favourable to the investors concerned. Two actions were discontinued following counsel's advice that there were no reasonable prospects of recovery for the investors involved, while seven other proceedings in court involving investors are continuing. One other syndicate group is still investigating preliminary matters prior to determining whether to commence proceedings.

Abuse in care

Under special funding arrangements with the Department for Community Development, Legal Aid continued to arrange for wards and ex-wards of the state to receive independent legal advice in cases of alleged abuse while the person was a child in the care of the Department. In the last financial year, 105 additional grants were approved, bringing the total number of children assisted under the scheme to around 300.

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 development of knowledge users that both supports legal advice and minor assistance services and provides a source of information about the law for the public.

The library

The primary role of the library is to support Legal Aid's services to clients by providing staff with access to relevant information resources and library services.

Library homepage

This year saw the launch of the library homepage, which provides staff with easy access to a range of online legal resources. Users can now search for and retrieve data from a choice of sources from the homepage.

The resources available include:

- legal information resources from the major legal publishing companies
- a range of in-house legal databases enhanced by links to online publications
- legal resources including dictionaries, journals, legal reference materials and
- links to other law-related websites.

Electronic information resources

The library has recently entered into contracts with the major legal publishing companies for the supply of an extensive selection of electronic legal resources. All legal staff can access these resources from the library homepage. This has been a major step for the library and in particular provides a significant improvement in the range of resources now available to lawyers in remote locations.

Training

During the past year the library has focussed on training in the use of electronic library and information resources for all legal staff with particular emphasis on training for regional office staff and new staff members.

Library refurbishment

At the end of 2005 the library was refurbished in line with the overall accommodation strategy for the organisation. This resulted in a rationalisation and downsizing of the library collection to fit the reduced accommodation provided on the eighth floor. The remaining print collection is complemented by the delivery of online information resources from the library homepage.



Community legal centre funding

Legal Aid continued to administer the Community Legal Services Program (CLSP), comprising commonwealth and state funding, to 20 community legal centres and to the Association of Community Legal Centres (WA).

In 2005-06 new services funded under the state CLSP were consolidated. Peel Community Legal Services in Mandurah extended outreach services to Pinjarra, Jarrahdale, Boddington and Waroona.

The Mental Health Law Centre expanded services available to persons with a mental illness by offering a service covering a range of legal areas in addition to services already provided by the centre for persons involuntarily detained in the mental health system. The Bush Lawyer Program of the Environmental Defender's Office WA provided a range of outreach legal services in regional and remote locations across WA.

The state-funded Domestic Violence Legal Workers Network, with services in Gosnells CLC, Fremantle CLC and SCALES in Rockingham, provided a range of assistance to persons affected by domestic violence. This network was co-ordinated with support from the Women's Law Centre of WA. Overall it was a busy and productive year for the new state-funded services.

At the direction of the WA Attorney General, Legal Aid distributed Legal Contribution Trust funds to centres for a rebate on solicitor practice certificate costs. This initiative assisted centres to meet the increased costs of practice certificates that were implemented in 2005-06.

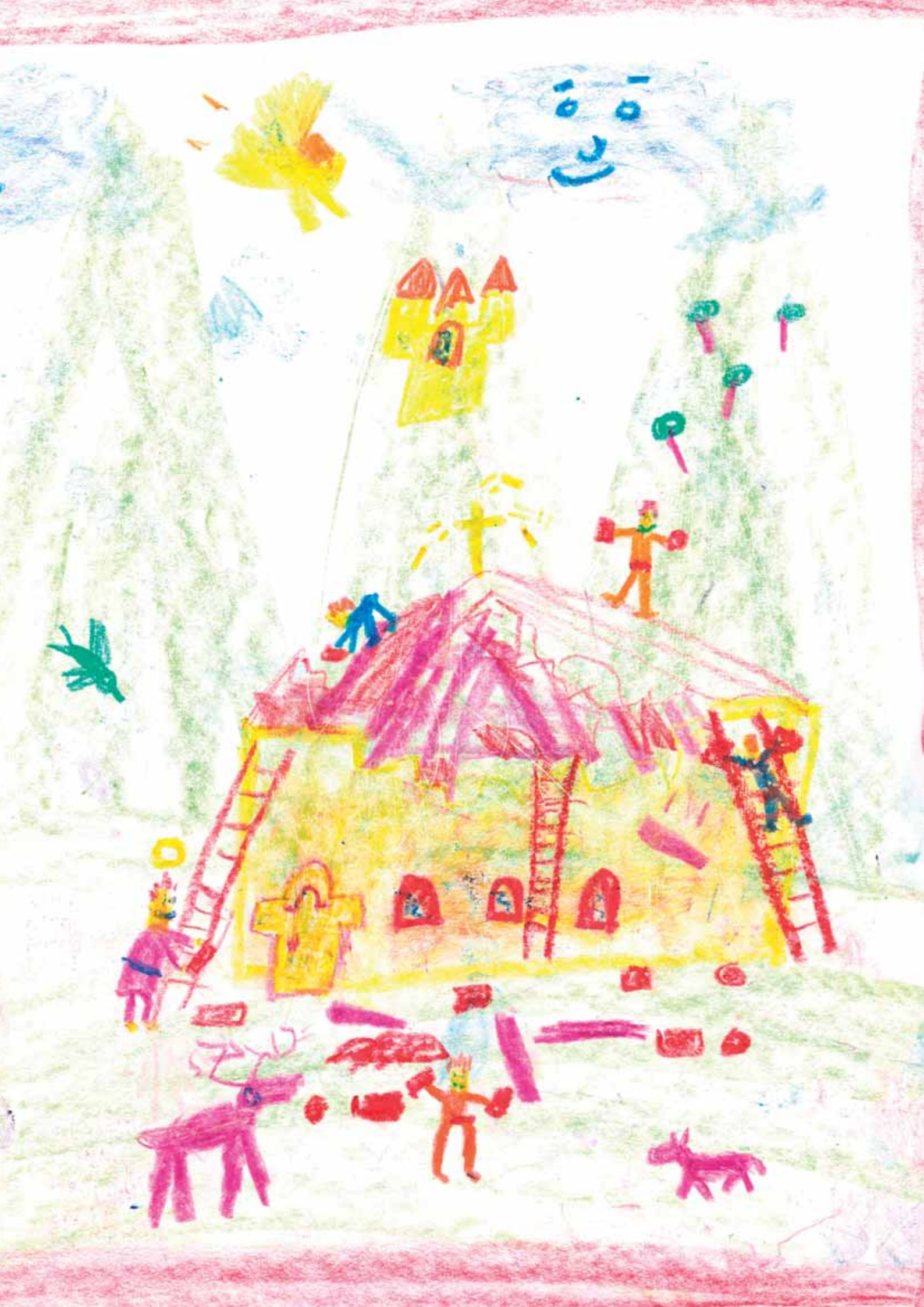
Other commonwealth-funded or jointly commonwealth- and state-funded centres continued to provide a wide range of generalist and specialist legal services throughout WA.

A new Stakeholder Consultative Committee was established, as recommended by the Joint Review of Community Legal Centres Report WA, to provide policy advice to government on areas of unmet legal need and ways to facilitate coordination throughout the CLC sector. The committee consists of state, commonwealth and community legal centre representatives.

During 2005-06 a new three-year service agreement was implemented for both commonwealth and state funding. The new agreement streamlined progress-reporting arrangements and contains new provisions relating to financial administration and data collection.

In September 2005 the new Rural Regional Remote Video Conference Network was launched with a link-up between centres in Bunbury, Goldfields and Kimberley, Legal Aid and the Commonwealth Attorney General's Department in Canberra. Geraldton Resource Centre and Welfare Rights & Advocacy Service also form part of the network, with video conference equipment previously funded under the CLSP. During 2005-06 centres in the network used video conferencing for a range of purposes including client interviews, training and attendance at Administrative Appeals Tribunal hearings.







SECTION 3

Our Employees



Section 3 Our Employees

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Reflections of a Winter Vacation Clerk

Friday, 30 June 2006 – Detention

I went with a Duty Lawyer to detention in the morning. It was a very intense experience interviewing clients through a glass wall in such a confined space. However, you really felt as though you were assisting people deal with their predicament.

Had an overview of the Domestic Violence Legal Unit. This is somewhere I would really like to work in the future.

Monday, 3 July 2006 – Duty Lawyer in Outside Courts

I went with a Duty Lawyer to the outside courts. One of the most interesting issues that arose here was spent convictions. There were two young clients who were concerned about future employment opportunities. Both wanted a Spent Conviction and the Duty Lawyer managed to argue successfully in court for this positive outcome.

In the afternoon we participated in drama games with the Articled Clerks. This was one of the most amazing experiences for me. I learnt so much about myself. I developed my skill and confidence about public speaking.

Workers' compensation

Claims for workers' compensation remain low with four new claims being lodged this year. There are three ongoing claims from previous years. The following four factors are indicators of workers' compensation at Legal Aid.

Premium/Contribution Rate	0.42
Cost of claims incurred per \$100 wage bill	0.40
Frequency Rate/Lost Time	1.33
Rehabilitation Success Rate	N/A

**Lost time injury/disease frequency rate – the number of lost time injuries/diseases where one day or more was lost expressed per million hours worked in this financial year (calculated based on Risk Cover parameters).*

Health, safety and wellness

Refurbishment

Legal Aid's newly established offices in Geraldton and Albany – along with the "new look" Midland office and the ground and 8th floors at Perth – have been designed with employee safety in mind. Extensive consultation with staff, in the form of staff surveys and forums, along with advice from external consultants specialising in office design, has resulted in a work environment which comprises good looks, appropriate work stations, storage and lighting as well as efficient use of space. Specialist ergonomic assessment and additional office equipment have been provided where applicable.

Wellness

Prior to the onset of winter, flu vaccinations were offered to all staff. Over 50 metropolitan staff took advantage of the opportunity to be vaccinated in the Perth office, with regional staff opting to be vaccinated at their regional centre with reimbursement from the Commission.

Employee Assistance Program (EAP)

The OSA Group continues to provide EAP services to Legal Aid employees and their immediate family members. The service is actively promoted throughout the agency by managers, colleagues and human resources staff.

In addition to the standard counselling services to staff, in 2005 the OSA Group also provided a range of in-house services for the benefit of Legal Aid staff including debriefing sessions to staff in frontline roles, critical incident counselling, wellness seminars, stress management seminars and work support programs for employees experiencing difficulties in maintaining their substantive work duties for health reasons.



EAP usage rate %	
2004-05	2005-06
8.81	12.65

Year	Number of staff	Number of sessions
2004-05	20	56
2005-06	30	53

Contact Officers

Since 2003 Legal Aid has offered a Contact Officer Service to staff. This service is provided by staff who work within Legal Aid, and who have been selected by their colleagues to undertake this role. All receive formal training to assist them in their role.

Contact Officers are appointed to assist staff in addressing or resolving a variety of workplace or personal issues by providing informal, impartial and confidential support to staff. The officers are the initial point of contact for staff to have a confidential conversation about workplace issues and to provide ideas and options for potential resolution. They act in a supportive role and do not have the power to make changes to the workplace.

The success of this service has seen it expand to six Contact Officers in 2005, including an officer based in the regions to encourage the use of the service by staff in our eight regional offices.

Staff development and training

School-based trainees

In an effort to attract and retain youth in our workforce, four workplace traineeships, including two school-based traineeships, were offered in 2005.

School-based trainees are given the opportunity to gain real work experience in the workplace for one day per week while completing secondary education, as well as gaining a formal qualification in business administration. The program runs over two years while the student completes Years 11 and 12.

This business traineeship is designed to give trainees the skills and knowledge needed when working in an administrative role. It is nationally recognised training that is widely accepted by industry as an effective way to develop qualified administrative employees.

To complement the formal training component, Legal Aid rotates school-based trainees through corporate service areas to give the student exposure to different work environments and tasks, and to assist them in defining and identifying their preferred work path.

Reflections of a school-based trainee

“When I first started at Legal Aid back in March 2005, I didn’t know how everyone would react to a 16-year-old being in the office. I was quite happy when everyone gave me a warm welcome and instantly made me part of the team. Working closely with co-workers over the past year and a bit has made it easier for me to gain knowledge in the area of information technology.



Not only have I gained knowledge from being here at Legal Aid, I have gained friendships with my co-workers. It will be hard for me to say goodbye at the end of the year, as the time I have spent here has been excellent.”

*Shaun Peters,
school-based
trainee*

Professional Assessment and Development Scheme

Professional Development and Training is closely aligned with Legal Aid’s Performance Assessment and Development Scheme, and training is provided on a regular basis to individuals or groups as needs are identified.

Professional Development in 2005 included, but was not limited to:

- access to study assistance
- a range of wellness and health activities, where topics were nominated by staff
- rotation of Articled Clerks to the Bar
- individual coaching for senior staff members. A number of regional managers are currently participating in a pilot professional development training program designed to support the development of management and leadership skills for both new and existing regional managers
- a focus group for middle managers
- Bar Readers’ Course
- Certificate IV in Workplace Training and Assessment for a number of staff involved in the assessment, development or delivery of staff training programs
- the Certificate IV in Business (Legal Studies), a nationally accredited course established in 2003 through collaboration between Legal Aid and Central West College of TAFE in Geraldton, is in its fourth year of operation and is enjoying continued success. To date 42 paralegal staff have completed the accredited program, with a further 10 currently completing the course. In consultation with the relevant staff, training frameworks for our paralegals will be reviewed and further developed in the coming year.

Paralegal training

Through a Memorandum of Understanding between Legal Aid, the Community Legal Centres Association of WA, and the Central West College of TAFE, paralegals can formally complete the course by enrolling through Central West TAFE and being assessed for the Certificate IV in Business (Legal Studies) qualification. Alternatively, the training may be undertaken informally through self-paced learning towards skills and knowledge enhancement.

The 2005 student class repeated the success of the two previous years with five Legal Aid students graduating, including one regional office staff member. A joint graduation ceremony was held with eight students from the Gosnells Community Legal Centre. Since 2003, 40 Legal Aid staff have gained the nationally accredited qualification.

Currently, there are 11 students enrolled in the 2006 program, four of whom work in regional offices.

Regional Induction Program

Full week regional inductions are a great way for existing and new regional staff to familiarise themselves with Legal Aid's services, meet key staff and get the value of one-on-one standard induction sessions. Week long inductions include human resources and code of conduct awareness training, intensive IT and library overviews, and individual specialist training. Often staff opt to spend time in the Alternative Dispute Resolution Unit viewing conferences, or take the time to learn more about specific Legal Aid systems by undertaking on the job training.

Staff rotation

Opportunity for staff rotation continues to supplement our Professional Development Programs by offering flexibility in work environments for legal secretaries, paralegals and solicitors.

Opportunity is given to staff in these employment categories to rotate through Legal Aid business areas or to different work locations, gaining a variety of experiences and skills in their individual fields. The ongoing rotation of staff ensures that work practices are under constant review, our staff are highly skilled in a number of specialisations and continue to build the ability to provide a holistic service to clients.

In support of Legal Aid's established Career Planning and Rotation Program, consideration is given to maximising professional development opportunities for existing staff prior to externally advertising new positions. The program has enjoyed continued success in the last 12 months, with a number of high profile senior legal practitioner rotations cementing the acceptance of mobility as an important aspect of Legal Aid's workplace culture.

Reflections of a senior manager

"After ten years in the Assignments Section, the last five as manager, I commenced a rotation taking up an opportunity to carry out a senior project role in the in-house practice, followed by a period as Acting General Manager, Program Coordination.

Both roles gave me the chance to broaden and deepen my understanding of the services offered by Legal Aid and their interplay. I really enjoyed participating in strategic development and collaboration both internally and externally. I have now rotated into the Client Services section as manager. I am having my eyes opened to the critical intake role undertaken by this section in dealing with the public and filtering and matching clients to our and external services.

The Career Planning and Rotation Program has supported me in gaining valuable whole-of-agency experience that I can build on to promote better management of clients and their experience of legal aid services."

Maureen Kavanagh, Acting Manager Client Services

Key Strategy – People Management

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

Continuing legal education of staff is the subject of major review and a working party of legal practitioners are developing a comprehensive training framework for legal practitioners working with accreditation as a provider of continuing legal education the aim.



Training and professional development of junior legal staff at Legal Aid

Prior to 2001, Legal Aid adopted a piecemeal approach to the training and development of junior legal staff. In 2001, after an internal audit identified serious deficiencies in the training of junior legal staff, we developed a comprehensive Professional Development Program for our Articled Clerks. Since then we have made a concerted effort to continue and improve our training and development programs for all junior legal staff.

In 2006 Legal Aid is at the forefront of the training and development of junior legal staff in this state. We are

recognised as the employer of choice by hundreds of Articled Clerk applicants, as well as by many law firms, community legal centres and government entities for the quality of the junior staff we are producing.

"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."

Briony McGinty & Brie Ayling, Articled Clerks, 2003



The Articled Clerk program is the primary entry point for junior lawyers into Legal Aid. Successful applicants are given a two-year contract during which they:

- complete a comprehensive two-week Induction Program
- complete four six-month rotations during their articles and restricted years
- attend a weekly in-house Professional Development Program that covers a wide range of practical and theoretical topics including: Professional and Administrative Standards; Special Client Groups; an overview of Legal Aid 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.

They are also given the opportunity to participate in a 12-month regional rotation program, which provides intensive and accelerated development opportunities. Since 2001 Restricted Practitioners have rotated through our regional offices in the Pilbara, the Goldfields, the Great Southern and South West, the Midwest and Gascoyne, and our metropolitan regional offices in Fremantle and Midland. Many other more senior legal staff have also participated in successful regional rotations.

"My rotation to the Pilbara regional office gave me the opportunity to have it all. Your professional life spans the whole Pilbara from the stunning coastline, to the spectacular gorges and deserts – and the legal work is as varied. As a regional lawyer you'll be expected to work in family law, criminal law, employment law, civil law, social security law, admin law ... so it's the perfect opportunity to develop the skills to be a well-rounded advocate. In a small office you have the autonomy to run your own case load, with the support of senior staff, as well as the chance to be on your feet as Duty Lawyer, and also assisting people through legal advice and minor assistance."

Kate Davis, Restricted Year Practitioner 2005

Senior management formally reviews the performance of Articled Clerks and Restricted Practitioners every six months. Modified Performance Reports with fixed tasks and objectives are used instead of the standard reports in which the employee sets the objectives. Less emphasis is placed on rating the performance of Articled Clerks as they are still trainees. As part of this process, future training and development needs are identified taking into account short-term goals, long-term career plans and operational requirements. Legal Aid has also developed a Career Planning Program that gives junior legal staff the opportunity to play a significant role in shaping their own legal careers. The program encourages staff to identify and prioritise the different sections at Legal Aid they would like to work in and provides managers with the logistical support to make these rotations a reality.

With the success of Legal Aid's Professional Development Program we have found it more beneficial to "grow our own" in-house lawyers than to recruit already trained or partly trained external lawyers. Last year we received over 160 applications for articles and employed eight Articled Clerks. This year we are expecting even more applications and are considering expanding our Articled Clerk intake. The numbers of applicants for articles will increase even further when the first crop of law students graduate from Edith Cowan University in 2008.

Key Strategy – People Management

Continuing legal education of staff is the subject of a major review.

A working party of legal practitioners is developing a comprehensive training framework for legal practitioners with accreditation as a provider of continuing legal education the aim.





SECTION 4
Corporate Governance

Section 4

Corporate Governance

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Reflections of a Winter Vacation Clerk

Tuesday, 4 July 2006 – Office Work

Today I helped to transcribe a police interview with a client who had committed several burglaries. The matter was proceeding to the District Court. It was difficult because it was hard to determine exactly what was irrelevant, what was relevant and what was highly relevant to the defence case.

Started drafting a letter to a client I had seen at the prison last week. He wanted certain information regarding contact with his son. He was extremely concerned about the welfare of his young son. The letter proved to be more complicated than I first thought because the family law legislation changed on 1 July 2006. Now, clients no longer need affidavits and other forms have changed as well. It made me realise just how dynamic the law is in this arena.

Wednesday, 5 July 2006

I spent the day in the Duty Lawyer offices doing research. I went to the Legal Aid library to do some research. In the afternoon, I attended a talk about the Drug Court and the Duty Lawyer Section. We heard an amazing case about a woman who graduated from the Drug Court. When she entered the program her baby had just been born and he was a year old when she finally graduated. Positive stories like this inspire me and make me want to work at Legal Aid.

About Legal Aid Western Australia

In the 1960s and 1970s 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 Commonwealth 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 Commonwealth 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. The head office was in Perth and metropolitan regional offices were in Fremantle and Midland. Regional offices were also established, firstly in Broome and Bunbury, later in South Hedland, Kalgoorlie and Christmas and Cocos Islands, and more recently in Geraldton and Albany.

Legal Aid 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 is committed to providing equitable access to services, regardless of regional and time constraints. Through its network of nine 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 seven 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.

However, 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. Eleven meetings were held in 2005-06.

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.

No disclosures of pecuniary interests were given.

Remuneration

Remuneration is fixed by the Governor on advice from the Salaries and Allowances Tribunal. Rates were increased on 17 January 2006, at which time the Chairman's fees were increased by 8.77 per cent and the Commissioners' fees by 8.82 per cent. That was the first increase since 16 November 1999. Fees are not payable to members who are employed elsewhere in the public sector. The



Chairman receives \$18,600 per annum and ordinary members \$7400 per annum. These fees are comparable to other Legal Aid Commissioners throughout Australia, with an average Chairman's fee of \$19,095 and average Commissioners' fees of \$7113.

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.

Executive

The Director is supported in his role by the General Managers of the Legal Practice and Program Coordination Divisions. Together the Director and these General Managers form the Executive. The Executive ensures the effective management of Legal Aid WA and 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.

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 at any time. The Audit Committee has developed a three-year 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 Audit Committee met four times this year, and established a sub-committee which met on three occasions to review the adequacy of information management planning and controls.

Board members



Malcolm McCusker

AO QC 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. Since January 2004 he has been Parliamentary Inspector to the Corruption and Crime Commission. In 2005 he was appointed an Officer of the Order of Australia, and later received the award of "Citizen of WA" for the Professions. Mr McCusker attended 10 of the 11 Commission meetings held in 2005-06.



George Turnbull

was appointed Director of Legal Aid WA 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 11 of the 11 Commission meetings held in 2005-06.



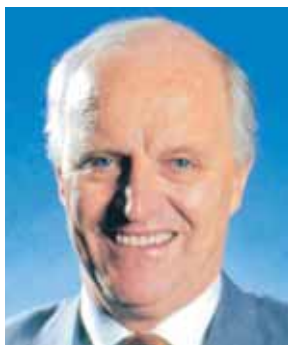
Richard Bayly

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 to 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 and O'Brien since 1981, specialising in criminal law. Mr Bayly is a past president of the Criminal Lawyers Association and a past member of the Law Society Council. Mr Bayly resigned as a Commissioner in December 2005 following his appointment as a magistrate, having attended three of the five 2005-06 Commission meetings held until that time.



Patrick Walker

was appointed a Legal Aid Commissioner on 14 December 1999 as a nominee of the Minister for Fair Trading. He was appointed Commissioner for Fair Trading in June 1998. Prior to this, he had extensive local government management experience including holding the positions of Chief Executive Officer at the City of Subiaco and Chief Executive Officer at the Town of Narrogin. He is a former Western Australian President and National Director of the Institute of Municipal Management (IMM). He is a member of the Medical Board of Western Australia and Trustee of the national Travel Compensation Fund. Mr Walker attended nine of the 11 Commission meetings held in 2005-06.



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 and Law and since his admission as a lawyer in 1977 has practised in a variety of law areas, concentrating on commercial litigation over the last 10 years. He was a partner of Dwyer Durack from 1989-2004 and has recently become a partner in Cullen Babington Hughes. He was a Councillor of the Law Society 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 11 of the 11 Commission meetings held in 2005-06.



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 a member of the Australian Society of Certified Practising Accountants and is a member of the Audit Committee. Mr Hughes attended 10 of the 11 Commission meetings held in 2005-06.



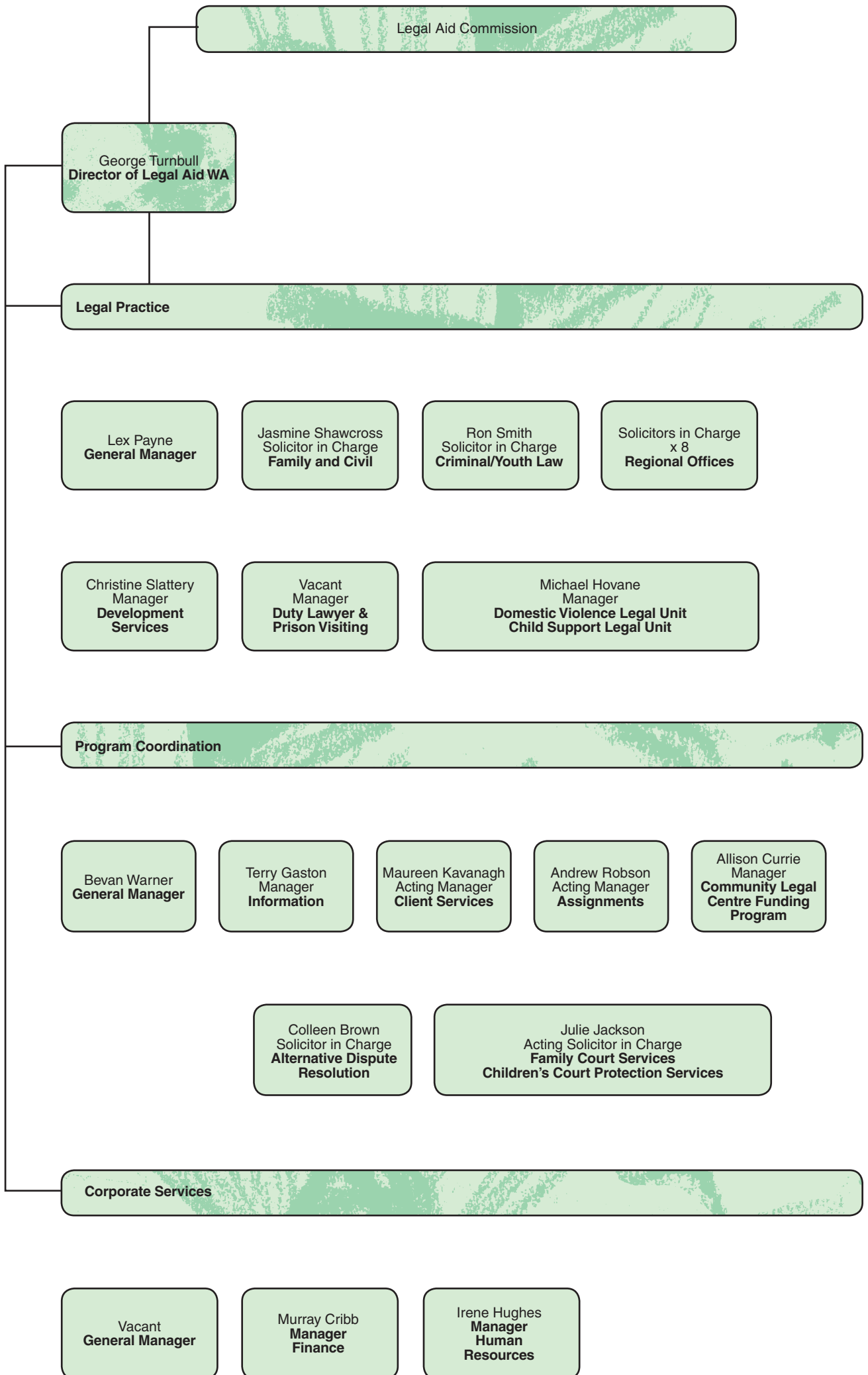
Lynda Wennstrom

was appointed in August 2004 and is the Community Legal Centre (CLC) nominee to the Board of Commissioners. Ms Wennstrom has been employed by the City of Fremantle at the Fremantle Community Legal Centre (FCLC) since 1987, following her graduation with a Diploma in Welfare Studies. Her initial role was as a welfare rights worker delivering advocacy in areas such as financial counselling, tenancy and Centrelink. In 1992 she applied for and was appointed Coordinator of FCLC. She has completed many roles in the sector, including serving time as Chairperson and Secretary of the Financial Counsellors Association, Chairperson of the Federation of Community Legal Centres and she is currently Chairperson of No Interest Loans WA (Inc). Ms Wennstrom attended eight of the 11 Commission meetings held in 2005-06.



Belinda Lonsdale

was appointed a Commissioner in January 2006 as a nominee of the Law Society of Western Australia. She graduated from the University of Western Australia in 1991 with a law degree and again in 1999 with an MBA. Ms Lonsdale was a senior associate with Dwyer Durack from 1997 until 2003, when she went to the bar and joined Albert Wolff Chambers. She is the current president of the WA Criminal Lawyers Association, a position she has held since 2005. Ms Lonsdale attended all six Commission meetings since her appointment in January.





SECTION 5

Compliance

Section 5 Compliance

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Reflections of a Winter Vacation Clerk

Thursday, 6 July 2006

Today I spent the day in the office finishing my research minutes and case study. The Duty Lawyer office is a dynamic and very interesting place to work. If you need help with anything there is always someone to ask, listen or offer guidance. Everyone works as a team and you always feel valued and included. I attended a meeting and saw just how democratic and flexible the working environment is at Legal Aid.

Friday, 7 July 2006

It's my last day as a Winter Clerk at Legal Aid. I cannot imagine working anywhere else. Legal Aid presents an amazing opportunity to work and participate in the most inclusive and supportive environment. The work is highly challenging, extremely demanding at times, and can be very intense. However, you work as a team to resolve legal issues and make a practical difference to the lives of everyday people.

During my clerkship, I have been given both the opportunity to strengthen my advocacy skills, facilitated through role-playing workshops, and a practical insight into the day-to-day workings of Legal Aid. The emotional challenge of working at the Duty Lawyer Service is outweighed by the immeasurable personal rewards of being given the opportunity to assist in delivering much needed legal services to the wider community.

Overall, Legal Aid provides a dynamic and flexible working environment that is continually responsive to change. It is a highly positive and enabling space in which to grow and change from a law student into the type of lawyer I always knew I wanted to be, and now could be.

Report on customer outcomes

Customer focus

A person must be financially eligible to receive a grant of aid for legal representation and the majority of legally aided clients are dependent on some form of benefit or pension. Any person can telephone or attend a public counter for simple information and initial legal advice, which usually attracts a small charge. 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, independent and easily accessible. Complaint handling is centrally managed with documented procedures ensuring thorough scrutiny of all client complaints whether they be received orally, in writing or via webmail.

Outcomes and outputs

We seek to ensure that the community and target groups have access to and are provided with quality legal services. Clients can access a range of services either in person, on the telephone, in writing, through the Duty Lawyer Service, through a private lawyer, or be referred through the courts, other organisations such as community legal centres or local community 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 that can be assisted with the total available funds.

The range of services or specific business outputs provided target 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 client satisfaction and the extent of access to services by the general community and target groups. Unit costs are used to measure efficiency.

Equal employment opportunity

Cultural diversity and language services outcome

Legal Aid has been active in progressing strategies for the employment and retention of EEO groups and raising the awareness of EEO principles among management and staff.

Our alliance with specialist agencies continues in support of the placement of persons from EEO groups. This year we continued to support work experience placements and the employment of staff with disabilities. Our Articled Clerk intake for the year included the appointment of two Indigenous law graduates.

The need to continue cross-cultural awareness training remains a high priority and such issues are incorporated into Legal Aid staff and community training programs where relevant. Of particular interest this year was a specific training session on "Aboriginal English" that was conducted in Perth and via video-conferencing to all regional offices and regional service partners.

Family friendly work arrangements

Legal Aid continues to provide family friendly and flexible work arrangements where possible, with 16.5 per cent of staff working on a reduced hours, at home or part-time basis. A further 18 members of staff are enjoying additional leave due to their participation in the 44/52 leave scheme to accommodate up to eight additional weeks of pre-

purchased leave to support their personal work/life arrangements. Two staff members are participating in the deferred salary scheme, which allows for a pre-purchased year off work to enjoy a career break.

Legal Aid continues to take a proactive approach in increasing the representation of designated EEO groups. These groups are represented in the workforce as follows:

Group	%
Women	78
Women in management tiers 1 to 3	52
Culturally diverse	11.5
People with disabilities	3.5
Indigenous Australians	2.2
Mature workers	43
Youth	8

Disability services

Staff have continued to maintain and develop contacts with agencies involved in the placement of people with disabilities. A number of work placements were provided this year and two recently employed young people are currently completing a traineeship.

Support workers linked to a number of staff with disabilities attend the workplace on a regular basis. As well as providing ongoing support for the staff member, the support worker also provides co-worker training and assistance to management and other staff as appropriate.

Legal Aid has continued to liaise with peak organisations providing mental health and intellectual disability services to ensure the broad range of our services meet the needs of these client groups. Legal Aid continues to provide legal representation for mentally impaired defendants. Our dedicated Mental Health Solicitor represents clients in the Magistrates Court and the District Court. The solicitor has maintained an ongoing relationship with the Disability Services Commission, various hospitals and the courts, which ensures that Legal Aid clients are provided with appropriate representation and ancillary services in relation to criminal law matters.

The Legal Aid website maintains its accreditation under the "Bobby Approved" status, signifying compliance with accessibility guidelines for users with a disability. Although Legal Aid's publications are not designed for specific audiences, our plain English guidelines require public resources to be produced at a maximum of Year 10 reading level.

Youth outcomes

Young people have access to a specialist Children's Legal Unit that can provide advice in all areas of law and which represents children charged with criminal offences in the Children's Court and on the Children's Court Drug Court Program. Specialist family lawyers represent children in the care and protection jurisdiction and are appointed separate representatives of children in applications for residence and contact before the Family Court in appropriate matters.

State Domestic Violence Action Plan

Clients in situations of domestic violence continue to be a very high priority for Legal Aid across all of our units, offices and services. Legal Aid's response to this important issue includes having a specialist dedicated Domestic Violence Legal Unit and providing significant levels of legal advice, duty lawyer services, alternative dispute resolution and grants of aid for representation in family law, restraining order and criminal injuries compensation matters. In addition to its services to clients, Legal Aid's specialist Domestic Violence Legal Unit continues to have a major role in policy, networking and law reform initiatives.

The Director of Legal Aid is a member of the Senior Officers Group of the State Family Violence Coordinating Committee, which comprises senior representatives from all State Government departments

and the Women's Council for Domestic and Family Violence Services.

The Coordinating Committee has responsibility for drafting and coordinating the State Domestic Violence Strategic Plan and yearly Action Plans. Actions initiated by Legal Aid in the 2005-06 Action Plan include the following:

- Continuation of participation in the multi-agency family violence service Domestic Violence Advocacy Support (DVAS) Central at Perth.
- Adoption of best practice guidelines for domestic violence across all Legal Aid services including screening tools across services.
- Development of protocols for the Department of Public Prosecutions to seek restraining orders in criminal proceedings.
- Community legal education with culturally and linguistically diverse communities focusing on newly arrived immigrants around healthy relationships and domestic violence laws.

All of the above matters in the Action Plan have been achieved or are in the process of being completed.

Legal Aid looks forward to actively participating in a number of other important projects in 2006-07 including the expansion of the Joondalup Family Violence Court and the review of the restraining order legislation.

Corruption prevention

Legal Aid continued to develop risk management strategies and raise staff awareness in the area of corruption prevention, as highlighted below:

- Key staff attended refresher training to support ongoing awareness of the Public Interest Disclosure Act 2003.
- Legal Aid is currently participating in a survey entitled "Whistling While They Work" focusing on how staff in public sector agencies are dealt with when they report internal wrongdoing. This is a national survey funded by the Australian Research Council involving five universities and many state public sector partners.
- Legal Aid operates a Gifts Register for gifts offered and accepted by staff.

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	3
Number of breaches found	0
Number still under review	0

George Turnbull, Director, 30 June 2006

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

Staff are required to 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. The Quality Practice Standard is a Law Society initiative aimed at assisting legal practices to improve their relationships with clients and ensure that a consistently high level of service is provided. Law Society accreditation is subject to annual audit and a comprehensive evaluation of our Professional Practice Standards. Legal Aid has been accredited for six years. Our Quality Practice Standards and Professional Practice Standards are both available to all staff via the intranet.

Professional Practice Standards

Our Professional Practice Standards set out the specific standards that must be followed by all professional staff. We also aim to achieve the Best Practice Standards established through National Legal Aid, and contribute to ongoing service reviews and debates through that forum.

Law Society Professional Conduct Rules

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

Public interest disclosure requirements

The Public Interest Disclosure Act provides a system for the reporting and investigation of public interest information. That is, information that tends to show past, present or proposed improper conduct within a public body in the exercise of its functions. This information could involve improper conduct, an offence under state laws, substantial unauthorised or irregular use or mismanagement of public resources, or an act or omission that involves a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment.

The Public Interest Disclosure Officer for Legal Aid is the Wheatbelt Outreach Solicitor. This year no public interest disclosures have been received.

Information Statement

The Freedom of Information Act 1992 requires that an Information Statement be available to members of the public and that this should be updated every 12 months. The objective of the statement is to assist the public in gaining information held by Legal Aid in accordance with section 94 of the Freedom of Information Act 1992.

The Information Statement includes:

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

The Information Statement document is available from Legal Aid's website.

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 Georges Terrace

PERTH WA 6000

Tel: 9261 6263

This year seven requests were received under the Freedom of Information Act 1992.

Six were for personal information and one for non-personal information. In total eight requests were dealt with, including one pending from the previous year. Of the requests for personal information five were provided with copies of all documents, with the other two receiving edited access.

Access to the request for non-personal information was refused as the material, if it did exist, would have been exempt under clause 3 of the Act. One applicant requested an internal review, with a minor variation made (additional document provided).

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 activities

Cheques Act 1986 (Cth)
Copyright Act 1968 (Cth)
Corporations Act 2001 (Cth)
Disability Discrimination Act 1992 (Cth)
Disability Services Act 1993
Electoral Act 1907
Equal Opportunity Act 1984
Fair Trading Act 1987
Family Law Act 1975 (Cth)
Financial Administration and Audit Act 1985
Financial Transaction Reports Act 1995
Freedom of Information Act 1992
Fringe Benefits Tax Act 1986 (Cth)
Government Employees Housing Act 1964
Government Financial Responsibility Act 2000
Income Tax Assessment Act 1997 (Cth)
Industrial Relations Act 1979
Land Administration Act 1997
Legal Contributions Trust Act 1967
Legal Practice Act 2003
Library Board of Western Australia Act 1951
Minimum Conditions of Employment Act 1993
Occupational Health, Safety and Welfare Act 1984
Privacy Act 1988 (Cth)
Public and Bank Holidays Act 1972
Public Interest Disclosure Act 2003
Public Sector Management Act 1994
Racial Discrimination Act 1975 (Cth)
Salaries and Allowances Act 1975
Sales Tax (Exemption and Classification) Act 1992 (Cth)
Sex Discrimination Act 1984 (Cth)
Stamp Act 1921
State Records Act 2000
State Superannuation Act 2000
State Supply Commission Act 1991
Trade Practices Act 1974 (Cth)
Transfer of Land Act 1893
Workers' Compensation and Injury Management Act 1981
Workplace Relations Act 1996 (Cth)

Recordkeeping Plan

Legal Aid's Recordkeeping Plan was revised during the year and a formal review of progress was submitted to the State Records Office in December 2005. A Document Management System (DMS) has been implemented in all non-client related business units and has already led to significant improvements in recordkeeping practices. A post implementation review will be conducted to evaluate the impact of the new system and its associated policies and procedures, prior to further implementation. Approximately 80 per cent of staff have received at least introductory training in records management principles utilising an online web-based training program specifically tailored for WA government agencies. All new staff receive this training as part of their induction. Training in the understanding and use of the business classification scheme has also been conducted to all staff with access to the DMS.

Energy Smart Policy

Energy Smart Government Program	Amended Baseline	2005-06	Variation
Energy Consumption (Megajoules)	1,829,236	2,101,567	
Energy Cost (\$)	79,236	90,718	
Greenhouse Gas Emissions (tonnes of CO ₂)	468	525	
Performance Indicators			
Megajoules/m ²	391	370	-5.24%
Megajoules/occupancy	9,239	8,558	-7.36%

Other accountability measures

Strategic Plan

Legal Aid's Strategic Plan 2000-2005 is due for renewal with current examination given to the various pathways clients take when accessing our services, recent changes in the law especially in family law and the increasing role and services required to support specialist jurisdictions.

Risk management

Our Risk Management Policy and risk register comply with the requirements of the Financial Administration and Audit Act 1985. The risk register identifies areas of operation where a potential risk exists to Legal Aid and contains strategies that have been designed to mitigate or remove those risks. The risk register is updated regularly and is subject to audit oversight.

Security

Legal Aid established a secure ground floor presence in our Perth office to better contain client and visitor movements within the building and a number of improvements in physical design were also made to regional offices. Staff training in how to manage threatening or difficult behaviours, with the emphasis on personal safety, continues to be available along with regular fire and emergency drills.

Policies and procedures

We maintain written policies and procedures covering key areas of operation. Key corporate management policies can be accessed via our intranet.

Financial reporting

Actual financial results are reviewed monthly against budget and these results are provided to the section managers and relevant general managers. The results are also submitted to the Board of Commissioners on a monthly basis.

Protection of assets

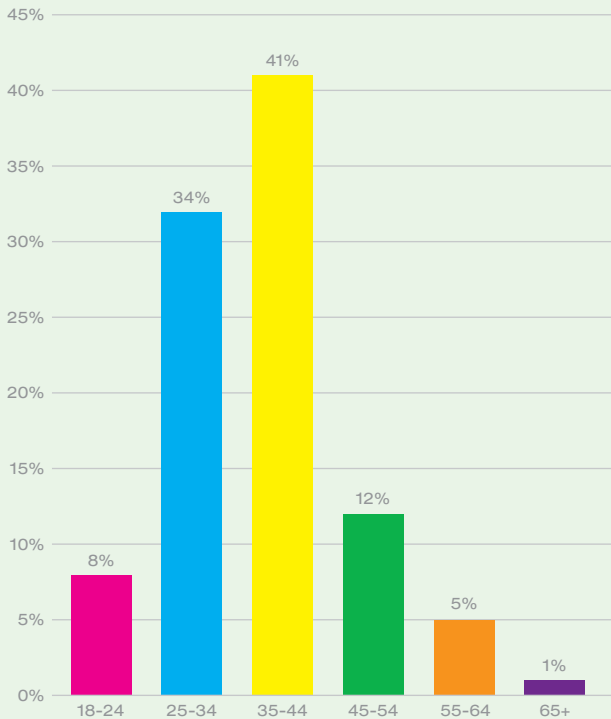
A register of assets that exceed \$1000 in value is maintained and regularly updated. A Disaster Recovery Plan covering assets is also maintained and it establishes procedures covering adverse events and the protection of information.

Promotions

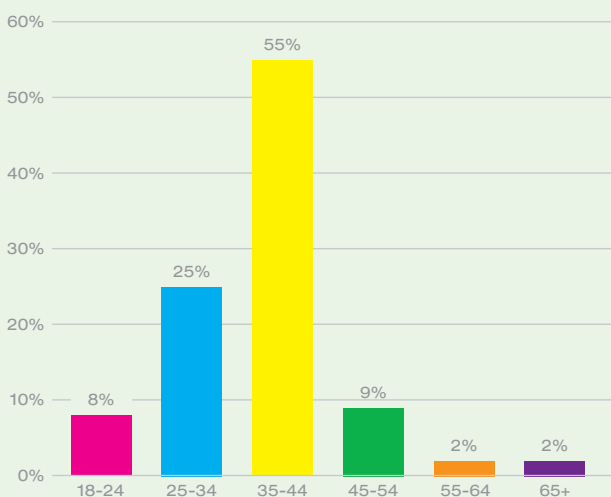
Promotions undertaken by Legal Aid during the year included:

- promotion of Legal Aid at the Tri-Law Careers Fair, a law graduate fair organised by Murdoch, UWA and Notre Dame Universities and
- attendance at the Domestic Violence Memorial March and the Family Law Expo.

Annual client satisfaction survey



Graph 1 - Legal Advice clients by age



Graph 2 - Alternative Dispute Resolution clients by age

Each year, Legal Aid conducts an annual client satisfaction survey. The annual satisfaction indicator alternates between family law and criminal law clients. Family law clients were surveyed to compile the satisfaction indicator for the 2005-06 Annual Report.

The five family law client groups included as part of this year's client satisfaction surveys were Legal Advice, Alternative Dispute Resolution, Grants of Aid, Family Court Duty Lawyer, and Grants of Aid Refusals. The sample was designed to balance accuracy in measuring the overall satisfaction level while having sample sizes that allow valid statistical analysis at the individual survey level. Satisfactory response rates were achieved for each of the surveys, which is an important aspect in assessing any survey.

A composite index was designed to measure the overall satisfaction level of Legal Aid's family law clients. The index estimated the overall satisfaction rating to be 73.7 per cent, with an achieved accuracy level of ± 3.9 per cent, meaning that we can be 95 per cent confident that the true rate of satisfaction lies between 69.8 per cent and 77.6 per cent. Despite modifications to the questionnaires and calculations, the rating and accuracy were very similar to previous years' surveys.

In 2003-04 there was an overall satisfaction rating of 74.0 per cent, with an achieved accuracy level of ± 4.3 per cent. And in 2001-02, there was an overall satisfaction rating of 74.3 per cent, with an achieved accuracy level of ± 4.2 per cent. This suggests that the satisfaction levels of Legal Aid's family law clients have remained stable over the past five years.

In this year's survey, the Legal Advice clients were the most satisfied group, with an overall satisfaction rating of 79 per cent (compared to 76 per cent in 2003-04). Alternative Dispute Resolution clients had a satisfaction level of 71 per cent (compared to 79 per cent in 2003-04), and Grants of Aid clients had a rating of 62 per cent (compared to 61 per cent in 2003-04). The Family Court Duty Lawyer clients were surveyed for the first time this year and had an overall satisfaction of 70 per cent.

Not surprisingly, the Grants of Aid Refusal client group had a lower satisfaction rating, with 28 per cent of clients agreeing that overall they were satisfied with their dealings with Legal Aid.



A survey of community legal centres found that the online and print publications are widely used and achieved an 84 per cent rate of satisfaction.

The main points of interest that resulted from running these surveys were:

- Clients receiving minor assistance from Legal Aid had higher satisfaction levels than those who received information, advice or assistance accessing services other than Legal Aid.
- The highest levels of satisfaction tend to involve the people at Legal Aid, rather than the results that were achieved.
- Community legal centres are generally satisfied with Legal Aid's online and print publications.

These key findings were consistent with the findings in the 2003-04 survey.

Survey population

The target population for the Alternative Dispute Resolution Family Conferencing Program survey is those clients who entered the ADR Family Conferencing Program between 1 July 2005 and 30 April 2006 and who have attended a conference. There were 261 clients who were in the ADR Program target population.

The target populations for the Legal Advice, Grants of Aid and Family Court Duty Lawyer surveys were those clients who received these respective types of assistance from Legal Aid between 1 July 2005 and 30 April 2006. The target population sizes were 2945 for Legal Advice, 358 for Grants of Aid, 140 for Family Court Duty Lawyer and 197 for Grants of Aid Refusals.

The Online and Print Publications Users CLC Survey was conducted as a census of all community legal centres in Western Australia. Legal Aid provided the list of the community legal centres.

Questionnaire

The questionnaires for this year's Grants of Aid, Legal Advice and Alternative Dispute Resolution surveys were heavily based on those used in 2004. However, a number of new questions were added to extend the areas covered by the survey, and to provide information that can be used for client management. The Family Court Duty Lawyer questionnaire and Grants of Aid Refusals questionnaires were designed to be consistent with the three existing family law questionnaires. All new questionnaires and modifications were developed collaboratively between Legal Aid and Data Analysis Australia.

These additional questions, while assisting the measurement of client satisfaction levels, were also used as a tool to collect more data about our family law client group with the intention of adding value to our client

management and service delivery processes. Some of the amendments to the survey included:

- how Legal Aid deals with specific issues such as family violence
- the actual structure of families that seek assistance (see graphs opposite)
- clients' experiences of child experts involved in their legal matters and
- levels of client understanding of conflict and communication.

Most Legal Advice clients surveyed were in the 35-44 age bracket (41 per cent), with a further 34 per cent in the 25-34 age bracket (see Graph 1, opposite top). The majority, 77 per cent, were female with 23 per cent male.

The majority of Legal Advice clients surveyed were currently single (69 per cent), with 19 per cent married and the remaining 13 per cent in de facto relationships. The most common family type was single parent families (63 per cent), followed by married couples with children only from their current relationship (12 per cent). A small number (between 2 and 8 per cent) were from a range of "other family types".

In contrast, the age groupings in the Alternative Dispute Resolution client group showed that more than half (55 per cent) of the clients were aged between 35 and 44 years of age (see Graph 2, opposite bottom).

In this group, 84 per cent were currently single with 11 per cent in de facto relationships and 5 per cent married. Three quarters (75 per cent) were living in a single parent family. The next most common category was "other", which includes a range of family situations such as foster families and couples who are dating but not living together.

By conducting principal components analysis (a technique that identifies variables that are highly correlated with each other), a range of additional information was obtained. For example, it appears that wanting to use the same lawyer again is associated more with development of a rapport or relationship with the lawyer (including feeling listened to), rather than how well the client rates the lawyer's legal assistance.

By collecting and analysing this and all other relevant data, Legal Aid can make specific improvements to client management and program design.

The full report can be accessed at the Legal Aid website www.legalaid.wa.gov.au.

What happens when we don't get it right?

Not everyone is left satisfied after dealing with Legal Aid. 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 assessor who made the original decision on the file carries out reconsideration of a decision to refuse legal aid in the light of further information provided by the applicant. Often reconsideration will result in an approval for aid when further relevant information is provided as part of the reconsideration process. In 2005-06, there were 1141 requests for reconsideration (11 per cent fewer than the previous year). The number of matters varied following reconsideration was 424 (12 per cent fewer than the previous year). If an application is refused on reconsideration, the applicant can request that the matter go to review.

Review

Reviews are conducted by an independent Review Committee, consisting of two private legal practitioners who practise law in the relevant area and a layperson from the community. Before making its decision, the Review Committee considers the

information provided by the case managing assessor and any further information provided by the applicant. The applicant can provide information either in person, by telephone or in writing. All decisions made by the Review Committee are final and the applicant has no further right of redress. There were 108 reviews in 2005-06 (34 per cent fewer than the previous year). The number of decisions overturned during 2005-06 was 15 (57 per cent fewer than the previous year).

Complaints, urgent correspondence and Ministerials

All complaints, urgent correspondence and Ministerials received by Legal Aid are forwarded to the complaints coordinator.

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. A written response is provided within seven days for complaints and within three 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 right to seek redress under the Legal Practice Act 2003. 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 received:

- 56 complaints (55 per cent increase on the previous year). Twenty-three of these complaints related to grants of aid or other legal services that had been provided to another party. Twenty alleged poor conduct by a Legal Aid staff member, including instances where Legal Aid was representing the other party and not the complainant. Eight complaints related to refusals of a grant of aid or other legal service.
- 8 urgent correspondences (167 per cent increase on the previous year). Six of these matters related to refusals of a grant of legal aid. One concerned a conflict of interest and another was a carbon copied letter addressed to the Refugee Review Tribunal.
- 83 Ministerials (295 per cent increase on the previous year). Seven of these concerned refusals to grant legal aid or provide other legal services. A further seven related to grants of aid or other legal services to another party. Six were concerns over other legal matters from members of the public. One alleged poor service by Legal Aid. The remainder were communications about funding, the budget and other general matters.

- Grants Online: Legal Aid is expanding the electronic lodgement of applications for assistance to reduce the time it takes for applications to be determined. Also, because fuller information is being obtained from clients at the outset, this reduces the need to delay decisions to obtain more information.

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, and receipt of complaints, urgent correspondence and Ministerials.

These steps include:

- Client Pathways Project: Legal Aid has been focusing on improving the experience of clients in accessing Legal Aid services.
- Client survey: Legal Aid surveys clients to obtain feedback concerning services to monitor client satisfaction.
- New services: A new unit, Children's Court Protection Services, has been introduced to provide Duty Lawyer services to respondents in protection application cases.
- Staff development: All staff members are required to take part in the performance assessment and development scheme. 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: Senior in-house lawyers conduct forensic advocacy and family law advocacy workshops for Articled Clerks, Restricted Year Practitioners and junior lawyers. We also conduct seminars, lectures and workshops on a wide range of topics, which are made available to all staff as part of their ongoing legal education. We continue to place importance on training and workplace initiatives to ensure that quality services are delivered to clients.
- Paralegal training: An accredited Paralegal Training Program offering a formal qualification in Certificate IV in Business Legal Studies is in place.

Dear Julie, Brianna and Kathryn,

Clarrie and I would like to thank you most sincerely for all your help and kindness to us during our case. Life has been very difficult for us over the last two years and it was good to have such wonderful people to help us.

Thanks a million.

Dear Denise,

Thank you so very much for a number of things: listening, caring, taking the time to communicate with me, helping me out by sending the letter I requested.

For that touch of humanity you brought into this situation, I also thank you. And for your professionalism and sincerity.

All the very best to you for your spirit!

Might I also mention, every single solicitor who I saw was fantastic. Although they no longer work for Legal Aid, my thanks go out to them too.

Dear Marguerita,

Just wanted to say thank you for all you have done for me during the year. You don't know how much it means to me and how I appreciate your help. I never thought I would be able to go through the whole DNA thing and fight him but now I have.

Dear Mary,

Thank you so much for all your time and help. You are great at your job!

Hi Terri,

I cannot say thank you enough. I feel humble and privileged to have had your help and support with this case. You do more than your required job, and today the result showed your care does have a positive result.

Tom and Team at Legal Aid,

Thank you so very much for all your help and assistance over the past months with regards to my case. Your help and knowledge has helped me through a very trying and confusing time. Thanks again.



SECTION 6

Statistical Summary



Operational highlights

Services by service type



- Telephone Information Line 41%
- Face to Face Services 4%
- Duty Lawyer 25%
- Assessment and Case Management 8%
- Legal Representation 5%
- Child Support Assistance 0%
- Legal Advice and Minor Assistance 17%

Services by service type

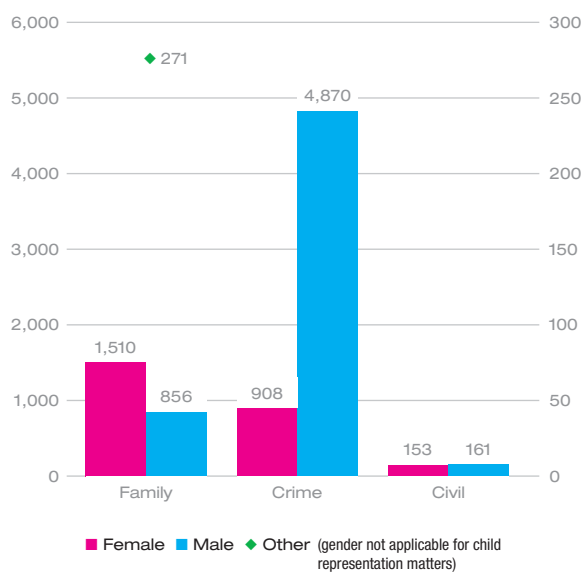
	05-06	%	04-05	%	% change
Assessment and Case Management	12,761	8	12,589	8	1
Legal Representation	8,611	5	8,146	5	6
Child Support Assistance	632	0	689	0	-8
Legal Advice and Minor Assistance	28,824	17	28,207	20	2
Telephone Information Line	68,382	41	69,506	41	-2
Face to Face Services	7,536	4	7,628	5	-1
Duty Lawyer	43,268	25	36,242	21	19
Total	170,014	100	163,007	100	4

*0% caused by rounding of percentages

Statistical summary

Client profile

Aid granted by gender and law type



Aid granted by weekly income

	No.	%
\$0	7,044	82
\$1-\$50	21	0
\$51-\$100	41	0
\$101-\$150	61	1
\$151-\$200	104	1
\$201-\$250	122	1
\$251+	1,336	15
Total	8,729	100

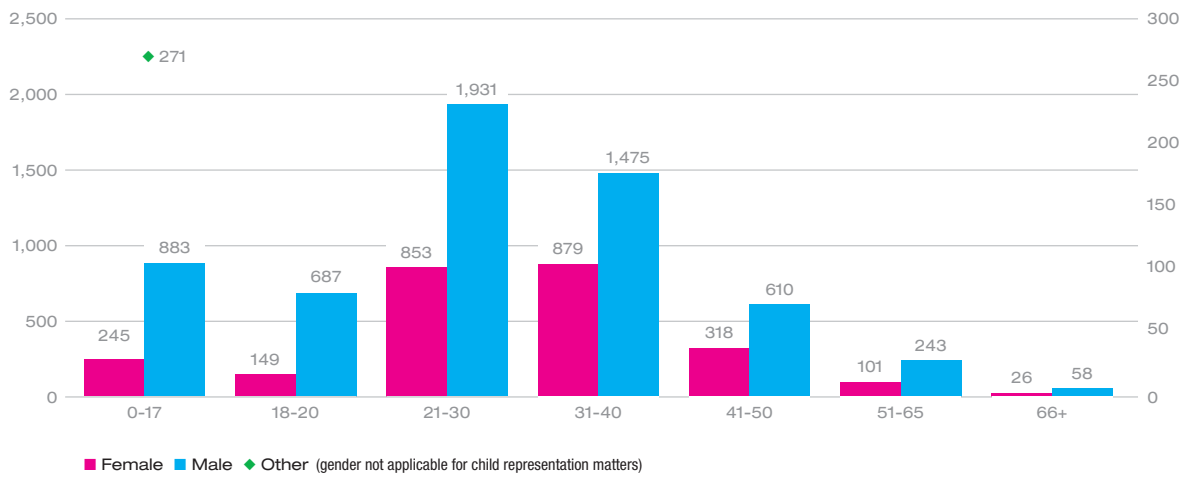
*0% caused by rounding of percentages

**\$0 bracket includes those assessed as satisfying the simplified means test because they receive a full government benefit.

Indigenous aid granted

	05-06	%	04-05	%
Family	194	14	162	12
Crime	1,147	82	1,178	83
Civil	60	4	75	5
Total	1,401	100	1,415	100

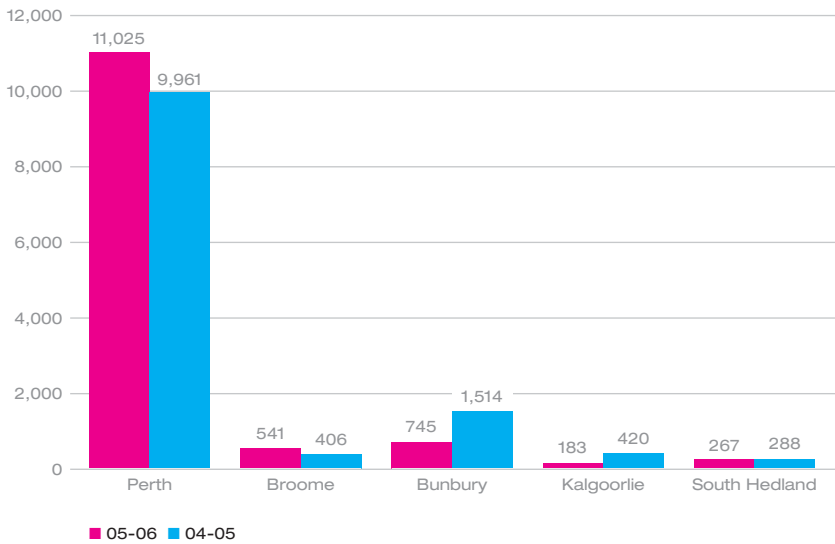
Aid granted by gender and age group



Applications received by law type

	05-06	%	04-05	%	% change
Family	4,469	35	4,339	35	3
Crime	7,620	59	7,469	60	2
Civil	672	6	781	5	-14
Total	12,761	100	12,589	100	1

Applications received by office



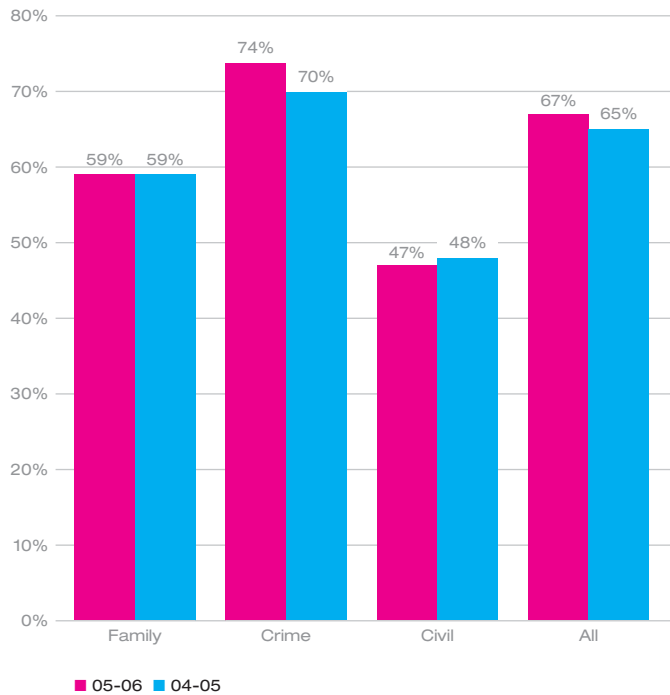
Application turnaround times

	05-06	%	04-05	%	% change
Same day	2,935	23	3,356	29	-13
1-5 days	6,636	52	6,570	53	1
6-10 days	1,787	14	1,424	9	25
11-15 days	510	4	421	3	21
16-30 days	383	3	345	2	11
30+ days	510	4	473	4	8
Total	12,761	100	12,589	100	1

Applications granted by law type

	05-06	%	04-05	%	% change
Family	2,635	30	2,543	31	4
Crime	5,659	66	5,230	64	8
Civil	317	4	373	5	-15
	8,611	100	8,146	100	6

Grant rate by law type



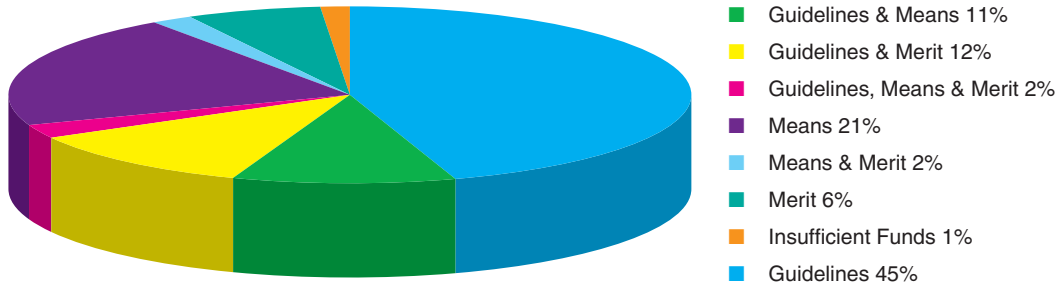
Applications granted by practitioner type

	05-06	%	04-05	%	% change
<i>Private</i>					
Family	1,528	31	2,035	40	-25
Crime	3,282	66	2,796	56	17
Civil	184	3	202	4	-9
	4,994	100	5,033	100	-1
<i>Inhouse</i>					
Family	1,107	16	508	18	118
Crime	2,377	78	2,434	80	-2
Civil	133	6	171	2	-22
	3,617	100	3,113	100	16

Applications refused by law type

	05-06	%	04-05	%	% change
Family	1,551	40	1,510	36	3
Crime	1,943	50	2,195	53	-11
Civil	379	10	461	11	-18
	3,873	100	4,166	100	-7

Applications refused by reason



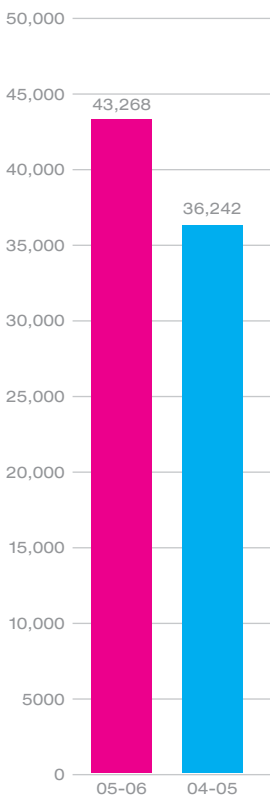
Reconsideration

	05-06	%	04-05	%	% change
Confirmed	575	50	650	54	-12
Varied	424	38	482	34	-12
Pending	145	12	151	12	
	1,144	100	1,283	100	-11

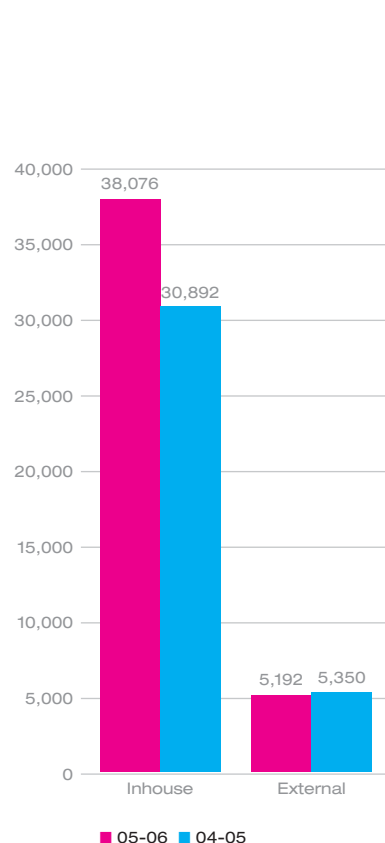
External review

	05-06	%	04-05	%	% change
Confirmed	88	81	122	75	-28
Varied	15	14	35	21	-57
Pending	5	5	6	4	-17
	108	100	163	100	-34

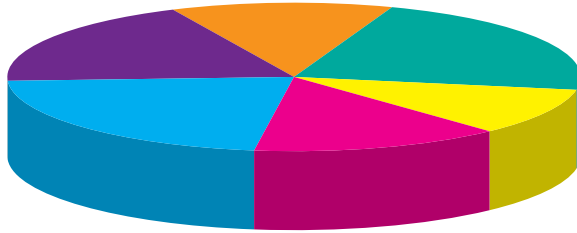
Duty Lawyer Services



Duty Lawyer Services by practitioner type



Certified payments to practitioners



- Under \$20,000 10%
- \$20,000 - \$49,999 14%
- \$50,000 - \$99,999 22%
- \$100,000 - \$149,999 19%
- \$150,000 - \$199,999 13%
- \$200,000+ 22%

Certified payments to practitioners by top 20 ranking

Firm	\$*
IAN HOPE	532,119
PATERSON & DOWDING	269,946
ANDREE HERRIGAN	263,255
CALVERLEY JOHNSTON	260,947
KOTT GUNNING	256,024
HAMMOND WORTHINGTON LAWYERS	247,529
PACY SOLICITORS	216,400
DONNA M WEBB AND ASSOCIATES	205,461
SLATER & GORDON	202,133
DAVID MANERA	195,857
GUNNING YOUNG	179,820
MCDONALD & SUTHERLAND	178,573
GEORGE GIUDICE LAW CHAMBERS	170,929
FERRIER ATHANASIOU & KAKULAS	168,663
BAYLY & O'BRIEN	165,468
BANNERMAN SOLICITORS	165,009
FRIEDMAN LURIE SINGH & D'ANGELO	160,595
JUSTINE FISHER	146,643
MALCOLM J AYOUB	135,008
SIMON WATTERS	132,943

*Certified payments include professional fees and disbursements.

Employee profile

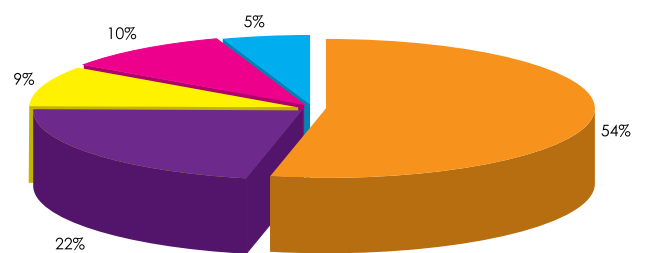
Years of service by total number of employees 2005-06

Years of Service	No of Employees	Lawyers	Paralegals	Admin	Articled Clerks	%
0 - 5	143	53	34	48	8	53.96
6-10	59	26	8	25	0	22.26
11-15	25	8	8	9	0	9.43
16 - 20	27	12	6	9	0	10.19
21-25+	14	4	4	6	0	5.28
TOTAL	268	103	60	97	8	101

Includes staff on LWOP: 9.13 Females/1 Male

Years of Service	%
0 - 5	53.96
6-10	22.26
11-15	9.43
16 - 20	10.19
21-25+	5.28

Years of Service (%)



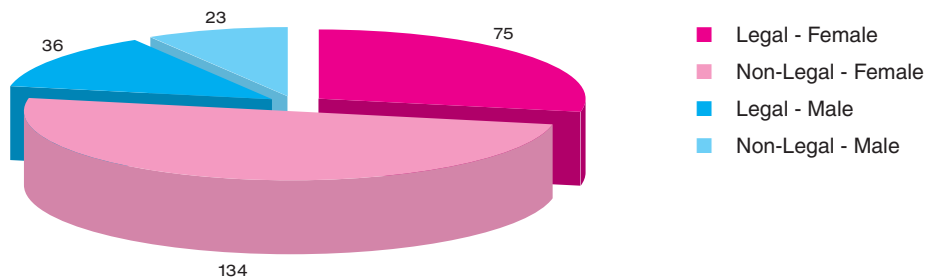
- 0 - 5
- 6 - 10
- 11 - 15
- 16 - 20
- 21 - 25+

Male : Female staff ratio 2005-06

	Legal	%	Non Legal	%	Total	%
Female	75	68%	134	85%	209	78
Male	36	32%	23	15%	59	22
Total	111		157		268	100

Includes staff on LWOP: 11 Females

Male : Female staff ratio 2005-06



FTEs per category of employee 2005-06

Category	TOTAL No of FTE's	Perth Office (FTE's)	Regional Office (FTE's)
Lawyers	95.82	64.62	31.2
Paralegals	52.52	45.34	7.18
Articled Clerks	8	8	0
Administration	79.71	60.79	18.92
TOTAL	236.05	178.75	57.3

Employee profile 2005-06

Level	Lawyers			Paralegal			Administration			Article Clerks			TOTAL 2004-05	TOTAL 2005-06	% 2004-05	% 2004-05
	P	O	C	P	O	C	P	O	C	P	O	C				
Trainee							1						0	1	0.00	0.37
1				1			12	2	1				18	16	6.79	5.97
2				10	3		41	3		8			63	65	23.77	24.25
3			11	34			11	1					54	57	20.38	21.27
4	6			3			7						22	16	8.30	5.97
5	23			8			7						33	38	12.45	14.18
6	10						6	1					15	17	5.66	6.34
7	17						1						23	18	8.68	6.72
8	10	1					2	1					7	14	2.64	5.22
9	19												21	19	7.92	7.09
Class 1	1												2	1	0.75	0.37
Class 2	2												3	2	1.13	0.75
Class 3	1						1						1	2	0.38	0.75
Class 4	1												2	1	0.75	0.37
Special Division		1											1	1	0.38	0.37
TOTAL	90	13	0	56	3	0	88	8	1	0	8	0	265	268	100	100

Includes staff on LWOP:
2004-05 - 9.13 Females/1 Male
2005-06 - 11 Females

P = Permanent Employee
O = Contract Employee
C = Casual Employee

I am running





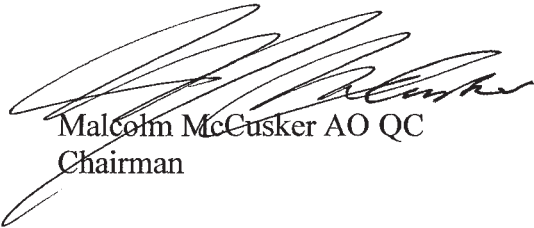
SECTION 7

Performance Indicators


**CERTIFICATION OF PERFORMANCE INDICATORS
FOR THE YEAR ENDED 30 June 2006**

The Hon Jim McGinty MLA
Attorney General

I hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the Legal Aid Commission of Western Australia's performance, and fairly represent the performance of the Legal Aid Commission of Western Australia for the financial year ended 30 June 2006.



Malcolm McCusker AO QC
Chairman



George Turnbull
Director

8 August 2006



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

LEGAL AID COMMISSION OF WESTERN AUSTRALIA FINANCIAL STATEMENTS AND PERFORMANCE INDICATORS FOR THE YEAR ENDED 30 JUNE 2006

Audit Opinion

In my opinion,

- (i) the financial statements are based on proper accounts and present fairly the financial position of the Legal Aid Commission of Western Australia at 30 June 2006 and its financial performance and cash flows for the year ended on that date. They are in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the Treasurer's Instructions;
- (ii) the controls exercised by the Commission 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
- (iii) the key effectiveness and efficiency performance indicators of the Commission are relevant and appropriate to help users assess the Commission's performance and fairly represent the indicated performance for the year ended 30 June 2006.

Scope

The Commission is responsible for keeping proper accounts and maintaining adequate systems of internal control, for preparing the financial statements and performance indicators, and complying with the Financial Administration and Audit Act 1985 (the Act) and other relevant written law.

The financial statements consist of the Income Statement, Balance Sheet, Statement of Changes in Equity, Cash Flow Statement, and the Notes to the Financial Statements.

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

Summary of my Role

As required by the Act, I have independently audited the accounts, financial statements and performance indicators to express an opinion on the financial statements, controls and performance indicators. This was done by testing selected samples of the evidence. Further information on my audit approach is provided in my audit practice statement. Refer "<http://www.audit.wa.gov.au/pubs/Audit-Practice-Statement.pdf>".

An audit does not guarantee that every amount and disclosure in the financial statements and performance indicators 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 and performance indicators.

D D R PEARSON
AUDITOR GENERAL
10 August 2006

Desired outcome

The desired outcome is to ensure:

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

This 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 a face-to-face information service
- legal assistance – for example, offering advice and self-help services to clients to help resolve a legal problem, or where necessary a duty counsel service
- community and education services – for example, publications and self-help kits
- legal representation – in certain specified circumstances and when no other solution is considered appropriate and
- alternative dispute resolution for family disputes.

Determining the type and extent of assistance provided to people is critical to Legal Aid’s operations. Decisions about the appropriateness of the service provided are 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 as a result of the services provided are “access to legal services” and “service quality”.

Legal Aid measures access to legal services by the extent to which legal services are made available to the general community and to target groups.

Legal Aid measures the quality of legal services in terms of client satisfaction with particular aspects of service delivery, such as the effect the assistance had in helping the client 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 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 services both in the 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 show 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

Each year Legal Aid undertakes an annual client satisfaction survey, alternating between family law and criminal law clients. Family law clients were surveyed for the 2005-06 year. Where possible, the surveys were designed to allow meaningful comparisons to be made to the most recent family law customer satisfaction surveys, which were conducted for inclusion in the 2003-04 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. The survey instrument continues to use five-point scales (with 1 being very negative responses, and 5 being very positive).

This was the fifth year that the Online and Print Publications Users Community Legal Centres Survey was run.

Survey population

The target population for the Alternative Dispute Resolution Family Conference Program survey was those clients who entered the ADR Program between 1 July 2005 and 30 April 2006 and who have attended a conference. There were 261 clients who were in-scope for the ADR Program survey. The target populations for the Legal Advice, Grants of Aid and Duty Lawyer surveys were those clients who received these respective types of assistance from Legal Aid between 1 July 2005 and 30 April 2006. The target population sizes were 2945 for Legal Advice, 358 for Grants of Aid, 140 for Duty Lawyer, and a further 197 for Grants of Aid Refusals.

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.

Sample sizes

The sample sizes for the four family law client groups' satisfaction surveys were designed to balance the requirements of obtaining accuracy to within about 5 per cent 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.

The sample of 400 was allocated proportional to the square root of the population size, between Legal Advice, Grants of Aid, ADR and Duty Lawyer. Each of the samples was selected randomly. The following table shows the breakdown of the sample into the four survey areas:

Sample sizes and resulting levels of accuracy

Client Group	Population size (N)	Sample size (n)	Level of Accuracy
Legal Advice	2945	214	+/-6.5%
ADR	261	64	+/-10.7%
Grants of Aid	358	75	+/-10.1%
Duty lawyer	140	47	+/-11.7%
Total	3704	400	+/-3.9%

There were 30 community legal centres to be surveyed in the Online and Print Publications Users Community Legal Centres Survey.

The expected overall level of accuracy obtained from this design is +/-4.2 per cent assuming a satisfaction level of 65 per cent based on previous results. The accuracy levels for the individual surveys are higher but still within acceptable error bounds. The achieved overall level was +/-3.9 per cent.

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 in order to allow agencies time to consider their answers to the survey and discuss them with colleagues. 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 online and print publications were screened out of the survey. The CATI system was used to conduct this survey as well.

Estimation methodology

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 applicable". The "not applicable" were excluded from the denominator because their inclusion can artificially deflate the observed satisfaction levels. This methodology is consistent with that used in previous years.

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.

Key efficiency and effectiveness indicators

Key Effectiveness Indicators	2004 Actual	2005 Actual	2006 Target	2006 Actual	Reasons for Significant Variance between 2006 Target and 2006 Actual
Applications approved for a grant of aid as a percentage of all applications received	65%	65%	63%	67%	Increase over target due to additional State family grants resulting from new child protection legislation.
Percentage of clients satisfied with service provided:					
- Criminal Law	-	72%	-	-	
- Family Law	74%	-	75%	74%	

Key Efficiency Indicators	2004 Actual	2005 Actual	2006 Target	2006 Actual	Reasons for Significant Variance between 2006 Target and 2006 Actual
State Law					
Average cost per call	14	13	16	14	State calls exceeded target in turn impacting on the average cost.
Average cost per service face to face information	21	21	22	30	Face to face information requests were down, likely substituted with calls (see above), in turn impacting on the average cost.
Average cost per service duty lawyer service	70	78	84	90	
Average cost per legal advice	97	99	104	103	
Average cost per minor assistance	197	203	187	172	An increase in services was experienced due to the opening of two new regional offices and a service based at Domestic Violence Advocacy Services.
Average cost per application processed	123	143	149	152	
Average cost per legal representation	1,575	1,818	1,923	1,836	

Key Efficiency Indicators	2004 Actual	2005 Actual	2006 Target	2006 Actual	Reasons for Significant Variance between 2006 Target and 2006 Actual
Commonwealth Law					
Average cost per call	18	18	17	18	
Average cost per service face to face information	20	26	30	30	
Average cost per service duty lawyer service	47	88	90	96	
Average cost per legal advice	75	94	97	96	
Average cost per minor assistance	132	178	160	166	
Average cost per application processed	433	487	442	440	
Average cost per legal representation	2,570	2,716	2,866	2,599	Average cost decreased under the influence of a large number of Commonwealth criminal low cost grants for illegal fishing matters in the Magistrates Court.
Cost per child support service	1,100	1,394	1,100	1,363	The level of service provided and resources consumed in 2006 are consistent with 2005. The target for 2006 anticipated a reallocation of resources that did not eventuate.





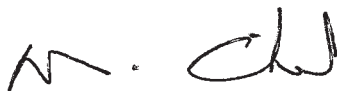
SECTION 8
Financial Statements

**CERTIFICATION OF FINANCIAL STATEMENT
FOR THE YEAR ENDED 30 June 2006**

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 ending 30 June 2006 and the financial position as at 30 June 2006.


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



Murray Cribb
Chief Finance Officer



George Turnbull
Director



Malcolm McCusker AO QC
Chairman

8 August 2006



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

LEGAL AID COMMISSION OF WESTERN AUSTRALIA FINANCIAL STATEMENTS AND PERFORMANCE INDICATORS FOR THE YEAR ENDED 30 JUNE 2006

Audit Opinion

In my opinion,

- (i) the financial statements are based on proper accounts and present fairly the financial position of the Legal Aid Commission of Western Australia at 30 June 2006 and its financial performance and cash flows for the year ended on that date. They are in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the Treasurer's Instructions;
- (ii) the controls exercised by the Commission 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
- (iii) the key effectiveness and efficiency performance indicators of the Commission are relevant and appropriate to help users assess the Commission's performance and fairly represent the indicated performance for the year ended 30 June 2006.

Scope

The Commission is responsible for keeping proper accounts and maintaining adequate systems of internal control, for preparing the financial statements and performance indicators, and complying with the Financial Administration and Audit Act 1985 (the Act) and other relevant written law.

The financial statements consist of the Income Statement, Balance Sheet, Statement of Changes in Equity, Cash Flow Statement, and the Notes to the Financial Statements.

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

Summary of my Role

As required by the Act, I have independently audited the accounts, financial statements and performance indicators to express an opinion on the financial statements, controls and performance indicators. This was done by testing selected samples of the evidence. Further information on my audit approach is provided in my audit practice statement. Refer "<http://www.audit.wa.gov.au/pubs/Audit-Practice-Statement.pdf>".

An audit does not guarantee that every amount and disclosure in the financial statements and performance indicators 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 and performance indicators.

D D R PEARSON
AUDITOR GENERAL
10 August 2006

Legal Aid Commission of Western Australia
 Balance Sheet
 as at 30 June 2006

	Note	2005/06 \$	2004/05 \$
ASSETS			
Current Assets			
Cash and cash equivalents	6	12,099,132	11,437,211
Restricted Cash and cash equivalents	7, 27	1,350,270	1,518,917
Receivables	8	1,431,797	1,456,380
Total Current Assets		14,881,199	14,412,507
NON-CURRENT ASSETS			
Property, Plant Equipment and Vehicles	9	2,583,288	1,749,291
Intangibles	10	110,183	125,145
Receivables	8	2,697,267	2,911,910
Total Non-Current Assets		5,390,738	4,786,346
Total Assets		20,271,937	19,198,853
LIABILITIES			
Current Liabilities			
Payables	12	8,559,601	7,556,942
Provisions	13	2,393,120	1,496,705
Total Current Liabilities		10,952,722	9,053,647
NON-CURRENT LIABILITIES			
Provisions	13	1,032,151	1,632,666
Total Non-Current Liabilities		1,032,151	1,632,666
Total Liabilities		11,984,872	10,686,313
Net Assets		8,287,065	8,512,541
EQUITY			
Contribution equity	14	595,669	595,669
Reserve	14	4,960,466	5,140,904
Accumulated surplus/(deficit)	14	2,730,929	2,775,968
TOTAL EQUITY		8,287,065	8,512,541

The Balance Sheet should be read in conjunction with the accompanying notes.

Legal Aid Commission of Western Australia
Income Statement
for the year ended 30 June 2006

	Note	2005/06 \$	2004/05 \$
COST OF SERVICES			
Expenses			
Legal Services Expenses	15	12,107,244	10,992,114
Employee benefits expense	16	16,517,316	14,811,819
Supplies and services	17	3,292,009	3,221,408
Depreciation and amortisation expense	18	679,107	535,318
Accommodation expenses	19	1,834,577	1,622,713
Other Expenses	20	2,648,739	2,543,921
Loss on disposal of non-current assets	24	17,915	19,470
Total Cost of services		37,096,907	33,746,764
Income			
Revenue			
Sales	21	1,336,146	1,301,945
Commonwealth Grants and Contributions	22	14,031,691	13,686,176
Other Revenue	23	2,060,280	1,361,164
Interest Revenue	25	844,280	708,761
Total Revenue		18,272,397	17,058,046
Total income other than income from State Government		18,272,397	17,058,046
NET COST OF SERVICES	28	(18,824,510)	(16,688,718)
INCOME FROM STATE GOVERNMENT			
State Government Grant	26	18,568,878	18,142,479
Liabilities assumed by the Treasurer		15,156	83,202
Total Income From State Government		18,584,034	18,225,681
SURPLUS/DEFICIT FOR THE PERIOD		(240,476)	1,536,963

The Income Statement 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 2006

	Note	2005/06 \$ Inflows (Outflows)	2004/05 \$ Inflows (Outflows)
CASH FLOWS FROM STATE GOVERNMENT			
State Government Grant		18,751,952	18,134,301
Net Cash provided by State Government		18,751,952	18,134,301
Utilised as follows:			
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Legal services		(11,474,983)	(10,803,647)
Employee benefits		(16,245,824)	(15,186,464)
Supplies and Services		(3,225,077)	(2,967,662)
Accommodation		(1,832,181)	(1,623,353)
GST Payments on purchases		(2,129,914)	(1,801,986)
Other payments		(2,215,163)	(2,398,100)
Receipts			
Sale of Goods and Services		1,378,440	1,399,214
Commonwealth grants and contributions		13,979,342	13,683,341
Interest received		706,122	670,766
GST Receipts on sales		122,344	113,929
GST Receipts from Taxation Authority		1,937,725	1,620,198
Other Receipts		2,280,380	1,274,351
Net Cash provided by/(used in) Operating activities	28	(16,718,789)	(16,019,413)
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of Non-Current Physical Assets		(1,625,251)	(935,092)
Proceeds from sale of Non-Current Physical Assets		85,363	188,350
Net Cash provided by/(used in) investing activities		(1,539,888)	(746,742)
Net increase/(decrease) in cash and cash equivalents held		493,275	1,368,145
Cash assets and cash equivalents at the beginning of period.		12,956,127	11,587,982
CASH AND CASH EQUIVALENTS AT THE END OF PERIOD	28	13,449,402	12,956,127

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

Legal Aid Commission of Western Australia
Statement of Changes in Equity
for the year ended 30 June 2006

	Note	2005/06 \$ Inflows (Outflows)	2004/05 \$ Inflows (Outflows)
Balance of equity at start of period		8,512,541	6,950,577
CONTRIBUTED EQUITY	14		
Balance at start of period		595,669	595,669
Capital contribution		-	-
Other contributions by owners		-	-
Distributions to owners		-	-
Balance at end of period		595,669	595,669
RESERVES	14		
Asset Revaluation Reserve			
Balance at start of period		140,043	115,043
Changes in accounting policy or correction of prior period errors		-	-
Restated balance at start of period		140,043	115,043
Gains/(losses) from assets revaluation		15,000	25,000
Balance at end of period		155,043	140,043
Capital Reserve & Investment Fund	14		
Balance at start of period		3,514,790	-
Changes in accounting policy or correction of prior period errors		-	-
Restated balance at start of period		3,514,790	-
Reclassification to Cash Assets		-	3,514,790
Balance at end of period		3,514,790	3,514,790
Asbestosis Account Reserve	14		
Balance at start of period		1,486,071	1,490,071
Changes in accounting policy or correction of prior period errors		-	-
Restated balance at start of period		1,486,071	1,490,071
Transfer to Accumulated Surplus		-	-
Private Practitioners Fees		(195,438)	(4,000)
Balance at end of period		1,290,633	1,486,071
ACCUMULATED SURPLUS (RETAINED EARNINGS)	14		
Balance at start of period		2,775,968	4,749,794
Net adjustment on transition to AIFRS		-	-
Change in accounting policy or correction of prior period errors		-	-
Restated balance at start of period		2,775,968	4,749,794
Transfer to Capital Reserve		-	(3,514,790)
Transfer from Asbestosis Account Reserve		195,438	4,000
Surplus/(deficit) or profit/(loss) for the period		(240,477)	1,536,964
Gain/(losses) recognised directly in equity		-	-
Balance at end of period		2,730,929	2,775,968
Balance of Equity			
Total Income and expense for the period		8,287,065	8,512,541

The Statement of Changes in Equity should be read in conjunction with the accompanying notes

THE DIRECTOR OF LEGAL AID AND OTHERS IN TRUST
STATEMENT OF RECEIPTS AND PAYMENTS
FOR THE YEAR ENDED 30 JUNE 2006

FUNDS ON HAND 1 July 2005

RECEIPTS in year
 Interest received in year


PAYMENTS in year
 Bank charges

FUNDS ON HAND 30 June 2006

Represented by funds in
 BANKWEST

\$	\$
0	0
0	0
0	0
0	0
0	0
0	0
0	0

We hereby certify that the Statement of Receipts and Payments has been prepared from proper accounts and records to present fairly the financial transactions for the financial year ended 30 June 2006, and the Funds on Hand as at 30 June 2006.


 George Turnbull
 Director of Legal Aid


 Murray Cribb
 Principal Accounting Officer

30 June 2006



1 First time adoption of Australian equivalents to International Financial Reporting Standards

These financial statements have been prepared under Australian equivalents to International Financial Reporting Standards (AIFRS) for the purpose of comparative reporting at 30 June 2006. Accounting Standard AASB 1 'First-time Adoption of Australian Equivalents to International Financial Reporting Standards' have been applied in preparing these financial statements. Until 30 June 2005, the financial statements of the Commission have been prepared under the Australian Generally Accepted Accounting Principles (AGAAP).

The Australian Accounting Standards Board (AASB) adopted the Standards of the International Accounting Standards Board (IASB) for application to reporting periods beginning on or after 1 January 2005 by issuing AIFRS which comprise a Framework for the Preparation and Presentation of Financial Statements, Accounting Standards and the Urgent Issue Group (UIG) Interpretations.

Reconciliations explaining the transition to AIFRS as at 1 July 2004 and 30 June 2005 are provided at note 41.

2 Summary of significant accounting policies

(a) General Statement

The financial statements constitute a general purpose financial report which has been prepared in accordance with Australian Accounting Standards. The Treasurer's Instructions may modify or clarify their application, disclosure, format and wording to provide certainty and to ensure consistency and appropriate reporting across the public sector.

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, UIG Interpretations and other authoritative pronouncements of the Australian Accounting Standard Board.

Where modification is required and has a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

(b) Basis of Preparation

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention, modified by the revaluation of land, buildings and infrastructure which have been measured at fair value.

The accounting policies adopted in the preparation of the financial statements have been consistently applied throughout all periods presented unless otherwise stated.

The judgements that have been made in the process of applying the Authority's accounting policies that have the most significant effect on the amounts recognised in the financial statements are disclosed at note 4 'Judgements made by management in applying accounting policies'.

The key assumptions made concerning the future, and other key sources of estimation uncertainty at the reporting date that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are disclosed at note 5 'Key sources of estimation uncertainty'.

(c) Reporting Entity

The reporting entity comprises the Commission and there are no related bodies.

(d) Contributed Equity

UIG Interpretation 1038 'Contributions by Owners Made to Wholly-Owned Public Sector Entities' requires transfers in the nature of equity contributions to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to transfer) before such transfers can be recognised as equity contributions. Capital contributions (appropriations) are designated as contributions by owners and have been credited directly to Contributed Equity.

(e) Income

Revenue

Revenue is measured at the fair value of consideration received or receivable. Revenue is recognised for the major business activities as follows:

Sale of goods

Revenue is recognised from the sale of goods and disposal of other assets when the significant risks and rewards of ownership control transfer to the purchaser.

Rendering of Services

Revenue is recognised on delivery of the service or by reference to the stage of completion.

Grants, donations, gifts and other non-reciprocal contributions.

Revenue is recognised at fair value when the Authority obtains control over the assets comprising the contributions, usually when cash is received.

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

Other non-reciprocal contributions that are not contributions by owners are recognised at their fair value. Contributions of services are only recognised when a fair value can be reliably determined and the services would be purchased if not donated.

When contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as the reporting date, the nature of, and amounts pertaining to, those undischarged conditions are disclosed in the notes.

Gains

Gains may be realised or unrealised and are usually recognised on a net basis. These include gains arising on the disposal of non-current assets and some revaluations of non-current assets.

(f) Property, Plant and Equipment

Initial recognition and measurement

All items of property, plant and equipment are initially recognised at cost.

For items of property, plant and equipment acquired at no cost or for nominal consideration, the cost is their fair value at the date of acquisition.

Items of property, plant and equipment costing less than \$1,000 are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total).

Subsequent measurement

After recognition as an asset, the revaluation model is used for the measurement of land, buildings and infrastructure and the cost model for all other property, plant and equipment. Land and buildings are carried at fair value less accumulated depreciation on buildings and accumulated impairment losses. All other items of property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Where market evidence is available, the fair value of land and buildings is determined on the basis of current market buying values determined by reference to recent market transactions.

Where market evidence is not available, the fair value of land and buildings is determined on the basis of existing use. This normally applies where buildings are specialised or where land use is restricted. Fair value for existing use assets is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the depreciated replacement cost. The revaluation of land and buildings is provided independently on an annual basis by the Department of Land Information (Valuation Services).

When buildings are revalued, the accumulated depreciation is eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount.

The most significant assumptions in estimating fair value are made in assessing whether to apply the existing use basis to assets. Professional judgement by the valuer is required where the evidence does not provide a clear distinction between market type assets and existing use assets.

Refer to note 9 'Property, plant and equipment' for further information on revaluations.

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.

Land is not depreciated. Depreciation on other assets is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable asset are:

Buildings on Freehold Land	50 years
Furniture and Fixture	5 to 13 years
Leasehold Improvements	6 to 20 years
Office Equipment	5 to 10 years
IT Equipment	3 to 4 years
Motor Vehicle	2 to 3 years

(g) Intangible Assets

All acquired and internally developed intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, the cost is their fair value at the date of acquisition.

The cost model is applied for subsequent measurement requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

The carrying amount of intangible assets is reviewed annually for impairment when the asset is not yet in use, or more frequently when an indicator of impairment arises during the reporting year indicating the carrying value may not be recoverable.

Amortisation for intangible assets with finite useful lives is calculated for the period of the expected benefit (estimated useful life) on the straight line basis using rates which are reviewed annually. All intangible assets controlled by the Commission have a finite useful life and zero residual value. The expected useful lives for each class of intangible asset are:

Software 10 years

Computer Software

Software that is an integral part of the related hardware is treated as property, plant and equipment. Software that is not an integral part of the related hardware is treated as an intangible asset. Software costing less than \$1,000 is expensed in the year of acquisition.

(h) Impairment of Assets

Property, plant and equipment and intangible assets are tested for any indication of impairment at each reporting date. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is written down to the recoverable amount and an impairment loss is recognised. As the Commission is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated or where the replacement cost is falling. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

Intangible assets with an indefinite useful life and intangible assets not yet available for use are tested for impairment at each reporting date irrespective of whether there is any indication of impairment.

The recoverable amount of assets identified as surplus assets is the higher of fair value less costs to sell and the present value of future cash flows expected to be derived from the asset. Surplus assets carried at fair value have no risk of material impairment. Surplus assets at cost are tested for indications of impairments at each reporting date.

See note 11 'Impairment of assets' for the outcome of impairment reviews and testing.

(i) 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 clients are recognised as an asset on approval of the grant of aid. Provision for bad debts is provided for in accordance with note 8(i).

(j) Leases

The Commission has entered into a number of operating lease arrangements for head office and a number of branch office buildings, office equipment and motor vehicles. Lease payments are expensed on a straight line basis over the lease term, as this represents the pattern of benefits derived from the leased property.

(k) Financial Instruments

"The Commission has one category of financial instrument:

* Receivables (includes cash and term deposits)

Initial recognition and measurement is at fair value. Usually the transaction cost or face value is equivalent to fair value and subsequent measurement is at amortised cost using the effective interest method."

Short-term receivables and payables with no stated interest rate are measured at transaction cost/face value if the effect of discounting is immaterial.

(l) Cash and Cash Equivalents

For the purpose of the Cash Flow Statement, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and which are subject to insignificant risk of changes in value.

(m) Receivables

Unsecured Debtors

Unsecured debtors are recognised and carried at the amounts receivable. The carrying amount is equivalent to fair value as it is due for settlement within 42 days. The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off. The provision for uncollectible amounts (doubtful debts) is raised when Collectability is no longer probable. See note 8 'Receivables'.

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Secured Debtors

Secured debtor 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. The Collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off. The provision for uncollectible amounts (doubtful debts) is raised when collectability is no longer probable. See note 8 'Receivables'.

(n) Payables

"Payables are recognised at the amounts payable when the Commission becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount of trade payables is equivalent to fair value, as they are generally settled within 30 days.

Grant of aid commitments are settled as the case progresses and matters can be outstanding for between 3 months and 2 years. The Commission considers the carrying amount of grant of aid commitments to be equivalent to the net fair value. See note 12 'Payables'."

(o) 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 of accrued salaries to be equivalent to the net fair value. (See note 12)

(p) Provisions

(i) Provisions - Employee Benefits

Annual Leave and Long Service Leave

The liability for annual and long service leave expected to be settled within 12 months after the end of the reporting date is recognised and measured at the undiscounted amounts expected to be paid when the liabilities are settled. Annual and long service leave expected to be settled more than 12 months after the end of the reporting date is measured at the present value of amounts expected to be paid when the liabilities are settled. Leave liabilities are in respect of services provided by employees up to the reporting date.

When assessing expected future payments consideration is given to expected future wage and salary levels including non-salary components such as employer superannuation contributions. In addition, the long service leave liability also considers the experience of employee departures and periods of service.

The expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

All annual leave and unconditional long service leave provisions are classified as current liabilities as the Commission does not have an unconditional right to defer settlement of the liability for at least 12 months after the reporting date.

A liability for long service leave is recognised after an employee has completed four years of service. An actuarial assessment of long service leave undertaken by PricewaterhouseCoopers in 2005 determined that the liability measured using the short hand method was not materially different from the liability measured using the present value of expected future payments.

Superannuation

The Government Employees Superannuation Board (GESB) administers the following superannuation schemes.

Employees may contribute to the Pension Scheme, a defined benefit pension scheme now closed to new members or the Gold State Superannuation Scheme (GSS), a defined benefit lump sum scheme also closed to new members.

The Commission has no liabilities under the Pension or the GSS Schemes. The liabilities for the unfunded Pension Scheme and the unfunded GSS Scheme transfer benefits due to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS Scheme obligations are funded by concurrent contributions made by the Commission to the GESB

Employees who are not members of either the Pension or the GSS Schemes become non-contributory members of the West State Superannuation (WSS) Scheme, an accumulation scheme. The Commission makes concurrent contributions to GESB on behalf of employees in compliance with the Commonwealth Government's Superannuation Guarantee (Administration) Act 1992. These contributions extinguish all liabilities in respect of the WSS Scheme.

The GESB makes all benefit payments and is recouped by the Treasurer for the employer share in respect of the Pension and GSS Scheme transfer benefits.

See also note 2(q) 'Superannuation expense'.

(ii) Provisions - Other

Employee benefit on-costs

Employee benefit on-costs, including workers' compensation insurance, are not employee benefits and are recognised as separate liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are not included as part of the Commission's 'Employee benefits expense' and the related liability is included in Employment on-costs provision. (See note 20 'Other expenses' and note 13 'Provisions').

(q) Superannuation Expense

The following elements are included in calculating a superannuation expense:

(a) Defined benefit plans - Change in the unfunded employer's liability assumed by the Treasurer in respect of current employees who are members of the Pension Scheme and current employees who accrued a benefit on transfer from that Scheme to the Gold State Superannuation Scheme (GSS) and

(b) Defined contribution plans - Employer contributions paid to the GSS and the West State Superannuation Scheme (WSS)

Defined benefit plans - in order to reflect the true cost of services, the movements in the liabilities in respect of the Pension Scheme and the GSS transfer benefits are recognised as expenses. As these liabilities are assumed by the Treasurer [refer note 2(p)(i)], a revenue titled 'Liabilities assumed by the Treasurer' equivalent to the expense is recognised under Income from State Government in the Income Statement (see note 26 'Income from State Government').

(r) Resources Received Free of Charge or for Nominal Consideration

Resources received free of charge or for nominal value that can be reliably measured are recognised as revenues and as assets or expenses as appropriate at fair value.

(s) Comparative Figures

Comparative figures have been restated on the AIFRS basis except for financial instruments which have been prepared under the previous AGAAP Australian Accounting Standard AAS 33. The transition date to AIFRS for financial instruments will be 1 July 2005 in accordance with AASB 1 paragraph 36A and Treasurer's Instruction 1101.

3 Financial Risk Management Objectives and Policies (see note 34)

The Commission's activities expose it to a variety of financial risks: market risk, credit risk, and liquidity risk. The Commission reviews and agrees policies for managing each of these risks and they are summarised below:

Credit Risk

The Commission is open to credit risks in respect of Contributions due from its clients. It has policies in place to ensure that where possible debts due are adequately secured by way of caveats or memorials over the properties of the debtor. Where such Contributions cannot be secured either because of the amount of the debt is small or the client does not have adequate assets to offer as security, the Commission monitors the debts on an ongoing basis to ensure that they are collected promptly to minimise the amount of irrecoverable debts to be written off (see note 8).

Credit risk arising from the other financial assets mainly relate to cash and cash equivalents. The Commission's exposure to credit risks in respect of such assets arises from default of the counter party. The Commission is a public benevolent institution. As such the primary investment policy objective is to ensure the security and minimise the risk of the Commission's cash reserves. Where alternative options exist for the investment of funds at equivalent levels of risk, those investment options which provide the highest returns is used wherever possible. The investment of funds is governed by section 40 of Financial Administration and Audit Act. Investments are made in a manner specified in section 38 of that Act.

Interest Rate Risk

The Commission's exposure to market risk for changes in interest rates relates primarily to the investments of surplus fund and restricted funds.

The Commission's policy to manage interest income is using a mix of fixed and variable rate investments as appropriate (see note 34)

Liquidity Risk

Prudent liquidity risk management implies maintaining a balance between sufficient cash to meet obligations as and when they fall due and maximising revenues from surplus funds by investing in interest bearing investments.

The term of the investments will be based on the annual cash flow budget in order to meet cash requirements in a timely manner. The selection of the term of the investments will dependent upon the cash flow requirements and the rate of return available for different terms.

4 Judgements made by management in applying accounting policies

Judgements that have been made in the process of applying accounting policies that have the most significant effect on the amounts recognised in the financial statements include:

Leased Assets

Classification of leases as to whether they are operating leases or finance leases involves the interpretation of the lease arrangement to determine whether the lessors retain the risks and benefits incidental to ownership.

5 Key sources of estimation uncertainty

The Commission makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below.

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Technological Equipment

The Commission's management determines the estimated useful lives and related depreciation charges for its plant and equipment. This estimate is based on projected useful lives of the assets. It could change significantly as a result of technical innovations. Management will increase the depreciation charge where useful lives are less than previously estimated lives, or it will write-off or write-down technically obsolete or non-strategic assets that have been abandoned or sold.

Grants of Aid

Grants of aid are initially recognised as a liability initially on the basis of a provisional cost estimate. These estimates are revised as the litigation proceeds and realistic information on associated costs are available.

Leasehold Improvements

Leasehold improvements are amortised over the initial term of the lease even though an option for extending the lease exists. Should the lease agreement be extended before the expiration of the initial term, the period of amortisation of any unamortised balance is revised to include the extended term.

Long Service Leave

The calculation of the long service leave liabilities involves making assumptions regarding the future increases in salaries, probability of employees remaining in service until they become entitled to their prorated long service leave, and estimation of their present value of the liability using an appropriate discount rate.

Non Current Debtors – Provision for Discount

Secured non current debtors for Contributions due to the Commission are expected to fully settle their liabilities on sale or other alienation of their properties. These debts are presented at their discounted value to take account of the long repayment period. The Commission uses its judgement to determine the average repayment period for the settlement of these debts and the selection of an appropriate discount rate.

6 Cash and cash equivalents

	2006	2005
	\$	\$
Bank Accounts	12,092,877	11,431,076
Cash on Hand - Petty Cash	6,255	6,135
	12,099,132	11,437,211

7 Restricted cash and cash equivalents

(I) The Asbestosis Account was established in January 1989 to fund the granting of legal aid in relation to asbestosis-related actions. The Commission pays into the Account all amounts that it receive as costs recovered from asbestosis-related actions by plaintiffs to whom the Commission has granted legal aid.

	2006	2005
	\$	\$
Balance of Funds 1 July 2005 - Opening Balance	1,486,071	1,490,071
Revenue:		
~ Recovered Costs	-	-
~ Interest	-	-
	1,486,071	1,490,071
Expenditure		
~ Private Practitioners	(195,438)	(4,000)
~ Reclassification to Cash Assets	-	-
Balance of Funds 30 June 2006 - Closing Balance	1,290,633	1,486,071

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(ii) The Child Representation Trust Fund has been established essentially for monies received from clients contributions. These contributions are not received from the aided person being the child, but from other parties to the proceedings, typically being the parents of the child.

	2006	2005
	\$	\$
Child Representation Trust Fund		
Balance of Funds 1 July 2005	32,846	23,364
Receipts	48,682	36,000
	81,528	59,364
Payments	21,891	26,518
Balance of funds 30 June 2006	59,637	32,846

8 Receivables

	2006	2005
	\$	\$
Current		
Prepayments	21,361	10,280
Unsecured debts	1,819,658	1,789,409
Less: Allowance for doubtful debts	(409,222)	(343,309)
	1,431,797	1,456,380
Non Current		
Secured Debts	3,387,954	3,559,710
Less: Provision for doubtful debts	(20,000)	(20,000)
Less: Allowance for discount	(670,687)	(627,800)
	2,697,267	2,911,910
	4,129,063	4,368,290

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 5.84% (2005: 5.10%) using the 5 year government bond rate as at June 30, 2006.

(i) Allowance for Doubtful Debts

	2006	2005
	\$	\$
Balance 30 June 2005	363,309	418,323
Bad debts written off 2005/06	(6,693)	(10,076)
	356,616	408,247
Provision 2005/06	72,606	(44,938)
	429,222	363,309
	2006	2005
	\$	\$
Debts written off for 2005/06 were authorised by -	6,693	10,076
The Accountable Commission -		

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(ii) Allowance for Discount

	2006	2005
	\$	\$
Balance 30 June 2005	627,800	704,777
Implicit interest charge / (write back)	42,887	(76,977)
Provision 2005/06	670,687	627,800

9 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.

		2006	2005
		\$	\$
Land	At Fair Value (I)	80,000	75,000
	Accumulated Depreciation	-	-
	Accumulated impairment losses		
	Net Value	80,000	75,000
Buildings	At Fair Value (I)	170,000	160,000
	Accumulated Depreciation	(20,816)	(17,420)
	Accumulated impairment losses		
	Net Value	149,184	142,580
Fixtures and Fittings	At Cost	40,943	40,943
	Accumulated Depreciation	(24,475)	(22,051)
	Accumulated impairment losses		
	Net Value	16,468	18,892
Leasehold Improvements	At Cost	1,769,090	1,156,390
	Accumulated Depreciation	(1,010,493)	(815,421)
	Accumulated impairment losses		
	Net Value	758,597	340,969
Furniture and Equipment	At Cost	2,354,483	1,652,007
	Accumulated Depreciation	(1,207,624)	(894,426)
	Accumulated impairment losses		
	Net Value	1,146,859	757,581
Motor Vehicles	At Cost	545,372	475,203
	Accumulated Depreciation	(113,189)	(60,933)
	Accumulated impairment losses		
	Net Value	432,183	414,270
Total Net Value of Assets		2,583,288	1,749,291

(ii) Land and Buildings

The revaluations were provided by Department of Land Information as at 1 July 2005 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.

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(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
	\$	\$	\$	\$	\$	\$	\$
2006							
Carrying amount at start of year	75,000	142,580	18,892	340,969	757,581	414,269	1,749,291
Additions				612,700	760,365	213,355	1,586,420
Disposals					(8,151)	(91,933)	(100,084)
Revaluation increments	5,000	10,000					15,000
Revaluation decrements							-
Depreciations		(3,396)	(2,424)	(195,072)	(359,743)	(103,509)	(664,144)
Write - off of Assets < \$1,000					(3,193)		(3,193)
Carrying amount at the end of year	80,000	149,184	16,468	758,597	1,146,859	432,182	2,583,288

	Land	Buildings	Fixtures & Fittings	Leasehold Improvements	Furniture & Equipment	Motor Vehicles	Total
	\$	\$	\$	\$	\$	\$	\$
2005							
Carrying amount at start of year	50,000	145,780	21,316	287,604	662,212	365,546	1,532,458
Additions				176,134	430,480	331,375	937,989
Disposals					(6,512)	(201,307)	(207,819)
Revaluation increments	25,000						25,000
Revaluation decrements							-
Depreciations		(3,200)	(2,424)	(122,769)	(304,029)	(81,345)	(513,767)
Write - off of Assets < \$1,000					(24,569)		(24,569)
Carrying amount at the end of year	75,000	142,580	18,892	340,969	757,582	414,269	1,749,291

10 Intangible assets

	2006	2005
	\$	\$
Computer software		
At cost	146,700	146,700
Accumulated amortisation	(36,517)	(21,555)
	110,183	125,145

11 Impairment of assets

There were no indications of impairment of property, plant and equipment and intangible assets at 30 June 2006.

The Commission held no goodwill or intangible assets with an indefinite useful life during the reporting period and at reporting date there were no intangible assets not yet available for use.

All surplus assets at 30 June 2006 have been classified as assets written-off.

Legal Aid Commission of Western Australia
Notes to the Financial Statements
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12 Payables

	2006	2005
	\$	\$
Grant of Aid Commitments	6,120,641	5,487,878
Accrued Salaries	253,768	-
Staff Benefit Fund	40,079	53,805
Child Representation Trust Fund	59,637	32,846
Accrued Expenses	345,197	369,970
Government Grants in advance	1,740,070	1,612,233
Unclaimed Monies	210	210
	8,559,601	7,556,942

(i) **Payables**

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

(ii) **Accrued Salaries**

Amount owing is one day as last pay occurred on the 29 June 2006. (2005 - The last pay occurred on the 30 June 2005)

13 Provisions

	2006	2005
	\$	\$
Current		
Employee benefits provision		
Annual leave	1,033,596	881,363
Long service leave (a)	1,347,841	608,146
Other provisions		
Employment on-costs (b)	11,683	7,196
	2,393,120	1,496,705
Non Current		
Employee benefits provision		
Long service leave (a)	1,027,054	1,624,816
Other provisions		
Employment on-costs (b)	5,097	7,850
	1,032,151	1,632,666

(a) Long service leave liabilities have been classified as current where there is no unconditional right to defer settlement for a least 12 months after reporting date.

(b) The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers compensation premiums. The provision is the present value of expected future payments. The associated expense is included at note 20 'Other expenses'.

14 Equity

Equity represents the residual interest in the net assets of the Commission. The Government holds the equity interest in the Commission on behalf of the community. The asset revaluation reserve represents that portion of equity resulting from the revaluation of non-current assets.

	2006	2005
	\$	\$
Contributed Equity		
Balance at start of year	595,669	595,669
Balance at end of year	595,669	595,669

Capital Contributions (appropriations) and non-discretionary (non-reciprocal) transfers of net assets from other State government agencies have been designated as contributions by owners in Treasurer's Instruction TI 955 and are credited directly to equity.

Legal Aid Commission of Western Australia
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Reserves

(ii)	2006	2005
Asset Revaluation	\$	\$
Opening Balance	140,043	115,043
Net Revaluation Increment/(Decrement)		
Land	5,000	25,000
Buildings	10,000	
Closing Balance	155,043	140,043

(iii)	2006	2005
Capital Reserve Fund	\$	\$
Opening Balance	3,514,790	3,514,790
Reclassification to Cash Assets		-
Closing Balance	3,514,790	3,514,790

The Capital Reserve Fund has been created to signify the intended deployment of interest earned on the Asbestosis Account, which is to be invested into infrastructure.

(iv)	2006	2005
Asbestosis Account Reserve	\$	\$
Opening Balance	1,486,071	1,490,071
Transfer to Accumulated Surplus	-	-
Private Practitioners Fees	(195,438)	(4,000)
Closing Balance	1,290,633	1,486,071

Transfer from Asbestosis Account Reserve relates to the transfer of interest earned to the Accumulated Surplus (See note 3(i)).

(v)	2006	2005
Accumulated surplus/(deficit)	\$	\$
Balance at start of year	2,775,968	4,749,794
Less: Transfer to Capital Reserve	-	(3,514,790)
Add: Transfer from Asbestosis Account Reserve	195,438	4,000
Result for the period	(240,477)	1,536,964
Balance at end of year	2,730,929	2,775,968

Adjustment to opening surplus relates to the transfer of interest earned from Asbestosis Account Reserve.

15 Legal Service Expenses

	2006	2005
	\$	\$
Grant of Aid Expenses		
~ Assignment Costs	11,555,727	10,661,588
~ Asbestosis Case Costs	195,438	4,000
	11,751,165	10,665,588
Other Service Expenses		
~ Legal Advice	215,537	183,383
~ Duty Lawyer	140,542	143,143
	12,107,244	10,992,114

Legal Aid Commission of Western Australia
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16 Employee Benefits Expenses

	2006	2005
	\$	\$
Salaries (a)	14,844,658	13,146,382
Annual Leave Expense (b)	152,234	132,252
Long Service Leave Expense (b)	141,932	236,916
Superannuation - defined contribution plans (West State)	1,363,336	1,213,067
Superannuation - defined benefit plans (Gold State and Pension Scheme) (b)	15,156	83,202
	16,517,316	14,811,819

(a) Includes the value of the fringe benefit to the employee plus the fringe benefits tax component.

(b) Includes a superannuation contribution component

Employee on-costs such as workers' compensation insurance are included at note 20 'Other Expenses'. The employment on-costs liability is included at note 13 'Provisions'.

17 Supplies and Services

	2006	2005
	\$	\$
Communications	438,086	446,703
Consumables	620,697	597,831
Maintenance	417,413	259,114
Travel	270,296	297,460
Information Technology	1,021,811	956,013
Other (a)	523,707	664,287
	3,292,009	3,221,408

(a) Includes audit cost, see note 31 'Remuneration of auditor'.

18 Depreciation and amortisation expense

	2006	2005
	\$	\$
Depreciation		
Buildings	3,396	3,200
Office Equipment	38,473	42,929
IT Equipment	319,295	258,698
Motor Vehicles	103,509	81,345
Fixtures and Fittings	2,424	2,424
Leasehold Improvements	195,072	122,765
Furniture	1,975	2,159
Total Depreciation	664,145	513,520
Amortisation		
Intangible assets	14,962	21,798
Total amortisation	14,962	21,798
Total depreciation and amortisation	679,107	535,318

19 Accommodation expenses

	2006	2005
	\$	\$
Lease rentals	1,834,577	1,622,713

20 Other Expenses

	2006	2005
	\$	\$
Bad Debts written off	6,693	10,076
Doubtful Debts Expense	65,913	(55,014)
Implicit Interest charge	42,887	-
Employment on-costs (a)	1,734	15,046
Staff Training	119,596	129,775
State CLC Program	1,837,329	1,885,963
Other Staff Related Expenses	316,828	258,913
Other	257,760	299,162
	2,648,739	2,543,921

(a) Includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liability is included at note 13 'Provisions'. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

21 Sales

	2006	2005
	\$	\$
Client contributions and fees on grants of aid	940,199	779,073
Cost recoveries on grants of aid	220,374	339,953
Recovered Costs on Asbestosis matters	-	-
Legal Advice Fees	83,589	75,380
Duty Lawyer Fees	89,445	87,288
Community Legal Education	2,539	20,251
	1,336,146	1,301,945

22 Commonwealth Grants and Contributions

	2006	2005
	\$	\$
Operating Grant as per 2004 Funding Agreement	13,838,265	13,490,520
Christmas/Cocos Islands	193,426	195,656
	14,031,691	13,686,176

23 Other Revenue

	2006	2005
	\$	\$
State - Specific Purpose Contributions	92,224	148,773
Other Misc. Income	398,918	105,516
Legal Contribution Trust	1,484,568	901,049
Dept of Immigration and Ethnic Affairs	84,570	128,849
Implicit Interest write back	-	76,977
	2,060,280	1,361,164

24 Net gain(loss) on disposal of non-current assets

	2006	2005
	\$	\$
Costs of Disposal of Non-Current Assets		
Plant, equipment and vehicles	(103,278)	(207,819)
Proceeds from Disposal of Non-Current Assets		
Plant, equipment and vehicles	85,363	188,349
Net gain/(loss)	(17,915)	(19,470)

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

	2006				2005		
	Land	Buildings	Furniture & Equipment	Motor Vehicles	Leasehold Improvements	Furniture & Equipment	Motor Vehicles
			\$			\$	
Gain on Sale of Non-Current Assets							
Asset written down value			265	41,990			40,266
Gross proceeds on disposal of asset			1,358	47,457		1,250	45,455
Loss on Sale of Non-Current Assets							
Asset written down value			11,079	49,944		6,512	161,041
Gross proceeds on disposal of asset			2,003	34,545		1,909	139,735
Net Gain/(loss)	-	-	(7,984)	(9,931)		(3,353)	(16,117)

25 Interest Revenue

	2006	2005
	\$	\$
Interest on Legal Aid Operational Funds	577,423	444,018
Interest earned on Capital Reserve	207,521	205,004
Interest earned on Asbestosis Account	59,336	59,740
	844,280	708,762

26 Income from State Government

	2006	2005
	\$	\$
State consolidated fund (a)	18,568,878	18,142,479
The following liabilities have been assumed by the Treasurer during the financial year:		
Superannuation (b)	15,156	83,202
	18,584,034	18,225,681

(a) The Legal Aid Commission is an output of the Department of Attorney General for the purposes of the State Budget, and receives State Government funding through the Department.

(b) The assumption of the superannuation liability by the Treasurer is a notional income to match the notional superannuation expense reported in respect of current employees who are members of the Pension Scheme and current employees who have a transfer benefit entitlement under the Gold State Superannuation Scheme (The notional superannuation expense is disclosed at note 16 'Employee Benefits Expense').

27 Restricted cash and cash equivalents

	2006	2005
	\$	\$
Current		
Asbestosis Account	1,290,633	1,486,071
Child Representation Trust Fund	59,637	32,846
	1,350,270	1,518,917

28 Notes to the Cash Flow Statement

Reconciliation of Cash

Cash at the end of the financial year as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet as follows:

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

	2006	2005
	\$	\$
Cash and Cash Equivalents		
Bank Accounts	12,092,877	11,431,075
Cash on Hand	6,255	6,135
	<hr/>	<hr/>
	12,099,132	11,437,210
Restricted Cash and Cash Equivalents		
Asbestosis Account	1,290,633	1,486,071
Child Representation Trust Fund	59,637	32,846
	<hr/>	<hr/>
	1,350,270	1,518,917
	<hr/>	<hr/>
	13,449,402	12,956,127

Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities

	2006	2005
	\$	\$
Net Cost of Services	(18,824,510)	(16,688,718)
Non Cash Items		
Depreciation	679,107	535,318
Net(profit) Loss on disp. of Non-Current Assets	17,915	19,471
Accrued Assets	38,830	(2,896)
Asset write down		24,570
Changes in Assets and Liabilities		
(Increase) Decrease in Accounts Receivable(a)	254,241	(328,726)
(Increase) Decrease in Prepayments	(11,081)	51,738
(Decrease) Increase in Accounts Payable(a)	819,585	25,286
(Increase) Decrease in Provision for Doubtful Debts	65,913	(55,014)
(Decrease) Increase for Annual and Long Service Leave	295,900	384,214
(Decrease) Increase in Provision for Superannuation	15,156	83,202
Accounts Receivable write down		-
Adjustment to opening surplus		-
Change in GST in receivables/payables (b)	(69,845)	(67,858)
	<hr/>	<hr/>
Net Cash provided by/(used in) operating activities	(16,718,789)	(16,019,413)

(a) Note that the Australian Taxation Office (ATO) receivable/payable in respect of GST and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

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

29 Commitments

Total lease commitments	2006	2005
	\$	\$
Commitments in relation to lease contracted for at the reporting date but not recognised as liabilities are payable:		
Not later than 1 year	2,148,586	2,096,582
Later than 1 year and not later than 2 years	1,994,899	1,975,593
Later than 2 years and not later than 5 years	5,743,636	5,653,770
Later than 5 years.	8,730,592	9,858,913
	<hr/>	<hr/>
	18,617,712	19,584,859

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

	2006	2005
	\$	\$
Representing:		
Non-cancellable operating leases	18,617,712	19,584,859
	18,617,712	19,584,859

The property leases are non-cancellable leases with terms ranging up to ten years, with rent payable monthly in advance. Contingent rent provisions within the lease agreements variously require that the minimum lease payments shall be increased by CPI or a pre determined % per annum.

The plant and equipment leases are 3 years.

These commitments are all inclusive of GST. The comparative figures has been changed to be reported on on a GST inclusive basis.

30 Remuneration of Members of the Accountable Commission and Senior Officers

Remuneration on Members of the Accountable Commission			2006	2005
			\$	\$
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:				
\$0	-	\$10,000	5	4
\$10,000	-	\$20,000	1	1
\$320,000	-	\$330,000		1
\$330,000	-	\$340,000	1	
The total remuneration of the members of the Accountable Commission is:			390,834	378,865

The superannuation included here represents the superannuation expense incurred by the Commission in respect of members of the Accountable Commission.

No members of the Accountable Commission are members of the Pension Scheme.

Where a member's remuneration is zero, the member shall be included in a band labelled '\$0-\$10,000'.

Remuneration of Senior Officers			2006	2005
			\$	\$
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:				
\$0	-	\$40,000		-
\$40,000	-	\$50,000		-
\$50,000	-	\$60,000		-
\$60,000	-	\$70,000		-
\$70,000	-	\$80,000		-
\$80,000	-	\$90,000		1
\$90,000	-	\$100,000		-
\$100,000	-	\$110,000	1	-
\$110,000	-	\$120,000		-
\$120,000	-	\$130,000		-
\$130,000	-	\$140,000		-
\$140,000	-	\$150,000	1	2
\$150,000	-	\$160,000	1	
The total remuneration of senior officers is:			413,004	403,542

The superannuation included here represents the superannuation expense incurred by the Commission in respect of members of the Accountable Commission.

31 Remuneration of auditor

	2006	2005
	\$	\$
Remuneration to the Auditor General for the financial year is as follows:		
Auditing the accounts, financial statements and performance indicators	49,000	42,000
	49,000	42,000

Expense is included at note 17 'Supplies and Services'.

32 Client Trust Funds

The purpose of the trust account is to hold funds in trust for persons who are or have been assisted persons.

	2006	2005
	\$	\$
Balance of Funds 1 July 2005	41,173	18,215
Receipts	286,922	296,535
	328,095	314,750
Payments	256,588	273,577
Balance of funds 30 June 2006	71,507	41,173

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 2006 there were no accounts maintained at BankWest compared to no such accounts at the conclusion of 2004/2005.

33 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 2005	21,149
Receipt from Commonwealth	193,426
Client Contributions	1,485
Expenditure	(203,030)
Closing Balance 2006	\$13,030

34 Financial Risk Management Objectives and Policies (see note 3)

Interest Rate Risk Exposure

The following table summarises interest rate risk to the Legal Aid Commission as at 30th June 2006.

	Floating	Fixed Interest			Non-interest	Total	Ave. Interest Rate	
	interest rate	Maturing in			bearing		floating	fixed
		Six months	6 months	More than				
		or less	to one year	one year				
	\$	\$	\$	\$	\$	\$		
Financial Assets								
Cash	12,099,132					12,099,132	5.53%	
Restricted Cash	1,350,270					1,350,270	5.53%	
Debtors					4,129,063	4,129,063		
Financial Liabilities								
Creditors					8,559,601	8,559,601		

The following table summarises interest rate risk to the Legal Aid Commission as at 30th June 2005.

	Floating	Fixed Interest			Non-interest	Total	Ave. Interest Rate	
	interest rate	Maturing in			bearing		floating	fixed
		Six months	6 months	More than				
		or less	to one year	one year				
	\$	\$	\$	\$	\$	\$		
Financial Assets								
Cash	11,437,211					11,437,211	5.45%	
Restricted Cash	1,518,917					1,518,917	5.45%	
Debtors					4,358,010	4,358,010		
Financial Liabilities								
Creditors					7,556,942	7,556,942		

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.

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

35 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.

36 Explanatory Statement

Comparisons of actual results with those of the preceding year

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.

	2006 ACTUAL (\$)	2005 ACTUAL (\$)	VARIATION (%)
Expenses			
Legal Service Expenses	12,107,244	10,992,114	10%
Increase primarily due to additional expenditure on State law casework costs			
Employee Benefit Expenses	16,517,316	14,811,819	12%
Increased salary outlays primarily due additional staff employed as a consequence of establishing two new regional offices regional offices in Geraldton and Albany.			
Depreciation and amortisation expenses	679,107	535,318	27%
Increase primarily due to additional IT related depreciation, and leasehold improvement depreciation.			
Accommodation Expenses	1,834,577	1,622,713	13%
Increase primarily due to additional accommodation space in Perth office from taking on ground floor presence, and rental for two new regional offices.			
Income			
Other Revenue	2,060,280	1,361,164	51%
Increase primarily due to additional revenue of \$583,519 as distribution from the Legal Contribution Trust Fund			
Interest Revenue	844,280	708,761	19%
Increase due to increased interest rates and generally higher level of funds on deposit.			
Income From State Government	15,156	83,202	-82%
Reduction in the annual movement of unfunded superannuation liability met by the Treasurer.			

Comparisons of Estimate and Actual Results

Section 42 of the Financial Administration and Audit Act requires statutory authorities to prepare annual budget estimates. Treasurer's Instruction 945 actual results. Significant variations are considered to be those greater than requires an explanation of significant variations between these estimates and 10% of budget.

	2006 ACTUAL (\$)	2006 ESTIMATE (\$)	VARIATION (%)
Expenses			
Legal Service Expenses	12,107,244	10,216,597	19%
Expenditure for 2005/06 includes \$1,422,784 for expensive cases (greater than \$21,000) which do not get provided for in the budget.			
Depreciation and amortisation expenses	679,107	775,877	-12%
Lower than budgeted expenditure on office equipment, IT equipment and IT software.			
Revenue			
Other Revenue	2,060,280	1,248,101	65%
Higher than budgeted revenue from the Legal Contribution Trust fund of \$684,568.			
Interest Revenue	844,280	665,000	27%
Higher than budgeted revenue due to increased interest rates and higher levels of funds on deposit.			
Income From State Government			
Liabilities assumed by the Treasurer	15,156	0	> 10%
Annual movements in the unfunded liability assumed by the Treasurer are not budgeted for (movement can be either positive or negative)			

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

37 Commonwealth Expenditure

Legal Aid WA maintains systems to distinguish the cost of delivering Commonwealth and State services. The Commonwealth "Legal Aid Monies" (as defined in the Commonwealth Funding Agreement for the period 2005/06 to 31 December 2008) were expended for the purpose of the provision of legal aid services in accordance with the Agreement and attributed in accordance with the Commonwealth Attribution Statement contained in the Agreement, as set out below:

	\$' 000's
Carry Forward Surplus/(Deficit)	192
Income	
Services Payment	13,636
Interest	260
Costs Recovered	4
Contributions	422
Expensive Cases Revenue	152
Other	64
TOTAL INCOME	14,538
Expenditure	
Information Services	688
Community Legal Education and Publication Services	500
Legal Advice Services	1,106
Minor Assistance Services	561
Child Support Services (non - litigation)	862
Duty Lawyer Services:	
- Family Law	404
- Criminal Law	98
- Civil Law	1
PDR Services (Grants)	728
Litigation Services (Grants):	
- Family Law	4,958
- Criminal Law (excluding expensive cases)	264
- Criminal Law (expensive cases)	163
- Civil - Veterans	18
- Civil - Migration	17
- Civil - Other	243
Assignment Services:	
- PDR	1,002
- Litigation	1,318
Strategic Services	791
Other	-
Total Expenditure	13,722
2005/06 SURPLUS/(DEFICIT)	816
Closing Surplus/(Deficit)	1,008

NB - Reconciliation excludes transactions related to Community Legal Centres - which are separately identified at Note 33

38 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 \$21,000.

The reconciliation of the expensive cases fund for 2005/06 is as follows:

Opening Balance 01/07/2005	80,301
Adjustment relating to prior years	
Supplementary Funding 2005/06	841,000
Expenditure 2005/06	(1,415,511)
Funds Owning 30/06/2006	-494,210

39 Special Category Funding

During the course of the year the Commission realised expenditure related to legal representation costs in support of two special category:

(i) 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)
Expenditure 2003/04	(211,787)
Expenditure 2004/05	(115,705)
Expenditure 2005/06	(112,936)
Funds remaining 30 June 2006	57,254

(ii) DCD Legal Fund. In January 2005 the Legal Aid Commission commenced maintaining special funding provided by the Department for Community Development (DCD) for private lawyers to investigate and provide advice as to claims that children may have been abused whilst in care of DCD.

Opening Balance 01/07/2005	24,773
Funding in 2005/06	380,600
Expenditure 2005/06	(324,324)
Funds remaining 30 June 2006	81,049

40 Community Legal Centres

During 2003/04, State Cabinet endorsed key recommendations into Community Legal Centres (CLC's) including the establishment of a State funding program for CLC's. Legal Aid WA includes transactions related to the State funding program in its financial statements as it has effective decision making over the allocation of the funds.

The Commission does not control the allocation of funding received from the Commonwealth Government for Community Legal Centres in Western Australia and consequently does not include these funds in its financial statements.

Financial transactions related to the State and Commonwealth funding for Community Legal Centres are as follows:

	State	Commonwealth
Opening Cash Balance 01/07/2005	653,483	110,615
Receipts	2,725,952	3,187,886
Payments	(1,837,329)	(3,194,818)
Closing Cash Balance 30/06/2006	1,542,106	103,683

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

41. Reconciliations explaining the transition to Australian equivalents to International Financial Reporting Standards (AIFRS)

RECONCILIATION OF EQUITY AT THE DATE OF TRANSITION TO AIFRS: 1 JULY 2004 AASB .1.39(a)(i)

Note	Previous GAAP 1 July 2004	AASB 138 41.1a	Adjustments				Total Adjustments	Total 1 July 2004
ASSETS								
Current Assets								
1	Cash and cash equivalents	10,074,547					-	10,074,547
	Restricted cash and cash equivalents	1,513,435					-	1,513,435
	Receivables	984,214					-	984,214
	Prepayments	62,018						62,018
	Total Current Assets	12,634,214	-	-	-	-	-	12,634,214
NonCurrent Assets								
	Property plant and equipment	1,679,158	(139,052)				(139,052)	1,540,106
	Intangible assets		139,052				139,052	139,052
	Receivables	2,922,198					-	2,922,198
	Total NonCurrent Assets	4,601,356	-	-	-	-	-	4,601,356
	TOTAL ASSETS	17,235,570	-	-	-	-	-	17,235,570

RECONCILIATION OF EQUITY AT THE DATE OF TRANSITION TO AIFRS: 1 JULY AASB .1.39(b)(i) CONTD

Note	Previous GAAP 1 July 2004	AASB 138 41.1a	Adjustments				Total Adjustments	Total 1 July 2004
LIABILITIES								
Current Liabilities								
	Payables	7,539,834					-	7,539,834
	Provisions	1,213,142					-	1,213,142
	Total Current Liabilities	8,752,976	-	-	-	-		8,752,976
NonCurrent Liabilities								
	Provisions	1,532,015					-	1,532,015
	Total NonCurrent Liabilities	1,532,015	-	-	-	-		1,532,015
	Total Liabilities	10,284,991	-	-	-	-		10,284,991
	Net Assets Equity	6,950,579					-	6,950,579
	Contributed equity	595,669					-	595,669
	Reserves	1,605,114					-	1,605,114
	Accumulated surplus/(deficiency)	4,749,795					-	4,749,795
	Total Equity	6,950,578	-	-	-	-	-	6,950,578

1 Equivalent AGAAP line item 'Cash Assets' AIFRS 'Cash and Cash Equivalents'

RECONCILIATION OF EQUITY AT THE DATE OF LAST REPORTING PERIOD UNDER PREVIOUS AGAAP: 30 JUNE 2005 (AASB .1.39(a)(ii))

Note	GAAP 30 June 2005	AASB 138 41.1b	AASB 101 41.2a	Adjustments				Total Adjustments	Total 30 June 2005
ASSETS									
Current Assets									
1	Cash and cash equivalents	11,437,211						-	11,437,211
	Restricted cash and cash equivalents	1,518,917						-	1,518,917
	Receivables	1,446,100		10280			10,280	1,456,380	
	Prepayments	10,280		-10280			(10,280)	-	
	Total Current Assets	14,412,508	-	-	-	-	-	-	14,412,508
NonCurrent Assets									
	Property, Plant Equipment and Vehicles	1,874,436	-125,145				(125,145)	1,749,291	
	Intangible assets	-		125,145			125,145	125,145	
	Receivables	2,911,910					-	2,911,910	
	Total NonCurrent Assets	4,786,346	-	-	-	-	-	-	4,786,346
	TOTAL ASSETS	19,198,854	-	-	-	-	-	-	19,198,854

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

RECONCILIATION OF EQUITY AT THE DATE OF LAST REPORTING PERIOD UNDER PREVIOUS AGAAP : 30 JUNE 2005 (AASB .1.39(a)(ii)) CONTD

Note	GAAP		Adjustments					Total AIFRS	
	30 June 2005							Adjustments 30 June 2005	
		AASB 138 41.1b	AASB 101 41.2a						
LIABILITIES									
Current Liabilities	7,556,942							-	7,556,942
Provisions	1,496,705							-	1,496,705
Total Current Liabilities	9,053,647	-	-	-	-	-	-	-	9,053,647
Non-Current Liabilities									
Provisions	1,632,666							-	1,632,666
Total NonCurrent Liabilities	1,632,666	-	-	-	-	-	-	-	1,632,666
Total Liabilities	10,686,313	-	-	-	-	-	-	-	10,686,313
Net Assets	8,512,541	-	-	-	-	-	-	-	8,512,541
Equity									
Contribution equity	595,669							-	595,669
Reserves	5,140,904							-	5,140,904
Accumulated Surplus/(deficiency)	2,775,968							-	2,775,968
Total Equity	8,512,541	-	-	-	-	-	-	-	8,512,541

The transition to AIFRS includes adjustments for the transition AIFRS as at 1 July 2004 plus adjustments for the period 1 July 2004 to 30 June 2005.

1 Equivalent AGAAP line item 'Cash Assets' AIFRS 'Cash and Cash Equivalents'

RECONCILIATION OF INCOME STATEMENT (PROFIT OR LOSS) FOR THE YEAR ENDED 30 JUNE 2005 (AASB .1.39(b))

Note	GAAP		Adjustments					Total AIFRS	
	30 June 2005							Adjustments 30 June 2005	
		Net gains on disposal AASB 116 41.3a	AASB 119 41.4a						
COST OF SERVICES									
Expenses									
Legal Services Expenses	10,992,114							-	10,992,114
1 Employee benefits expense	15,250,299		(438,480)					(438,480)	14,811,819
2 Supplies and services	3,221,408							-	3,221,408
Depreciation and amortisation expense	535,318							-	535,318
Accommodation expenses	1,622,713								1,622,713
3 Carrying amount of non-current assets disposed of	207,820	(207,820)						(207,820)	-
3 Loss on disposal of non-current assets		19,470						19,470	19,470
4 Other expenses	2,105,442		438,480					438,480	2,543,922
Total cost of services	33,935,114	(188,350)	-	-	- #	-	-	(188,350)	33,746,764
Income									
Revenue									
Revenue from services	1,301,945							-	1,301,945
Commonwealth Grants and Contributions	13,686,176							-	13,686,176
Interest revenue	708,761							-	708,761
5 Other revenue	1,361,164							-	1,361,164

Legal Aid Commission of Western Australia
Notes to the Financial Statements
for the year ended 30 June 2006

RECONCILIATION OF INCOME STATEMENT PROFIT OR LOSS FOR THE YEAR ENDED 30 JUNE 2005 AASB .1.39(b) cont

Note	Gains	GAAP		Adjustments					Total	AIFRS
		30 June 2005							Adjustments	30 June 2005
				Net gains on disposal						
				AASB 116 AASB 119						
				41.3a 41.4a						
3	Proceeds from disposal of non-current assets	188,350	(188,350)						(188,350)	-
	Total income other than from State Government	17,246,396	(188,350)	-	-	-	-	-	(188,350) #	17,058,046
	NET COST OF SERVICES	16,688,718	-	-	-	-	-	-	-	16,688,719
	INCOME FROM STATE GOVERNMENT									-
	Service appropriation	18,142,479							-	18,142,479
	Liabilities assumed by the Treasurer	83,202							-	83,202
	Resources received free of charge								-	-
	Total income from State Government	18,225,681	-	-	-	-	-	-	- #	18,225,681
6	Surplus deficit for the period	1,536,963	-	-	-	-	-	-	- #	1,536,963

See Statement of Changes in Equity

- 1 Equivalent AGAAP line item 'Employee expenses' AIFRS 'Employee benefits expense'
- 2 Supplies and services AGAAP at June now includes Administration expenses AGAAP at June 30
- 3 Disposals are treated on the net basis under AIFRS
- 4 Equivalent AGAAP line item 'Other expenses from ordinary activities' AIFRS 'Other expenses'
- 5 Equivalent AGAAP line item 'Other revenues from ordinary activities' AIFRS 'Other revenue'
- 6 Equivalent AGAAP line item 'Change in net assets' AIFRS 'Surplus deficit'

**Legal Aid Commission of Western Australia
Reconciliation of Cash Flows Statement
for the year ended 30 June 2006 AASB 1.40**

		Previous GAAP 30-Jun-05 2004/05 \$	Adjustments AASB 119 41.4b	Total	AIFRS 30-Jun-05 2004/05 \$
	Note	Inflows (Outflows)			Inflows (Outflows)
CASH FLOWS FROM STATE GOVERNMENT					
State Government Grant		18,134,301	-	-	18,134,301
Capital Contributions		-	-	-	-
Holding Account drawdown		-	-	-	-
Net Cash provided by State Government		18,134,301			18,134,301
Utilised as follows:					
CASH FLOWS FROM OPERATING ACTIVITIES					
Payments					
Payments for legal services		(10,803,647)	-	-	(10,803,647)
Employee benefits	1	(15,307,788)	121,324	121,324	(15,186,464)
Supplies and Services		(2,967,662)	-	-	(2,967,662)
Accommodation		(1,623,353)	-	-	(1,623,353)
GST -Payments on Purchases		(1,801,986)	-	-	(1,801,986)
Other payments		(2,276,776)	(121,324)	(121,324)	(2,398,100)
Receipts					
Sale of Goods and Services		1,399,214	-	-	1,399,214
Commonwealth grants and contributions		13,683,341	-	-	13,683,341
Interest received		670,766	-	-	670,766
GST - Receipts on sales		113,929	-	-	113,929
GST - Receipts from Taxation Authority		1,620,198	-	-	1,620,198
Other		1,274,351	-	-	1,274,351
Net Cash Used in Operating Activities		(16,019,413)	-	-	(16,019,413)
CASH FLOWS FROM INVESTING ACTIVITIES					
Purchase of Non-Current Physical Assets		(935,092)	-	-	(935,092)
Proceeds from sale of Non-Current Physical Assets		188,350	-	-	188,350
Net Cash Used in Investing Activities	28	(746,742)	-	-	(746,742)
Net increase/(decrease) in cash and cash equivalents		1,368,145	-	-	1,368,145
Cash and Cash Equivalents at the beginning of period		11,587,982	-	-	11,587,982
Cash and Cash Equivalents at the end of period	28	12,956,127	-	-	12,956,127
Employee benefits IFRS Employee Costs GAAP					
Finance Costs IFRS Borrowing costs GAAP					

41 Note to the reconciliations

Note 41.1 Intangible Assets (AASB 138)

The standard requires that software not integral to the operation of a computer must be disclosed as an intangible asset. Intangible assets must be disclosed on the face of the balance sheet. All software has previously been classified as property, plant and equipment (office equipment).

Note 41.1a Adjustments to opening Balance Sheet 1 July 2004

An amount of \$139,052 was transferred from Property Plant and Equipment Assets to Intangible Assets this being for in-house software development costs.

Note 41.1b Adjustments to opening Balance Sheet 30 June 2005

An amount of \$125,145 was transferred from Property Plant and Equipment Assets to Intangible Assets this being for in-house software development costs.

Note 41.2 Prepayments (AASB 101)

Note 41.2a Adjustment to the opening Balance Sheet 30 June 2005

An amount of \$10,280 representing Prepayments has been amalgamated into Receivables.

Note 41.3 Net loss on disposal of Non Current Assets (AASB 116)

Under AGAAP the disposal of non-current assets is disclosed on the gross basis. That is, the proceeds of disposal are revenue and the carrying amounts of assets disposed of are expense. The disposal of non-current assets is disclosed on the net basis (gains or losses) under AIFRS.

Note 41.3a Adjustments to the Income Statement for the period ended 30 June 2005

Carrying amount of non-current assets disposed of \$207,820 adjusted to indicate net result from disposal of \$19,470. The proceeds totalling \$188,350 have also been derecognised.

Note 41.4 Employee Benefits Expenses (AASB 119) Adjustment to the Income Statement for the period ended 30 June 2005

Employment on-costs are not included in employee benefits under AGAAP or AIFRS. However, under AGAAP employee benefits and on-costs are disclosed together on the face of the Income Statement as Employee costs. Under AIFRS employee benefits is the equivalent item disclosed on the face. On-costs have been transferred to other expenses.

Note 41.4a Adjustments to the Income Statement 30 June 2005

Staff training, other staff related and employment on-costs expenses has been reclassified from employee benefits expense to other expenses (\$438,480).

Note 41.4b Adjustments to the Cash Flow Statement for the period ended 30 June 2005

Employment on-costs and staff training have been re-classified to other payments (\$121,324).

Legal Aid Offices

Telephone Information Line:

General Inquiries – 1300 650 579

Child Support Legal Unit:

Carer and Liable Parents – 9261 6253

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

Telephone: (08) 9261 6222

Facsimile: (08) 9325 5430

Goldfields Regional Office

Suite 3, 120 Egan Street, Kalgoorlie WA 6430

Telephone: (08) 9091 3255

Facsimile: (08) 9091 2077

Southwest and Great Southern Regional Office

Koombana Court, 141 Victoria Street, Bunbury WA 6230

Telephone: (08) 9721 2277

Facsimile: (08) 9721 2060

Fremantle Regional Office

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

Telephone: (08) 9335 7108

Facsimile: (08) 9335 1338

Midland Regional Office

DOLA Building, Cnr Midland Square and The Avenue, Midland WA 6056

Telephone: (08) 9274 3327

Facsimile: (08) 9274 3595

Kimberley Regional Office

40 Dampier Terrace, Broome WA 6725

Telephone: (08) 9195 5888

Facsimile: (08) 9192 1520

Pilbara Regional Office

28 Throssell Road, South Hedland WA 6722

Telephone: (08) 9172 3733

Facsimile: (08) 9172 2061

Christmas/Cocos Islands Office

Administration Building, Gaze Road, Christmas Island,
Indian Ocean WA 6798

Telephone: (08) 9164 7529

Facsimile: (08) 9164 7162

Great Southern Regional Office

104 Aberdeen Street Albany WA 6332

Telephone: (08) 9892 9700

Facsimile: (08) 9892 9777

Midwest and Gascoyne Regional Office

Unit 7 The Boardwalk, 273 Foreshore Drive, Geraldton WA 6530

Telephone: (08) 9921 0200

Facsimile: (08) 9921 0255