




LEGAL AID
WESTERN AUSTRALIA

Legal Aid WA ANNUAL REPORT 21 22





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Acknowledgement of Country and People

Legal Aid WA acknowledges Aboriginal people as the Traditional Custodians of the land on which we deliver our services. We pay our respects to all members of Aboriginal communities and their cultures, and to Elders past, present, and emerging.

OUR YEAR 2021-22

We provided lawyers to people on
109,000 occasions

3%
increase in new
grants of aid

Launched the Advice
Before Court service

2%
Increased duty lawyer
services

Set up the new Defence
and Veterans Legal
Service

35%
increase in Virtual
Office services

Established a
Coordinator,
First Nations
Services

60%
increase in elder abuse
services

Launched new family
violence shuttle
conference mediation
services

7%
increase in telephone
Infoline services

Named in Parliament by
the Auditor General as a
'Best Practice Entity' for
financial reporting and
controls for 2020-21
financial year.

126%
increase in family
law property
mediations

Launched a new
mediation service to
reduce delays
in the Family Court

57%
increase in website
page views

Introduced new family
violence outreach
services to Bunbury,
Broome, Albany and
Kalgoorlie

14%
increase in social
support services

Won four Institute of
Public Administration
awards

132%
increase in services
provided through the
Family Violence (Cross
Examination of Parties)
Service

Protected the
community with a 100%
vaccinated workforce

6%
increase in services to
women

Tripled resources to our
team helping people
with a disability get
National Disability
Insurance Scheme
benefits

14%
increase in services to
older West Australians

Launched the Law Hub
portal to provide more
resources to panel
lawyers

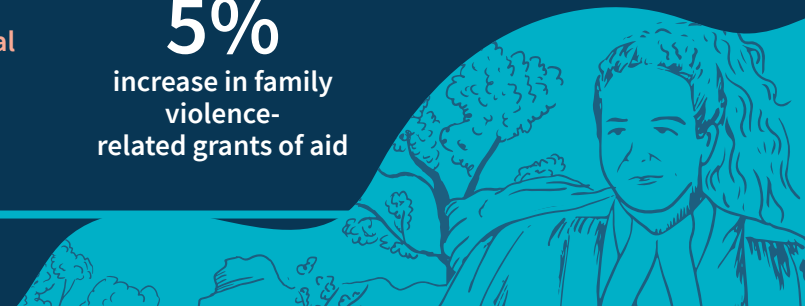
10%
increase in services to
younger West
Australians

Launched a new Chat
Bot to guide people
looking for legal
information outside of
business hours

12%
increase in services to
Aboriginal West
Australians

Launched the new
Elder Rights WA legal
and social support
service

5%
increase in family
violence-
related grants of aid





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1. Overview

1.1 About Legal Aid WA

1.2 Our Services By The Numbers

1.3 Measuring our performance

1.4 Our Organisation

1.5 Performance Management
Framework



1.1 About Legal Aid WA

WHERE JUSTICE HAS A VOICE

Legal Aid WA has one plain but powerful purpose: to see that the law protects all Western Australians regardless of poverty or disadvantage.

WHY WE'RE HERE

We're working toward a future where equal justice is a reality for every West Australian. Every day and in every region, Legal Aid WA improves the lives of disadvantaged people. Our work saves homes, keeps families together, gives children a better chance in life, prevents wrongful convictions, helps people with a disability get support, reduces Aboriginal incarceration, protects older people from abuse, helps victims escape domestic violence, recovers stolen wages, and keeps people from walking away from their right to a fair outcome. Our steadfast presence around the State promotes trust and confidence in our justice system. We're making Western Australia safer, fairer and more inclusive.

WHO WE ARE

We're a statutory body set up under the *Legal Aid Commission Act 1976 (WA)*. We deliver a range of high quality, life-changing, legal assistance services through 10 offices, 16 Virtual Offices, and 53 outreach locations. As well as our in-house services we can call on the skills of 471 private lawyers across the State. We deliver holistic services that treat the client and not just the legal problem. We aim to provide services that are appropriate, joined-up, culturally safe, targeted, and timely. We're funded by the Western Australian Government and the Australian Government. Legal Aid WA is governed by a Board of Commissioners and is accountable to the Western Australian Attorney General.

HOW WE ACT

These are the behaviours by which we measure ourselves

Making a difference

We're committed to helping people understand and protect their rights

Client Centred

We put our clients at the centre of everything we do

Respect

We care about our clients and the community in which we live

Innovation

We're committed to continuous improvement

Efficiency

We deliver services in the most effective, efficient and economical manner

Transparency

We are an open and accountable organisation



Every day and in every region, Legal Aid WA delivers life-changing help to people experiencing disadvantage. We're committed to a future where justice is within reach of every person regardless of poverty or social disadvantage.

Across our State, Legal Aid WA's work keeps victims of family violence safe; ensures people with a disability get the support they need; prevents wrongful convictions; keeps families together; delivers better outcomes for children; protects older people from financial abuse; reduces Aboriginal incarceration; prevents homelessness; promotes court efficiency; stops people going to jail because they are too poor to pay fines; and connects people to the services they need to turn their lives around. Our work makes Western Australia a better place.

Chairperson and CEO Message

Over the 2021-22 financial year, Legal Aid WA provided lawyers to people on 109,000 occasions. That's 109,000 times when vulnerable people were not denied the right to equal justice. That's 109,000 times when people experiencing disadvantage got a second chance at life. It was 109,000 times when the playing field was levelled, and low-income people accessed the legal resources that governments, corporations, and the well-off take for granted. It was 109,000 times when we gave justice a voice.

We're immensely proud of Legal Aid WA's work over the financial year.

Navigating the COVID-19 environment

The 2021-22 year saw the worst phase of the COVID-19 pandemic moving through the community. Legal Aid WA responded by becoming 100 per cent vaccinated. To protect our clients, staff, and service delivery, we required masks in the workplace and, where

possible, had staff work from home. At times, we had up to 45 staff off work with COVID-19 or as close contacts. Thanks to the nimble and agile response of our staff, we maintained all our vital services through the pandemic.

Even with the pandemic, Legal Aid WA was able to increase services over the financial year. We increased grants of aid, duty lawyer services, dispute resolution conferences, telephone Infoline calls, Virtual Office services and website page views. We increased social support services by 14 per cent to make sure we're treating the client and not just the legal problem. During the year we provided 60 per cent more elder abuse services than the previous year.

Legal Aid WA recognises that access to the National Disability Insurance Scheme is the key to people with disability receiving the support they need. Over the past year, we more than tripled the resources of our NDIS team to help meet demand.

New services

Over the 2021-22-year, Legal Aid WA launched a series of innovative new services.

We set up Advice Before Court to enable people to access our duty lawyers before their court date. This service will help people prepare for court and prevent unnecessary adjournments. It is making a substantial contribution to the operation of the Magistrates Court.

For the first time, we offered legal representation to settle family violence restraining order cases through mediation. We also reduced delays in the Family Court by offering free mediations to matters awaiting defended hearings. We established Elders Rights WA, a new business unit to combat the emerging issue of elder abuse. We also started a Defence and Veterans Legal Service to help ex-service personnel and their families engage with the Royal Commission into Defence and Veteran Suicide.

In 2021-22, Legal Aid WA started delivering additional family violence services in regional Western Australia. This Stronger Women initiative involved Legal Aid WA lawyers visiting Broome, Albany, Bunbury, and Kalgoorlie. They provide a level of service not previously available in these regions.

With over two million page views of our website, and half of them being outside of business hours, we launched an improved Chatbot to guide visitors to the information they need. The year also saw us launch

Law Hub – a new portal with resources to help private lawyers who deliver legal aid.

In 2021-22, we developed a new strategic plan that sets a direction, identifies priorities, and guides our efforts over the next three years. We approved an Employee Engagement Strategy to ensure our organisation continues to build on our high levels of engagement. The year also saw us appoint our first ever Coordinator of First Nations Services.





Special thanks

We thank the West Australian Attorney General, the Hon John Quigley MLA, and the Australian Attorneys-General, Senator the Hon Michaelia Cash, and Hon Mark Dreyfus QC, MP. We appreciate their ongoing commitment to Legal Aid WA. We are grateful to Dr Adam Tomison, Mark Hainsworth, Helen Pearce and Kurt Sibma from the Western Australian public service for their enthusiasm for legal assistance services. We also acknowledge the work of Tamsyn Harvey, Ariane Herman, Adam Nott, Margaret Freyne and Jessica Williams from the Attorney-General's Department.

We thank the Board of Legal Aid WA. Over the year, our commissioners demonstrated leadership, judgement, empathy, and a deep commitment to justice. The Board met ten times over the year. One of those meetings was at the Lucy Saw Centre where staff at this

women's refuge briefed Commissioners on current issues concerning family violence. It is pleasing to see the strong interest our Board takes in social issues bearing on our service delivery.

The Legal Aid system in Western Australia depends heavily on private lawyers. We can call on the skills of 471 private lawyers who deliver legal aid at heavily discounted rates. We thank our hardworking panel lawyers for their work over the year.

Finally, thank you to the dedicated staff of Legal Aid WA who have demonstrated flexibility and resilience in the face of change and uncertainty this year. Their collective efforts have been extraordinary. None of our achievements would be possible without the steadfast commitment of the talented people who work at Legal Aid WA.

The year ahead

We look to the future with enthusiasm and optimism. The next few years will be an exciting time for Legal Aid WA. We'll increase existing services and launch innovative new services. We're also planning to remove many of the restrictions on grants that have been part of the legal aid landscape for years. We'll come closer than ever to fulfilling our vision for equal access to justice for all West Australians.

Over the next year, Legal Aid WA will set up Legal Yarn – a telephone helpline designed, staffed, and managed by First Nations people. We will expand the number of lawyers in our regional offices. Legal Aid WA will also increase

the scope of the Family Violence (Cross Examination of Parties) Scheme to further protect victims from being cross examined by their ex-partners.

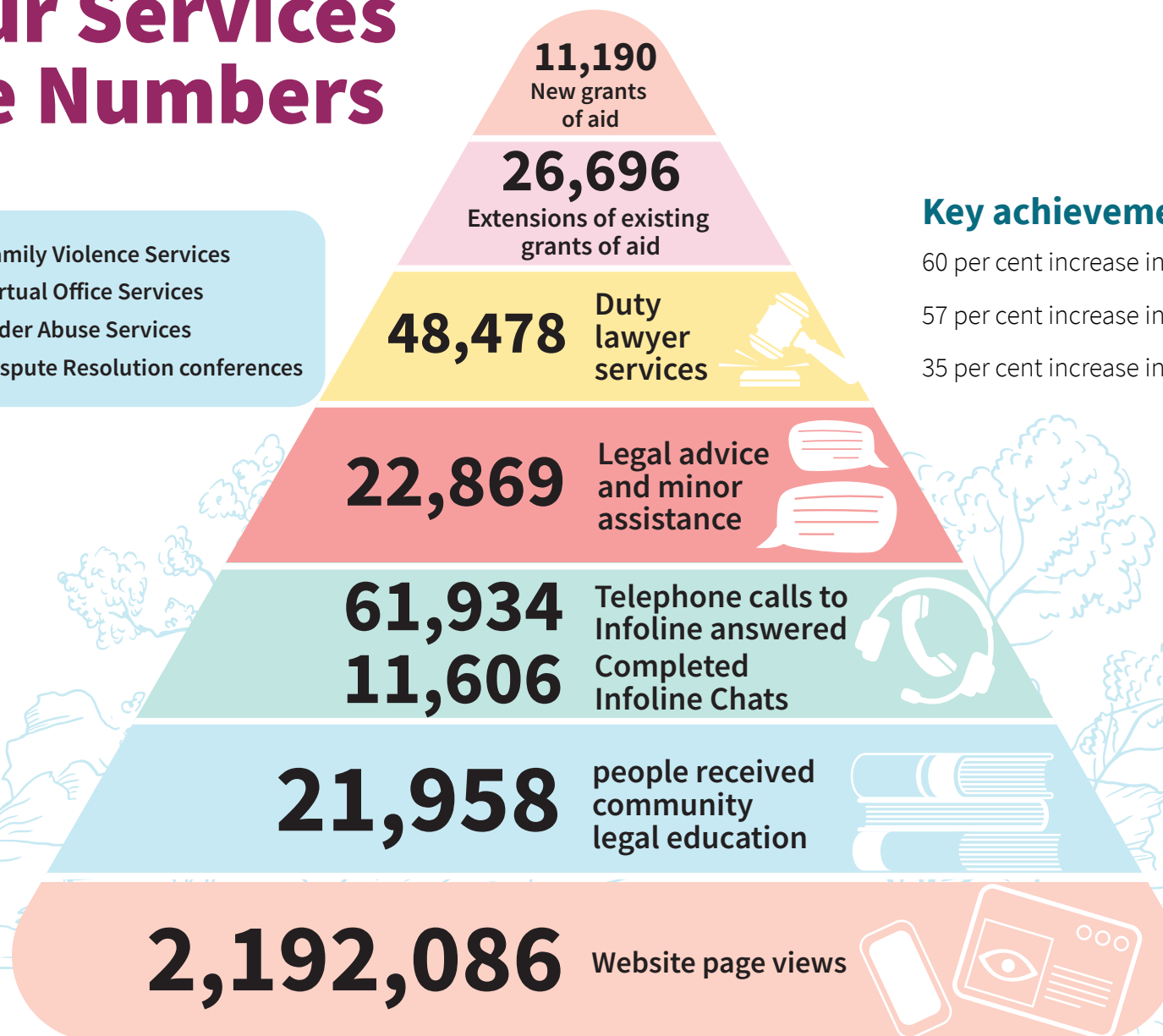
The year ahead will see us install Virtual Office screens in women's refuges and launch a major initiative to address juvenile crime in our Northern towns. We'll also establish Health-Justice Partnerships with major hospitals around the State. The year will see substantial progress in our digital transformation as we move to the cloud and start implementing new client, grants, and legal practice management systems. We'll survey our panel lawyers and make it easier for them to deliver legal aid.

The true measure of any society is found in how it treats its most vulnerable members. Over the next year, we will continue to lift that measure by delivering the protection of the law to the most vulnerable. We'll work tirelessly to make Western Australia a safer, fairer, and stronger community by delivering meaningful justice to people experiencing disadvantage.



1.2 Our Services by the Numbers

43,518 Family Violence Services
1,528 Virtual Office Services
1,531 Elder Abuse Services
692 Dispute Resolution conferences



Key achievements in 2021-22:

60 per cent increase in Elder Abuse Services

57 per cent increase in Website Page Views

35 per cent increase in Virtual Office Services

Our Clients by the Numbers

73%

FAMILY LAW CLIENTS WHO DISCLOSED FAMILY VIOLENCE *



35%

CLIENTS LIVING IN RURAL OR REMOTE LOCATIONS

20%

CLIENTS WITH GRANTS WHO WERE IN CUSTODY, DETENTION OR HOSPITAL **



67%

CLIENTS RECEIVING SOME FORM OF GOVERNMENT BENEFIT **



100%

CLIENTS WITH ELIGIBLE GRANTS WHO WERE FINANCIALLY DISADVANTAGED ***



6%

CLIENTS WITH GRANTS WHOSE MAIN LANGUAGE SPOKEN AT HOME WAS NOT ENGLISH



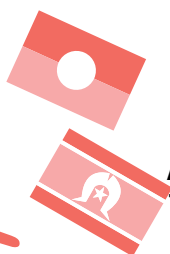
26%

CLIENTS WHO WERE YOUNG PEOPLE (UNDER 25)



24%

CLIENTS WHO IDENTIFY AS ABORIGINAL OR TORRES STRAIT ISLANDERS



26%

CLIENTS WHO DISCLOSED HAVING A DISABILITY OR MENTAL ILLNESS



3%

CLIENTS NEEDING THE ASSISTANCE OF AN INTERPRETER



3%

CLIENTS WHO WERE OVER 65



Footnote:

*Based on adult family law clients for new grants and duty lawyer only

**Based on new grants only

***Excludes veteran clients who are not means tested

Other note:

During 2021-22, We helped 35,965 unique clients. Unique clients are individuals who accessed one or more of Legal Aid WA's services. This includes people receiving legal services from lawyers, paralegals and triage, and social workers. It does not include people who received telephone, website or in-person information at all other direct client contact points or participated in community legal education. Legal Aid WA does not create an individual client record for these people.

Our Clients

CLE Statistics

21,958 participants received community legal education from Legal Aid WA

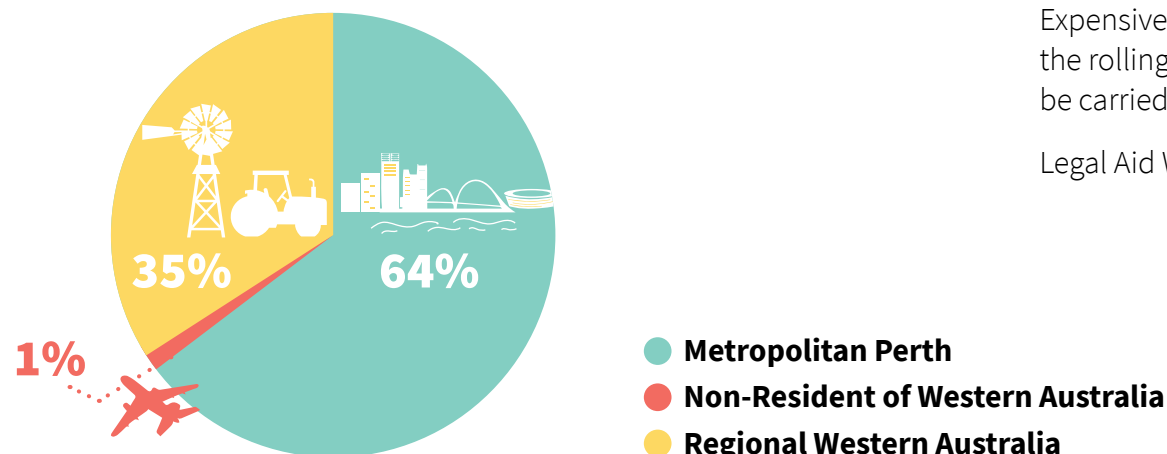
We conducted 437 community legal education activities

509 new resources

Website statistics

In 2021-22, our website recorded 2.192 million page views increased by 57% compared to 2020-21.

Residency of Legal Aid Clients in 2021-22



Snapshot of Financial Performance

Financial Summary	2021-22 \$000's	2020-21 \$000's
Commonwealth Funding	38,386	42,138
State Funding	57,450	58,704
Other Income	4,485	4,388
Total income	100,321	105,230
Total Expenditure	96,918	103,188
Surplus/(Deficit)	3,403	2,042

The reduction of income and expenditure in 2021-22 was mainly due to the responsibility to administer Community Legal Centres Grants being transferred to the Department of Justice from 1 July 2022.

The surplus in 2021-22 was predominately resulting from the unspent Expensive Commonwealth Criminal Cases Fund , and timing delays in the rolling out of special funding programs. These unspent funds will be carried over into 2022-23.

Legal Aid WA continues to be in a healthy financial position.

Our Reach





LEGAL AID WA IN 2021-2022

The 2021-22 financial year was a challenging period marked by the first widespread transmission of COVID-19 in Western Australia, mandatory vaccinations, the opening of state and national borders, extreme weather events and increased scrutiny.

To advance our mission to see the law protect all West Australians, we focused on embracing innovation to rapidly respond to changing circumstances and maintain a client-centred approach with people at the heart of our service delivery.

CLIENT CENTRED

We launched or improved initiatives to increase access to our services and improve outcomes in regional and remote communities, and among targeted priority groups.

These included First Nations people; families, women, and children; people living with disability; seniors; clients in custody and the broader community, including young people, the LGBTIQ+ community, and service and ex-service personnel.

INNOVATION

To manage the spread of COVID, we adapted the delivery of our duty lawyer services and later applied those learnings to the development of new services.

As part of our ongoing digital transformation, we adopted new technologies to make training and community legal education more readily available online, and to improve the efficiency of our internal operations.



Our Community



Defence and Veterans Legal Service launched

Sharing information with a Royal Commission can be a daunting prospect, particularly when it relates to lived experience of suicide. The Royal Commission into Defence and Veteran Suicide needs defence members, families and carers to do just that, so we launched the Defence and Veterans Legal Service (DAVLS) to make this process as accessible as possible. Funded by the Commonwealth, the service is trauma-informed, culturally safe, and accessible, offering free legal advice to help veterans and their supports navigate the process and legal issues around giving evidence.

The new service operates out of 'Veteran Central' in ANZAC House located next to our Perth office, co-located with all the ex-service organisations. However, it is independent and separate from the Royal Commission, the Department of Defence, and the Department of Veterans Affairs.

Legal Aid WA lawyers have started working with veterans and families on their submissions in Perth, and we are making State-wide trips to areas in Western Australia where there are

Australian Defence Force bases, including RAAF Base Curtin in Derby, Argyle Downs Station near WA's border with the Northern Territory, and the Naval Communication Station Harold E Holt on the North West Cape.

As part of these efforts, we have promoted the service on local media, including on ABC Midwest, ABC Wheatbelt, ABC Great Southern and the ABC Saturday Breakfast program. Staff have also presented to local RSLs and veterans associations. In May, Legal Aid WA ran a stall at the Australian Defence Force Member and Family Transition Seminar at the Perth Convention Centre. Our stall generated significant interest, with many attendees touching base with our team.

The suicide rate of veterans has been of great public concern and it is important that the Royal Commission gets the best evidence before it. We're working to help vulnerable people engage to make sure that it does.

The people we help:

A veteran suffering from post-traumatic stress disorder and physical injuries reached out for help in speaking to the Royal Commission into Defence and Veteran Suicide.

The client had served for 22 years in the Australian Army and the Royal Australian Navy but found himself unable to hold down a job.

While the man had already made a submission, he reached out to Legal Aid WA's Defence and Veterans Legal Service to find out if he was also able to talk directly to the Commissioners about his experience.

DAVLS was able to help the client by providing him with advice about the Royal Commission's terms of reference and assisting him to draft a new submission that better expresses his story and what he thinks needs to change.

The DAVLS team also helped by arranging a private opportunity to talk directly to a Commissioner about his experience, as well as facilitating referrals to the in-house social worker and a veteran advocate.

Through our service, the client now has the support available to ensure that his engagement with the Royal Commission is as effective as it can be; an opportunity he may not have had without DAVLS.

The team also stepped in to help with programs that can support his wife in her role as carer, as well as ongoing assistance in his dealings with Department of Veterans' Affairs.



Natural disaster response

Natural disasters like flooding, cyclones or bushfires can fade from public consciousness with the next news cycle, but for the people, communities and businesses affected, the aftermath can be a traumatic process hampered by the complex nature of insurance claims.

The scope of free legal help we offer in the wake of natural disasters goes beyond insurance negotiations. We also assist with mortgage stress, financial hardship, debt, employment law problems, tenancy complications, issues arising from destroyed fencing, and the replacement of important documents.

These services were needed in 2021-22 as Western Australia experienced devastating bushfires in the Great Southern and Wheatbelt

regions. Properties in Denmark and the Wheatbelt were lost to those fires. By providing free legal support, we make it easier for the people impacted by natural disasters to focus on rebuilding their lives.

As a member of the State Welfare Emergency Committee, Legal Aid WA has helped people affected by bushfires in Kelmscott, the Perth Hills and Yarloop, as well as Cyclone Seroja in recent years, with some of that assistance still ongoing.

The people we help:

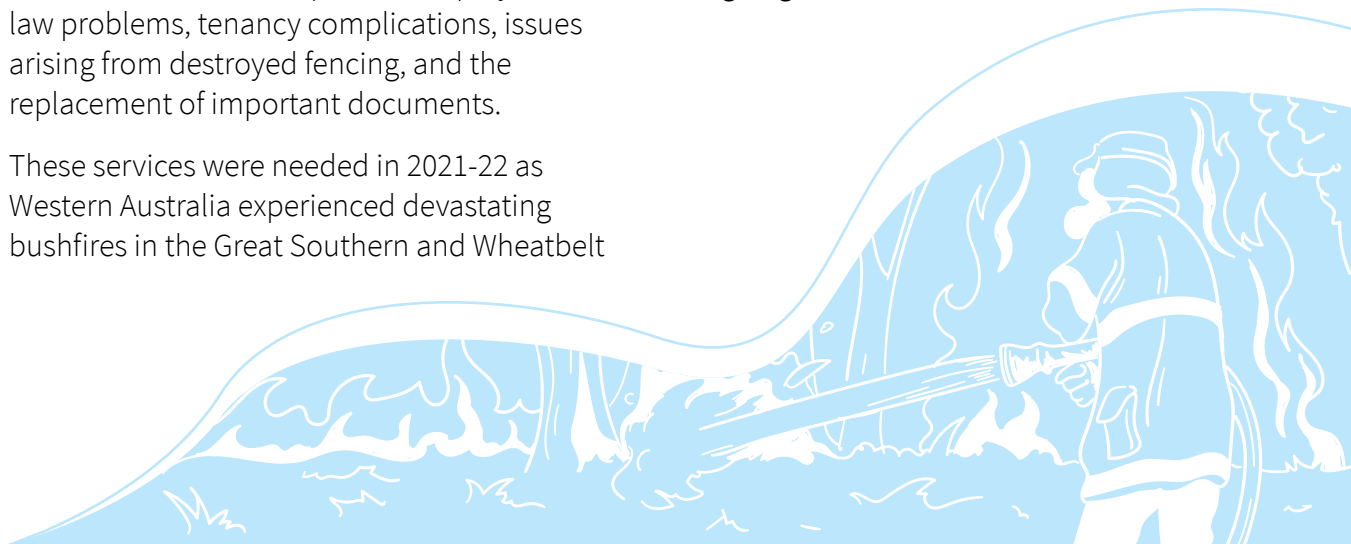
Cyclone Seroja swept across our coast in April last year but many people are still dealing with the aftermath.

Among them was a man who had been unsuccessfully battling his insurer over a claim on his roof.

He met a lawyer from our Civil Law Division at a clinic she ran at the local golf club.

After receiving our lawyer's advice, he was able to settle the claim with his insurer.

He wrote a letter of thanks, which said 'your excellent work helped greatly towards the solution. I'm sure I would still be waiting if I went alone. Keep up the good work, a rarity in this crazy world. Best wishes.'



Community Legal Education

While the bulk of our resources are allocated to providing legal representation in criminal, family and civil matters, we also invest heavily in delivering community legal education (CLE) on a range of topics to almost 22,000 people across various groups in the community in 2021-22. We place great importance in CLE as a way of reducing and preventing legal problems from arising. Despite the challenges of the COVID environment, we persisted in finding ways to deliver our CLE program. Using video conferencing tools and support from in-person facilitators, we were able to avoid putting the service on hold and maintain a high level of service delivery to continue to raise the level of personal legal capability in the community.

We maintained our 'COVID-19 Legal Information' section of our website, providing the community with important legal information relating to COVID. This included information and specialist resources about co-parenting during COVID, vaccinations for children, mandatory vaccinations and work, criminal offences, changes to the way that you

can apply for a restraining order, employment, tenancy, immigration and financial hardship.

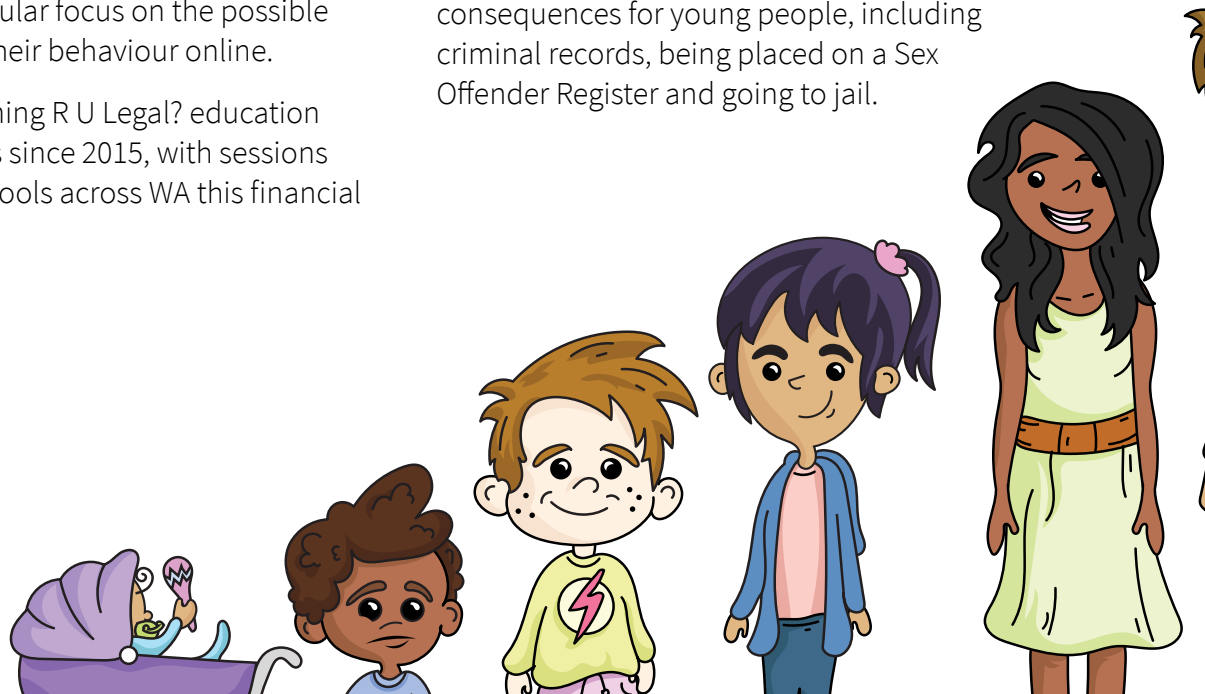
R U Legal? continues to deliver

Legal Aid WA developed this program to provide young people with information about the criminal justice system and how laws affect them, with a particular focus on the possible consequences of their behaviour online.

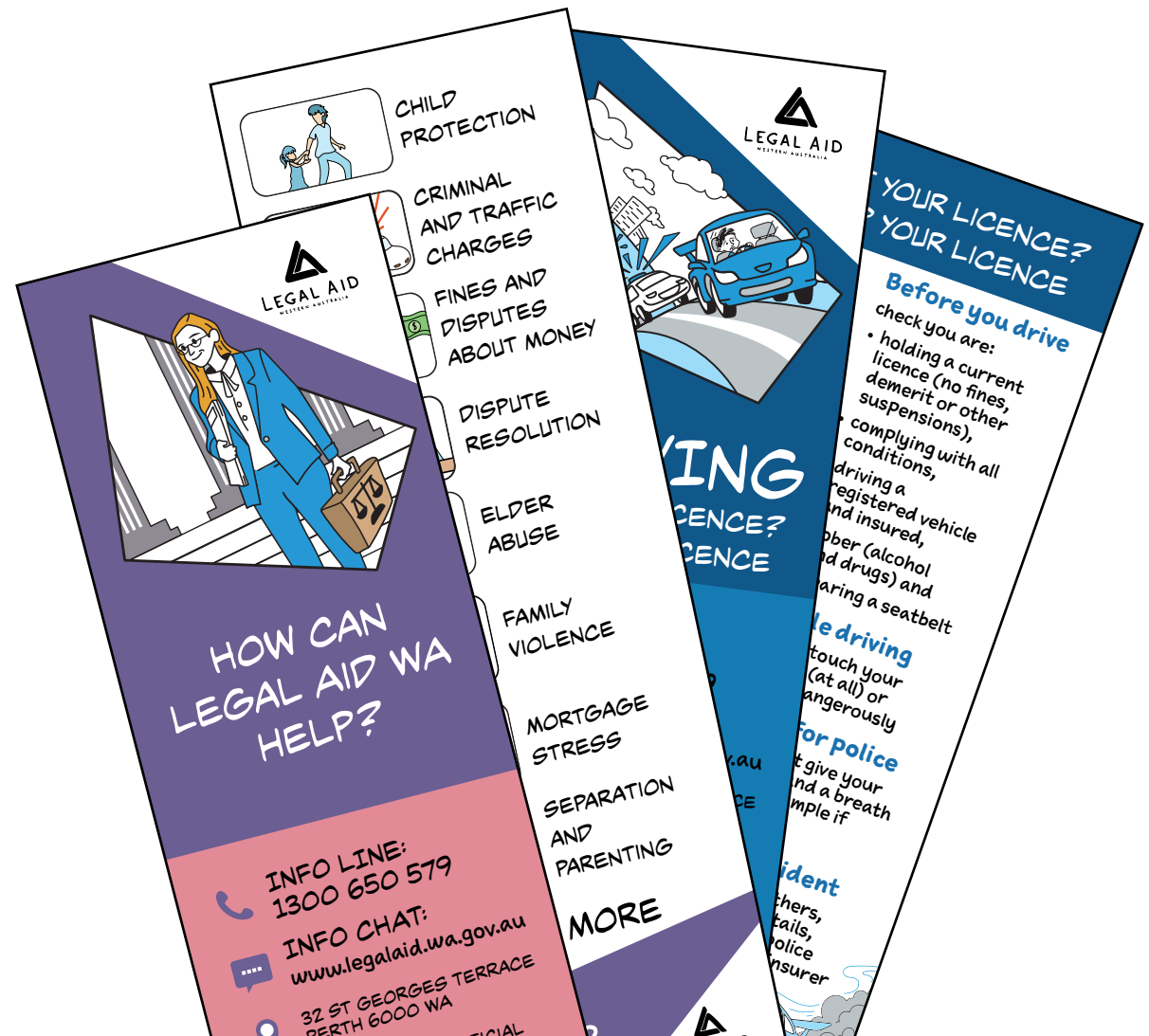
We have been running R U Legal? education sessions in schools since 2015, with sessions delivered to 90 schools across WA this financial year.

Topics include the age of criminal responsibility, ways that young people get in trouble, cyber bullying, sexting, image-based abuse, sex and consent, assault, drugs and other illegal activities.

To ensure the information resonates, we use real-life examples to demonstrate legal consequences for young people, including criminal records, being placed on a Sex Offender Register and going to jail.



With young people spending more time online since COVID hit, the chances that young people will be involved in illegal activities without knowing the legal implications have increased, making this program more important than ever.



Custom consent content empowers young people

Since we launched the R U Legal? program, consent has become a much more important issue for young people to learn about. The advocacy of Brittany Higgins and Grace Tame, and petitions from students and teachers across Australia put consent education on the national agenda.

To make sure they understand their rights and responsibilities, we rolled out new resources this year, headlined by our 'Let's talk about sex' animation and fact sheet.

With laws in relation to sex and consent differing across Australia, confusion around the parameters and legal consequences in this area is common.

To provide clarity on this important issue, we designed our new resources to be clear, simple and straight to the facts about WA laws. They empower young people with the correct legal information about their rights

and responsibilities in relation to sexual consent. The resources develop their understanding of what true consent looks like.

Our sexual consent resources cover the laws around sex and consent, the age of consent, the impact of drugs and alcohol on consent and what it means if you have a special relationship with the other person, including being a teacher, coach or guardian. We also address changing your mind and how to make sure you have consent.





Your Family and the Law

Your Family and the Law is a CLE program that educates the community about family law, and how Legal Aid WA can help.

The program provides practical, common-sense information about family law (separation, divorce, property settlement and arrangements for children), family violence and child protection.

We deliver the program in an interactive format with hands on activities that incorporate use of our Blurred Borders resources.

We developed the program to be adaptable to a range of audiences including social workers, advocates and case workers, students of Adult Migrant English Programs and interested members of the community.

We started the program in April 2021, and in the 2021-22 financial year we presented Your Family and The Law sessions at Naala Djookan, DV Assist, Youth Futures and several hospitals and TAFEs.



Law Week goes digital

Held in May every year, Law Week is dedicated to raising awareness and understanding of the law. It promotes legal education for the wider community, and how you can get access to legal services and advice. Due to the spread of COVID, Legal Aid WA's entire program of events shifted online in 2022.

To maximise engagement with this new format, we introduced a video challenge competition for young people in schools. Participants were asked to create a short video about what Legal Aid WA does, something young people should know about the law, or legal problems that may affect them and what they can do about it. The winning entry from Year 9 students at Fremantle College covered the laws around fare evasion and was shared on our social media channels.

The program also featured an online R U Legal? session for parents, teachers and young people; a Virtual Office information session; protection and care training for practitioners; a Law Hub information session about the new site and

available resources, and Citiplace Community Centre free legal advice sessions.

'How we help' sessions

Each year, we hold information sessions for community, health and legal assistance workers, educators and other professionals who want to learn more about the services that we provide.

We cover the types of legal problems that we can help with, who qualifies for assistance, and how to get help. Sessions also detail the range of resources we have available to the community.

This year we delivered sessions at Royal Perth Hospital, Sir Charles Gairdner Hospital, King Edward Memorial Hospital and Next Step Drug and Alcohol Service.



Banksia Hill Community Legal Education

We have been running education sessions at Banksia Hill Detention Centre since 2018 and extended this to Wandoo Rehabilitation Prison in 2021. In 2021-22, we have continued to offer those sessions on topics including bail, common offences, police powers, family law and family violence, criminal injuries compensation and getting a job after custody.



Her Aussie Sports

To celebrate International Women's Day, Legal Aid WA participated in Her Aussie Sports, a charity event organised by Reclink Australia. This free event at the WACA welcomed marginalised and vulnerable women to 'have a go and break the bias' by trying different sports. Research shows that playing sport can significantly improve social connections and overall wellbeing. The event provided a safe and inclusive space for women to connect and empower each other through sport. The event offered a supportive learning environment that encouraged women to give cricket and Australian Rules Football a go.

Legal Aid WA staff were on hand to provide free legal information and helpful resources. We were also able to help clients with legal advice on the spot.



Our Priority Clients

For reporting purposes, the states will report on a subset of priority clients comprising: children and young people (up to 24 years); people experiencing financial disadvantage; First Nation Australians; older people (aged over 65 years); people experiencing, or at risk of, family violence; people residing in rural or remote areas; people who are culturally and linguistically diverse; and people with a disability or mental illness.



Reaching to the Regions

We are committed to making sure equitable access to justice doesn't stop at the state capital's boundary.

Critical to this are our regional offices in Bunbury, Albany, Kalgoorlie, Geraldton, South Hedland, Broome, Kununurra, Carnarvon and Christmas Island.

Each regional office is a mini-Perth office with the majority of the offices providing the same services, just on a smaller scale. They run their

own local Infoline, provide front line counter services, community liaison and legal education, information, referrals, legal advice, duty lawyer and grant of aid services for a range of legal matters. They connect with their communities and stakeholders to ensure all clients are provided with the best service.

This is supplemented by our growing Virtual Offices service which is available in locations ranging from Halls Creek to Esperance.



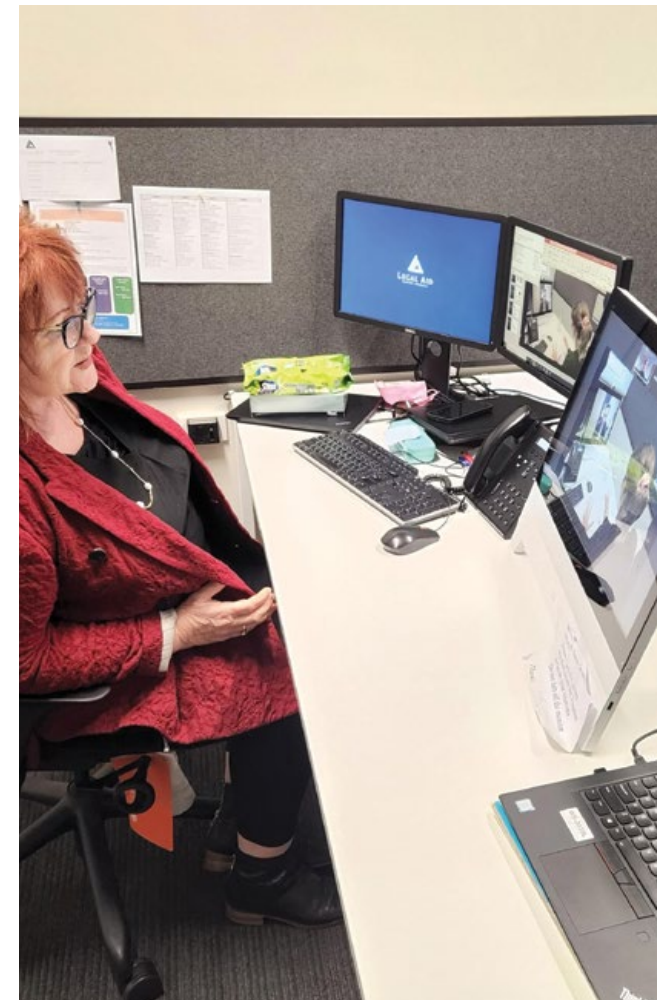
Virtual Offices keep improving

We use Virtual Offices (VOs) to broaden our reach and improve access to justice for people living in outer suburban and regional areas. VOs are located in community centres across Western Australia, using advanced technology and innovation to provide services in places that do not have a physical Legal Aid WA office. Each VO is fitted with a state-of-the-art video screen that connects to Legal Aid WA's head office for a face-to-face appointment with one of our lawyers.

To leverage local knowledge and relationships with the local community, our VOs are hosted by partner agencies, including the Citizens Advice Bureau, Community Resource Centres, Hope Community Services, Karrayili Adult Education Centre, Youth Justice Services and the City of Wanneroo.

To improve take-up of the services, our staff have been touring some of our newer VO locations to raise awareness of the service, including Leonora, Karratha, Jurien Bay, and Busselton. The result of these efforts has seen us increase the delivery of VO services in the past financial year. Covering civil, criminal, and family law, VOs have not only made justice more accessible, they have made it more efficient, with people able to access legal information and advice at an earlier stage, leading to quicker resolutions and better outcomes.

The success of the VO system has not gone unnoticed. In August 2021, it was recognised by the Attorney General, the Hon John Quigley MLA, who commended Legal Aid WA for delivering the service in a Ministerial Statement to Parliament. The Virtual Office service also received a Silver Award for Best Practice in Innovation at the Institute of Public Administration Australia WA Achievement Awards 2021.



Regional Coordinator Appointed

In 2021, a new position was created following one of the recommendations from the Legal Aid WA: Regional Operating Model Evaluation. We created the role to better connect and support regional offices whilst ensuring regional offices and services were part of all decision making.

Kate Newton is currently the Acting Regional Coordinator. Kate is based in the East Kimberley Regional Office in Kununurra. Since her appointment, Kate has been arranging and administering monthly meetings of the Solicitors in Charge, Office Supervisors and Regional Executive Management (REMT). She has been assisting with the coordination of regional operations and representing regions in Legal Aid WA Committees and supporting REMT to identify trends and monitor outputs.

Kate has been focused on the re-drafting of the Regional Office Procedure Manual and creating a template for individual office manuals which will assist in making processes in regional offices consistent and properly documented for future planning. Kate has also been focused on regional recruitment processes, including ensuring our adverts reach the wider community and investigating how to attract and retain staff to regional areas.



Following through with our Regional Planning


In 2021-22, the Great Southern Office made it a priority to develop community awareness of its services in the Great Southern to improve access to justice in the region. During the year, duty lawyer circuits were introduced to Katanning and Narrogin and a paralegal liaised with community resource centres, women's refuges and youth workers in Kojonup, Pingelly, Wagin, Wickpin and Williams to provide in-person legal services in those towns for the first time. The visits were warmly received by the various agencies. This relationship building resulted in a significant increase in referrals and requests for assistance from the regions, which were triaged at a local level. Partnerships with key stakeholders have also

progressed, with a staff member's contribution in the aftermath of the February 2022 bushfires, recognised and commended by the Regional Executive Director of the Department of Communities.

The South West Regional Office continued to work with its partners to support and advocate for diversionary pathways and support programs in the region in 2021-22. With limited access to specialist courts, rehabilitative streams, alcohol and other drug services, counselling and mental health support, South West court participants experienced inequitable outcomes, relative to the Perth metropolitan area, due to a lack of community-based

sentencing options. The South West Office, worked with the local community and service providers to divert people with underlying social needs from the justice system and offer holistic support, working closely with the South West Community Alcohol & Drug Service (SWCADS) - Alcohol and Other Drug Diversion Program (AOD) to assist clients overcome addiction issues. In addition to being the biggest referrer to AOD in the South West, its the solicitors offer input into advocating for the implementation of court sponsored intensive AOD programs to assist clients with longstanding and entrenched substance abuse issues. The information provided to magistrates in AOD reports assist magistrates to impose





sentences best designed to rehabilitate the offender and protect the community. The South West also assisted SWCADS with their tender bid for continued funding and continuation of the AOD in late 2021. SWCADS wrote to our South West Office to express their gratitude for its support. Another highlight of the period was the historic first regional sitting of the Western Australian Court of Appeal in Bunbury on 11 March 2022.

2021-22 was a busy and fulfilling 12 months for the Goldfields Regional Office. Covering the largest land mass from The Ngaanyatjarra Lands in the Northern Goldfields to Esperance in the South West is always a challenge, but Goldfields Legal Aid has been dedicated to serving its client base. This has included joining the Goldfields Family Violence Network, and introducing a prison visiting service at the Eastern Goldfields Regional Prison. The Goldfields Office has had many successes this year that included having an assault matter discontinued for a migrant woman escaping family violence, securing a discontinuance for

a criminal damage by fire charge on a juvenile where the damage was valued at \$2 million dollars, utilising interpreting services in a remote community to work with a young person to negotiate a charge down so they did not receive a conviction, and assisting a First Nations client in care and protection proceedings to have his children returned to him.

Staff at the Pilbara Regional Office are passionate about assisting WA's most vulnerable clients, especially the First Nations youth. Both lawyers and administrative staff go out of their way to support the accused, the victims, and their families through the confusing process of court and the justice system. Travelling regularly to Newman, Karratha, Jigalong and Nullagine, staff are often dealing with complex matters, where clients have English as a second language, and have built strong relationships with local stakeholders. In particular, their work with the Kanyirninpa Jukurrpa Corporation to set up a video link with a duty lawyer and legal advice

bureau service with the Martu people living in remote Aboriginal communities. The Pilbara Office has also started a quarterly stakeholder forum working with other not-for-profit legal, counselling and support services in the Pilbara to improve warm referrals and better understand the services being offered in the Pilbara.

The West Kimberley Office has remained focused on improving access to justice for people living in regional and remote areas and providing preventative services such as legal community services that are delivered throughout the region to schools, prisons and men's behaviour change programs.

The focus has been on addressing the over-representation of First Nations' people in prison and supporting people to overcome the significant disadvantage of not having a driver's licence. The West Kimberley Office enhanced the capacity of its paralegal services to allow for an increase in the number of people being assisted to obtain Extraordinary Driver's Licences for work purposes or to access



medical services. West Kimberley Office staff attended Aboriginal Justice Program Open Days at many remote locations within the region working closely with other services and offering legal advice services to many people needing driver's licences and identification documents, many of whom would not have otherwise accessed a legal service. Requirements were introduced by courts to lodge all civil applications for Extraordinary Driver's Licences online, which also increased demand for legal services as this was inaccessible for most clients. The West Kimberley Office helped the greatest number of people remove life disqualifications where more than 10 years had passed since they had lost their licence. At times, staff were assisting more than 70

individuals work towards removing their permanent disqualifications. 100% of the applications that were filed were successful. This assisted many First Nations people improve their well-being and maintain their connections to country, culture and family. The West Kimberley Office also focussed on increasing employment opportunities for First Nations people, achieving a rate of 30% First Nations staff in its team by supporting both a 12 month First Nations Public Sector Trainee and a law graduate completing her Practical Legal Training on a part-time basis for 12 months. The innovative use of resources and capacity building of the paralegal team allowed for the delivery of more services to regional people in need.

The East Kimberley Office provides assistance to address what are often underlying systemic, long term issues with support provided to complex clients. During 2021-22, with the addition of a Community Liaison and Education Officer, the office was able to take on non-legal support files, assisting clients such as an East Kimberley Aboriginal woman who came from a background of trauma and neglect who had been in a long-term highly abusive relationship and struggled with homelessness and substance abuse. The staff member supported this client to enter Turner River Rehabilitation Centre, which was a turning point in the client being able to leave the abusive relationship. The relationship was directly linked to the client's children being taken into



care and many of her criminal law charges. Lawyers worked simultaneously with the extra non-legal support to resolve the legal issues, for this client the East Kimberley Office continues to be a legal service this client trusts. With the expansion of the office staff are now able to offer parole assistance and take on more family law issues. One example of this additional assistance was to return an Aboriginal child to her mother after ten months of separation. The child had been taken by the mother's abusive father, the grandfather of the child. Two weeks after an urgent application was filed in the Family Court the mother and the child were reunited. The mother hadn't sought legal assistance earlier due to her lifelong fear of her own father. It was only through a conversation

with the office's Community Liaison and Education Officer that the mother realised a lawyer could help her. The appointment of a new lawyer with National Disability Insurance Scheme (NDIS) background, has improved information sharing and coordination of disability services in the East Kimberley.

In 2021-22, the Midwest-Gascoyne Office continued to offer a diverse range of legal services, and maintained good working relationships with other community legal services and local private practitioners. The Midwest-Gascoyne Office provided advice and duty lawyer services and took on in-house grants for criminal, family, care and protection, restraining orders, removal of life disqualification, Extraordinary Driver's Licences

and criminal injuries compensation matters. The office also continued to provide community legal education sessions at regional high schools. With the assistance of the First Nations Services Co-ordinator, the office has received grants of aid to assist vulnerable First Nations clients at trial on matters that would have otherwise not have met the Magistrates Court guidelines for grants of aid and who would have been left to represent themselves at trial as they were ineligible for assistance through other agencies.

First Nations People

First Nations people in Western Australia remain over-represented in prisons and made up almost a quarter of our clients in 2021-22. Legal Aid WA continued working with the community, partner organisations and government agencies to provide services, resources and supports to reverse this.

First Nations Strategic Plan

These efforts are supported by our First Nations Strategic Plan, *Jalba – Coming Together*, which outlines our commitment to meeting the needs of our First Nations clients through improved cultural safety and accessibility across our services.

We were commended by the Attorney General for being one of the first legal assistance sector organisations in Australia to undertake this initiative.

With the Legal Aid WA First Nations Staff Network leading its development and launch in May 2021, we were proud to have taken concrete steps in meeting objectives outlined in the plan in 2021-22.





Co-ordinator, First Nations

Legal Aid WA has decades of experience in fighting for justice for Aboriginal people. Over the 2021-22 financial year, Legal Aid WA provided lawyers to Aboriginal people on 30,993 occasions. We committed to continuously improve our service delivery by appointing a Coordinator, First Nations Services. Our First Nations Strategic Plan, designed and developed by our First Nations Staff Network, recommended the creation of this new role.

In July 2021, we appointed Michelle Sims as the inaugural Coordinator, First Nations Services. Michelle is a Wadjarri Yamatji woman. Michelle holds a double degree, being a Bachelor of Laws and a Bachelor of Criminology and Justice from Edith Cowan University. She also holds a Graduate Diploma in Legal Practice from the Australian College of Law. Michelle is a Yorga Djenna Bidji alumni and is currently studying a Graduate Certificate in Aboriginal Studies with Notre Dame University. Michelle is also part of the Western Australian Aboriginal Leadership Institute Kwoperdok Yok Working Group.

Michelle's ambition to become a lawyer was driven by the desire to change the justice system from the inside, by working to improve the outcomes for First Nations Australians and advocate for them whenever possible.

Michelle's priorities are to make Legal Aid WA more accessible to Aboriginal clients and to improve the already-high standard of service delivery to Aboriginal clients.

Staffing milestone achieved

Research shows that the best way to make legal assistance services more accessible to Aboriginal clients is to have Aboriginal staff working at the organisation. The next financial year will see Legal Aid WA increase its Aboriginal workforce to historically high levels. We'll also develop Best Practice Standards for culturally informed and culturally safe services. We set ambitious targets to have 5 per cent by November 2023 and 10 per cent by 2026.

In September 2021, we reached a record 4 percent First Nations staffing, with 13 staff members who hold either legal and support role positions.

This has placed us in good stead to reach our targets and become more accessible to First Nations people.

To further improve our retention of First Nations staff, we commissioned an Aboriginal-owned consulting business to conduct a First Nations Employment and Retention Cultural Audit of our practices. Research shows that cultural

security is critical for First Nations people to be able to embrace an organisation's values and goals.

After reviewing our HR policies and surveying all Legal Aid WA staff on their commitment to First Nations people, the consultant recommended 18 recommendations to address areas of improvement, with celebrating our successes receiving particular emphasis.

Legal Aid WA is committed to working in a culturally informed and responsive way. We look forward to implementing the recommendations so we can continue to improve and fulfill our potential to be an outstanding employer for all staff.

More accessible uniforms for staff

In the creation of our First Nations Strategic Plan, we commissioned TJ Cox Worrigal from Gooniyandi Country in the central Kimberley region to create artwork to accompany the strategy.

When we want our staff to be more visible to our clients at courts and events they are able to wear our new Legal Aid WA shirt. The polo shirts feature TJ's art and were designed with input from one of our First Nations staff members.

The polo design includes Aboriginal tools of lore, the WA coat of arms and symbols depicting the justice system and traditional ways of conflict resolution.

The new shirts send a message that we are a friendly and accessible organisation for First Nations people. They have been provided to staff in regional offices and those providing community legal education, outreach visits or client-facing reception work.

First Nations Advice Bureau

In November 2021, we launched a new outreach service, the First Nations Advice Bureau. Targeted at First Nations clients who would not normally be able to access legal help, it operates on Wednesdays and alternates between the Boorloo Bidee Mia Homeless Shelter and the Wungening Head Office in Perth.

The Advice Bureau operates on a drop-in model, with booked appointments available for clients. During the Advice Bureau a lawyer is available from each practice area. Often more than one lawyer will be involved in an appointment along with any support staff from Wungening who also work with the client. This ensures our most vulnerable clients receive a more holistic service and do not have to unnecessarily retell their stories.

Establishing this service was one of the actions set out in our First Nations Strategic Plan.

Legal Yarn

Our research shows that a First Nations helpline will greatly enhance access to justice and we are committed to setting up this service through our First Nations Strategic Plan. Our Early Intervention Services Division has been looking at the best way to deliver on this commitment and has settled on developing a First Nations selection option for our current Infoline. Known as Legal Yarn, the service will be staffed by First Nations operators.



New and updated Blurred Borders kits

The Blurred Borders resources use visual art, plain language and storytelling cards to explain key legal concepts. They were developed to help frontline legal and community service providers communicate more effectively with First Nations people and vulnerable groups and improve justice outcomes.

We launched two new kits this year, 'My Place' in Broome in October 2021, and 'Fines – Work & Development Permit (WDP)' in Karratha in November 2021.

We developed the 'My Place' kit in collaboration with Consumer Protection WA to help legal and community service providers explain tenancy laws and processes to First Nations and culturally and linguistically diverse communities. The kit helps to improve understanding of rental rights and obligations. This kit helps frontline service providers empower communities with the knowledge

they need to fight for their rights and understand the responsibilities and processes involved with renting.

The 'Fines - Work & Development Permit (WDP)' kit includes story cards, fact sheets and other resources about the law and fines, including information about lawyers, support agencies, counsellors, court history and fines and infringements. The resources can also be used to explain how to engage in the WDP scheme, including the legal paperwork required and how to find a sponsor.

We developed a specialist set of 'Decision Making' cards with Developmental Disability WA to assist people with matters going to the State Administrative Tribunal.

In addition to these new kits, we updated several of our existing resources to better service the community.

The latest 'Bail and Criminal Process' kit was developed for state-wide use in explaining Legal Aid WA's Bail Support Service, with new fact sheets and community legal education activities.



The updated 'Family Violence' kit includes a set of more than 100 cards that use pictures and easy to understand language to tell stories about power and control, physical and sexual violence, emotional and psychological abuse, threats and intimidation, financial abuse and property damage. It also includes new resources for use in FVRO conferences.

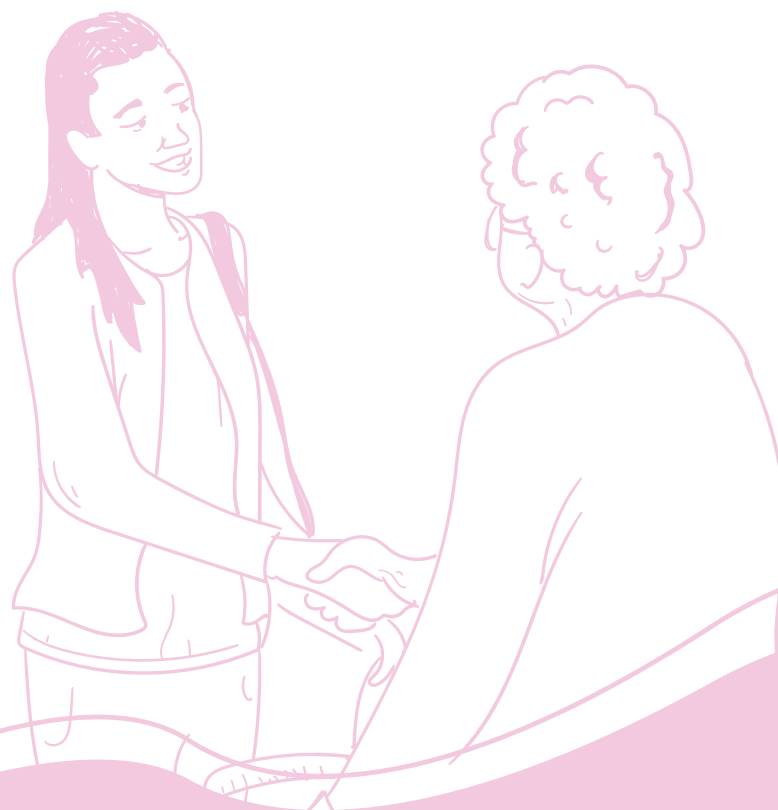
During the past year we have provided training for stakeholders on use of Blurred Borders resources in Perth, Kalgoorlie, South Hedland, Karratha, Roebourne, Albany, Bunbury and Geraldton.

Representatives from the Department of Communities, the Aboriginal Legal Service, Mission Australia, Centrecare, Regional Alliance West, Aboriginal Family Legal Services, Pilbara Community Legal Service and private legal practitioners were also trained in using the cards.



Seniors

As Western Australia's ageing population grows, the rise of cost of living and an increase in people becoming homeless, the need to protect this important sector of the community grows.



Elder Abuse

Elder abuse can be physical, financial, emotional, and psychological. The elder abuse that Legal Aid WA deals with includes loans given to adult children, granny flat arrangements, problems arising from living arrangements, including when adult children move in and refuse to leave, guarantees for business or home loans given to adult children, violence including physical, psychological, emotional and sexual.

In 2021-22, we were able to improve our delivery of elder abuse services with a 60 per cent increase in services provided compared to the previous year.

For much of the past year, we delivered these services through our Seniors Rights and Advocacy Service, which provides free confidential legal help to prevent elder abuse and safeguard the rights of older Western Australians.

In March 2022, our Elder Abuse Services received a significant boost with the announcement of \$1 million a year from the State Government for Legal Aid WA to establish and deliver Elder Rights WA.



The people we help:

An 80-year-old woman who lost her entire life savings managed to get in touch with our Seniors Rights and Advocacy Service.

The elderly woman told our team that she handed over the money to her adult son, who was to buy a house in which she could live.

To her surprise the son had used the money for his own purposes and cut off all contact with the client.

Obviously, this was an extremely stressful time for the client and our staff from Legal Aid WA's Seniors Rights team collected all the evidence and contacted the son.

During negotiations it was discovered that the son had secretly put his house on the market and was intending to move. Our team arranged for a caveat to be lodged against the title of the home and recovered the entire debt upon sale.

The result was a huge relief for the elderly woman and without our service it's likely she would never have recovered her money.

The team's success will make a huge difference to the quality of this client's life.



Elder Rights Western Australia launch

Elder Rights WA was officially launched on 15 June 2022 at our Perth office, with more than 70 stakeholders from the seniors rights community, three television crews and the Minister for Seniors and Ageing, the Hon Don Punch MLA attending.

The launch of Elder Rights WA marks the largest ever expansion of elder abuse services and sets a new high water mark in WA for combatting elder abuse.

Building on the legacy of our Seniors Rights and Advocacy Service, Elder Rights WA will provide a holistic approach to managing elder abuse through a service model developed by Legal Aid WA in partnership with the Department of Communities.

Given the complex nature of the circumstances that lead to elder abuse, our new service includes social workers, in addition to lawyers.

Sitting within our Civil Law Division, Elder Rights WA uses our InfoLine as a triage service, with older people experiencing elder abuse or seeking legal guidance directed to the

appropriate service to ensure the best possible client outcomes.

In addition to providing legal assistance, Elder Rights WA will also act to safeguard and advocate for the rights of older Western Australians across the state.

Help is available to seniors through our nine regional offices across WA in Bunbury, Albany, Kalgoorlie, Geraldton, South Hedland, Broome and Kununurra, as well as our 16 Virtual Offices across metropolitan Perth, the Peel region, Esperance, Karratha, Leonora, Fitzroy Crossing and Jurien Bay.



We have partnered with Peel Community Legal Services and have already stationed our first elder abuse lawyer in Mandurah, which has more people over 65 than any postcode in Western Australia. Legal Aid WA looks forward to expanding our team of elder abuse lawyers and social workers in the future.

The people we help:

Legal Aid WA recently helped a 73-year-old woman who was on the brink of homelessness after a verbal agreement was made between her son and daughter-in-law.

The woman agreed with the pair to contribute \$100,000 towards the purchase of a house and land package. The deal was she would live in a separate part of the house for the rest of her life and pay rent.

Unfortunately, her name did not go on the title and sadly her son passed away last year.

The woman's relationship with her daughter-in-law broke down and she sought to sell the house. Unfortunately, with no savings, the 73-year-old was left with nothing.

This is where Legal Aid WA stepped in. Our lawyers were able to provide her with better access to justice by discovering she had a text message in which the daughter-in-law acknowledged how much she owed. The woman won her case and received \$75,000, which was more than her share of the proceeds of the sale of the home.

People Living with a Disability

People living with a disability face particular challenges in accessing the legal system and as a result, they represented a significant proportion of people we provided services to.

In 2021-22, Legal Aid WA provided 37,742 services to people with disabilities, which represented 33 per cent of all the services we provided where we record those details.

In addition, 36 per cent of all grants were awarded to people with disabilities.

To ensure we were delivering the best possible outcomes to these clients, Legal Aid WA formed a Disability Strategic Plan Steering Committee that first met in December 2021 to further investigate the best way to meet the diverse needs of clients with a disability.

Following on from that initial meeting, we have continued to consult with other agencies and people that have a disability to further develop the plan.

As part of the lead-up to International Day of People with Disability on December 2021, we

hosted and participated in a range of other activities.

On December 1, our NDIS Appeals Team and the National Disability Advocacy Providers held a quarterly forum, which featured a discussion on the use of the Guddi assessment tool to help understand the functional needs of First Nations people with a disability.

On December 2, Legal Aid WA hosted a panel discussion titled 'You Can Do That, Providing Services to People with a Disability'. Chaired by Legal Aid WA, the panel also featured Microboards Australia; Merger of Minds peer group; Your Story Advisory Group; and staff from Legal Aid WA's Elder Rights WA and NDIS Appeals Team.

Our head office also received a visit from Guide Dogs WA.

Outside of this period of high activity, we also participated in stakeholder forums concerning service development for people with disabilities in a variety of circumstances, ranging from young persons with disabilities

to the support of people with disabilities after arrest.

To improve visibility of our disability services, we are participants in the Speak My Language project, where bilingual staff are interviewed about Legal Aid WA's services for people with disabilities in Mandarin, Cantonese and Spanish for a podcast.

However, the bulk of our work in the disability space is delivered through our National Disability Insurance Scheme service and the Your Story Disability Legal Service.



NDIS service

People with a disability want the same opportunities as everyone else in the community – somewhere to work, somewhere to live, somewhere to enjoy the company of friends, and the chance to follow their passions and interests. The NDIS represents an incredible social and economic reform, but it needs resourcing. The future of the scheme is to have policies and processes that empower people as they access the scheme.

At Legal Aid WA, our NDIS team acts for people in the Administrative Appeals Tribunal who are appealing against decisions of the NDIS. Without our team, access to the NDIS would only be theoretical for many of our clients. Our lawyers work to make those legal rights a reality, and we have not lost a case against the NDIS to date.

The number of active NDIS participants in Western Australia increased in the 2021-22 period and demand for assistance from Legal Aid WA increased in line with that. To meet this increased demand for our services, we have boosted our NDIS services by adding more lawyers to the team that represent people with disabilities.

While the gap in life outcomes between people with a disability and those without required coordinated action in areas like employment, health, education and transport, the NDIS is an important part of the solution. We will continue to strive to see every eligible client gets access to this service.

The people we help:

A young man with a primary diagnosis of autism spectrum disorder and related impairment of motor dyspraxia experiences gross motor issues as a result of his disabilities and relies on his parents for day-to-day living.

The client had previously benefited from physiotherapy, but the NDIS was not proposing physiotherapy for the man as part of their plan.

Our NDIS team, took on the man's case and appealed this decision to the Administrative Appeals Tribunal. They also obtained compelling evidence to support the need for physiotherapy.

One of our lawyers represented the client at a case conference and made submissions on his behalf. The result was an NDIS offer to settle the appeal.

This client will now get the help that he needs to participate in the community and reach his goals.

Without the help of our NDIS appeals team, the client would have missed out on physiotherapy and been unable to live his best life.

Your Story Disability Legal Service

Legal Aid WA provides the Your Story disability legal service. This free service empowers people with disability to safely share their story with the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

This Royal Commission is investigating how to: prevent and better protect people with disability from experiencing violence, abuse, neglect and exploitation; achieve best practice in reporting, investigating and responding to violence, abuse, neglect and exploitation of people with disability; and promote a more inclusive society that supports people with disability to be independent and live free from violence, abuse, neglect and exploitation.

It is important that the Royal Commission has the best evidence before it so that its recommendations make a difference.

Over the past year, the service has been a traveling roadshow encouraging people to come forward and share their experiences. Many vulnerable people need the reassurance of legal support before they will share their story. They have concerns about defaming people or retribution or even procedural issues with the Royal Commission.

Our Your Story lawyers are there to help alleviate those concerns. They do so by offering legal support to clients to engage with the Disability Royal Commission. They assist clients with referrals to local support agencies and to disability advocates who can help with

preparing a submission to the Disability Royal Commission. Our Your Story staff will also assist with referrals to private practitioners who may be able to offer representation for people at the Disability Royal Commission.

Although our focus for much of the year has been on generating interest in submissions, we recently pivoted to supporting clients before the Commission. The first time we did so, we were able to provide the preparation and support that allowed the client to feel that her evidence would be taken seriously after years of feeling bullied and abused. Since then, we have supported a total of 20 clients before the Commission. We look forward to seeing that number increase as the Commission continues.

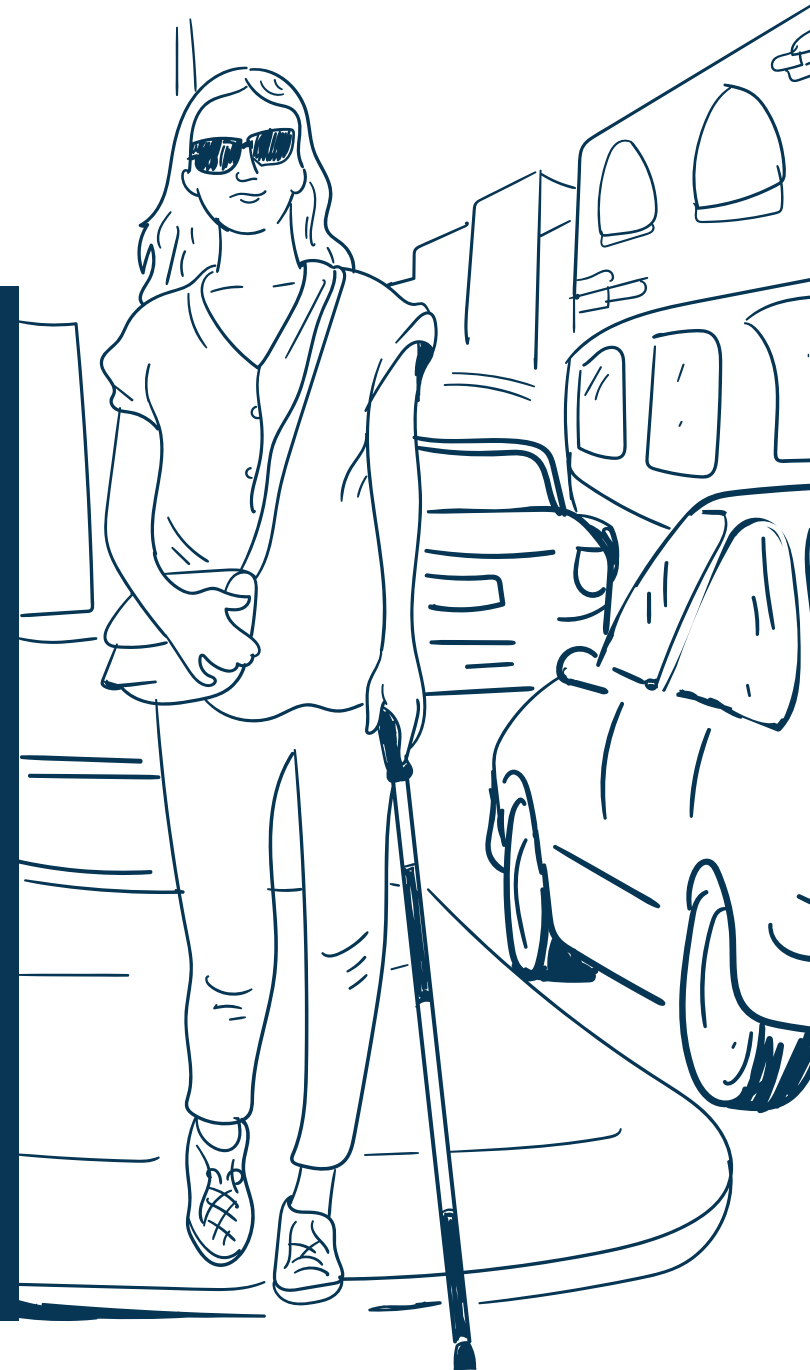
The people we help:

Hannah was 23 when she was diagnosed with Usher syndrome, a rare genetic disease that affects both hearing and vision. She couldn't go out at night because of her vision loss and eventually lost her licence at age 25.

Hannah's disability affects all areas of her life but with the appropriate support she's very independent. She had been on the National Disability Insurance Scheme for six years when unexpectedly, on Christmas Eve last year, her funding was slashed by over \$100,000 and Auslan interpreting, which she relies on to communicate with others, was removed. Her plan was also moved from self-managed to plan-managed, which Hannah says takes away her choice and control. Hannah is now waiting for the NDIS's decision to be reviewed by the Administrative Appeals Tribunal.

Hannah wants her disabilities to be understood and respected. She has shared her story with the Disability Royal Commission in the hope that it leads to systemic change to improve the lives of Deafblind people.

Your Story Disability Legal Support has been working with the WA Deafblind community and local service providers to support people with lived experience of deafblindness to share their stories with the Royal Commission, as Hannah has done. This includes delivering an information session at the recent National Deafblind Conference and running a special event in Perth, where people could access on-the-spot legal advice, counselling, and other supports, and record a video submission.



Families and Children

Families, and children represent our largest client group each year and providing exceptional services to these clients was particularly important in 2021-22.

The spread of COVID within Western Australia made it more difficult for families to physically attend courts, so we had to find innovative ways to provide suitable resolutions in a timely manner.

We were able to maintain and increase service delivery to this important group with the introduction of new programs and improvements to existing services.



Strength to Strength

Strength to Strength (STS) is a new free conferencing program delivered by our Dispute Resolution Unit. Available to families with a current case in the Family Court of WA, The STS model is designed to provide families who are experiencing disadvantage or are vulnerable for other reasons with the best opportunity to engage in Family Dispute Resolution (FDR) and work towards safe outcomes for their family in a respectful way.

Run by experienced mediators or FDR practitioners, the conferences aim to reduce delays in the Family Court by settling cases awaiting final defended hearings. From the time legal action is commenced, families can wait about 130 weeks for their cases to go to trial, but STS can reduce this delay significantly.

Most of our clients are referred to us by the Family Court of WA, but community support services and lawyers can also refer families for screening and inclusion, and families can also contact us directly for assessment.

In financial matters, we seek to achieve a cost effective and timely clean break between parties through the funding of legal representatives for each party during the mediation process. In children's issue matters, the model provided vulnerable clients a better opportunity at negotiating best interest outcomes for children in conferences through the input of a social worker.

Since its launch in January 2022, we have mediated 64 matters with favourable resolution, resulting in a settlement in 80 per cent of conferences. We aim to mediate 250 cases in a 12-month period.

This program was funded by the Australian Government through its Vulnerable Women project.



The people we help:

Legal Aid WA was able to assist in a family dispute resolution case through Strength to Strength after parents disagreed about access to their 16-month-old child.

The disagreement was sparked by the mother's worries about the father's parenting capacity, while the father wanted more unsupervised time with the child.

Thanks to Legal Aid WA, a social worker was able to assist in the dispute resolution, bringing the benefit of social science, psychoeducation, child development lens, and strengths perspective to the discussions.

Agreement was reached through the program, which provided the father with more time with the child, while the mother benefited from professional opinions. The speedy resolution saved hundreds of court hours.

Child Protection Therapeutic Pilot Court (Djandoo Bidi-Ak)

Legal Aid WA gives legal advice, representation and support to families who are going through the innovative Child Protection Therapeutic Pilot Court, Djandoo Bidi-Ak.

The Djandoo Bidi-Ak is a less formal, more open and supportive way for families to try to work through the challenges of what should happen with children who are living in out of home care because their parents or carers may be experiencing some current difficulties, due to things like mental health issues, drugs or alcohol misuse, or family violence.

Djandoo Bidi-Ak provides an opportunity for families to speak more openly and comfortably and have the difficult conversations needed with the Department of Communities, their family, and the magistrate. Families sit

informally at the same level with the magistrate and Department and are encouraged to bring in family members and other supports and speak about what they and their family need.

It is a 'problem solving' court that tries to keep children with their families by addressing the reasons for care and protection orders. The idea is to connect families with the services they require so that the Department doesn't need to remove the children.

Families find the setup and process less traumatic and more empowering. Many families have said it was the first time they had felt they had a voice and were heard. Family support

networks have found it much easier to engage with than through the normal court processes, which are intimidating, alien and frightening.

Since its launch in July 2020, Legal Aid WA has been servicing the pilot with a duty lawyer paid for by one-off COVID funding. In the 2022-23 State Budget, Legal Aid WA was allocated to service the Therapeutic Pilot Court in the Children's Court. This allocation has secured our ability to deliver this important service without diverting resources from other programs, which we welcome.

A photograph of a man and a woman standing in front of the Perth Children's Court building. The man is on the left, wearing a dark suit and a striped tie, smiling. The woman is on the right, wearing a blue jacket with 'LEGAL AID' and a logo on the sleeve, also smiling. The building behind them has 'PERTH CHILDREN'S COURT' written in large, gold-colored letters above the entrance. A large, abstract blue and white graphic element is on the left side of the page, partially overlapping the text and the photo.

The people we help:

A First Nations couple had their young child removed by the Department of Communities - Child Protection and Family Support due to concerns about family violence and drug use by the father.

In the setting of Djandoo Bidi-Ak and with the assistance of a Legal Aid WA duty lawyer the father felt able to explain that he felt his issues went back to his own trauma of being removed from his family and abused as a child.

He expressed a need for healing in a culturally appropriate way, to allow him to address his issues and move forward.

With the support of the duty lawyer the father was given the space, time and flexibility through Djandoo to take his own journey of healing, in the way he needed. This involved him going back and spending time on country, singing and connecting with the spirits of his ancestors.

His time on country and healing helped him address his drug and alcohol misuse, come to terms with his past trauma and deal with the anger he felt from this.

As a result, the father has successfully stopped all drug use, obtained work, got his licence and bought a car to help transport his child.

The father said this outcome would never have been achieved if the case had gone through the mainstream court process, which was a constant reminder of – and re-triggered – his trauma.

amica continues upwards trajectory

Separation and divorce are often fraught experiences for everyone involved and the cost of a lawyer can represent too great a burden to some families.

Legal Aid WA's online dispute resolution tool, amica, can resolve property and children's issues in an inexpensive, accessible and timely way by using artificial intelligence to provide relevant information and resources about living arrangements for children and property matters.

It guides people through a step-by-step process, helping people communicate online at their own pace, in their own time and in their own space. If parties agree on property settlement or parenting arrangements, amica can help record the agreement in writing, which can reduce legal costs and save money.

amica was an initiative of National Legal Aid with input from Legal Aid Commissions around Australia, including Legal Aid WA.

We believe that about 20 per cent of cases in the Family Court list could be suitable for amica, and it plays an important role in servicing the 'missing middle' – those clients who are not eligible for legal aid but who still can't afford a lawyer.



Family Advocacy and Support Services (FASS) and Family Court Services

Legal Aid WA's Family Advocacy and Support Service (FASS) and Family Court Service, help people in the Family Court of Western Australia with a free duty lawyer and social support worker service.

Priority is given to vulnerable people, those affected by family violence, and have urgent matters. Help is provided both at the Family

Court at Perth and on regional circuits to Albany, Broome, Bunbury, Geraldton and Kalgoorlie.

The service can help people with legal advice about parenting and urgent property matters. We can also give legal advice, and referral for further help with a Family Violence Restraining Order for both Applicants and Respondents (FVRO) and protection and care matters.

Our FASS social support workers can help people manage risk through safety planning, in-court support, and referrals for counselling, housing and other issues.

By providing this wrap-around support, we are able to help clients access Police and Family Violence support services or achieve better outcomes than legal support alone.

In 2021-22, we provided 1232 services through our FASS and Family Court Service.

The people we help:

When one of Legal Aid WA's duty lawyers came across a client at court, she was unrepresented and had recently been assaulted by her ex-partner during a handover of children.

Legal Aid WA stepped in to help with support from our Domestic Violence Legal Unit, which helped the client apply for a family violence restraining order.

The ex-partner was represented and became heated during some of the interactions in court.

In the end, Legal Aid WA's lawyer resolved the matter by ensuring orders to protect the client and the children were in place, while allowing some safe contact under a parenting plan.

Our tenacious and professional lawyer also successfully managed to get the client's ex-partner to withdraw his unnecessary restraining order application against our client.

Legal Aid WA's involvement resolved a complex domestic violence case involving children, while providing quality legal help that provided for the safety of the client and her children.

The team did everything they could to shield the client from the trauma and confrontation associated with legal proceedings.

In a card sent to our lawyer, the grateful client said: "There are no words that will ever thank you enough for helping me through the toughest time of my life and helping me to keep my babies safe at a time I wasn't sure any of us were safe. You are amazing and I admire you."

Online support for families during COVID

The 'COVID-19 Legal Information' section of our website provided the community with important legal information relating to COVID. This included information and specialist resources about co-parenting during COVID, vaccinations for children, mandatory vaccinations and work, criminal offences, changes to the way that you can apply for a restraining order, employment, tenancy, immigration and financial hardship.

This free resource complemented the other strategies we employed to continue supporting servicing families during the pandemic.

Addressing Family Violence

Addressing family violence has never been more vital than in the past year.

The state's housing crisis has created an unprecedented demand in refuge accommodation for people fleeing domestic violence, making our support even more vital as people struggle to leave abusive relationships.

In response to this demand, Legal Aid WA adapted its services and introduced more holistic support to help people address the myriad of issues preventing them escaping family violence.

Family Violence Cross-Examination Scheme

In situations where allegations of family violence have been raised, the Family Court may ban personal cross-examination of both parties and require cross-examination to be undertaken by a lawyer.

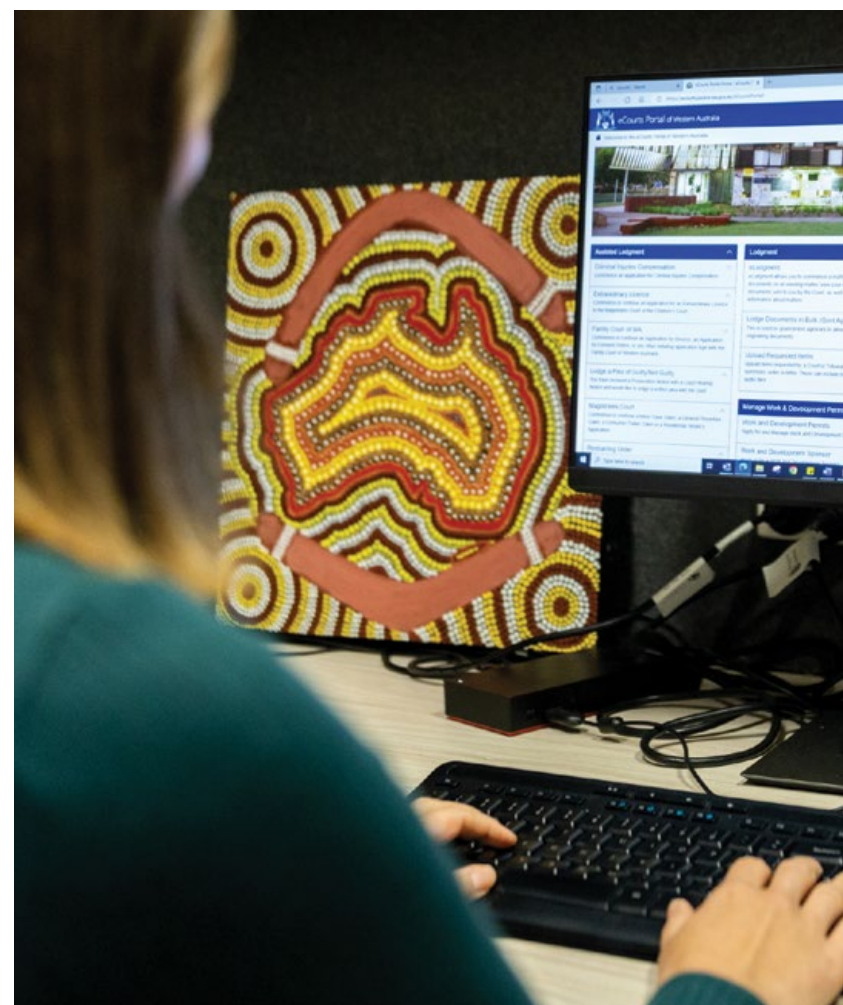
In situations where parties do not have a private lawyer, they can apply to the

Family Court to have Legal Aid WA fund a lawyer under the Commonwealth Family Violence and Cross-Examination of Parties Scheme.

We set this scheme up in September 2019 in response to concerns that many people escaping family violence were settling Family Court disputes for less than they were entitled to because they feared being directly cross-examined by their ex-partner. This scheme alleviates those concerns by providing a protection against cross-examination by family violence perpetrators.

In the 2022-23 Commonwealth Budget, \$54.2 million was allocated to maintain this scheme across Australia and meet expected demand across the next four years.

Legal Aid WA welcomes this new funding support to continue this vital service for years to come.





Stronger Women

Stronger Women is a new program at Legal Aid WA which increases our capacity to provide family violence services to women living in regional WA who are experiencing disadvantage. We have recruited a team of three Perth-based lawyers to deliver specialised family violence and child protection services to Albany, Bunbury, Kalgoorlie and Broome.

The initial pilot project to provide a remote duty lawyer service to regional locations throughout WA, commenced services on 4 January 2022 with our lawyers travelling to Broome, Kalgoorlie, Bunbury and Albany on a fortnightly basis to provide legal services for family violence restraining order proceedings, protection and care applications, property settlement, parenting issues, minor assistance and drafting of documents for family law matters in the Family Court of WA at regional centres.

The Stronger Women team also receives referrals from other stakeholders and regularly assist regional clients from all over the state with telephone advice, duty lawyer appearances by telephone or videolink to the court and applying for grants of legal aid, as well as linking them in with other internal or external service providers, to ensure that clients are supported all the way through their legal journey.

As of 30 June 2022, Stronger Women provided 532 legal services over a six-month period throughout WA and have now received a further three years of funding for the program to 30 June 2025.

We anticipate further expansion of the service as we establish a more physical presence in the regional areas and build strong community relationships. This will help to close the gap in services to ensure that clients have access to legal advice and representation wherever they live in Western Australia.

The people we help:

While it takes a lot of courage to leave a violent partner, in some cases the situation can escalate following separation.

This was the case for a client in Geraldton, who came to the Stronger Women team for help with a FVRO application.

The client has been subjected to family violence over many years, with her ex-partner using the children to control her, financial abuse and locking her out of their joint business.

While the family violence was not so 'clear cut', Legal Aid WA's solicitor stepped in to help with a lengthy e-application, as well as linking her in with a support worker and organising in-person court support.

Family Violence Restraining Order (FVRO) Shuttle Conferences

Legal Aid WA participated in the Family Violence Shuttle Conferencing pilot, which aims to mediate restraining order settlements that would have otherwise gone to a defended hearing. This method is intended to make the process easier and less traumatic for victims. Instead of going to a contested defending hearing, the court registrar ‘shuttles’ between separate rooms at the court, so parties can reach an agreement without having to be in the same room or having to go before a magistrate.



Our Domestic Violence Legal Unit provides a duty lawyer service at the court for these conferences, with Legal Aid WA typically acting for the applicant in these situations.

The pilot was launched in the Perth Magistrates Court in July 2021 before extending to Joondalup and Fremantle later in the year.

	Representation	Resolved	Matters adjourned to further conference	Matters listed for Final Order Hearing
Perth	415	282	49	84
Joondalup	20	9	5	6
Fremantle	8	4	0	4





The pilot was coordinated by the Magistrates Court registrar, who reported positive feedback about conferencing, safety, outcomes, and the role and work of duty lawyers. We are proud that our staff are able to go beyond providing a great legal service to demonstrating outstanding sensitivity to clients, family violence and safety issues. We welcome the success of this pilot and look forward to continuing to use shuttle conferencing in the future.

The people we help:

For many women who have been subjected to long-term coercion and abuse by a partner, the thought of speaking up can be terrifying – especially when serious threats are being made.

Legal Aid WA recently helped a woman whose ex-partner had made threats to seriously hurt her.

The client made the brave move to reach out for help, and was linked into Legal Aid WA's specialist family violence team through a referral by the Stronger Women program.

The Legal Aid WA team stepped in and assisted the client, represented her in court and obtained an interim Family Violence Restraining Order against her ex-partner.

When he objected to the FVRO, the case was listed for a shuttle conference at court, with an independent registrar helping to resolve the dispute in the case.

The client was represented by our specialist team at the shuttle conference and achieved a conduct agreement order that legally protected her.

The teams worked together, collaborating to provide the client with legal assistance and social support from her initial conversation with a paralegal right through to the shuttle conference.

The client was extremely appreciative of the assistance and support provided by the Legal Aid WA teams to help her achieve legal safety from family violence.

This is a typical example of the type of outcomes that can be made possible through shuttle conferencing.

Naala Djookan Healing Centre Collaboration

Legal Aid WA works collaboratively with partner agencies providing services to victims of family violence at the Mirrabooka family violence hub called Naala Djookan Healing Centre (The Hub).

The Hub provides a range of services including legal assistance, healing programs and practical support services for women victims of family violence and their children.

Legal Aid WA provides legal services at the Hub. By bringing legal assistance to a venue where women in need are already receiving assistance we are able to increase their likelihood of accessing timely and early legal advice.

We work collaboratively with partner agencies to ensure that clients of the Hub can access our services. Legal Aid WA is able to empower them about the law and their rights, thereby enabling them to make the best and safest decisions for themselves and their families.

A core strength of Legal Aid WA's participation in this partnership is collaboration. We work with other partner agencies to ensure that clients of the Hub receive seamless, holistic and therapeutic help with all of their legal and non-legal needs from the one place, without having to go to multiple places and re-tell their story over and over, minimising re-traumatisation.

The people we help:

Can you imagine being in a situation where your child was taken from school by your violent ex-partner?

That's what happened to a Legal Aid WA client, who was referred by a Naala Djookan advocate to the drop-in legal clinic after her five-year-old daughter was taken without her permission.

Because of various risk issues, including extreme family violence, the lawyer identified that the matter was urgent and organised an immediate warm referral to Legal Aid WA's Family Advocacy and Support Services (FASS) at the Family Court of Western Australia.

The FASS service met with the client, drafted documents for an urgent recovery order application, and represented the client at the urgent ex parte hearing that same afternoon, where a recovery order was granted.

The FASS service then applied for and obtained a grant of legal aid for ongoing representation in the family law proceedings.

The Family Court process was expedited by the Naala Djookan advocate sharing, with the client's consent, her notes regarding the family's situation, including details about the family violence and risk issues.

Legal Aid WA also referred the client to our Domestic Violence Legal Unit, who assisted the client with a successful FVRO application.



Women's Resource & Engagement Network

Women's Resource and Engagement Network (WREN) is a health justice partnership between Legal Aid WA, Northern Suburbs Community Legal Centre and Joondalup Hospital.

Established under the Commonwealth Women's Safety Package, WREN is a specialist service that provides wrap-around legal and non-legal services (including family violence) to women and children experiencing family violence.

The safety of clients is WREN's top priority, with the service only accessible by way of referral and the address is discreet.

WREN's success stems from all members working collaboratively to raise awareness on family violence, exploring early intervention and assisting clients with their existing legal issues.

Legal Aid WA plays its part by seconding a full-time lawyer to WREN, providing legal services to clients and also running training sessions and legal clinics for Joondalup Health Campus staff and their clients on family violence matters.

Ensuring Access to Justice

Clients in custody represent an important service group for Legal Aid WA. In 2021-22, 20 per cent of our grant of legal aid clients were in custody, detention or hospital.

In addition to our duty lawyer services, we also make community legal education programs a priority for people in custody to support their transition into life after custody.

Legal Aid WA has attended open days where we provide legal information on a range of issues at Banksia, Wandoo, and, for the first time this year, Melaleuca. These open days are an important opportunity for people in custody to address legal issues separate to their criminal issues that might impact upon their ability to successfully apply for early release or to integrate back into the community.



Advice before Court

Legal Aid WA has launched a new telephone legal advice and information service for criminal and traffic charges in the Magistrates Court, called Advice Before Court (ABC).

People with court dates more than six days away can request help through ABC, which provides access to Legal Aid WA via telephone to help prepare for their court appearances.

Our service has traditionally focused on assisting clients at their first appearance and progressing matters from there, but the introduction of a webform to manage client documents during the peak of COVID opened the door for the ABC project.

After completing the webform, clients are initially triaged by a paralegal, who can make early referrals to alcohol and drug rehabilitation or mental health counselling to assist clients in early intervention, identify clients who would benefit from a grant of aid and make an application.

The potential benefits of this approach to clients includes providing more time to speak to a lawyer away from the pressures of court, providing more time to consider the lawyer's advice and suggestions, reducing the number of instances in court, help prepare materials for court, and helping the duty lawyer's service delivery or explaining how clients can represent themselves at court.

The court benefits through more matters progressing at the first appearance, less need for administrative adjournments and a clear referral pathway for unrepresented accused.

This project is another example of how we are incorporating learnings from the COVID pandemic into our service delivery to continue to improve access and outcomes for clients.

Work and Development Permit Scheme

The Work and Development Permit (WDP) Scheme was launched in September 2020 to prevent people who are having difficulty paying off their court fines from going to jail for unpaid fines. Open to people experiencing disadvantage, our WDP Scheme allows them to pay court fines by completing sponsored activities instead of clearing the debt with cash or being sentenced to time in jail. These activities include unpaid community work; medical or mental health treatment, or counselling for an alcohol or drug use problem; educational, vocational or life skills courses; or a mentoring program for under 25s.

In addition to providing duty lawyers to assist clients directly, our WDP team also plays an active role in recruiting sponsor organisations to be part of the scheme. This year, Legal Aid WA was successful in bringing leading mental health organisation Richmond Wellbeing on board as a sponsor offering mental health treatment and mentoring

To ensure the scheme's continued effectiveness, our WDP team participated in a virtual forum with 22 of their opposite numbers from five Australian jurisdictions. In addition to learning how other jurisdictions implemented their schemes, attendees were given a briefing on published research on the NSW fines system and the impact of fines on people's mobility.

It was agreed by all participants that a more formalised network for resource sharing would be instituted to ensure continuous improvement.

Delivered by Legal Aid WA in partnership with the Aboriginal Legal Service of Western Australia and the Department of Justice, the program plays an important role in reducing First Nations incarceration rates.

Since the WDP scheme was launched, no Western Australian in hardship has gone to jail for unpaid fines and we are committed to playing our part in keeping it that way.

The people we help:

A client who lived on the Disability Support Pension, found herself in court struggling to pay \$3,000 in fines. The Legal Aid WA duty lawyer, who was assisting the client at the time, discovered she was also receiving in-patient treatment at Abbotsford Private Hospital for problematic alcohol and benzodiazepine use, as well as co-existing mental health issues. The lawyer recognised the client circumstances met the hardship criteria for the Work and Development Permit (WDP) Scheme.

As part of the service, our team helped the client collect evidence of her hardship to approach Abbotsford Private Hospital to request a sponsorship. With our service's guidance, an Abbotsford social worker applied to become a sponsor and submitted an application for a WDP on the client's behalf.

The result was life changing for the client, who has now discharged all her court fines and will leave hospital free of legal debt.

In the client's words, she is "very grateful" for the support that Abbotsford has given her

and is now in recovery after 16 years of addiction issues.

She says not only is she "incredibly relieved" to have dealt with her debt while receiving treatment, but she also feels less stressed generally and is in a much better financial position to get back on track with her life.

Bail Support Service

The Bail Support Service provides support to accused persons to comply with their bail conditions and to attend court on their next court date. The service provides clients with reminders and transport assistance to court and appointments, well-being checks and practical support. Our Bail Support Service assists clients by helping them work towards any pre-conditions to a successful bail application – such as an address or a surety – and then develops a Bail Support Plan, which the lawyer may then choose to provide to the Court. The Bail Support Plan includes where they will live, and how we will support them.

Supports we currently provide to people include referrals to drug and alcohol services; liaising with medical and mental health providers for further information or make appointments; providing warm referrals to a range of community organisations; providing a point of contact when something goes wrong; liaising and supporting family and other carers through the court process; and calling or texting clients prior to court dates to remind clients about court, and discuss and resolve any barriers to court attendance.



The people we help:

An elderly man who was suffering from dementia had sadly been remanded in custody for 11 months after the courts rejected his request for bail on three occasions.

A lawyer in our Criminal Law Division, took on the man's case and utilised our wrap-around services by seeking help from Legal Aid WA's Bail Support team.

The Bail Support officer spent some time on the case and was able to find the elderly man accommodation in a secure aged care facility. As a result, the lawyer was then able to obtain bail and was successful in having the court dismiss the man's charges.

This was all possible because the client was in secure, appropriate, and supported accommodation. The situation could, however, have been very different. Without Legal Aid WA's intervention, the elderly man suffering from dementia would have stayed in jail because of an absence of appropriate accommodation.



The people we help:

An Aboriginal client in his thirties who had mental health issues and had suffered from past trauma while in custody was represented by the Legal Aid WA duty lawyer when he was first arrested. Bail was refused due to the serious nature of the allegations and the likely outcome upon sentence. The duty lawyer referred the client to the Remand Advocacy Service (RAS) team. The RAS lawyer contacted the client and took his instructions. The client disputed some aspects of the charges and instructed the RAS lawyer to negotiate the facts.

Negotiations were expedited via the special arrangement between RAS and Perth Prosecutions. While this was occurring, RAS was able to review body-worn camera footage and provide context to the offending which assisted in making full sentencing submissions.

The client was sentenced to a suspended imprisonment order.

If the matter was not referred to RAS it would have taken at least four weeks for the process of writing to the prosecution and having the negotiations resolved, mostly likely eight weeks. Having RAS resources directed to assist this person as a priority saved significant time on remand.

Reducing Avoidable Remand

The Remand Advocacy Service (RAS) is a team of duty lawyers who focus on rapidly progressing bail applications for clients in the Perth Magistrates Court. Where appropriate, they also assist clients remanded in custody to resolve their matters as quickly as possible, particularly where that client is not facing a sentence of immediate imprisonment.

Licences for regional people

Not having a driver's licence represents a serious imposition to people living in remote communities, where access to public amenities and employment opportunities is dependent on having a car due to the lack of public transport options.

Legal Aid WA has been working in the East Kimberley to help clients restore their driver's licences and secure extraordinary licences.

This not only allows these clients to find and stay in jobs but reduces the number of people going to jail for driving without a licence.



The people we help:

In 2008 a client was charged for refusing a breath test on the outskirts of Halls Creek. At the time he was given a lifetime disqualification from driving.

It was his fourth offence in 24 years. Two Justices of the Peace fined him \$2,000 and permanently disqualified him from holding a driver's licence.

As a result, for nearly 14 years, the client walked up to 5km each way every day to get to his job as a youth worker in Halls Creek.

When he attended our Kununurra office this year for advice, he expressed the many setbacks in life he had suffered due to not having a license. Our team formed a view he shouldn't have had a lifetime disqualification.

Our team assisted him to appeal to the Supreme Court against the original decision. The State argued that, after 14 years, the man was time-barred from appealing the Magistrates Court decision.

However a Legal Aid WA lawyer took on the case and made headlines after she was able to persuade the Supreme Court to allow the appeal.

She pointed out the extreme disadvantage faced by our client and the power imbalance between him and the State.

Legal Aid WA was successful in having the client disqualification overturned and he was free to apply for a driver's licence once again.

Legal Aid WA levelled the playing field for the client who was in a vulnerable position.

He told us he was now excited for his prospects.

Private Lawyers Delivering Legal Aid

In addition to Legal Aid WA's team of duty lawyers and other internal staff, private lawyers delivering legal aid are a crucial part of meeting demand from clients in custody. One of our new focuses is encouraging and supporting quality private lawyers to stay in the fold through access to resources, increased funding, free training and greater recognition.

Law Hub launched for private practitioners

For a long time, our internal practitioner resources have only been available to our staff and community legal assistance workers. In February, we launched Law Hub, a new online portal also accessible by private lawyers on Legal Aid WA panels. It features a rich suite of internal resources including legal alerts, legal news, the Family Law Handbook, the Duty Lawyer Briefcase, information sheets, kits and manuals, as well as wellness resources. Providing access to these resources will help private lawyers do the best job they can when representing legal aid recipients.

Conceived by our Early Intervention Services and Lawyers Engagement Network divisions, the launch of Law Hub was also designed to be an incentive for private lawyers to join and remain on Legal Aid WA panels.

The new 'one-stop-shop' was launched by our Chairperson, the Hon Jane Crisford SC, at an event attended by 132 panel lawyers.

Hourly rate increase

In the 2021-22 budget, the State Government agreed to fund Legal Aid WA to index the hourly rate payable to these private lawyers.

This additional funding has prevented inflation eroding the value of the hourly rate, and our Lawyers Engagement Network Division was able to notify 471 private lawyers that this rate was being increased from \$140 per hour to \$147 per hour. The new grants of aid were applied from 1 January 2022 after Legal Aid WA staff members were able to modify more than 400 clauses to reflect the new rate.

We're still looking for a way to restore the hourly rate to the level of purchasing power it held in 2010, but achieving the first increase to indexation in 11 years will play an important role in achieving our objective of keeping quality private lawyers engaged in delivering legal aid.



Greater recognition for private lawyers

The Attorney General, the Hon John Quigley MLA, announced a new Legal Aid WA Award had been added to his Community Service Law Awards. This will be open to private lawyers on Legal Aid WA panels who have made an exceptional contribution helping disadvantaged people.

Designed to recognise those private lawyers who amaze us by delivering outstanding outcomes to people experiencing disadvantage, the winner will be selected from a short-list of nominees suggested by Legal Aid WA and the Law Society.

The introduction of this award is the result of several months of work from the staff in our Lawyers Engagement Network. They were responsible for securing the support of the Attorney General, the Department of Justice and the Law Society.

This public recognition acknowledges the contribution that private practitioners make to the 'Legal Aid WA family' and promotes a stronger community of interest among private lawyers who deliver legal aid.



1.3 Measuring our performance

Achievements against the Legal Aid WA Strategic Plan

Legal Aid WA achieved the objectives set out in our plan for the 2021-22 year.



Key Result Area 1: Excellence in service delivery

- ✓ Established a Defence and Veterans Legal Service
- ✓ Set up Elder Rights WA to combat elder abuse
- ✓ Increased family law property mediations by 126%
- ✓ Appointed a Coordinator for regions
- ✓ Increased elder abuse services by 60%
- ✓ Introduced new family violence outreach services to Broome, Kalgoorlie, Albany, and Bunbury
- ✓ Increased social support services by 14%
- ✓ Achieved an 81% approval in a client satisfaction survey of criminal law clients

Key Result Area 2: Client access

- ✓ Provided lawyers to clients on 109,000 occasions
- ✓ Increased Virtual Office services by 35%
- ✓ Tripled resources to our NDIS team
- ✓ Increased telephone Infoline services by 7%
- ✓ Appointed a Coordinator, First Nations Services
- ✓ Increased services to Aboriginal West Australians by 12%
- ✓ Increased services to older West Australians by 14%
- ✓ Launched a new Chatbot for afterhours help
- ✓ Increased website page views by 57%
- ✓ Increased services to women by 6%
- ✓ Increased services to young people by 10%

Key Result Area 3: Justice System Impact

- ✓ Increased grants of aid by 3%
- ✓ Established the Advice Before Court service to streamline Magistrates Court matters
- ✓ Increased services through the Family Violence (Cross-Examination of Parties) scheme by 132%
- ✓ Started legal services for the Family Violence Shuttle Conferencing initiative
- ✓ Increased family violence-related grants of aid by 5%
- ✓ Launched the Strength to Strength initiative to reduce Family Court wait times
- ✓ Increased duty lawyer services

Key Result Area 4: Organisational sustainability

- ✓ Achieved a 100% vaccinated workforce
- ✓ Approved an Employee Engagement Strategy
- ✓ Named in Parliament by the Auditor General as a 'Best Practice Entity' for financial controls
- ✓ Developed a new Strategic Plan
- ✓ Established an in-house counsel resource to support our regional offices
- ✓ Appointed a Wellness Project Manager
- ✓ Expanded the Legal Aid WA graduate program
- ✓ Won four Institute of Public Administration awards
- ✓ Increased the number of accredited mental health first aiders from three to 21

Key Result Area 5: Stakeholder partnerships

- ✓ Restructured to create a new Division focused on private lawyers
- ✓ Launched Law Hub to make Legal Aid WA resources available to private lawyers delivering legal aid
- ✓ Funded Peel Community Legal Services to provide an elder abuse lawyer in Mandurah
- ✓ Partnered with the Department of Justice and the legal assistance sector to develop a WA Legal Assistance Strategy

Achievements against the National Legal Assistance Partnership

The Australian Government's funding of Legal Aid WA is governed by the National Legal Assistance Partnership Agreement 2020-25 ('NLAP').

The NLAP sets out objectives and outcomes that Legal Aid Commissions will achieve by delivering outputs listed in the Agreement. The NLAP also includes performance indicators that measure a Legal Aid Commission's progress toward the objectives and outcomes.

The objective of the NLAP is a national legal assistance sector that is integrated, efficient and effective, and focused on improving access to justice for disadvantaged people. Another objective is to maximise service delivery within the available resources.

Selected NLAP performance indicators and benchmarks:

Proportion of representation services to people experiencing financial disadvantage
– 100% (exceeds benchmark of 95%)

A number of new services were provided under NLAP funding in 2021-2022:

- ✓ Increased legal assistance for vulnerable Women
- ✓ Supporting increased child sexual abuse prosecution
- ✓ Supporting people

Type of Service	21-22 Service counts
Information and referrals ^{1), 2)}	48,568
Legal advice	5,757
Representation	3,724
Duty lawyer services	2,106
Legal tasks	1,198
Community legal education activities ²⁾	73

1) Includes 12,595 referral services.

2) Exclude State services from 2021-22 to be consistent with other jurisdiction

Achievements against the State Government's Performance Management Framework set out in the budget statement

Legal Aid WA achieved most of the key effectiveness indicators in the budget papers:

- ✓ More than 86% of eligible applicants received a grant of legal aid Western Australia
- ✓ More than 20% of people at court were provided with a duty lawyer service
- ✓ More than 77% of people receiving an outcome from Infoline services

Key Performance Indicators	2021-22 Budget	2021-22 Actual
Percentage of eligible applicants who receive a grant of legal aid	86%	89%
Percentage of persons who are provided with a duty lawyer service	20%	21%
Percentage of people receiving an outcome from Infoline services	77%	78%

1.4 Our Organisation

Enabling Legislation

Legal Aid WA is a statutory authority established under the *Legal Aid Commission Act 1976 (WA)*.

Responsible Minister

The responsible Minister for Legal Aid WA is the Attorney General, the Hon John Quigley.

Administered Legislation

Legal Aid administers the *Legal Aid Commission Act 1976 (WA)*.

Organisation Structure

Legal Aid WA's function is to provide legal assistance in accordance with the *Legal Aid Commission Act 1976 (WA)* and to control and administer the Legal Aid Fund of Western Australia. Legal Aid ensures legal assistance is provided in the most effective, efficient, and economical manner throughout Western Australia.

Members of Legal Aid WA are appointed under the *Legal Aid Commission Act 1976 (WA)*. Legal Aid WA is chaired by the Hon Jane Crisford SC and its members include Dion Smith, Lanie Chopping, Steve Toutountzis, Elspeth Hensler, Curtis Ward and the Director of Legal Aid, Graham Hill. The Director of Legal Aid administers the scheme of legal assistance established by the *Legal Aid Commission Act 1976 (WA)*. The Director is supported by the Executive Management Team and the 400 staff employed by Legal Aid, who assist with the delivery of legal assistance to Western Australians.

Hon Jane Crisford SC, Chair

Jane Crisford is the first female Chair of the Legal Aid Commission of Western Australia. The Governor of Western Australia appointed Jane as Chair in July 2017.



Under Jane's leadership, Legal Aid envisions a future where all Western Australians benefit from the protection of the law regardless of poverty or disadvantage. She has focused on increasing Legal Aid's core services of representation, advice and information, whilst also enabling the launch of innovative new services through advanced technologies. Jane has established a strategic direction for Legal Aid that centres on making Western Australia a fairer, safer, and more inclusive community. Jane has extensive experience in civil, criminal, and family law, and comes to the Commission as a highly respected practitioner and former member of the judiciary.

Jane studied law at UWA and was admitted to practice in 1978. She worked at the then Crown Law Department and later at Parker & Parker, before becoming an establishing partner at Key & Crisford, which was one of the first all-female legal partnerships in WA. In 1984 she joined the Aboriginal Legal Service of WA as the solicitor-in-charge of its West Kimberley Office and was later solicitor-in-charge of the East Kimberly Office in Kununurra. She was counsel representing Aboriginal families in the Royal Commission into Aboriginal Deaths in Custody. In 1991 she joined Dwyer Durack where she became an accredited family law specialist and later a partner.

Jane joined the independent bar in 1998 and was appointed senior counsel in 2002. She was appointed President of the Equal Opportunity Commission in 2003 and served as a Judge of the Family Court of WA and Family Court of Australia from 2006, until her retirement in 2016. She has previously held a number of voluntary positions, including as a member of the Chief Justice's Indigenous Committee, Women Lawyers of WA, the Law Society of WA, Legal Practice Board, WA Bar Association and the Australian Association of Women Judges.

Dr Graham Hill
Member, Director and CEO of Legal Aid

Graham Hill started as CEO of the Legal Aid Commission of Western Australia in May 2018. Graham was the Chair of National Legal Aid from 2017-18. He served as CEO of Legal Aid Tasmania from 2014-18. Before that, Graham spent three years as Deputy Secretary, Courts, at the Department of Justice in Victoria. He was Director of the Legal Branch at the Victorian Department of Premier and Cabinet for 8 years. Graham worked for 14 years as a lawyer in private practice and was a partner in a Melbourne law firm. He also serviced as an Associate to a Federal Court Judge. Graham has a Bachelor of Economics and a Master of Laws from Monash University. He also has a specialist doctorate in law from the University of Melbourne.



Dion Smith, Member

Dion Smith holds a Bachelor of Economics from the University of Western Australia, and a Masters of Business Administration from the University of NSW/University of Sydney. With extensive experience in management and executive roles across business strategy, sales and marketing capacities, Dion is currently Head of Sales - Health Division for Australian Listed company the APM Group.

He has served as an Executive Director on the board of recruitment and professional services companies over many years, and is the current President of the Trinity College and CBC Perth Old Boys Association. Dion was a previous board member for the WA State Branch of Save the Children, and is this year serving on the judging panel of the Telstra Business Awards.

In November 2019, Dion was reappointed as a Commissioner for a further three years.

Dion is involved in many voluntary activities through the school and sporting communities.



Lanie Chopping, Member

Lanie is the Director General of the Department of Local Government, Sport and Cultural Industries. Prior to that she was the Commissioner for Consumer Protection and A/Executive Director, Consumer Protection (Department of Mines, Industry Regulation and Safety), undertaking a range of statutory roles and responsibilities.



A social worker by profession, Lanie first joined Consumer Protection in 2011. Lanie has also been head of the Priorities Implementation Unit at the Department of Premier and Cabinet in Western Australia, worked in a senior role at the Economic Regulation Authority, managed the social policy unit at the West Australian Council of Social Services, and worked in community legal centres including in the Pilbara region of Western Australia.

Lanie was the inaugural Convenor of the National Regulators Community of Practice Western Australian Chapter. She is a Leadership WA alumni from 2007 and graduate of the Australian Institute of Company Directors.

Elsbeth Hensler, Member

Elsbeth Hensler is a barrister at Francis Burt Chambers, practicing in commercial matters including banking, corporate, insolvency, revenue, mining, construction, and succession matters.



Elsbeth is a former Chair of the WA Legal Assistance Forum and former President of Australia Women Lawyers and Women Lawyers of WA. She was a member of the steering committee that produced the 20th Anniversary Review of the Chief Justice's 1994 Gender Bias Taskforce Report. She also authored the private residential tenancy and social housing residential tenancy sections of the Lawyer's Practice Manual WA.

In 2014 Elsbeth was presented with the Attorney General's Community Service Law Award and jointly presented with the WA Bar Association Distinguished Service Award. In 2015 she received Women Lawyers of WA's award for Women Lawyer of the Year.

Steve Toutountzis, Member

Steve has been in the State Public Service for over 30 years and a member of the Senior Executive Service for over 12 years. His most recent senior position was that of Director of Performance and Evaluation – Group 1, with the Strategic Policy and Evaluation Business Unit of the Department of Treasury. His responsibilities included analysis and strategic advice to government on budgetary and financial management issues impacting Health, Social Services and Transport Portfolios.

Other senior public service positions have included Chief Financial Officer of the former Department of Treasury and Finance and Director of Business Analysis Department of Health. Steve holds a Bachelor of Business from Edith Cowan University and is a Certified Practising Accountant. He is currently also a member of the North Metropolitan Health Service Board and chairs the Finance Committee.

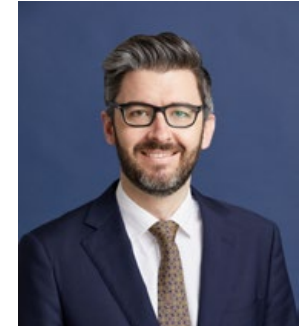


Curtis Ward, Member

Curtis (he/him) is a solicitor at Clairs Keeley Lawyers. He has worked predominately in the area of family law, with a particular focus on matters involving issues of family violence. Curtis has also practised in both criminal and commercial matters, including small business disputes and consumer protection. He has experience in a variety of different workplaces including private practice, the community legal sector and at Legal Aid WA.

Curtis currently sits as the President on the board of Pride Western Australia Inc, a peak LGBTIQ+ community organisation that provides supports to people of diverse gender and sexuality. He has been a member of the Pride WA Board since 2017.

Curtis was previously on the Young Lawyers Committee of the Law Society of Western Australia, sitting as the Social Justice and Human Rights Chair. Curtis is also a selected member of a City of Perth advisory group.



WITHIN LEGAL AID WA

While clients are at the heart of what we do, service delivery is underpinned by the staff, structures and procedures that dictate how we engage with employees, clients, and other organisations.

In November 2021, the Auditor General tabled a report in Parliament recognising Legal Aid WA as a best practice entity for timeliness, quality of financial reporting, and controls.

We also remained proactive in reviewing and reforming our internal systems and collaborating with, and providing training to, the broader legal sector in Western Australia.



Client Satisfaction Survey (Family Law) 2021-22

In 2021-22, the Legal Aid WA Client Survey was directed towards the Legal Aid WA family law client group. The survey results were similar to those of the family law surveys for previous years demonstrating that Legal Aid WA continues to perform well with an overall satisfaction level of 78%.

Community Legal Centres (CLCs) were also surveyed to provide information on their satisfaction with Legal Aid WA's Online and Print Publications, their usefulness and the frequency with which they are accessed. The survey showed that Legal Aid WA's online and print publications are widely used and achieved a very high 98% rate of satisfaction, a great reflection on the work of our Early Intervention Services Community Legal Education Team.

Quality Practice Standards (QPS)

Legal Aid WA gained Quality Practice Standards (QPS) certification again in 2021. There are currently only 44 law firms that hold QPS certification.

Legal Aid WA has maintained QPS certification for the past 25 years, making them one of only seven firms to have this achievement.

Review and reform

2022-2024 Strategic Plan

In January 2022, Legal Aid WA approved a new three-year strategic plan. This plan sets an exciting new direction for Legal Aid WA and represents a new chapter in providing improved access to justice. The plan builds on the hard work and successes of the last three years.

With the needs of the community being so complex, diverse, and multi-faceted, it is vital that Legal Aid WA plans to meet demand. Without a plan, agencies simply drift and react to the pressures of the day. This new strategic plan serves as a roadmap for the next three years. The needs of our clients are paramount, and this plan puts clients at the centre of everything that we do.

The strategic plan focuses on five key result areas;

- 1) excellence in service delivery;
- 2) client accessibility;
- 3) justice system impact;
- 4) organisational sustainability; and
- 5) stakeholder partnerships.

The plan identifies eight strategic priorities – things that we have to do well if we're to achieve in the five key result areas. The plan also sets out 45 actions that we will take over the next three years to advance those strategic priorities.

It is an ambitious plan. It has to be so, because demands are great and the challenges are substantial. It is a time for boldness, for there is much to do. We have every confidence in Legal Aid WA's ability to deliver on this strategic plan.



Criminal Duty Lawyer Hub Model responds to COVID-19

To prepare for the borders opening in early 2022, we created the duty lawyer hub model to reduce the impact of COVID-19 on our staffing and service delivery to the high volume of clients navigating the criminal justice system. On any given week, Legal Aid WA's criminal duty lawyers service over 60 court lists in the wider Perth metropolitan area and Mandurah. To maintain this level of service during the height of the pandemic, we split our team of lawyers into four hubs.

Each hub included two court locations and had a dedicated group of lawyers and administrative support staff allocated to service the hub. We arranged new methods of filing/storing our paperwork at court and organised a system for paperwork to be dropped off and collected from administrative staff. This model allowed us to reduce the amount of traffic in the Perth office and limited the cross-over of staff from one hub to another.

The Legal Aid WA hub model allowed us to provide consistent representation to our clients by having the same lawyers rotating through the same courts, which ultimately ensured that matters were dealt with efficiently and rapport was built with our clients, court staff and the judiciary. At a time of uncertainty, these relationships were important in ensuring that we could communicate issues to the court and arrange alternative ways of appearing for clients if needed, such as, audio linking to the court from home when our staffing levels were low.

Although our team did feel the impact of unprecedented staff shortages, the hub model allowed us to continue providing duty lawyer services to all courts and demonstrated an unwavering level of skill and dedication from our team of staff who not only balanced their own health and well-being, but also remained client focused and continued to deliver services at a stressful time.

The people we help:

“Recent developments regarding consistent attendance by a small group of Duty Lawyers (the ‘hub’ approach) has been of great benefit to the court process here in Armadale. We have seen a significant uplift in early clearance of matters as each lawyer has had the opportunity to provide submissions, to collate necessary sentencing materials and to provide consistent carriage of a matter which has increased confidence by an Accused in the excellent representation provided by the Duty Lawyer team here at Armadale. We have seen a positive impact on reductions in case numbers as clearance has been occurring more efficiently. The benefits of consistency cannot be overstated. We are confident that this aspect has had a significant beneficial role to play in the positive outcomes we are experiencing here. Our time to trial remains well within appropriate time frames even where our workload is significant. The Duty Lawyer team play a significant role in that regard by advancing their work efficiently, negotiating where appropriate and seeing matters finalised when it might be easier to allow a matter to ‘drift’. Those efforts have not been missed by Magistrate Malley and myself. We want to thank our Duty Lawyers for their hard work in this regard.”

His Honour, Magistrate Brian Mahon,
Armadale Magistrates Court

Chatbot 2.0

Our original Chatbot, built around decision trees, was increasingly popular despite its limitations. Recognising the need to improve this important service, we completely overhauled Chatbot to provide a more efficient, seamless service that now has the room to grow.

Launched on April 4, 2022 Chatbot 2.0 integrates seamlessly with our live chat service, making it easier for our staff to assist clients. The inclusion of a FAQ component has allowed staff to insert comprehensive information into a chat with the click of the mouse. For example, if a client asks where they can get legal advice about divorce, there is a FAQ that contains those referrals and their associated links that can be inserted straight into the chat, without requiring research by the operator. Any links and phone numbers are “clickable” within the chat to take a user straight to the referenced organisation or website page.

Our new chatbot provides a better after-hours service, assisting some users to find the information they are seeking without needing to speak with an agent.

In addition, Chatbot 2.0 also has a greater ability to capture user data and provides improved metrics and ability to collect meaningful client feedback. This will assist with continual improvement in service and efficiency and provide another conduit through

which clients can access our information and resources.

With new integrations and upgrades to Chatbot 2.0 continuing to come online, the service represents a significant step forward in reaching our community education goals and servicing more Western Australians.

Bunbury Regional Prison

Our South West Regional Office launched a new prison visiting service at the Bunbury Regional Prison. The prison had seen prisoner numbers expand by 35 per cent to 580 people spread across six units. Our lawyers offer appointments to advise prisoners on a range of issues, including criminal charges, appeals, parole, removal of driving licence disqualifications, extraordinary licence applications, family law, care and protection matters, and family violence restraining orders.

The first sessions were held in September, with our team focusing on pre-release prisoners who would benefit the most from resolving outstanding legal issues before re-integrating into the community. The Assistant Superintendent of the prison wrote to Legal Aid WA to pass along the positive feedback from prisoners who were grateful for the opportunity to meet with Legal Aid WA lawyers.

Complaints Handling





Research into complaints in the legal industry showed that each complaint a law firm receives actually represents about 130 people who are hearing bad things about the firm. To ensure we were handling complaints properly, we conducted a comprehensive audit of our complaints to see where we could improve. After implementing the recommendations from that process, we have been able to respond to complaints faster, manage complex matters more effectively, and improve our record keeping. As a result, the average time taken to respond to complaints fell from 27 days to just four.



Digital Transformation Program

The COVID-19 pandemic accelerated the transition to digital in all industries and the legal sector was no exception. To set Legal Aid WA up to thrive in the digital future, we created a Digital Transformation Program to guide us on this journey. At the end of this process, Legal Aid WA will have modern alternatives to outdated core systems, substantially faster turnaround times, better cyber security, and improved connectivity across offices to improve the way we work and how we help people.

About The Program

What we are doing	Why we are doing it	Value to our business
 Replacing LAW Office and Grants online	Core systems are end of life' and no longer supported	Enhance integrity and quality of client data in service delivery
 Sourcing a Legal Practice Management system	Improve management (record, search, share) of client information	Using technology to improve business processes and client services
 Business Process Improvements to optimise our way of working	Support staff mobility and transition to digital platforms	Improving client experience and service response times that impact the justice system
 Moving to Cloud Based Services to support a modern workplace	Support and promote cooperation and interoperability with other agencies and partners	Streaming grant and payment processes for panel practitioners

Key Upgrades



1 Efficient search

Search client information across core systems

2 Smart-forms

Web-based, flexible design, pre-filled/auto-populate

3 Workflows

Standardise, adapt, centrally manage and automate

4 Connectivity

Access remotely and on multiple devices

5 Portals

Self-service and access for panel practitioner's clients

6 Automation

Decisions, tasks, alerts, appointments, reminders

7 Multi-channel

E-mail, SMS, letters, push notification templates

8 User friendly

Simple, intuitive screen designs with dashboards

We have already implemented two important initiatives to improve remote work conditions as part of this process: the Virtual Private Network, which allows staff to connect to the network from outside Legal Aid WA offices; and the Soft Phone app, which allows staff to use their office phone number outside our offices.

COLLABORATION AND TRAINING

Regional Graduate Program Expansion

Our regional graduate program provides junior practitioners with an opportunity to fast track their careers, receive comprehensive training and be supported to interact directly with clients, and engage in advocacy and litigation across a range of areas. Graduates spend six months undergoing intensive training in criminal, family and civil law practices at our Perth office before taking up placements in our regional offices. This year we expanded our program from four to nine positions, with graduates completing placements in our Broome, Kununurra, Geraldton, Kalgoorlie and Albany offices, as well as our Perth based Criminal Law, Family Law, Civil Law and Early Intervention Services Divisions. Graduates leave the two-year program with a wealth of experience and opportunities for the next step in their career. Many recent graduates have accepted positions within Legal Aid WA after the program's conclusion.

Crim and Fam Law Intensives

Our criminal, family and civil law intensive courses continued to grow in popularity this year, buoyed by digital technologies that allowed them to reach more regional practitioners. The training is a formal part of our graduate program, but we offer it to other internal staff and junior practitioners working in the legal assistance sector. This is offered free of charge as part of our leadership role in the sector. This sort of training ensures our junior lawyers are upskilled across different areas and clients receive a more holistic service. It also builds the capacity of practitioners across the broader sector. Our training raises the standard of services provided across Western Australia to improve the efficiency of courts, victim safety and outcomes for children.

This year's intensives were attended by more than 70 legal assistance workers from Ruah, Street Law, Youth Legal Service, Aboriginal Family Legal Service, Pilbara Community Legal Service, Regional Alliance West, Circle Green, Kimberley Community Legal Services, Marninwarntikura Women's Resource Centre Fitzroy Crossing, Aboriginal Legal Service, Gosnells Community Legal Service, Wheatbelt Community Legal Service, Fremantle Community Legal Service, Midlas and within Legal Aid WA.



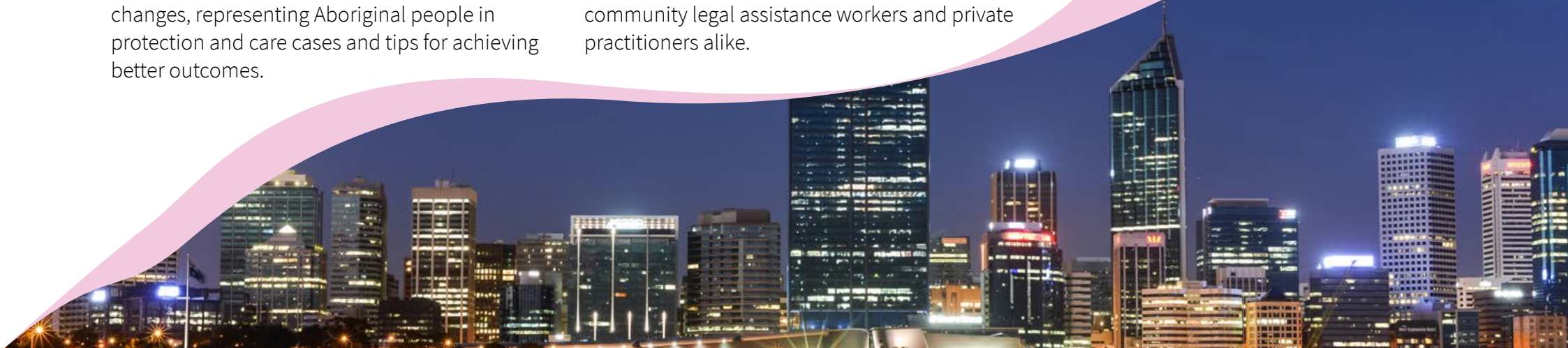


Protection and Care Training

We delivered a range of training sessions in this specialist area of practice over the period to ensure more practitioners in the legal assistance and private care sectors take on this important work. The area is introduced to junior practitioners as part of our Family Law Intensive, but further protection and care training for more experienced practitioners was offered in January and May. These sessions covered the context for protection and care representation, recent legislative and practice changes, representing Aboriginal people in protection and care cases and tips for achieving better outcomes.

Summer Series

Our annual Summer Series - Continuing Professional Development (CPD) event was held completely online this year in response to the spread of COVID-19 within Western Australia. In addition to protecting participants, it opened the training up to paralegals and regional staff, resulting in 611 attendees taking part across the duration of the event. The lineup of presenters included seven Legal Aid WA staff members covering legal and social support. The content and delivery of the new format was praised by community legal assistance workers and private practitioners alike.



Self-Care



LGBTIQA+ resources for practitioners

In 21-22, Legal Aid WA partnered with the Youth Pride Network to develop resources to empower LGBTIQA+ young people with information about their legal rights, covering international human rights, discrimination and changing gender.

These resources won the 2021 Institute of Public Administration Australia (IPAA) Award for Best Practice in LGBTIQA+ Inclusion.

In 2021-22, we identified a need for greater training for practitioners and legal assistance workers in relation to working inclusively with LGBTIQA+ clients. We invited the Youth Pride Network co-founder to share his knowledge and experience as an LGBTIQA+ researcher, sexuality educator and youth worker with our staff. Legal Aid WA hosted a series of training sessions in the month of June 2022. Our colleagues and partners working in the legal assistance sector and our valued panel practitioners were also invited in recognition of the fact we are

providing services to a shared client base.

We ran three in-person workshops and one online session. We developed an online training module and we have made it available, free of charge, to all legal assistance workers and panel practitioners through Legal Aid WA's Train n Track online learning system.

As part of our next step we will develop a range of practitioner resources, which we hope to complete in 2022-23.

Train N Track

To support the legal profession, Legal Aid WA provides accredited training to private practitioners, legal assistance workers and Legal Aid WA staff through in-person events and online learning modules delivered by our learning management system Train N Track (TNT). TNT now has 1,640 registered active users (up 13 per cent) including 1,330 lawyers, and has 138 online modules available. This year we awarded 6,348 Continuing Professional Development (CPD) points to Western Australian lawyers who participated in our training.

Wills Clinics in the West Kimberley

Many Aboriginal people die without wills in Western Australia and the common law system fails to recognise Aboriginal kinship, burial and cultural wishes.

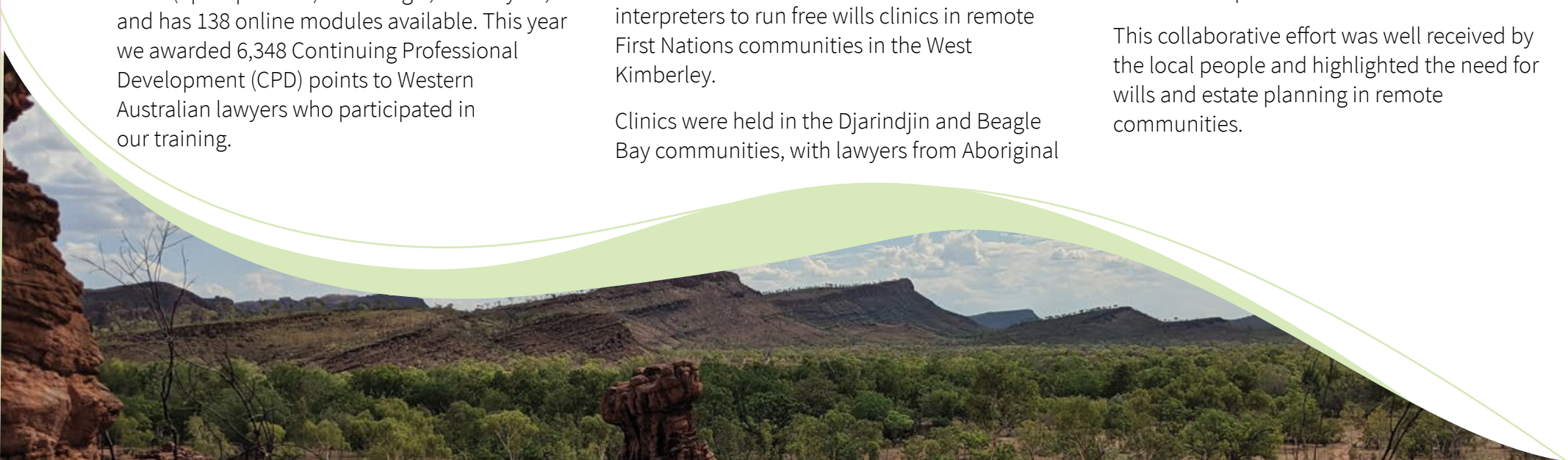
To help address this issue, our Civil Law Division joined a team of financial counsellors and interpreters to run free wills clinics in remote First Nations communities in the West Kimberley.

Clinics were held in the Djarindjin and Beagle Bay communities, with lawyers from Aboriginal

Family Law Service, Jackson McDonald, HHG Legal Group and Legal Aid WA preparing wills, enduring powers of attorney and enduring powers of guardianship.

They were accompanied by Broome CIRCLE and Aboriginal Interpreting Service staff, who provided wrap-around financial counselling and consumer rights support for issues identified as part of the clinic.

This collaborative effort was well received by the local people and highlighted the need for wills and estate planning in remote communities.





Family Law Pathways Network Conference

Direct client service delivery is only one way we can support First Nations people in Western Australia. Another is having our experienced practitioners to share their knowledge with the broader legal community through participation in industry events to build understanding of First Nations issues, which Legal Aid WA solicitors did at the Family Pathways Network Conference in May.

Organised around the theme of ‘Truth, Justice, Listening, Healing’, the conference aimed to explain the trauma of First Nations people and how to work with them to improve just outcomes in child protection and Family Court matters.

Legal Aid WA’s representatives participated in a roundtable discussion about issues affecting First Nations people, a presentation on the Five Dimensions of Reconciliation, and a panel on the ethical challenges of working with remote First Nations clients.

The bravery and passion about moving forward to achieve better outcomes for First Nations people displayed by our First Nations staff resulted in a Nyoongar elder inviting Legal Aid WA to have a stall at the main NAIDOC celebration in Perth in July 2022. This represents a significant step forward in our efforts to build connections and validates our growing reputation as a culturally safe service.

Aboriginal Family Legal Service Annual Conference

In October, several of our lawyers presented at the Aboriginal Family Legal Service (AFLS) Annual Conference.

The AFLS asked us to provide training on a range of areas, and we were happy to oblige. Training was provided on Family Violence Restraining Orders, the Protection and Care jurisdiction, the role of the Child Representative in protection and care proceedings and role of the Independent Children's Lawyer in family law proceedings.

A lawyer from our Family Advocacy and Support Service also presented training on recovery orders and injunctions to prevent people from removing children from the jurisdiction.

Aboriginal Justice Program Open Days

Run by the Department of Justice, Aboriginal Justice Program (AJP) open days are a 'one-stop shop' where First Nations people can get easy access to a range of services to assist with identification, fines, driver's licences, and Centrelink issues.

Legal Aid WA attends to provide legal information, referrals and limited advice, and can also often assist with witnessing documents.

This year we attended AJP days in Armadale, Ellenbrook, Lathlain, Balga, Rockingham, Midland, Fremantle, Bassendean, Beagle Bay, Northam, Narrogin, Kojanup, Pingelly, Kalumburu and more in the regions.

Keeping Our Staff Well

Wellness Project Manager

The Wellness Project Manager at Legal Aid WA has a background in child and family counselling, family and domestic violence therapeutic and behaviour change group facilitation and community justice. Her experience and value in client facing roles aligns with the Wellness Strategy in supporting the mental health and wellbeing of our staff to enable everyone to continue doing the work they value for our clients.

The Wellness Project Manager Role was made permanent with the endorsement of the 2023-2024 financial year Budget Justification. This decision will enable the ongoing work to promote and support mental health and wellbeing, as well as the continued work in addressing the psychological risks in the workplace.



Wellness Program

At Legal Aid WA, we are committed to being proactive and implementing early intervention strategies to prioritise mental health and wellbeing to prevent and mitigate psychological risks to our staff.

Our Wellness Strategy, has five key goals:

- Create a culture that supports wellbeing and combats mental health stigma
- Improve understanding about mental health and wellbeing
- Address psychological risks in the workplace
- Promote positive mental health and wellbeing
- Support employees experiencing mental health conditions

Many wellness initiatives to support staff wellbeing and meet the actions identified within the goals of the Strategy have been implemented and continue to be reviewed to ensure success.

The Wellness Mentor program has recently completed refresher training and introduced new staff as Wellness Mentors to increase staff accessibility to mental health and wellbeing support.

To make sure our staff are properly supported on a personal level, we launched a new Health, Safety and Wellbeing (HSW) Circuit page packed with information and resources to facilitate the implementation of HSW initiatives. Resources and topics include a wellness calendar, brain health, self-care and dealing with stress, an external wellbeing contact list and a list of all Wellness Mentors and Mental Health First Aiders. Of particular importance to addressing the barriers for staff accessing support is the implementation of the onsite EAP service. Every second Tuesday we have a senior psychologist attend from our EAP provider PeopleSense, for staff to attend walk in appointments, online or phone appointments.

This is supplemented by a confidential feedback form for staff to comment on wellbeing



issues that our Professional Wellbeing Committee will consider. We have extended these internal wellbeing resources to the community legal sector and private practitioners on Legal Aid WA panels.

Providing opportunities for staff to attend training or lunch and learn experiences has been a priority for the Wellness team over the last financial year. The aim was to enhance and improve staff understanding of mental health and provide strategies to support individual wellbeing. We have seen presentations about the importance of sleep, breath work and meditation workshops, resilience training, and Managing for Team Wellbeing training by Black Dog Institute.

We have also introduced Wellness inductions to inform new staff members about the support available at Legal Aid WA, where to find the information such as EAP details and often we include a presentation/training on a topic identified as being suitable given the role they are in.

In 2021, we commissioned a benchmarking study on the level of engagement and workplace culture at Legal Aid WA. Although we were in a strong and healthy position, we hosted a workshop with our top managers to see how we could improve our scores. Access to training; progression; the standard of management; health and wellbeing; communication and fixed-term contracts were identified. The result of this process was the introduction of an Employee Engagement Strategy to help achieve our goal of being an organisation with the highest levels of staff engagement and culture.

Wellness values the mental health and wellbeing of our staff and will continue to identify ways to support and improve psychological wellbeing and resilience at Legal Aid WA.



Wellness during COVID-19 times

In addition to mental health and wellbeing support, we put in place strong measures to protect our employees from the physical threat of COVID-19. We took a Vaccination Plus approach, which consisted of achieving 100 per cent vaccination rates plus masks, handwashing, physical distancing, reduced staff numbers on floors, and PPE. These measures were successful in limiting the spread of COVID-19 in the workplace and we were able to maintain service delivery throughout the peak of the Omicron wave.



STAFF SPOTLIGHT

Our staff are driven by a desire to make a difference in the lives of our clients, rather than to pursue individual accolades or achievements. But when that selfless desire leads to individual honours, it's important to celebrate the outstanding work that led to that recognition.



Robin Cohen appointed Senior Counsel and Acting Magistrate

In October 2021, our Family Law Division senior solicitor Robin Cohen was appointed as a Senior Counsel by Chief Justice Quinlan, of the Supreme Court of Western Australia. Awarded to barristers who have demonstrated outstanding skill as advocates and advisers in the administration of justice, Robin has earned this appointment through her exemplary work representing children in family law and child protection matters. Robin was further recognised in January 2022 when she was seconded to the role of Acting Magistrate of the Family Court of Western Australia for 12 months by the Hon John Quigley MLA, Attorney General of Western Australia. During Robin's prior service in this position in 2017-18, she became the first magistrate to convene culturally sensitive court hearings.



Julie Jackson appointed to Family Law Council

In December 2021, our Early Intervention Services Division director Julie Jackson was appointed to the Family Law Council by the Attorney-General (Commonwealth), acknowledging her contribution to law reform and policy development in family law, family violence and child protection. The Family Law Council advises and makes recommendations to the Attorney-General (Commonwealth) about family law matters including the workings of the *Family Law Act* and other legislation relating to family law and the working of legal aid in relation to family law.



**Kyle Martin seconded to be Registrar,
Perth Children's Court**

In August 2021, Kyle Martin of the Family Law Practice was seconded to be the first legally trained Registrar of the Children's Court. Kyle commenced working for Legal Aid WA in 2008 as part of our Country Lawyers Program, which saw him based in the Kimberley and Geraldton. Kyle then moved to Perth to work as a duty lawyer based at Legal Aid WA's Children's Court (Protection) Services. Kyle is an experienced Independent Children's Lawyer and Separate Representative that has a passion for assisting clients through their protection and care journey.

Successful trademark application

When we discovered that a private company in Perth was using the term 'legal aid' as part of its business, it was imperative to prevent any confusion for our clients and preserve the Legal Aid WA brand and reputation. Senior lawyers prepared a comprehensive application to the Commonwealth agency overseeing intellectual property to trademark the term. Despite the difficulty in trademarking common expressions like 'legal aid', we were successful in having Legal Aid WA's name and logo registered as a trademark.



**Joanne Brinkley appointed Registrar
of the Family Court WA**

In May 2022, the Attorney General (WA) announced that our family lawyer Joanne (Jo) Brinkley had been appointed as a Registrar of the Family Court of Western Australia. This appointment recognises the high standing and deep respect that Jo commands in the profession for delivering thousands of better outcomes for Western Australian children since joining Legal Aid WA as a graduate in 2011.

This is a further acknowledgement of the strength of our Family Law Division, which has seen multiple staff members appointed to courts' roles in recent years.



**Kaia Gooding named
IPAA Young Leader of the Year**

Our Duty Lawyer Team leader Kaia Gooding won the Public Sector Commission Award for Young Leader of the Year at the Institute of Public Administration Australia WA Achievement Awards 2021. Kaia earned this award for her leadership during the rapid transition to remote service delivery to achieve continuity of services, the creation of a Centralised Duty Lawyer Scheme and the successful piloting, reporting and continuing delivery of a program providing trial services in the Magistrates Court. Beyond any specific initiative, Kaia's passion for social justice and empathy has seen her build a positive work culture within her team where staff wellbeing and safety is central.

Organisational chart

Legal Aid WA

Director Branch

- ▶ Directorate
- ▶ Special Projects and Innovation
- ▶ Digital Transformation Project

Business Services Division

- ▶ Perth Office
- ▶ Business Service Management
- ▶ Finance
- ▶ Human Resources
- ▶ Information and Records Services
- ▶ Information and Communication Technology
- ▶ West Kimberley Office
- ▶ Work, Health and Safety
- ▶ Procurement
- ▶ Property

Early Intervention Services Division

- ▶ Infoline
- ▶ Infochat and Chatbot
- ▶ Virtual Office
- ▶ Intake and Advice
- ▶ Community Legal Education and Training
- ▶ Resources including website, social media and publications
- ▶ Graduate Program
- ▶ Mid-west and Gascoyne regional offices

Lawyers Engagement Network

- ▶ Audit and Compliance
- ▶ Grants and Assessing
- ▶ Private Practitioner Engagement
- ▶ East Kimberley Office



Criminal Law Division

- ▶ Criminal Law Practice
- ▶ Duty lawyer Service
- ▶ Remand Advocacy Service
- ▶ Bail Support Service
- ▶ Youth Law
- ▶ Appeals
- ▶ Central Wheatbelt Outreach
- ▶ Goldfields regional office
- ▶ East Kimberley regional office
- ▶ Advice Before Court
- ▶ Prison Visiting Service
- ▶ First Nations Services
- ▶ Disability Legal WA

Family Law Division

- ▶ Family Law Practice
- ▶ Independent Children's Lawyers and Child Representatives
- ▶ Family Court Services
- ▶ Family Advocacy and Support Service
- ▶ Domestic Violence Legal Unit
- ▶ Children's Court Protective Services
- ▶ Dispute Resolution conferences
- ▶ Great Southern regional office
- ▶ Stronger Women
- ▶ Strength to Strength

Civil Law Division

- ▶ Civil Law Practice
- ▶ Mortgage Hardship Service
- ▶ Seniors Rights and Advocacy Service
- ▶ Work and Development Permit Service
- ▶ National Disability Insurance Scheme (NDIS) Appeals
- ▶ Your Story – Disability Legal Support Service
- ▶ Defence and Veterans Legal Service
- ▶ Social Inclusion Program
- ▶ Administrative Appeals Tribunal Service
- ▶ Natural Disasters Legal Response
- ▶ Federal Courts Self-represented Litigants Service
- ▶ Civil Litigation Assistance Scheme
- ▶ Indian Ocean Territories regional office
- ▶ Pilbara regional office

1.5 Performance Management Framework

Legal Aid supports the State Government goal of “Strong Communities: Safe communities and supported families” through a targeted outcome of equitable access to legal service and information, that is delivered through the Legal Aid Assistance service. The corresponding key effectiveness indicators measure how the service contributes to achieving the outcome. The key efficiency indicators measure the resources required to deliver the service.

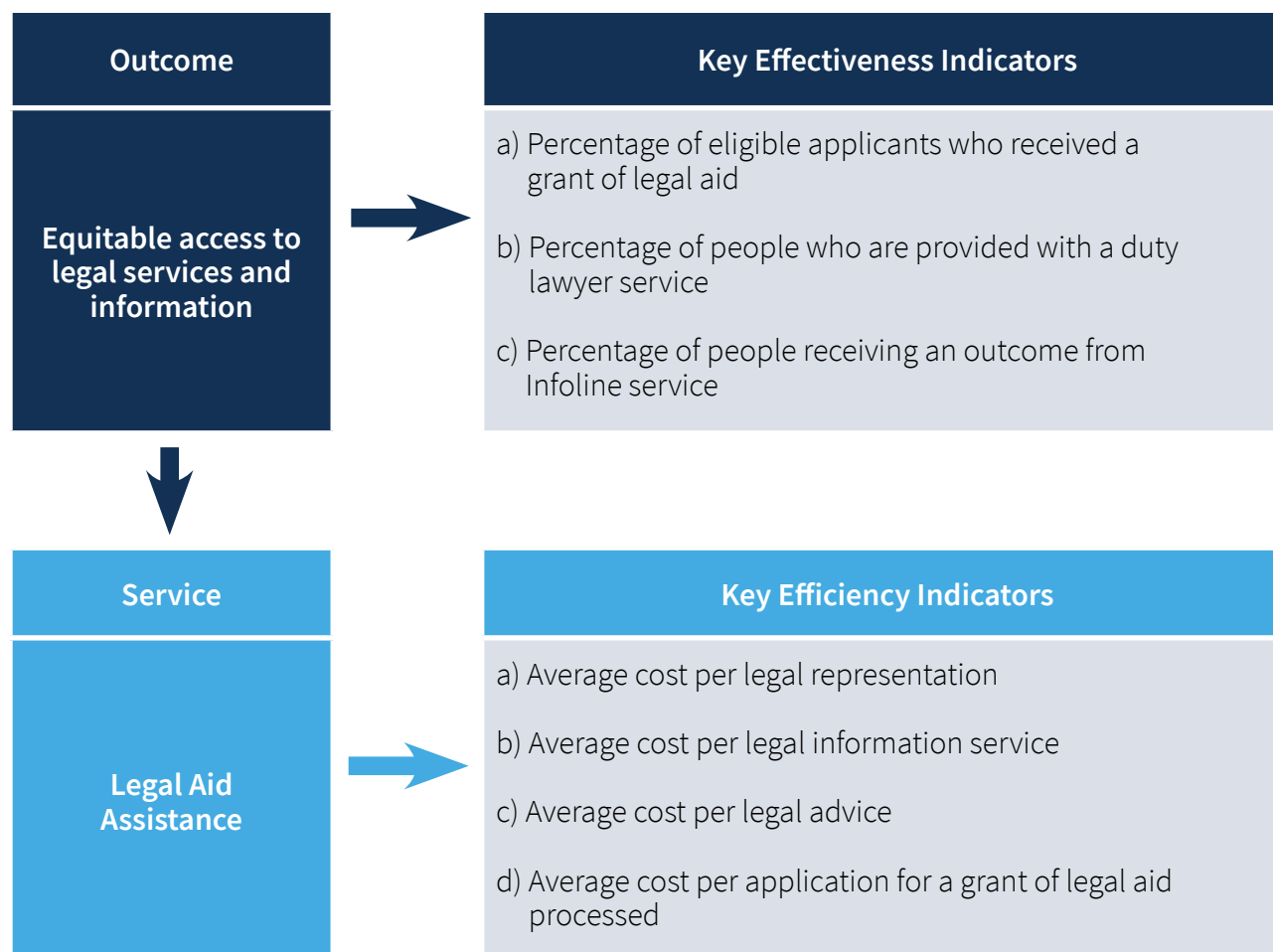
Government Goal

Strong Communities: Safe communities and supported families.

Agency Level Government Desired Outcome

Equitable access to legal services and information.

Outcome Based Management Framework



Changes to Outcome Based Management Framework

The Legal Aid Commission's outcome based management framework did not change during 2021-22.

Shared responsibilities with other agencies

The Legal Aid Commission did not share any responsibilities with other agencies in 2021-22.

For the community		For target groups		
Information and advice	Duty lawyer services	Legal advice and legal tasks	Legal representation	Community education services
To assist members of the public to identify legal problems, understand the alternatives for resolution and the resources available to them in pursuing a legal solution. Includes referral to other agencies and is delivered through public counters in all offices and by 1300 INFOLINE.	To ensure that members of the public brought before the courts have access to legal advice so that they understand the options available for responding to legal proceedings in which they are involved. Available at all Magistrate court sittings throughout WA, the Family court of WA and the Children's Court.	To assist people facing legal issues with advice and practical help, including advocacy, drafting of negotiating letters and the preparation of court documentation. Delivered by lawyers and at all office locations, and by paralegal staff under supervision of Solicitors.	To ensure persons from priority groups are legally represented to the extent that is necessary and commensurate with their particular individual need. Includes assessment and case management for persons who are refused assistance. Includes all services provided pursuant to a grant of aid, including Alternative Dispute Resolution (ADR).	To ensure priority groups in the community and partner organisations have access to relevant publications, self-help kits, community legal education and knowledge resources sufficient to build their capacity and self-reliance in navigating the justice system. Includes electronic access to some legal aid systems and resources, by partner agencies.

2. Agency Performance

2.1 Financial Targets

2.2 Summary of KPI Indicators



2.1 Financial Targets

Actual Results versus Budget Targets

Legal Aid WA's performance against financial targets set for 2021-22 financial year is outlined in the table below. Further details are provided in the Financial Statements in section 4.

	2021-22 Estimates ⁽¹⁾ \$000	2021-22 Actual \$000	Variation ⁽²⁾ \$000
Total cost of services (expense limit) (sourced from Statement of Comprehensive Income)	87,979	96,918	8,939 ^(a)
Net cost of services (sourced from Statement of Comprehensive Income)	55,168	54,047	(1,121) ^(b)
Total equity (sourced from Statement of Financial Position)	14,552	20,571	6,019 ^(c)
Net increase/(decrease) in cash held (sourced from Statement of Cash Flows)	(1,809)	9,245	11,054 ^(d)
Approved salary expense level	45,696	41,851	(3,845) ^(e)

1. As published on the Commission website, as not available when 2020-21 Annual Report was compiled.
2. Further explanations are also contained in Note 9.1 'Explanatory statement' to the financial statements.

(a) The increase in total cost of services is largely due to higher than expected supplies and services expense (\$1.94 million) and legal service expenses (\$10.81 million). This is offset by lower than expected employee benefit expense (\$3.84 million).

Supplies and services are higher than estimates largely due to higher than budgeted consulting costs for the digital transformation program, the development of safety management plan, and the maintenance and licence costs for the content management system.

Legal service expenses are higher than the estimates largely due to higher than budgeted costs for State indictable criminal matters (\$4.03 million), State expensive cases (\$1.38 million), State family matters (\$1.38 million), Commonwealth expensive criminal cases (\$2.74 million) and other caseworks. Lower than expected employee benefit expense (\$3.84 million) is explained in note (e).

(b) The decreased net cost of services is largely due to higher than expected user charges and fees (\$1.57 million) and Commonwealth grants and contributions (\$8.56 million).

2.2 Summary of KPI Indicators

User charges and fees are higher than expected largely due to the increased cost recoveries associated with grants of aids. Commonwealth grants and contributions are higher than the estimates mainly due to additional funding from Commonwealth which includes expensive criminal cases (\$4.76 million), National Legal Assistance Partnership grants (\$2.32 million), and other funding (\$1.56 million).

- (c) Total equity is higher than the estimate mainly due to higher accumulated surplus (\$5.95 million) which is the result of savings in operating costs achieved, the unspent Commonwealth expensive criminal cases fund (\$2.02 million), and special program funding (\$1.5 million) remained unspent due to initial start-up preparation and COVID-19 interruptions. These unspent funds will be carried over into 2022-23 budget.
- (d) The net increase in cash and cash equivalents is higher than estimate due to higher than expected funding from both Commonwealth (\$8.56 million) and State government (\$4.76 million), offset by higher than estimated payments for legal services (\$6.07 million) and lower than expected purchase for non-current physical assets.
- (e) The approved salary expense level is lower than estimate due to staff vacancies for positions funded by various Commonwealth and State funding programs. The initial start-up preparations and COVID-19 interruptions has caused delay in recruitments for these positions.

During the 2021-22 financial year, the Legal Aid WA reported on 3 effectiveness and 4 efficiency indicators. The table below shows to what extent the performance targets were met, exceeded or not met.

Outcome: Equitable access to legal services and information

	2022 Target ⁽¹⁾	2022 Actual	Variation ⁽²⁾
Key Effectiveness Indicators:			
Percentage of eligible applicants who receive a grant of legal aid	86%	89%	3%
Percentage of people who are provided with a duty lawyer service	20%	21%	1%
Percentage of people receiving an outcome from Infoline services	77%	78%	1%

Service: Legal Aid Assistance

	2022 Target ⁽¹⁾	2022 Actual	Variation ⁽²⁾
Key Efficiency Indicators:			
Average cost per legal representation	\$3,632	\$4,420	(\$788) ^(a)
Average cost per legal information service	\$56	\$51	\$5
Average cost per legal advice	\$314	\$404	(\$90) ^(b)
Average cost per application for a grant of legal aid processed	\$426	\$478	(\$52) ^(c)

1. As specified in the budget statements for 2021-22.
2. Explanations for the variations between actual results and prior years are presented in Disclosures and Legal Compliance under the Performance Indicators for 2021-22.

(a) The 2021-22 actual result is higher than the 2021-22 target mainly due to the 5% increase of private practitioners' hourly rate from \$140 to \$147 which came into effect from the 1st January 2022 and extraordinary expensive criminal cases which were not included in the 2021-22 target setting.

(b) The 2021-22 actual result is higher than target due to the increased costs of duty lawyer, legal advice and legal task services. The increase in average cost per duty lawyer service is explained by the number of duty lawyers remaining the same level but the number of court appearances have been reducing due to the impact of COVID-19. The increase in average cost for legal advice and legal task in 2021-22 is also influenced by the increased training and supervision of new staff including junior solicitors and social workers due to rapid expansion as new programmes being funded and launched, leading to a numerous recruitment of external candidates.

The complexity of legal advice and legal task services resulting from the provision of service to elder abuse, NDIS appeal services and vulnerable women have increased the average cost in 2021-22. Many of new projects target on matters where the client is extremely vulnerable and cannot self-advocate. The traveling time, the introduction of eLodgement and additional administration duties due to lack of support have increased the average time in completing each service.

(c) The 2021-22 actual cost of processing an application is higher than target due to the higher cost allocation. The increase reflects the additional resource allocation from the specially funded programmes while the number of applications has been relatively stable. Also, the ongoing effects of COVID-19 continue to create delays and re-scheduling of trials and DR conferences which contributed to increased time in processing each application.

3. Disclosures and Legal Compliance

3.1 Financial Statements

3.2 Additional Key Performance Indicator Information

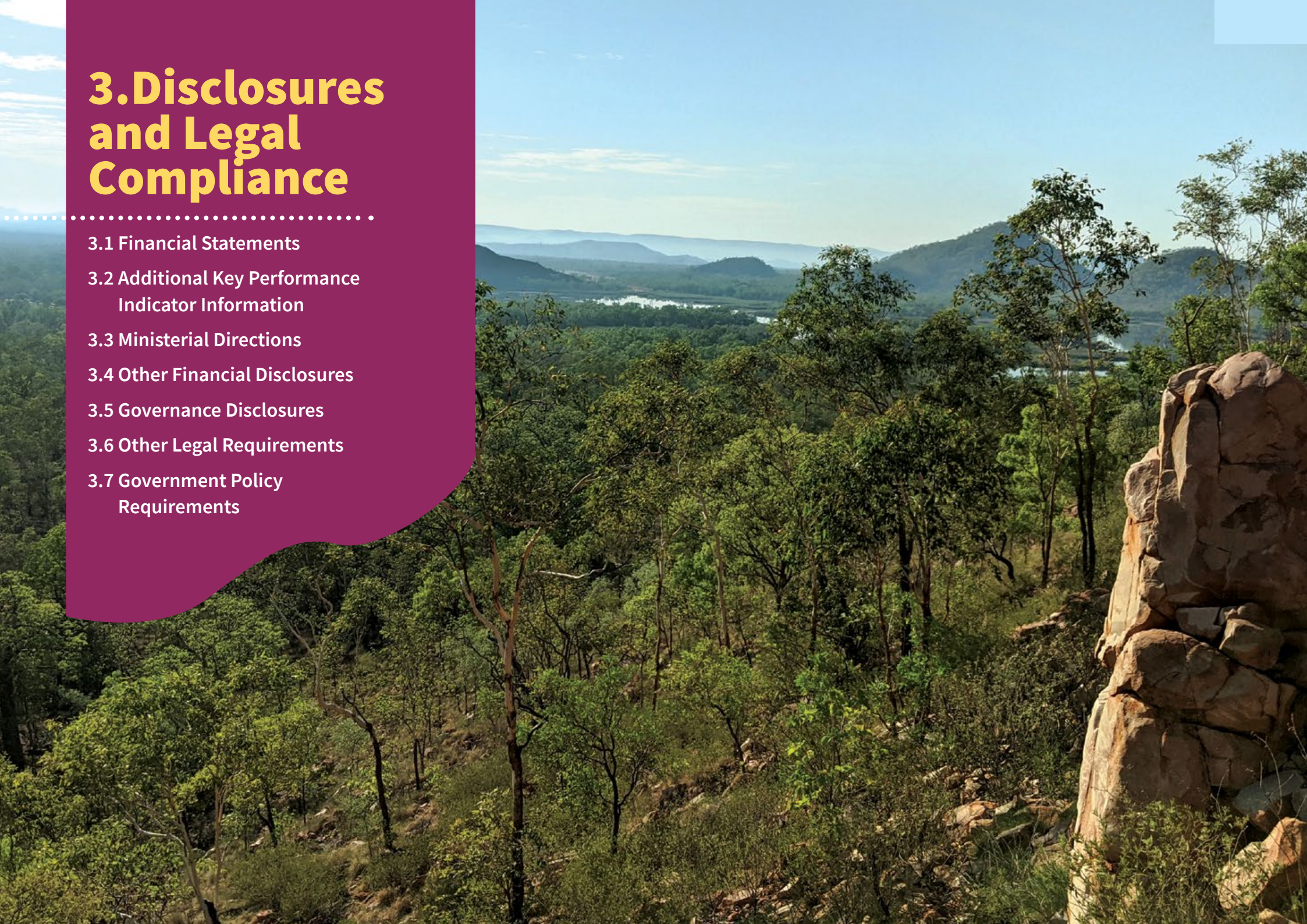
3.3 Ministerial Directions

3.4 Other Financial Disclosures

3.5 Governance Disclosures


3.6 Other Legal Requirements

3.7 Government Policy Requirements



3.1 Financial Statements

3.1.1 Independent Auditor's report



Auditor General

INDEPENDENT AUDITOR'S REPORT
2022
Legal Aid Commission of Western Australia

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

I have audited the financial statements of the Legal Aid Commission of Western Australia (Commission) which comprise:

- the Statement of Financial Position at 30 June 2022, and the Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year then ended
- Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial statements are:

- based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Legal Aid Commission of Western Australia for the year ended 30 June 2022 and the financial position at the end of that period
- in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006*, the Treasurer's Instructions, and Division 60 of the *Australian Charities and Not-for-profits Commission Act 2021 (ACNC Act)*, Australian Charities and Not-for-profits Commission Regulation 2013.

Basis for opinion

I conducted my audit in accordance with the Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of my report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of the Commission for the financial statements

The Commission is responsible for:

- keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the *Financial Management Act 2006* and the Treasurer's Instructions and the *ACNC Act*
- such internal control as it determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Page 1 of 5

7th Floor Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8489 Perth WA 6849 TEL: 08 6557 7500

In preparing the financial statements, the Commission is responsible for:

- assessing the entity's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the Western Australian Government has made policy or funding decisions affecting the continued existence of the Commission.

Auditor's responsibilities for the audit of the financial statements

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial statements. The objectives of my audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

Report on the audit of controls

Opinion

I have undertaken a reasonable assurance engagement on the design and implementation of controls exercised by the Legal Aid Commission of Western Australia. The controls exercised by the Commission are those policies and procedures established to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions (the overall control objectives).

In my opinion, in all material respects, the controls exercised by the Legal Aid Commission of Western Australia are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2022.

The Commission's responsibilities

The Commission is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities are in accordance with the *Financial Management Act 2006*, the Treasurer's Instructions and other relevant written law.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the suitability of the design of the controls to achieve the overall control objectives and the implementation of the controls as designed. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3150 *Assurance Engagements on Controls* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and were implemented as designed.

An assurance engagement involves performing procedures to obtain evidence about the suitability of the controls design to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including an assessment of the risks that controls are not suitably designed or implemented as designed. My procedures included testing the implementation of those controls that I consider necessary to achieve the overall control objectives.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Limitations of controls

Because of the inherent limitations of any internal control structure, it is possible that, even if the controls are suitably designed and implemented as designed, once in operation, the overall control objectives may not be achieved so that fraud, error or non-compliance with laws and regulations may occur and not be detected. Any projection of the outcome of the evaluation of the suitability of the design of controls to future periods is subject to the risk that the controls may become unsuitable because of changes in conditions.

Report on the audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Legal Aid Commission of Western Australia for the year ended 30 June 2022. The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators of the Legal Aid Commission of Western Australia are relevant and appropriate to assist users to assess the Commission's performance and fairly represent indicated performance for the year ended 30 June 2022.

The Commission's responsibilities for the key performance indicators

The Commission is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal control as the Commission determines necessary to enable the preparation of key performance indicators that are free from material misstatement, whether due to fraud or error.

In preparing the key performance indicators, the Commission is responsible for identifying key performance indicators that are relevant and appropriate, having regard to their purpose in accordance with Treasurer's Instruction 904 *Key Performance Indicators*.

Auditor General's responsibilities

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the key performance indicators. The objectives of my engagement are to obtain reasonable assurance about whether the key performance indicators are relevant and appropriate to assist users to assess the entity's performance and whether the key performance indicators are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements relating to assurance engagements.

An assurance engagement involves performing procedures to obtain evidence about the amounts and disclosures in the key performance indicators. It also involves evaluating the relevance and appropriateness of the key performance indicators against the criteria and guidance in Treasurer's Instruction 904 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

My independence and quality control relating to the report on financial statements, controls and key performance indicators

I have complied with the independence requirements of the *Auditor General Act 2006*, *ACNC Act* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements*, the Office of the Auditor General maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Other information

The Commission is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2022, but not the financial statements, key performance indicators and my auditor's report.

My opinions on the financial statements, controls and key performance indicators do not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, controls and key performance indicators, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements and key performance indicators, or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to those charged with governance and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements and key performance indicators of the Legal Aid Commission of Western Australia for the year ended 30 June 2022 included in the annual report on the Commission's website. The Commission's management is responsible for the integrity of the Commission's website. This audit does not provide assurance on the integrity of the Commission's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.



Patrick Arulsingham
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
5 September 2022

3.1.2 Certification of Financial Statements

For the year ended 30 June 2022

In the opinion of the Commissioners of the Legal Aid Commission of Western Australia (the Commission):

(a) The accompanying financial statements and notes have been prepared in compliance with the provisions of the *Financial Management Act 2006* and the *Australian Charities and Not-for-profits Commission Act 2012* from proper accounts and records to present fairly the financial transactions for the year ended 30 June 2022 and the financial position as at 30 June 2022.

(b) There are reasonable grounds to believe that the Commission is able to pay all of its debts, as and when they become due and payable.

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

Signed in accordance with subsection 60.15(2) of the *Australian Charities and Not-for-profit Commission Regulation 2013*.



Yuzhi Zhou
Acting Chief
Finance Officer
Date:31/8/22



Hon. Jane Crisford SC
Chair of the
Commission
Date:31/8/22



Graham Hill
Director of Legal Aid
Member of the
Commission
Date:31/8/22

3.1.3 Financial Reports for the Year ended 30 June 2022

The Agency has pleasure in presenting its audited general purpose financial statements for the financial reporting period ended 30 June 2022 which provides users with the information about the Agency's stewardship of resource entrusted to it. The financial information is presented in the following structure:



Statement of Comprehensive Income

For the year ended 30 June 2022

	Note	2022 \$	2021 \$
COST OF SERVICES			
Expenses			
Employee benefits expenses	2.1 (a)	41,850,871	38,501,159
Supplies and services	2.4	7,772,665	6,543,080
Depreciation and amortisation expense	4.1.1, 4.2.1, 4.3	6,046,549	6,266,916
Finance costs	6.2	2,476,576	2,238,777
Accommodation expenses	2.4	1,676,564	1,625,896
Legal services expenses	2.2	35,350,404	29,717,519
Grants and subsidies	2.3	-	16,475,637
Other expenses	2.4	1,744,515	1,819,084
Total cost of services		96,918,144	103,188,068
Income			
User charges and fees	3.2	3,904,661	3,888,572
Commonwealth grants and contributions	3.3	38,385,604	42,138,210
Interest income	3.4	339,355	287,960
Other income	3.5	241,366	211,306
Total income		42,870,986	46,526,048

	Note	2022 \$	2021 \$
Total income other than income from State Government		42,870,986	46,526,048
NET COST OF SERVICES		54,047,158	56,662,020
Income from State Government			
Income from other public sector entities	3.1	57,258,000	58,596,540
Resources received	3.1	89,119	2,926
Royalties for Regions Fund	3.1	102,564	104,974
Total income from State Government		57,449,683	58,704,440
SURPLUS FOR THE PERIOD		3,402,525	2,042,420
OTHER COMPREHENSIVE INCOME			
Items not reclassified subsequently to profit and loss			
Changes in asset revaluation surplus		68,708	378,369
Total other comprehensive income		68,708	378,369
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		3,471,233	2,420,789

The Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Statement of Financial Position

As at 30 June 2022

	Note	2022 \$	2021 \$
ASSETS			
Current Assets			
Cash and cash equivalents	6.3	28,656,048	25,724,914
Receivables	5.1	4,840,475	3,896,348
Other financial assets	6.3	27,000,000	21,000,000
Other current assets	5.2	1,507,582	978,495
Total Current Assets		62,004,105	51,599,757
Non-Current Assets			
Restricted cash and cash equivalents	6.3	1,054,244	740,155
Receivables	5.1	5,546,182	6,256,375
Property, plant and equipment	4.1	2,591,550	2,283,992
Intangible assets	4.2	489,111	635,408
Right of use assets	4.3	54,934,645	63,973,450
Total Non-Current Assets		64,615,732	73,889,380
TOTAL ASSETS		126,619,837	125,489,137
LIABILITIES			
Current Liabilities			
Payables and accruals	5.3	34,469,618	29,722,806
Lease liabilities	6.1	3,956,221	3,771,505
Employee related provisions	2.1 (b)	6,580,005	6,279,292

	Note	2022 \$	2021 \$
Contract liabilities	5.4	1,090,940	1,437,008
Total Current Liabilities		46,096,784	41,210,611
Non-Current Liabilities			
Lease liabilities	6.1	57,030,838	64,673,343
Employee related provisions	2.1 (b)	1,774,640	1,816,778
Contract liabilities	5.4	1,146,573	688,636
Total Non-Current Liabilities		59,952,051	67,178,757
TOTAL LIABILITIES		106,048,835	108,389,368
NET ASSETS		20,571,002	17,099,769
EQUITY			
Contributed equity		595,669	595,669
Reserves		588,125	519,417
Accumulated surplus		19,387,208	15,984,683
TOTAL EQUITY		20,571,002	17,099,769

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

Statement of Changes in Equity

For the year ended 30 June 2022

Notes	Contributed equity \$	Reserves \$	Accumulated surplus \$	Total equity \$
Balance at 1 July 2020	595,669	141,048	13,942,263	14,678,980
Surplus	-	-	2,042,420	2,042,420
Other comprehensive Income	-	378,369	-	378,369
Total comprehensive income for the period	-	378,369	2,042,420	2,420,789
Balance at 30 June 2021	595,669	519,417	15,984,683	17,099,769
Balance at 1 July 2021	595,669	519,417	15,984,683	17,099,769
Surplus	-	-	3,402,525	3,402,525
Other comprehensive Income	-	68,708	-	68,708
Total comprehensive income for the period	-	68,708	3,402,525	3,471,233
Balance at 30 June 2022	595,669	588,125	19,387,208	20,571,002

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

Statement of Cash Flows

For the year ended 30 June 2022

Note	2022 \$	2021 \$
CASH FLOWS FROM STATE GOVERNMENT		
Funds from other public sector entities	57,258,000	58,596,540
Royalties for Regions Fund	102,564	104,974
Net cash provided by State Government	57,360,564	58,701,514
Utilised as follows:		
CASH FLOWS FROM OPERATING ACTIVITIES		
Payments		
Employee benefits	(41,450,315)	(37,074,825)
Supplies and services	(8,431,332)	(6,518,376)
Accommodation	(1,676,190)	(1,604,206)
Legal services	(30,617,398)	(29,846,258)
Finance costs	(1,923,126)	(2,216,351)
GST payments on purchases	(4,960,459)	(6,266,312)
Other payments	(2,117,797)	(17,484,581)
Receipts		
User charges and fees	4,221,397	3,359,817
Commonwealth grants and contributions	38,385,604	42,138,210
Interest received	255,228	322,416

Note	2022 \$	2021 \$
GST receipts on sales	166,906	40,207
GST receipts from taxation authority	4,390,290	5,941,354
Other receipts	230,294	261,068
Net cash used in operating activities	(43,526,898)	(48,947,837)
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments		
Purchase of non-current assets	(690,611)	(1,086,909)
Net cash used in investing activities	(690,611)	(1,086,909)
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments		
Principal elements of lease payments	(3,897,832)	(3,633,558)
Net cash used in financing activities	(3,897,832)	(3,633,558)
Net increase in cash and cash equivalents	9,245,223	5,033,210
Cash and cash equivalents at the beginning of period	47,465,069	42,431,859
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD	56,710,292	47,465,069

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

Note 1. Basis of preparation

Legal Aid WA (the Commission) is a WA Government entity and is controlled by the State of Western Australia, which is the ultimate parent. The Commission is a not-for-profit entity (as profit is not its principal objective).

A description of the nature of its operations and its principal activities have been included in the 'Overview' which does not form part of these financial statements.

These annual financial statements were authorised for issue by the Commission on 31 August 2022.

Statement of compliance

These general purpose financial statements are prepared in accordance with:

- 1) *The Financial Management Act 2006 (FMA)*
- 2) *Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act)*
- 3) The Treasurer's Instructions (TIs)
- 4) Australian Accounting Standards (AASs) - Simplified Disclosures
- 5) Where appropriate, those AAS paragraphs applicable for not for profit entities have been applied.

The FMA and the TIs take precedence over AASs. Several AASs are modified by TIs to vary application, disclosure format and wording. Where modification is required and has had 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.

Basis of preparation

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case the different measurement basis is disclosed in the associated note. All values are rounded to the nearest dollar.

Judgements and estimates

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.

Accounting for Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of goods and services tax (GST), except that the:

- (a) amount of GST incurred by the Commission as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- (b) receivables and payables are stated with the amount of GST included. Cash flows are included in the Statement of cash flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

Contributed equity

AASB Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, 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 appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and have been credited directly to Contributed Equity.

Comparative information

Except when an AAS permits or requires otherwise, comparative information is presented in respect of the previous period for all amounts reported in the financial statements. AASB 1060 provides relief from presenting comparatives for:

- Property, Plant and Equipment reconciliations;
- Intangible Asset reconciliations; and
- Right-of-Use Asset reconciliations.

Note 2. Use of our funding

Expenses incurred in the delivery of services

This section provides additional information about how the Commission's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the Commission in achieving its objectives and the relevant notes are:

	Notes	2022	2021
		\$	\$
Employee benefits expenses	2.1 (a)	41,850,871	38,501,159
Employee related provisions	2.1 (b)	8,354,645	8,096,070
Legal service expenses	2.2	35,350,404	29,717,519
Grants and subsidies	2.3	-	16,475,637
Other expenditure	2.4	11,193,744	9,988,060

2.1 (a) Employee benefits expenses

	2022	2021
	\$	\$
Employee benefits	38,153,333	35,315,744
Termination benefits	61,807	-
Superannuation – defined contribution plans	3,635,731	3,185,415
Total employee benefits expenses	41,850,871	38,501,159
Add: AASB 16 Non-monetary benefits	433,811	330,797
Less: Employee Contributions	(191,091)	(191,231)
Net employee benefits	42,093,591	38,640,725

Employee Benefits: Include wages, salaries and social contributions, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits recognised under accounting standards other than Leases (AASB 16) (such as medical care, housing, cars and free or subsidised goods or services) for employees.

Termination benefits: Payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the Commission is demonstrably committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

Superannuation: The amount recognised in profit or loss of the Statement of Comprehensive Income comprises employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBs, or other superannuation funds.

AASB 16 Non-monetary benefits: Non-monetary employee benefits, that are employee benefits expenses, predominantly relate to the provision of vehicle and housing benefits are recognised under AASB 16 which are the interest and depreciation expense associated with the State Fleet and GROH. They are excluded from the employee benefits expense measured at the cost incurred by the Commission.

Employee Contributions: includes contributions made to the Commission by employees towards employee benefits that have been provided by the Commission. This contributions is recognised as other revenue associated with State Fleet and GROH. This includes both AASB-16 and non-AASB 16 employee contributions.

2.1 (b) Employee related provisions

	2022 \$	2021 \$
<u>Current</u>		
Employee benefits provision		
Annual leave	2,526,186	2,299,250
Long service leave	3,958,201	3,906,789
Deferred leave	36,418	16,369
	6,520,805	6,222,408
Other provisions		
Employment on-costs	59,200	56,884
	59,200	56,884
Total current employee related provisions	6,580,005	6,279,292
<u>Non-current</u>		
Employee benefits provision		
Long service leave	1,758,551	1,800,563
	1,758,551	1,800,563
Other provisions		
Employment on-costs	16,089	16,215
	16,089	16,215
Total non-current employee related provisions	1,774,640	1,816,778
Total employee related provisions	8,354,645	8,096,070

Provision is made for benefits accruing to employees in respect of annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

Annual leave liabilities: Classified as current as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

Long service leave liabilities: 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 end of the reporting period.

Pre-conditional and conditional long service leave provisions are classified as non-current liabilities because the Commission has an unconditional right to defer the settlement of the liability until the employee has completed the requisite years of service.

The provision for long service leave is calculated at present value as the Commission does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement, and discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

Deferred salary scheme liabilities are classified as current where there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period.

Employment on-costs: involve settlements of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments.

Employment on-costs, including workers' compensation insurance premiums, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenditure, Note 2.4' (apart from the unwinding of the discount (finance cost)) and are not included as part of the Commission's 'employee benefits expense'. The related liability is included in 'Employment on costs provision'.

	2022 \$	2021 \$
<u>Employment on-cost provision</u>		
<u>Current</u>		
Carrying amount at start of period	56,884	54,167
Additional provisions recognised	2,316	2,717
Payments/other sacrifices of economics benefits	-	-
Carrying amount at end of period	59,200	56,884
<u>Non-current</u>		
Carrying amount at start of period	16,215	9,108
Additional/(reversals of) provisions recognised	(126)	7,107
Payments/other sacrifices of economics benefits	-	-
Carrying amount at end of period	16,089	16,215

Key sources of estimation uncertainty – long service leave

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Several estimates and assumptions are used in calculating the Commission's long service leave provision, these include:

- Expected future salary rates;
- Discount rates;
- Employee retention rates; and

- Expected future payments.

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision. Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

2.2 Legal service expenses

	2022 \$	2021 \$
<u>Grant of aid expenses</u>		
Casework	35,037,841	29,561,051
	35,037,841	29,561,051
<u>Other service expenses</u>		
Legal advice	242,758	93,950
Duty lawyer	69,805	62,518
	312,563	156,468
Total legal service expenses	35,350,404	29,717,519

2.3 Grants and subsidies

	2022 \$	2021 \$
State CLC program	-	6,784,538
Commonwealth CLC program ^(a)	-	9,691,099
Total grants and subsidies	-	16,475,637

(a) From 1st July 2021, both State and Commonwealth CLC programs is administered directly by the Department of Justice.

2.4 Other expenditure

	2022 \$	2021 \$
Supplies and services		
Communications	672,997	628,113
Consumables	941,995	940,690
Consultants and contractors	1,542,608	966,369
Maintenance	1,481,853	1,309,841
Travel	529,587	408,746
Information technology	1,264,387	984,522
Practicing certificates and fees	266,945	221,021
Audit fees (external and internal audit) ^(a)	135,642	162,522
Insurance	310,743	241,628
Other supplies and services	625,908	679,628
Total supplies and services expenses	7,772,665	6,543,080
Accommodation expenses		
Rental expense	1,585,288	1,521,422
Other accommodation expenses	91,276	104,474
Total accommodation expenses	1,676,564	1,625,896
Other		
Bad debts written off	52,440	167,163
Expected credit losses expense	(144,224)	209,719
Employment on-costs	2,190	9,824
Staff training	145,831	118,649
Other staff related expenses	256,908	168,356

	2022 \$	2021 \$
Plant and equipment	1,047,704	898,846
Other expenses	383,666	246,527
Total other expenses	1,744,515	1,819,084
Total other expenditure	11,193,744	9,988,060

(a) Includes audit cost, see note 8.7 'Remuneration of auditor'.

Supplies and services expenses are recognised as an expense in the reporting period in which they are incurred. The carrying amounts of any materials held for distribution are expended when the materials are distributed.

Other accommodation expenses are recognised as expenses as incurred.

Other operating expenses generally represent the day-to-day running costs incurred in normal operations.

Building maintenance: Repairs and maintenance costs are recognised as expenses as incurred, except where they relate to the replacement of a significant component of an asset. In that case, the costs are capitalised and depreciated.

Expected credit losses is recognised for movement in allowance for impairment of trade receivables, measured at the lifetime expected credit losses at each reporting date. The Commission has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment.

Software modification costs are recognised as expenses as incurred.

Employee on-cost includes workers' compensation insurance and other employment on-costs. The on costs liability associated with the recognition of annual and long service leave liabilities is included at Note 2.1(b) Employee related provisions. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

Note 3. Our funding sources

How we obtain our funding

This section provides additional information about how the Commission obtains its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the Commission and the relevant notes are:

	Notes	2022 \$	2021 \$
Income from State Government	3.1	57,449,683	58,704,440
User charges and fees	3.2	3,904,661	3,888,572
Commonwealth grants and contributions	3.3	38,385,604	42,138,210
Interest income	3.4	339,355	287,960
Other income	3.5	241,366	211,306

3.1 Income from State Government

	2022 \$	2021 \$
Income received from other public sector entities during the period:		
Legal Aid Assistance Grant ^(a)	57,258,000	57,202,000
Other State Community Legal Centre funding	-	1,394,540
Total grant and subsidies	57,258,000	58,596,540
Resources received from other public sector entities during the period		
Service received free of charge ^(b)	89,119	2,926
Total resources received	89,119	2,926
Royalties for Regions Fund		
Royalties for Regions funding ^(c)	102,564	104,974
Total Royalties for Regions Fund	102,564	104,974
Total income from State Government	57,449,683	58,704,440

- (a) The Legal Aid Commission is an output of the Department of Justice (the Department) for the purposes of the State Budget, and receives State Government funding through the Department. The Legal Aid Assistance Grant is recognised as income at the fair value of consideration when the Commission receives the fund.
- (b) Resources received from other public sector entities are recognised as income (and assets or expenses) equivalent to the fair value of the assets, or the fair value of those services that can be reliably determined and which would have been purchased if not donated.
- (c) The sub-fund 'Regional Workers Incentives Allowance Payments' is within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas and are recognised as income when the Commission receives the funds.

3.2 User charges and fees

	2022 \$	2021 \$
Client contributions and fees on grants of aid ^(a)	1,083,618	1,624,504
Recovered costs on grants of aid ^(b)	2,686,916	2,093,223
Legal advice fees ^(c)	1,130	281
Duty lawyer fees ^(d)	2,687	8,457
Freedom of information ^(e)	60	60
Community legal education ^(f)	130,250	162,047
Total user charges and fees	3,904,661	3,888,572

Revenue is recognised at the transaction price when the Commission transfers control of the services to customers. Revenue is recognised for the major activities as follows:

- (a) Revenue is recognised at a point-in-time for client contributions and fees on grants of aid. The performance obligations for these client contributions and fees are satisfied when the related cases are finalised;
- (b) Recovered costs on grants of aid relates to the cost reimbursements the Commission seeks from the Department when the cost is awarded in the court for eligible criminal cases. It is out of scope of AASB 15 as it does not give rise to a contract. The revenue of this category is recognised under AASB 1058. The revenue for recovered costs on grants of aid is recognised when received or when the right to receive has been established.
- (c) Revenue is recognised at a point-in-time for legal advice fees. The performance obligations for legal advice fees are satisfied when the legal advice is provided to the clients.
- (d) Revenue is recognised at a point-in-time for duty lawyer fees. The performance obligations for duty lawyer fees are satisfied when the duty lawyer service is provided to the clients.
- (e) Revenue is recognised at a point-in-time for freedom of information fees. The performance obligations for freedom of information fees are satisfied when the information is provided to the clients.
- (f) Revenue is recognised at a point-in-time for community legal education. The performance obligations for community legal education are satisfied when the "Summer Series" seminar or the online training module is provided to the clients.

3.3 Commonwealth grants and contributions

	2022 \$	2021 \$
Recurrent Grants		
National Legal Assistance Partnership Agreement ^(a)	30,668,100	35,015,000
Christmas/Cocos Islands ^(b)	325,269	284,488
Other Commonwealth funding ^(c)	7,392,235	6,838,722
Total Commonwealth grants and contributions	38,385,604	42,138,210

Recurrent grants are recognised as income when the grants are receivable, and capital grants are recognised as income when the Commission achieves milestones specified in the grant agreement.

- (a) The 5 year National Legal Assistance Partnership (NLAP) Agreement expires 30th June 2025. The terms of the funding are generally intended to fund matters within the Commonwealth jurisdiction. The NLAP also seeks to promote investments in preventative law and early intervention initiatives.
- (b) The Christmas/Cocos Island grant is related to Indian Ocean Territory funding received on an ongoing basis.
- (c) Other Commonwealth funding is related to funding provided under other Commonwealth agreements.

3.4 Interest income

	2022 \$	2021 \$
Interest earned on Legal Aid operational funds	339,355	287,960
	339,355	287,960

3.5 Other Income

	2022 \$	2021 \$
Employee contributions ^(a)	155,087	15,767
Other miscellaneous income	86,279	195,539
	241,366	211,306

- (a) Income received by the Commission from subleasing of right-of-use assets relates to lease payments received from operating leases. The Commission has leased a number of right-of-use assets from the Government Regional Officer Housing (GROH), which it subleases out to employees at a subsidised rate. Information on the Commission's leasing arrangements with GROH can be found in note 2.1(a).

Note 4. Key assets

Assets the Commission utilises for economic benefit or service potential

This section includes information regarding the key assets the Commission utilises to gain economic benefits or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes	2022 \$	2021 \$
Property, plant and equipment	4.1	2,591,550	2,283,992
Intangible assets	4.2	489,111	635,408
Right-of-use assets	4.3	54,934,645	63,973,450
Total key assets		58,015,306	66,892,850

4.1 Property, plant and equipment

Year ended 30 June 2022	Land	Buildings	Works of Art	Fixtures and Fittings	Leasehold Improvements	Office Equipment	Work in Progress	Total
	\$	\$	\$	\$	\$	\$	\$	\$
1 July 2021								
Gross carrying amount	230,000	300,000	6,000	42,832	2,903,530	2,386,175	190,124	6,058,661
Accumulated depreciation	-	-	-	(38,817)	(1,808,811)	(1,927,041)	-	(3,774,669)
Carrying amount at start of period	230,000	300,000	6,000	4,015	1,094,719	459,134	190,124	2,283,992
Additions				12,774	458,547	59,390	100,229	630,940
Transfer					190,124		(190,124)	-
Reclassification								-
Disposals								-
Reversal of accumulated depreciation for disposed assets								-
Revaluation increments	25,000	43,708						68,708
Impairment losses								-
Impairment losses reversed								-
Depreciation		(18,708)		(2,031)	(199,456)	(171,895)		(392,090)
30 June 2022								
Gross carrying amount	255,000	325,000	6,000	55,606	3,552,201	2,445,565	100,229	6,739,601
Accumulated depreciation	-	-	-	(40,848)	(2,008,267)	(2,098,936)	-	(4,148,051)
Carrying amount at end of period	255,000	325,000	6,000	14,758	1,543,934	346,629	100,229	2,591,550

Initial recognition

Items of property, plant and equipment costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no or nominal cost, the cost is valued at its fair value at the date of acquisition. Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income (other than where they form part of a group of similar items which are significant in total).

The cost of a leasehold improvement is capitalised and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the leasehold improvement.

Subsequent measurement

Subsequent to initial recognition as an asset, the revaluation model is used for the measurement of land and buildings.

Land is carried at fair value.

Buildings are carried at fair value less accumulated depreciation and accumulated impairment losses.

All other property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Land and buildings are independently valued annually by the Western Australian Land Information Authority (Landgate) and recognised annually to ensure that the carrying amount does not differ materially from the asset's fair value at the end of the reporting period.

Land and buildings were revalued as at 1 July 2021 by Landgate. The valuations were performed during the year ended 30 June 2022 and recognised at 30 June 2022. In undertaking the revaluation, fair value was determined by reference to market values for land: \$255,000 (2021: \$230,000) and buildings: \$325,000 (2021: \$300,000) by market value using Level 2 inputs. As at 30 June 2022, there were no indications of impairment to property, plant and equipment.

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

4.1.1 Depreciation and impairment charge for the period

	Notes	2022 \$	2021 \$
Depreciation			
Buildings	4.1	18,708	3,369
Fixtures and fittings	4.1	2,031	611
Leasehold improvements	4.1	199,456	147,457
Office equipment	4.1	171,895	181,122
Total depreciation for the period		392,090	332,559

Useful lives

All property, plant and equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits. The exceptions to this rule include assets held for sale, land and investment properties.

Depreciation is generally calculated on a straight line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

ASSET	Useful life
Buildings	15 years
Furniture and fittings	10 years
Leasehold improvements	5 to 12 years
Office equipment	4 to 20 years

The estimated useful lives, residual values and depreciation method are reviewed at the end of each reporting period, and adjustment should be made where appropriate.

Leasehold improvements are depreciated over the shorter of the lease term and their useful lives.

Land and works of art, which is considered to have an indefinite life, is not depreciated. Depreciation is not recognised in respect of these assets because their service potential has not, in any material sense, been consumed during the reporting period.

Impairment

Non-financial assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired. 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 considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised through profit or loss.

Where a previously revalued asset is written down to its recoverable amount, the loss is recognised as a revaluation decrement through other comprehensive income.

As the Commission is a not-for-profit agency, the recoverable amount of regularly revalued specialised assets is anticipated to be materially the same as fair value.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However, this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

As at 30 June 2022, there were no indications of impairment to property, plant and equipment.

All surplus assets at 30 June 2022 have either been classified as assets held for sale or have been written-off.

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

4.2 Intangible assets

Year ended 30 June 2022	Computer Software	Work in Progress	Total
	\$	\$	\$
1 July 2021			
Gross carrying amount	1,385,100	18,251	1,403,351
Accumulated amortisation	(767,943)	-	(767,943)
Carrying amount at start of period	617,157	18,251	635,408
Additions	6,649	-	6,649
Transfer	18,251	(18,251)	-
Disposal	(86,552)		(86,552)
Reversal of accumulated amortisation for disposed asset	86,552		86,552
Amortisation	(152,946)	-	(152,946)
30 June 2022			
Gross carrying amount	1,323,448	-	1,323,448
Accumulated amortisation	(834,337)	-	(834,337)
Carrying amount at end of period	489,111	(0)	489,111

Initial recognition

Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$5,000 or more that comply with the recognition criteria as per AASB 138 Intangible Assets (as noted above), are capitalised.

An internally generated intangible asset arising from development (or from the development phase of an internal project) is recognised if, and only if, all of the following are demonstrated:

- the technical feasibility of completing the intangible asset so that it will be available for use or sale;
- an intention to complete the intangible asset, and use or sell it;
- the ability to use or sell the intangible asset;
- the intangible asset will generate probable future economic benefit;
- the availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset; and
- the ability to measure reliably the expenditure attributable to the intangible asset during its development.

Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

Cost incurred in the research phase of a project are immediately expensed.

Subsequent measurement

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

4.2.1 Amortisation and impairment charges of the period

	2022	2021
<u>Amortisation</u>	\$	\$
Computer software	152,946	146,606
Total amortisation	152,946	146,606

As at 30 June 2022 there were no indications of impairment to intangible assets.

The Commission held no goodwill or intangible assets with an indefinite useful life during the reporting period. At the end of the reporting period

there were nil (2021: \$18,150) of intangible assets not yet available for use.

Amortisation of finite life intangible assets is calculated on a straight line basis at rates that allocate the asset's value over its estimated useful life. All intangible assets controlled by the Commission have a finite useful life and zero residual value. Estimated useful lives are reviewed annually.

The estimated useful lives for each class of intangible asset are:

ASSET	Useful life
Software ^(a)	3 to 10 years

(a) Software that is not integral to the operation of any related hardware.

Impairment of intangible assets

Intangible assets with infinite useful lives are tested for impairment annually or when an indication of impairment is identified.

The policy in connection with testing for impairment is outlined in note 4.1.1

4.3 Right-of-use assets

Year ended 30 June 2022

	Buildings	Vehicles	Residential Housing	Concessionary Leases	Total
	\$	\$	\$	\$	\$
Carry Amount at beginning of period	63,709,971	170,583	92,896	-	63,973,450
Additions	946,071	83,927	550,021	-	1,580,019
Remeasurement of lease liabilities	(5,117,311)	-	-	-	(5,117,311)
Depreciation	(5,040,684)	(115,794)	(345,035)	-	(5,501,513)
Net carrying amount as at end of period	54,498,047	138,716	297,882	-	54,934,645

The Commission has leases for vehicles, office and residential housing. The lease contracts are typically made for fixed periods of 1-10 years with an option to renew the lease after that date. Lease payments for buildings not leased through the Department of Finance are renegotiated at the time of the lease to reflect market rentals.

The Commission subleases residential housing to employees at a subsidised rate. The Commission recognises lease payments from operating leases as income on a straight-line basis over the term of the lease.

Initial recognition

Right-of-use assets are measured at cost including the following:

- the amount of the initial measurement of lease liability;
- any lease payments made at or before the commencement date less any lease incentives received;
- any initial direct costs, and
- restoration costs, including dismantling and removing the underlying asset.

The corresponding lease liabilities in relation to these right-of-use assets have been disclosed in Note 6.1.

The Commission has elected not to recognise right-of-use assets and lease liabilities for short-term leases (with a lease term of 12 months or less) and low value leases (with an underlying value of \$5,000 or less). Lease payments associated with these leases are expensed over a straight-line basis over the lease term.

Subsequent measurement

The cost model is applied for subsequent measurement of right-of-use assets, requiring the asset to be carried at cost less any accumulated depreciation and accumulated impairment losses and adjusted for any re-measurement of lease liability.

Depreciation and impairment of right-of-use assets

Right-of-use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the underlying assets.

If ownership of the leased asset transfers to the Commission at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

Right-of-use assets are tested for impairment when an indication of impairment is identified. The policy in connection with testing for impairment is outlined in note 4.1.1

Note 5. Other assets and liabilities

This section sets out those assets and liabilities that arose from the Commission's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	Notes	2022 \$	2021 \$
Receivables	5.1	10,386,657	10,152,723
Other assets	5.2	1,507,582	978,495
Payables	5.3	34,469,618	29,722,806
Contract liabilities	5.4	2,237,513	2,125,644

5.1 Receivables

	2022 \$	2021 \$
<u>Current</u>		
Debtors - unsecured	4,254,681	3,645,278
Allowance for impairment of receivables	(138,668)	(273,598)
GST receivable	533,833	418,166
Interest receivable	190,629	106,502
Total current	4,840,475	3,896,348

	2022 \$	2021 \$
<u>Non-current</u>		
Debtors - secured ^(a)	6,385,664	6,613,926
Allowance for impairment of receivables	(76,187)	(85,481)
Allowance for discount ^(b)	(763,295)	(272,070)
Total non-current	5,546,182	6,256,375
Total receivables	10,386,657	10,152,723

- (a) Legal assistance may be granted subject to a condition that 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.
- (b) An implicit interest adjustment is made to take account of long term repayment aspect on secured debt. Debtors - secured, were discounted at 3.74% (2021: 0.96%) using the 5 year bond rate (source :Western Australian Treasury Corporation) at 30 June 2022.

Trade receivables are initially recognised at their transaction price or, for those receivables that contain a significant financing component, at fair value. The Commission holds the receivables with the objective to collect the contractual cash flows and therefore subsequently measured at amortised cost using the effective interest method, less an allowance for impairment.

The Commission recognises a loss allowance for expected credit losses (ECLs) on secured debt. Debtors - secured not held at fair value through profit or loss. The ECLs based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at 3.74% (2021: 0.96%) using the 5 year bond rate (source: Western Australian Treasury Corporation) at 30 June 2022. Individual receivables are written off when the Agency has no reasonable expectations of recovering the contractual cash flows.

For trade receivables, the Commission recognises an allowance for ECLs measured at the lifetime expected credit losses at each reporting date. The Commission has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment. The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days. Please refer to note 6.2 for the amount of ECLs expensed in this financial year.

5.2 Other assets

This section sets out those assets and liabilities that arose from the Commission's controlled operations and include other assets utilised for economic benefits and liabilities incurred during normal operations

	2022 \$	2021 \$
<u>Current</u>		
Prepayments	1,507,582	978,495
Total current	1,507,582	978,495

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

5.3 Payables and accruals

	2022 \$	2021 \$
<u>Current</u>		
Grant of aid commitments	32,803,348	27,624,453
Accrued expenses	888,548	1,524,357
Accrued salaries	689,261	505,997
Accrued superannuation	77,724	57,699
Staff benefit fund	10,543	10,085
Unclaimed monies	194	215
Total current	34,469,618	29,722,806

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 is equivalent to fair value, as settlement is generally 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 as the effect of discounting would be immaterial.

Accrued salaries and superannuation represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries are settled within a fortnight after the reporting period. The Commission considers the carrying amount of accrued salaries to be equivalent to its fair value.

5.4 Contract liabilities

	2022 \$	2021 \$
Reconciliation of changes in contract liabilities		
Opening balance at the beginning of the period	2,125,644	2,300,808
Additions	1,148,266	1,380,261
Income recognised in the reporting period	(1,036,397)	(1,555,425)
Total contract liabilities Closing balance at the end of period	2,237,513	2,125,644
Current	1,090,940	1,437,008
Non-current	1,146,573	688,636
	2,237,513	2,125,644

The Commission's contract liabilities relates to client contributions on the unfinalised legal cases. Typically, a client contribution is levied prior to the legal service being fully performed on the related case.

Note 6. Financing

This section sets out the material balances and disclosures associated with the financing and cash flows of the Commission

	Notes	2022 \$	2021 \$
Lease liabilities	6.1	60,987,059	68,444,848
Finance costs	6.2	2,476,576	2,238,777
Cash and cash equivalents	6.3	56,710,292	47,465,069

6.1 Lease liabilities

	2022 \$	2021 \$
No Later than one year	3,956,221	3,771,506
Later than one year and not later than five years	17,361,425	17,222,905
later than five years	39,669,413	47,450,437
	60,987,059	68,444,848
Current	3,956,221	3,771,505
Non-current	57,030,838	64,673,343
Total lease liabilities	60,987,059	68,444,848

Initial measurement

The Commission measures a lease liability, at the commencement date, at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease.

If that rate cannot be readily determined, the Commission uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

Lease payments included by the Commission as part of the present value calculation of lease liability include:

- fixed payments (including in-substance fixed payments), less any lease incentives receivable;
- variable lease payments that depend on an index or a rate initially measured using the index or rate as at the commencement date;
- periods covered by extension or termination options are only included in the lease term by the Commission if the lease is reasonably certain to be extended (or not terminated).

The interest on the lease liability is recognised in profit or loss over the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. Lease liabilities do not include any future changes in variable lease payments (that depend on an index or rate) until they take effect, in which case the lease liability is reassessed and adjusted against the right-of-use asset.

Subsequent Measurement

Lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities; reducing the carrying amount to reflect the lease payments made; and remeasuring the carrying amount at amortised cost, subject to adjustments to reflect any reassessment or lease modifications.

This section should be read in conjunction with note 4.3.

	2022 \$	2021 \$
Lease Expense recognised in the Statement of Comprehensive income		
Lease interest expense	1,904,576	2,213,184
Short-term lease	220,400	280,082
Total lease expense	2,124,976	2,493,266

Short-term leases are recognised on a straight-line basis with a lease term of 12 months or less.

Low-value leases with an underlying value of \$5000 or less are recognised on a straight-line basis

Variable lease payments that are not included in the measurement of the lease liability recognised in the period in which the event or condition that triggers those payments occurs.

6.2 Finance costs

	2022 \$	2021 \$
Interest expense		
Interest expense on lease liabilities	1,904,576	2,213,184
Trust Account interest	80,776	-
Implicit interest write back on debtors	491,224	25,593
Total finance costs expensed	2,476,576	2,238,777

Finance cost includes the interest component of lease liability repayments.

6.3 Cash and cash equivalents

	2022 \$	2021 \$
Cash and cash equivalents	28,656,048	25,724,914
Restricted cash and cash equivalents	1,054,244	740,155
Financial assets held at amortised cost - Other term deposits	27,000,000	21,000,000
	56,710,292	47,465,069
	2022 \$	2021 \$
Non-current		
Restricted cash and cash equivalents ^(a)	1,054,244	740,155

(a) Non-current restricted cash and cash equivalents include funds held for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year. This account is classified as non current for 10 out of 11 years.

For the purpose of the statement of cash flows, 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.

Other term deposits are classified as financial assets held at amortised cost.

6.4 Capital commitments

The Commission has no capital expenditure commitments being contracted reported in the financial statements.

Note 7. Financial instruments and Contingencies

This note sets out the key risk management policies and measurement techniques of the Commission.

	Notes
Financial instruments	7.1
Contingent assets and liabilities	7.2

7.1 Financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are:

	2022 \$	2021 \$
<u>Financial Assets</u>		
Cash and cash equivalents ^(a)	29,710,292	26,465,069
Financial assets at amortised cost ^{(b) (c)}	36,852,824	30,734,557
Total financial assets	66,563,116	57,199,626
<u>Financial Liabilities</u>		
Financial liabilities at amortised cost ^(d)	95,456,677	98,167,654
Total financial liabilities	95,456,677	98,167,654

- (a) Cash and cash equivalents balance includes petty cash balance.
- (b) The amount of receivables/financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).
- (c) The amount of financial assets at amortised cost include term deposit.
- (d) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable).

Measurement

All financial assets and liabilities are carried without subsequent re-measurement.

7.2 Contingent assets and liabilities

The Commission has no contingent assets or liabilities in addition to the assets and liabilities included in the financial statements.

Note 8. Other disclosures

	Notes
Events occurring after the end of the reporting period	8.1
Key management personnel	8.2
Related party transactions	8.3
Related bodies	8.4
Affiliated bodies	8.5
Special purpose accounts	8.6
Remuneration of auditors	8.7
Supplementary financial information	8.8
Special category funding	8.9

8.1 Events occurring after the end of the reporting period

There were no matters or occurrences have come to the Commission's attention up to the present time which would materially affect the financial statements or disclosures therein or which are likely to materially affect the future results or operations of the Commission.

8.2 Key management personnel

The Commission has determined that key management personnel include State Attorney General, members of the Commission, and Senior Officers of the Commission. However, the Commission is not obligated to compensate the Attorney General and therefore the disclosures in relation to State Attorney General's compensation may be found in the Annual Report on State Finances.

The total fees, salaries, superannuation, non-monetary benefits and other benefits for key management personnel comprising members and senior officers of the Commission for the reporting period are presented within the following bands.

Compensation of members of the Commission

	2022	2021
Compensation Band (\$)		
0 - 10,000	3	6
10,001 - 20,000	1	-
20,001 - 30,000	1	1
40,001 - 470,000	1	-
470,001 - 480,000	-	1
	6	8
Total compensation of members of the Commission	\$ 520,184	\$ 532,020

Compensation of senior officers	2022	2021
Compensation Band (\$)		
80,001 - 90,000	-	1
100,001 - 110,000	-	1
120,001 - 130,000	-	1
150,001 - 160,000	2	-
160,001 - 170,000	-	1
170,001 - 180,000	2	-
180,001 - 190,000	-	3
190,001 - 200,000	-	1
200,001 - 210,000	1	-

210,001 - 220,000	1	-
220,001 - 230,000	1	1
230,001 - 240,000	2	1
240,001 - 250,000	1	3
250,001 - 260,000	-	-
260,001 - 270,000	1	1
270,001 - 280,000	1	-
	12	14
Total compensation of senior officers	\$ 2,563,682	\$ 2,686,967
Total compensation of key management personnel	\$ 3,083,866	\$ 3,218,987

Total compensation includes total fees, salaries, superannuation, non-monetary benefits and other benefits incurred by the Commission in respect of key management personnel.

Zero of senior officers employed in the Commission at the end of the reporting period, who are members of the Pension Scheme.

8.3 Related party transactions

The Commission is a wholly owned and controlled entity of the State of Western Australia. In conducting its activities, the Commission is required to pay various taxes and levies based on the standard terms and conditions that apply to all tax and levy payers to the State and entities related to State.

Related parties of the Commission include:

- all cabinet ministers and their close family members, and their controlled or jointly controlled entities;
- all senior officers, commissioners and their close family members, and their controlled or jointly controlled entities;
- other agencies and statutory authorities, including related bodies included in the whole of government consolidated financial statements;
- associates and joint ventures of a wholly-owned public sector entity; and
- the Government Employees Superannuation Board (GESB).

Material transactions with other related parties

In 2021/22, the Commission had zero related party transactions.

8.4 Related bodies

The Commission had no related bodies during the financial year.

8.5 Affiliated bodies

The Commission had no affiliated bodies during the financial year.

8.6 Special purpose accounts

Client Trust Fund

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

	2022	2021
	\$	\$
Balance at start of period	4,644	7,000
Receipts	918,926	1,424,337
Payments	(848,970)	(1,426,693)
Balance at end of period	74,600	4,644

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 of money are involved or as the court so directs.

Established under section 16(1)(c) of the FMA.

8.7 Remuneration of auditors

Remuneration to the Auditor General in respect of the audit for the current financial year is as follows:

	2022	2021
	\$	\$
Auditing the accounts, financial statements and key performance indicators	89,300	86,900

The remuneration of the auditor is included at Note 2.4 ‘Supplies and services’. The remuneration to 30 June 2022 was not accrued as work was not substantially completed. This amount excludes GST.

8.8 Supplementary financial information

(a) Write-Offs

During the financial year, \$52,440 (2021: \$167,163) was written off the Commission's asset register under the authority of:

	2022	2021
	\$	\$
The Commission members	52,440	167,163
Total	52,440	167,163

(b) Losses through theft, defaults and other causes

	2022	2021
	\$	\$
Losses of public money and public and other property through theft or default	-	31
Amount recovered	-	-
	-	31

(c) Forgiveness of debts

	2022	2021
	\$	\$
Forgiveness (or waiver) of debts by the Commission	66,109	97,954
	66,109	97,954

(d) Gifts of public property

There was nil (2021: nil) gift of public property during the period.

8.9 Special category funding

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

(i) 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.

	2022	2021
	\$	\$
Balance at start of period	26,739	38,438
Receipt from Commonwealth	325,269	284,488
User charges and fees	2,630	3,581
Expenditure	(334,276)	(299,768)
Balance at end of period	20,362	26,739

(ii) 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 is expected to exceed \$27,300 in comparison with \$26,000 in 2020/21.

	2022	2021
	\$	\$
Balance at start of period	702,091	(884,002)
Funding	3,091,000	6,345,000
Client Contributions	265,648	116,905
Assigned expenditure	(3,471,063)	(4,609,076)
Expenditure for IHP disbursements	(77,206)	(91,953)
In-House legal services expenditure	(203,971)	(174,783)
Balance at end of period	306,499	702,091

Note 9. Explanatory Statements

This section explains variations in the financial performance of the Commission.

9.1 Explanatory statement for controlled operations

This explanatory section explains variations in the financial performance of the Commission undertaking transactions under its own control, as represented by the primary financial statements.

All variances between annual estimates (original budget) and actual results for 2022, and between the actual results for 2022 and 2021 are shown below. Narratives are provided for key major variances which vary more than 10% from their comparative and that the variation is more than 1% of the dollar aggregate of:

- Total Cost of Services for the Statements of comprehensive income and Statement of cash flows (i.e. 1% of \$96,918,144); and
- Total Assets for the Statement of financial position (i.e. 1% of \$126,619,837).

9.1.1 Statement of Comprehensive Income variances

	Variance Note	2022 Estimate \$	2022 Actual \$	2021 Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2021 and 2022 \$
Expenses						
Employee benefit expense		45,696,000	41,850,871	38,501,159	(3,845,129)	3,349,712
Supplies and services	1, a	5,828,000	7,772,665	6,543,080	1,944,665	1,229,585
Depreciation and amortisation expense		6,455,000	6,046,549	6,266,916	(408,451)	(220,367)
Finance costs		1,981,000	2,476,576	2,238,777	495,576	237,799
Accommodation expenses		1,687,000	1,676,564	1,625,896	(10,436)	50,668
Legal services expenses	2, b	24,544,000	35,350,404	29,717,519	10,806,404	5,632,885
Community Legal Centre grants	c	289,000	-	16,475,637	(289,000)	(16,475,637)
Other expenses		1,499,000	1,744,515	1,819,084	245,515	(74,569)
Total Cost of Services		87,979,000	96,918,144	103,188,068	8,939,144	(6,269,924)
Income						
User charges and fees	3	2,338,000	3,904,661	3,888,572	1,566,661	16,089
Commonwealth grants and contributions	4	29,824,000	38,385,604	42,138,210	8,561,604	(3,752,606)
Interest revenue		356,000	339,355	287,960	(16,645)	51,395
Other revenue		293,000	241,366	211,306	(51,634)	30,060
Total Revenue		32,811,000	42,870,986	46,526,048	10,059,986	(3,655,062)
Net Cost of Services		55,168,000	54,047,158	56,662,020	(1,120,842)	(2,614,862)
Income from State Government						
Income from other public sector entities		52,532,000	57,258,000	58,596,540	4,726,000	(1,338,540)
Services received free of charge		-	89,119	2,926	89,119	86,193

	Variance Note	2022 Estimate \$	2022 Actual \$	2021 Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2021 and 2022 \$
Royalties for Regions Fund		88,000	102,564	104,974	14,564	(2,410)
Total income from State Government		52,620,000	57,449,683	58,704,440	4,829,683	(1,254,757)
Surplus / (Deficit) for the period		(2,548,000)	3,402,525	2,042,420	5,950,525	1,360,105
Other Comprehensive Income						
Changes in asset revaluation surplus		-	68,708	378,369	(68,708)	(309,661)
Total other comprehensive income		-	68,708	378,369	(68,708)	(309,661)
Total comprehensive income for the period		(2,548,000)	3,471,233	2,420,789	5,881,817	1,050,444

Major Variance Narratives

Variances between estimate and actual

1. Supplies and services are higher than the estimates largely due to higher than budgeted consulting costs for the digital transformation program, the development of safety management plan, and the maintenance and licence costs for the content management system.

2. Legal services expenses are higher than the estimates largely due to higher than budgeted costs for State indictable criminal matters (\$4.03 million), State expensive cases (\$1.38 million), State family (\$1.38 million), Commonwealth expensive criminal cases (\$2.74 million) and other case-works.

3. User charges and fees are higher than the estimates largely due to the increased cost recoveries associated with grants of aids.

4. Commonwealth grants and contributions are higher than the estimate mainly due to the following additional funding:

- (i) Commonwealth expensive criminal cases (\$4.76 million);
- (ii) Commonwealth Grants under National Legal Assistance Partnership (NLAP) Agreement which includes Vulnerable women support (\$1.61 million), Mental health (\$0.35 million), Child sexual abuse prosecutions (\$0.21 million), and Workplace sexual harassment (\$0.15 million);
- (iii) Commonwealth other funding which includes Family violence and cross-examination scheme (\$0.64 million), Defence and Veteran legal service (\$0.20 million), National Disability Insurance Appeals (\$0.39 million) and Family law services property mediation scheme (\$0.33 million).

Variances between actual results for 2022 and 2021

- a. Supplies and services are higher than prior year largely due to higher than consulting costs for the digital transformation program and the development of safety management plan, the maintenance and licence costs for the content management system. Additionally, more travel costs were incurred as compared with last year.
- b. The increase of legal service expense as compared with prior year is

mainly from the State casework costs increased by \$3.88 million which includes family (\$0.87 million), crime (\$2.74 million) and civil (\$0.27 million). Commonwealth project casework costs increased by \$0.86 million which includes Family law services property mediation scheme (\$0.26 million), Family violence and cross-examination (\$0.16 million), Vulnerable women support (\$0.35 million) and High risk offenders bill (\$0.09 million)

- c. From 2021-22, both State and Commonwealth CLC programs are administered by Department of Justice directly. Therefore, the expenditure is reduced to nil from \$16.47 million.

9.1.2 Statement of financial position variances

	Variance Note	2022 Estimate	2022 Actual	2021 Actual	Variance between Estimate and Actual	Variance between Actual for 2021 and 2022
		\$	\$	\$	\$	\$
ASSETS						
Current Assets						
Cash and cash equivalents	1, a	9,656,000	28,656,048	25,724,914	19,000,048	2,931,134
Receivables		3,564,000	4,840,475	3,896,348	1,276,475	944,127
Other financial assets	1, a	35,260,000	27,000,000	21,000,000	(8,260,000)	6,000,000
Other current assets		978,000	1,507,582	978,495	529,582	529,087
Total Current Assets		49,458,000	62,004,105	51,599,757	12,546,105	10,404,348
Non-Current Assets						
Restricted cash and cash equivalents		740,000	1,054,244	740,155	314,244	314,089
Receivables		5,708,000	5,546,182	6,256,375	(161,818)	(710,193)
Property plant & equipment		1,626,000	2,591,550	2,283,992	965,550	307,558

	Variance Note	2022 Estimate	2022 Actual	2021 Actual	Variance between Estimate and Actual	Variance between Actual for 2021 and 2022
		\$	\$	\$	\$	\$
Intangible assets	2	3,209,000	489,111	635,408	(2,719,889)	(146,297)
Right-of-use asset	b	59,969,000	54,934,645	63,973,450	(5,034,355)	(9,038,805)
Total Non-Current Assets		71,252,000	64,615,732	73,889,380	(6,636,268)	(9,273,648)
TOTAL ASSETS		120,710,000	126,619,837	125,489,137	5,909,837	1,130,700
LIABILITIES						
Current Liabilities						
Payables	3, c	29,722,000	34,469,618	29,722,806	4,747,618	4,746,812
Lease liabilities		4,149,000	3,956,221	3,771,505	(192,779)	184,716
Employee related provisions		6,280,000	6,580,005	6,279,292	300,005	300,713
Contract liabilities		1,437,000	1,090,940	1,437,008	(346,060)	(346,068)
Total Current Liabilities		41,588,000	46,096,784	41,210,611	4,508,784	4,886,173
Non-Current Liabilities						
Lease liabilities	d	62,064,000	57,030,838	64,673,343	(5,033,162)	(7,642,505)
Employee related provisions		1,817,000	1,774,640	1,816,778	(42,360)	(42,138)
Contract liabilities		689,000	1,146,573	688,636	457,573	457,937
Total Non-Current Liabilities		64,570,000	59,952,051	67,178,757	(4,617,949)	(7,226,706)
TOTAL LIABILITIES		106,158,000	106,048,835	108,389,368	(109,165)	(2,340,533)
NET ASSETS		14,552,000	20,571,002	17,099,769	6,019,002	3,471,233
EQUITY						
Contributed equity		596,000	595,669	595,669	(331)	-
Reserves		519,000	588,125	519,417	69,125	68,708
Accumulated surplus	4, e	13,437,000	19,387,208	15,984,683	5,950,208	3,402,525
TOTAL EQUITY		14,552,000	20,571,002	17,099,769	6,019,002	3,471,233

Major Variance Narratives

Variances between estimate and actual

1. The combined variances for Cash and cash equivalents and Other financial assets (term deposits held at period end) between actual and estimates is higher than expected by \$10.74 million mainly due to approximately \$5 million of legal services costs committed but remained unpaid at year end, project funding remained unspent at year end which includes \$2.02 million of Commonwealth Expensive Criminal Case fund and \$1.50 million funding for other special programs, and operational savings on recurrent funding.
2. Intangible assets is \$2.72 million lower resulting from the budgeted asset purchases under the digital transformation program not progressed in 2021-22.
3. The payables is \$4.75 million higher than estimated mainly due to the higher Grant of aid commitments for casework recognised as liabilities to be paid than expected.
4. The accumulated surplus is \$5.95 million higher than the estimates mainly due to savings in operating cost achieved, the unspent Expensive Commonwealth Criminal Cases Fund (ECCCF) of \$2.02 million, and \$1.50 million special program funding remained unspent due to initial start-up preparations and COVID interruptions. These unspent funds will be carried over into 2022-23 budget.

Variances between actual results for 2022 and 2021

- a. The combined variance for Cash and cash equivalent, restricted cash and cash equivalents and other financial assets between 2021-22 and 2020-21 is \$8.36 million, which is mainly due to the unspent project to date cost \$6.7 million and saving on recurrent funded operating costs.
- b. The right-of-use asset balance is reduced by \$9.04 million mainly due to rent reduction on accommodation leases for Perth office reducing the lease assets by \$5.13 million and the depreciation costs of \$5.04 million for accommodation lease assets. These reductions were partially offset by a new lease asset recognised for Albany office (\$0.94 million).
- c. The payables is \$4.75 million higher than prior year due to higher Grant of aid commitments for casework recognised as liabilities to be paid.
- d. The lease liabilities is reduced by \$7.64 million due to the remeasurement of lease liabilities for Perth office which caused \$5.13 million reduction and the principal repayment of accommodation lease liabilities caused the reduction by \$3.46 million. These reductions were partially offset by additional liabilities for the new accommodation lease in Albany (\$0.94 million)
- e. The accumulated surplus of 2021-22 is higher than 2020-21 due to the 2021-22 surplus of \$3.04 million in the Statement of Comprehensive Income.

9.1.3 Statement of cash flows variances

	Variance Note	2022 Estimate	2022 Actual	2021 Actual	Variance between Estimate and Actual	Variance between Actual for 2021 and 2022
CASH FLOWS FROM STATE GOVERNMENT						
Funds from other public sector entities		52,532,000	57,258,000	58,596,540	4,726,000	(1,338,540)
Royalties for Regions Fund		88,000	102,564	104,974	14,564	(2,410)
Net cash provided by State Government		52,620,000	57,360,564	58,701,514	4,740,564	(1,340,950)
Utilised as follows:						
CASH FLOWS FROM OPERATING ACTIVITIES						
Payments						
Employee benefits	a	(45,705,000)	(41,450,315)	(37,074,825)	4,254,685	(4,375,490)
Supplies and services	1, a	(5,907,000)	(8,431,332)	(6,518,376)	(2,524,332)	(1,912,956)
Accommodation		(1,686,000)	(1,676,190)	(1,604,206)	9,810	(71,984)
Legal services	2	(24,544,000)	(30,617,398)	(29,846,258)	(6,073,398)	(771,140)
Finance costs		(1,981,000)	(1,923,126)	(2,216,351)	57,874	293,225
GST payments on purchases	3, b	(3,092,000)	(4,960,459)	(6,266,312)	(1,868,459)	1,305,853
Other payments	c	(1,546,000)	(2,117,797)	(17,484,581)	(571,797)	15,366,784
Receipts						
User charges and fees	4	2,486,000	4,221,397	3,359,817	1,735,397	861,580
Commonwealth grants and contributions	5	29,824,000	38,385,604	42,138,210	8,561,604	(3,752,606)
Interest received		356,000	255,228	322,416	(100,772)	(67,188)
GST receipts on sales		34,000	166,906	40,207	132,906	126,699
GST receipts from taxation authority	6, d	3,058,000	4,390,290	5,941,354	1,332,290	(1,551,064)
Other receipts		873,000	230,294	261,068	(642,706)	(30,774)
Net cash provided by/(used in) operating activities		(47,830,000)	(43,526,898)	(48,947,837)	4,303,102	5,420,939

	Variance Note	2022 Estimate	2022 Actual	2021 Actual	Variance between Estimate and Actual	Variance between Actual for 2021 and 2022
Purchase of non-current physical assets	7	(2,617,000)	(690,611)	(1,086,909)	1,926,389	396,298
Net cash provided by/(used in) investing activities		(2,617,000)	(690,611)	(1,086,909)	1,926,389	396,298
CASH FLOWS FROM FINANCING ACTIVITIES						
Payments						
Principal elements of lease payments		(3,982,000)	(3,897,832)	(3,633,558)	84,168	(264,274)
Net cash provided by/(used in) financing activities		(3,982,000)	(3,897,832)	(3,633,558)	84,168	(264,274)
Net increase/(decrease) in cash and cash equivalents	8, e	(1,809,000)	9,245,223	5,033,210	11,054,223	4,212,013
Cash and cash equivalents at the beginning of period	f	47,465,000	47,465,069	42,431,859	69	5,033,210
CASH AND CASH EQUIVALENTS AT THE END OF PERIOD		45,656,000	56,710,292	47,465,069	11,054,292	9,245,223

Major Variance Narratives

Variances between estimate and actual

- Supplies and services payments are higher than the estimates largely due to higher than budgeted consulting costs for the digital transformation program and the development of safety management plan, and the maintenance and licence costs for the content management system.
- Legal services payments are higher than prior year mainly due to higher than budgeted payments for State indictable criminal matters, State expensive cases and State family, Commonwealth expensive criminal cases and other caseworks.
- Due to higher payments in legal services (\$6.07 million) and supplies and services (\$2.52 million), the GST payments on purchases is \$1.87 million higher than estimated.
- User charges and fees are higher than the estimates largely due to increased cost recoveries and contributions received in cash.
- Commonwealth grants and contributions receipts are higher than the estimates mainly due to the following additional funding received:

- (i) Commonwealth expensive criminal cases (\$4.76 million);
 - (ii) Commonwealth Grants under National Legal Assistance Partnership (NLAP) Agreement which includes Vulnerable women support (\$1.61 million), Mental health (\$0.35 million), Child sexual abuse prosecutions (\$0.21 million), and Workplace sexual harassment (\$0.15 million);
 - (iii) Commonwealth other funding which includes Family violence and cross-examination scheme (\$0.64 million), Defence and Veteran legal service (\$0.20 million), National Disability Insurance Appeals (\$0.39 million) and Family law services property mediation scheme (\$0.33 million).
6. GST receipts from taxation authority is \$1.33 million higher due to GST payments were \$1.87 million higher than estimated for legal services and supplies and services.
 7. Purchase of non-current physical assets is \$1.92 million less than prior year due to the payments under the digital transformation program was budgeted but not progressed in 2021-22.
 8. The net increase in cash and cash equivalents is higher than estimated due to higher than expected funding from both Commonwealth (\$8.56 million) and State (\$4.76 million) offset by higher than estimated payments for Legal services (\$6.07 million) and lower than estimated payments for non-current physical assets.
- b. the GST payment on purchases are reduced by \$1.87 million due to no payments were made to Commonwealth and State Community Legal Centres (CLCs) which were subject to GST. These centres are administrated by the Department of Justice since 2021-22.
 - c. Other payments were reduced significantly in 2021-22 largely due to both State and Commonwealth CLC programs are administered by Department of Justice directly which reduced the payments made.
 - d. The GST receipts from taxation authority were reduced by \$1.55 million in 2021-22 due to payments made to State and Commonwealth CLC programs are administered by Department of Justice since 2021-22.
 - e. The higher net increase in cash and cash equivalents of \$4.21 million is mainly due to higher funding from both State and Commonwealth Government excluding the funding for CLCs, and lower cash payments for legal services which are recognised as payable at the end of the year.
 - f. The increase in the cash and cash equivalents at the beginning of the period is due to increased cash balance from 2019-20 to 2020-21. Refer to 2020-21 financial statement notes for further detail.

Variances between actual results for 2022 and 2021

- a. The increase in payments for employee benefits is mainly due to higher salary payments for legal staff of \$1.97 million and temporary administration staff of \$0.50 million resulting from additional funding

3.2 Additional Key Performance Indicator Information

3.2.1 Certification of Key Performance Indicators

We hereby certify that the key 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 2022.



Hon. Jane Crisford SC
Chair of the Commission
Date: 31/8/22



Graham Hill
Director of Legal Aid
Member of the Commission
Date: 31/8/22

3.2.2 KPI Report

Detailed Information in Support of Key Performance Indicators

Agency funds are limited and determining the extent and type of assistance provided to clients is central to Legal Aid WA operations. This involves allocating resources to services that are available to the general community and to services, including legal representation that is restricted and managed according to the extent of disadvantage a person is experiencing.

Government Goal:

Strong Communities: Safe communities and supported families.

Agency Level Government Desired Outcome:

Equitable access to legal services and information.

Agency Services Delivered:

The community and target groups require access to and the provision of quality legal services. This is achieved through the provision of eligibility and merit tests to enable legal representation to be provided to legally aided clients by grants of aid and assignment of cases to in-house or private practitioners. Legal advice and legal task, and community legal education services are delivered to target groups in the community. Information and advice, duty lawyer services are provided to assist the wider community to access fair solutions to legal problems at the earliest opportunity.

Our Services:

Legal assistance services are delivered in accordance with Part V of the *Legal Aid Commission Act 1976 (WA)*.

For the community		For target groups		
Information and advice	Duty lawyer services	Legal advice and legal tasks	Legal representation	Community education services
To assist members of the public to identify legal problems, understand the alternatives for resolution and the resources available to them in pursuing a legal solution. Includes referral to other agencies and is delivered through public counters in all offices and by 1300 INFOLINE.	To ensure that members of the public brought before the courts have access to legal advice so that they understand the options available for responding to legal proceedings in which they are involved. Available at all Magistrate court sittings throughout WA, the Family court of WA and the Children's Court of WA.	To assist people facing legal issues with advice and practical help, including advocacy, drafting of negotiating letters and the preparation of court documentation. Delivered by lawyers and at all office locations, and by paralegal staff under supervision of Solicitors.	To ensure persons from priority groups are legally represented to the extent that is necessary and commensurate with their particular individual need. Includes assessment and case management for persons who are refused assistance. Includes all services provided pursuant to a grant of aid, including Alternative Dispute Resolution (ADR).	To ensure priority groups in the community and partner organisations have access to relevant publications, self-help kits, community legal education and knowledge resources sufficient to build their capacity and self-reliance in navigating the justice system. Includes electronic access to some legal aid systems and resources, by partner agencies.

Effectiveness Indicators

The outcome sought by Legal Aid WA as a result of the services provided is equitable access to legal services and information.

Effectiveness indicator percentage of eligible applicants who received a grant of aid measures the proportion of eligible applicants who receive a grant of aid. An eligible applicant for a grant of aid is an applicant who satisfies Legal Aid Western Australia's means and merits tests for legal representation. The indicator represents how equity of access is achieved by measuring the extent to which legal representation can be provided, to those eligible applicants who seek it.

Effectiveness indicator percentage of people who are provided with a duty lawyer service represents the extent to which duty lawyer services are available to ensure that all members of the public brought before the

courts have access to legal advice, so that they understand the options available for responding to legal proceedings in which they are involved. Duty lawyer services are available at the Magistrate Court criminal sittings throughout Western Australia, the Family Court of Western Australia and the Children's Court of Western Australia.

Effectiveness indicator percentage of people receiving an outcome from Infoline services represents the extent to which members of the public receive an outcome to their legal enquiry via Legal Aid WA's Infoline and / or Infochat services. An outcome includes legal information, immediate legal advice, assessment for grant of aid, booking of legal advice appointments and referrals. By expanding from the traditional Infoline services to include an Infochat services, the accessibility to the services are improved as people can access the service on-line.

Desired Outcomes and Key Effectiveness/Efficiency Indicators

Agency Level Government Desired Outcome: Equitable access to legal services and information.

Key Effectiveness Indicators	2018-19 Actual %	2019-20 Actual %	2020-21 Actual %	2021-22 Target %	2021-22 Actual %	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Percentage of eligible applicants who receive a grant of legal aid	88%	89%	89%	86%	89%	There is no significant variation
Percentage of people who are provided with a duty lawyer service	21%	20%	20%	20%	21%	There is no significant variation
Percentage of callers successfully accessing Infoline services	58%	Discontinued	Discontinued	Discontinued	Discontinued	New on-line Infoline chat services were introduced in Feb-2019 however were not in the 2018-19 actual result. From the 2019-20 financial year, this indicator is replaced by the new indicator "Percentage of people receiving an outcome from Infoline services" which includes both traditional Infoline and online chat services.
Percentage of people receiving an outcome from Infoline services ⁽²⁾	n/a	68%	75%	77%	78%	The 2021-22 and 2020-21 actual are significantly higher than the 2019-20 actual due to the increased resource allocated to Infoline since October 2020. The increase resource has resulted in increased Infoline shifts from approximately 134 to 177 per week which reduced the abandonment rate by 35% compared to 2019-20, and improved the percentage of people receiving an outcome from Infoline services

Service: Legal Aid Assistance

Key Efficiency Indicators	2018-19 Actual \$	2019-20 Actual \$	2020-21 Actual \$	2021-22 Target \$	2021-22 Actual \$	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Average cost per legal representation	3,792	4,178	4,116	3,632	4,420	The 2021-22 actual result is higher than the 2021-22 target and the 2018-19 actual mainly due to the 5% increase of private practitioner's hourly rate from \$140 to \$147 which came into effect from the 1st January 2022 and extraordinary expensive criminal cases which were not included in the 2021-22 target setting and the 2018-19 actual.
Average cost per legal information service	71	73	78	56	51	<p>The 2021-22 actual is lower than prior year actual results. The decrease is mainly due to the inclusion of referral services court from 2021-22.</p> <p>Both information and referral services are captured by the existing Outcome Based Management framework, however, reliable referral counts were not reported until 17 August 2020 due to a system restraint. Therefore, the previous KPI reports include the cost of referral services, not the service counts. The average cost per legal information services was \$58 per service in 2020-21 including the referral service counts. Legal Aid WA includes the number of referral services in the target setting from 2021-22 onwards in the annual state budget paper process.</p> <p>In addition, the collaboration with internal partners to simplify and clarify their referral requirements from Infoline have increased efficiency. The return to the office has also shortened wait time for supervision and increased calls receiving outcomes resulting in an overall decrease in the cost per information service in 2021-22.</p>

Key Efficiency Indicators	2018-19 Actual \$	2019-20 Actual \$	2020-21 Actual \$	2021-22 Target \$	2021-22 Actual \$	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Average cost per legal advice	251	289	332	314	404	<p>The 2021-22 actual result is higher than target and prior year actual results due to the increased costs of duty lawyer, legal advice and legal task services. The increase in average cost per duty lawyer service is explained by the number of duty lawyers remaining the same level but the number of court appearances have been reducing due to the impact of COVID-19.</p> <p>The increase in average cost for legal advice and legal task in 2021-22 is also influenced by the increased training and supervision of new staff including junior solicitors and social workers due to rapid expansion as new programmes being funded and launched leading to a numerous recruitment of external candidates.</p> <p>The complexity of legal advice and legal task services resulting from the provision of service to elder abuse, NDIS appeal services and vulnerable women have increased the average cost in 2021-22. Many of new projects target on matters where the client is extremely vulnerable and cannot self-advocate. The traveling time, the introduction of the eLodgement and additional administration duties due to lack of support have increased the average time in completing each service.</p>

Key Efficiency Indicators	2018-19 Actual \$	2019-20 Actual \$	2020-21 Actual \$	2021-22 Target \$	2021-22 Actual \$	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Average cost per application for a grant of legal aid processed	376	374	426	426	478	<p>The 2021-22 actual cost of processing an application is higher than target and prior year actual results due to the higher cost allocation.</p> <p>The increase reflects the additional resource allocation from the specially funded programmes while the number of applications has been relatively stable. Also the ongoing effects of COVID-19 continue to create delays and re-scheduling of trials and DR conferences which contributed to increased time in processing each application</p>
Average cost of delivering regional initiatives for legal practice	178	Discontinued	Discontinued	Discontinued	Discontinued	<p>LAWA cease reporting on this indicator from 2019-20 as the cost base is only a fraction of LAWA's total costs. The indicator was focusing on special projects like country lawyer program which ceased to operate from 2015-16. The remaining costs left in the special projects are for the on-line training which is delivered at a minimal cost.</p>

(1) Significant variances are considered to be those greater than 10%.

(2) This is the new indicator that replaces the discontinued indicator "Percentage of callers successfully accessing Infoline services" from 2019-20, therefore, comparable data is not available in 2018-19.

3.3 Ministerial Directions

No Ministerial directions were received during the 2021-22 financial year.

3.4 Other Financial Disclosures

3.4.1 Pricing Policies of Services Provided

Legal Aid WA charges for goods and services rendered on a full or partial cost recovery basis. These fees and charges are determined in accordance with Costing and Pricing Government Services: Guidelines for Use by Agencies in the Western Australian Public Sector published by Treasury.

3.4.2 Capital Works

In accordance with Treasurer's Instruction 903 (13)(ii), Legal aid WA identifies capital works projects that remain ongoing at the end of the financial year (table 1) and the projects completed during the year (Table 2). Explanations have been provided for variations in actual expenditure that differ from the estimated total cost.

Table 1: Capital projects incomplete

Project Name	Expected Year of Completion	Estimated Cost to Complete	Estimated Total Cost of Project	Variance from previous financial year	Explanation
Partial refit of Perth Office The partial refit is part of Legal Aid WA's ongoing investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.	2022-23	\$28,676	\$100,000	N/A	N/A

Table 2: Capital projects completed

Project Name	Total Cost of Project	Variance from previous financial year	Explanation
Partial refit of South Hedland Regional Office The partial refit is part of Legal Aid WA's ongoing investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.	\$646,714	(53,286)	The reduction in total cost from prior year estimate is due to original scope to replace ceiling not required.

3.4.3 Employment and Industrial Relations

In accordance with Treasurer's Instruction 903(13)(iii) Legal Aid WA provides a summary of the number of its employees by category, in comparison with the immediately preceding period, along with information on staffing policies, industrial relations and workers compensation claims.

Industrial relations

At 30 June 2022, Legal Aid WA's FTE was 354.56 and headcount was 400. Legal Aid WA's employees are engaged under the *Legal Aid Commission Act 1976*. Remuneration and working conditions are subject to the Government Officers Salaries Allowance and Conditions Award 1989, the Legal Aid WA Agency Specific Agreement 2005 and the Public Sector CSA Agreement 2021. The Director of Legal Aid is appointed under the *Legal Aid Commission Act 1976* with the remuneration and terms and conditions set by the Commission.

Staff Profile	2022	2021
Full-time permanent	256	246
Full-time contract	84	86
Part-time measured on a FTE basis	55	38
On secondment	5	2
	400	372

Employee Training

To support professional development and organisational objectives, Legal Aid WA delivers specific programs of training:

Wellbeing

In accordance with the strategies identified in the Wellness Strategic Plan, Legal Aid WA provided training in a range of topics, including "Managing for team wellbeing", "Strategies for having great feedback sessions and working on difficult conversations" for managers and supervisors, sleep and stress management, burnout and adaptive resilience. A number of psychoeducational debriefing groups were available to teams to provide support and assist with development of resilience. Mental Health First Aid training was offered, increasing the number of staff with accredited Mental Health First Aid qualifications from 3 to 21.

Graduate Program

Legal Aid WA operates a regional graduate program. The program provides comprehensive on the job training and support in all areas of the law and a structured placement in a regional location.

Continuing Professional Development for Lawyers

Legal Aid WA provides accredited continuing professional development for lawyers. Training is delivered online and in-person via our learning management system, Train-N-Track. Train-N-Track has 1640 active users (1330 lawyers), houses 138 online modules (115 legal, 23 admin) and operates a booking manager for major in-person training events. In 2021-22, 6348 Continuing Professional Development points were awarded to Western Australian Lawyers.

COVID-19

Legal Aid WA provided online training for staff on COVID-19 Safe Work Practices. The module provides information about COVID-19 and the measures that can be taken to keep yourself and others safe. It also provides information about PPE including what is required, how to get it, how to correctly use it and when to use it.

Staffing Policies

Code of Conduct

In 2021 Legal Aid WA implemented a new Code of Conduct. We designed our code of conduct to maintain the high standards set by our committed staff. The Code translates the principles of the Commissioner's Instruction No.7 - Code of Ethics and the *Public Sector Management Act 1994*. It sets out the responsibilities and minimum standard of behaviour expected from employees when carrying out their duties.

COVID-19 Protocols

In 2022 Legal Aid implemented a range of measures to help keep our staff safe and to help prevent the spread of COVID-19 in our workplaces, and to assist us to continue to deliver as many services as possible while living with COVID-19. The COVID-19 Client Service Framework and COVID-19 Workplace Safety Framework provides staff with clear protocols to follow depending on the level of risk of COVID-19 spread in the community.

3.5 Governance Disclosures

3.5.1 Insurance Premiums

An insurance premium of \$21,799.25 (including GST) was paid to Marsh Pty Ltd for Directors and Officers Liability Insurance in 2021-22.

3.6 Other Legal Requirements

3.6.1 Act of Grace Payments

As at 30 June 2022, there were no act of grace payments recorded, as per the Treasurer's Instruction 319.

3.6.2 Credit Cards

Unauthorised Use of Credit Cards

Officers of Legal Aid WA hold corporate credit cards where their functions warrant usage of this facility. Despite each cardholder being aware of their obligations under Legal Aid WA's credit card policy, thirteen employees inadvertently utilised the corporate credit card for meals, groceries, parking and petrol. The matters were not referred for disciplinary action as the Chief Finance Officer noted prompt advice and settlement of the personal use amount and, the nature of the expenditure was immaterial and characteristic of an honest mistake.

	Amount (\$)
Aggregate amount of personal use expenditure for 2021-22	\$ 253.57
Aggregate amount of personal use expenditure settled by the due date (within 5 working days)	\$ 208.82
Aggregate amount of personal use expenditure settled after the period (after 5 working days)	\$ 44.75
Aggregate amount of personal use expenditure outstanding at balance date	\$ 0.00

3.6.3 Other Information Required by Legislation

3.6.3.1 Annual Estimates

Statement of comprehensive income

For the year ended 30 June 2023

	2020-21	2021-22 Estimated	2022-23 Section 40
	Actuals \$000	Actual \$000	Estimates \$000
Cost of services			
Expenses			
Employee benefits expenses	38,501	50,885	48,280
Supplies and services	6,543	6,896	6,404
Depreciation and amortisation expenses	6,267	6,484	6,488
Finance costs	2,213	2,072	1,987
Accommodation expenses	1,626	1,695	1,825
Legal services expenses	29,718	29,902	26,237
Grants and subsidies	16,476	-	-
Other expenses	1,818	1,973	1,886
Total cost of services	103,162	99,907	93,107

Income

User charges and fees	3,889	2,635	2,774
Commonwealth grants and contributions	42,138	37,825	30,908
Interest income	262	356	356
Other income	211	347	355

Total income

Net cost of services

Income from State Government

Income from other public sector entities	58,597	52,390	56,663
Resources received	3	-	-
Royalties for Regions Fund	105	88	88

Total income from State Government

Surplus/(deficit) for the period

2020-21	2021-22 Estimated	2022-23 Section 40
Actuals \$000	Actual \$000	Estimates \$000
46,500	41,163	34,393
56,662	58,744	58,714
58,705	52,478	56,751
2,043	(6,266)	(1,963)

Statement of financial position

As at 30 June 2023

	2020-21	2021-22 Estimated	2022-23 Section 40
	Actuals \$000	Actual \$000	Estimates \$000
Assets			
Current Assets			
Cash and cash equivalents	25,725	21,660	18,619
Receivables	3,897	3,536	3,202
Other financial assets	21,000	21,000	21,000
Other current assets	979	979	979
Total Current Assets	51,601	47,175	43,800
Non-Current Assets			
Restricted cash and cash equivalents	740	740	740
Receivables	6,255	5,708	5,159
Property plant & equipment	2,284	2,830	2,799
Right-of-use assets	63,974	60,103	54,644
Intangible assets	635	623	4,146
Total Non-Current Assets	73,888	70,004	67,488
Total assets	125,489	117,179	111,288

Liabilities

Current Liabilities

Payables	29,723	29,753	29,756
Lease liabilities	3,772	4,186	4,416
Employee related provisions	6,277	6,280	6,280
Contract liabilities	1,437	1,437	1,437

Total Current Liabilities

Non-Current Liabilities

Lease liabilities	64,674	62,183	58,022
Employee related provisions	1,817	1,817	1,817
Contract liabilities	689	689	689

Total Non-Current Liabilities

Total liabilities

Net assets

Equity

Contributed equity	596	596	596
Reserves	519	519	519
Accumulated surplus/(deficit)	15,985	9,719	7,756

Total equity

	2020-21	2021-22 Estimated	2022-23 Section 40
	Actuals \$000	Actual \$000	Estimates \$000
Liabilities			
Current Liabilities			
Payables	29,723	29,753	29,756
Lease liabilities	3,772	4,186	4,416
Employee related provisions	6,277	6,280	6,280
Contract liabilities	1,437	1,437	1,437
Total Current Liabilities	41,209	41,656	41,889
Non-Current Liabilities			
Lease liabilities	64,674	62,183	58,022
Employee related provisions	1,817	1,817	1,817
Contract liabilities	689	689	689
Total Non-Current Liabilities	67,180	64,689	60,528
Total liabilities	108,389	106,345	102,417
Net assets	17,100	10,834	8,871
Equity			
Contributed equity	596	596	596
Reserves	519	519	519
Accumulated surplus/(deficit)	15,985	9,719	7,756
Total equity	17,100	10,834	8,871

Statement of changes in equity

For the year ended 30 June 2023

	2020-21 Actuals \$000	2021-22 Estimated Actual \$000	2022-23 Section 40 Estimates \$000
CONTRIBUTED EQUITY			
Contributed equity at start of the period	596	596	596
Equity contributions during the period	-	-	-
Contributed equity at the end of the period	596	596	596
ASSET REVALUATION SURPLUS			
Balance at start of the period	141	519	519
Net revaluation increments/ (decrements)	378	-	-
Balance at the end of the period	519	519	519

ACCUMULATED SURPLUS

Balance at start of the period

Changes in accounting policy

Initial application of AASB 16

Initial application of AASB 15/1058

Restated balance at start of the period

Surplus / (deficit) for the period

Balance at the end of the period

BALANCE OF EQUITY AT END OF THE PERIOD

2020-21 Actuals \$000	2020-21 Estimated Actual \$000	2022-23 Section 40 Estimates \$000
13,942	15,985	9,719
-	-	-
-	-	-
-	-	-
13,942	15,985	9,719
2,043	(6,266)	(1,963)
15,985	9,719	7,756
17,100	10,834	8,871

Statement of cash flows

For the year ended 30 June 2023

	2020-21 Actuals \$000	2020-21 Estimated Actual \$000	2022-23 Section 40 Estimates \$000
Cash flows from the State Government			
Funds from other public sector entities	58,597	52,390	56,663
Royalties for Regions Fund	105	88	88
Net cash provided by the State Government	58,702	52,478	56,751
Utilised as follows:			
Cash flows from operating activities			
Payments			
Employee benefits	(37,075)	(50,870)	(48,284)
Supplies and services	(6,518)	(7,311)	(6,740)
Finance costs	(2,216)	(2,072)	(1,987)
Accommodation	(1,604)	(1,694)	(1,823)
Legal services	(29,846)	(29,919)	(26,237)
GST payments on purchases	(6,266)	(3,092)	(3,092)
Other payments	(17,485)	(1,376)	(1,394)
Receipts			
User charges and fees	3,360	2,783	2,922
Commonwealth grants and contributions	42,138	37,825	30,908

Interest received	322	356	356
GST receipts on sales	40	34	34
GST receipts from taxation authority	5,941	3,058	3,058
Other receipts	261	927	935
Net cash provided by/(used in) operating activities	(48,948)	(51,351)	(51,344)

Cash flows from investing activities

Payments

Purchase of non-current physical assets	(1,087)	(1,235)	(4,192)
Net cash provided by/(used in) investing activities	(1,087)	(1,235)	(4,192)

Cash flows from financing activities

Principal elements of lease payments	(3,634)	(3,957)	(4,256)
Net cash provided by/(used in) financing activities	(3,634)	(3,957)	(4,256)

Net increase/(decrease) in cash and cash equivalents	5,033	(4,065)	(3,041)
Cash and cash equivalents at the beginning of the period	42,432	47,465	43,400
Cash and cash equivalents at the end of the period	47,465	43,400	40,359

3.6.3.2 Legal Aid Trust Statement

Legal Aid Commission of Western Australia	
Trust Statement - Client Trust Fund	
Name	An account titled the Legal Aid Commission of Western Australia - Client Trust Fund (the Account) shall be established and maintained as a special purpose account pursuant to section 16(1)(c) of the <i>Financial Management Act 2006</i> by the Legal Aid Commission of Western Australia (the Commission).
Purpose	To hold funds in trust for persons who are or have been assisted persons in accordance with section 17 of <i>Legal Aid Commission Act 1976</i> .
Receipts	There shall be credited to the Account funds for the persons who are or have been assisted (e.g., cost recoveries for criminal injury compensation) and investment income.
Payments	Moneys standing to the credit of the Account maybe used for contribution imposed as a condition of a grant of legal aid in accordance with section 39 of <i>Legal Aid Commission Act 1976</i> . Any unused funds shall be returned to the person entitled to them. Investment income is to be dealt with in accordance with Part 12 Division 4 of the <i>Legal Profession Act 2008</i> and regulation 109 of the <i>Legal Profession Regulation 2009</i> .
Accountability and Governance	The Account shall be administered, accounted for and reported on by the Commission in accordance with the <i>Financial Management Act 2006</i> , <i>Financial Management Regulation 2007</i> , <i>Legal Aid Commission Act 1976</i> , <i>Legal Profession Act 2008</i> , <i>Legal Profession Regulation 2009</i> and Treasurer's instructions.
Review	A detailed review of the Account is to be undertaken on an annual basis. This is to include an assessment of the payments and receipts to ensure compliance with the purpose outlined above.
Disposal of funds on cessation	Upon closure of the Account, any balance standing to the credit of the Account shall be returned to the person entitled to them in accordance with section 17 of <i>Legal Aid Commission Act 1976</i> or credited to the Legal Aid Fund of Western Australia established by section 52 of <i>Legal Aid Commission Act 1976</i> .

3.6.3.3 Expenditure on advertising, Market research

In accordance with section 175ZE of the *Electoral Act 1907*, Legal Aid WA incurred the following expenditure in advertising, market research, polling, direct mail and media advertising:

Total expenditure for 2021-22 was \$85,686.00 (GST INC)

Expenditure was incurred in the following areas:

Expenditure	Supplier	Amount
Advertising Agencies	Nil	Nil
Polling organisations	Advantage Communications and Marketing	\$17,125.00
Direct Mail organisations	Nil	Nil
Media advertising organisations	CGM Communications	\$68,561.00

3.6.3.4 Disability Access & Inclusion Plan Outcomes

Legal Aid WA is committed to ensuring that everyone has equal access to its services. The *Disability Services Act (1993)* requires Legal Aid WA to have a Disability Access and Inclusion Plan (DAIP). Legal Aid WA's current DAIP was endorsed in 2015. In 2022/23 Legal Aid WA will update its DAIP.

New activities and significant outcomes under the DAIP are summarised below.

DAIP Outcome 1 – People with a disability have the same opportunities as other people to access the services of and any events organised by Legal Aid WA.

Legal Aid provides a range of high quality legal services for people with a disability.

Your Story Disability Legal Service

Legal Aid WA delivers services as part of an Australia wide legal service funded by the Commonwealth Government to provide free information, support and advice to people who want to tell their story to the Disability Royal Commission. The Disability Royal Commission is investigating reports of violence, neglect, abuse and exploitation against people with a disability. These incidents may have happened recently or a long time ago.

Legal Aid WA commenced this service in April 2020. The Your Story service at Legal Aid WA provides independent legal support to help people prepare and feel empowered to safely engage with the Disability Royal Commission. Some of the reasons that people may need legal advice to tell their story include where they want to name a person or organisation in their story or submission, where there is a concern about retribution for

telling their story or they want their story or parts of it to be kept confidential.

In 2021/22 Legal Aid continued to provide statewide Your Story support services. In June 2022 Legal Aid WA, in partnership with MIDLAS, presented at the annual Deafblind Conference in Fremantle about the Your Story legal service and Legal Aid WA's important work in this area was acknowledged by the Minister for Disability Services, the Hon Don Punch.

Legal Aid WA Bail Support Service

The Legal Aid WA Bail Support Service is a specialist service located within the Criminal Law Division of Legal Aid WA. It is staffed by 3 paralegals and 3 support workers, including a senior social worker. The role of the service is to help people who are remanded in custody on criminal matters to develop a plan to make them better candidates for bail. Once on bail, the service also provides practical assistance to clients to help them comply with their bail conditions. The service assists a range of people with disabilities, but particularly those with an intellectual disability or mental illness.

NDIS Appeals Unit

Legal Aid WA assists to ensure that people with a disability receive the support that they are legally entitled to from the National Disability Insurance Scheme. The Legal Aid NDIS Appeals Unit provides advice and legal assistance to people appealing internal NDIS decisions to the Administrative Appeals Tribunal (AAT), including representation of clients where appropriate. So far, the unit has been successful in every appeals case it has taken on for clients. In 2022, the services of the NDIS Appeals Unit were increased by 200% with an increase in the number of dedicated NDIS lawyers. Legal Aid WA provides advice to prospective participants and to participants in the NDIS and facilitates learning and networking for

disability advocacy service providers. During 2021/22 the NDIS team at Legal Aid tailored services to provide continued support to clients during the Covid19 pandemic including delivering services by telephone and video conferencing when required.

Seniors Rights & Advocacy Service

The Seniors Rights & Advocacy Service is a specialist legal advice and assistance service located in the Civil Law Division of Legal Aid WA. The Service helps older West Australians to safeguard their rights and prevent elder abuse. Older people who have experienced elder abuse or are at risk of elder abuse can get free legal advice and assistance from the Seniors Rights and Advocacy Service. Legal advice can be provided by telephone, face to face or through community outreach.

DAIP Outcome 2 - People with a disability receive information from Legal Aid WA in a format that will enable them to access the information as readily as other people are able to access it.

Legal Resources Online

Legal Aid WA continues to develop a range of legal and self-help resources online. These resources provide accessible and easy to understand answers on a range of legal issues in the areas of criminal law, family law and civil law. Subtitles are available for clients who are hearing impaired. A range of fact sheets are available for all legal topics. Important legal areas covered include elder abuse, financial hardship, mortgage hardship and family violence.

3.6.3.5 Compliance with Public Sector Standards and ethical codes

Legal Aid WA complies with the Public Sector Standards in Human

Resource Management and the Public Sector Code of Ethics.

Legal Aid WA publishes policies and procedures on the intranet to inform employees of the requirements. Guidance support is available through the Human Resources team. Employees are required to acknowledge their understanding of and commitment to the requirements of the Code of Conduct and Public Sector Code of Ethics annually and through the onboarding process. Lawyers and other professional groups also follow the relevant professional standards and ethical requirements.

To ensure compliance with recruitment and selection activities, Legal Aid WA provides training to selection committee members and all processes are reviewed by an independent person. Information about the Standards is made available to prospective applicants.

No breach claims against the Public Sector Standards were received in 2021-22.

3.6.3.6 Record Keeping Plan

Legal Aid WA's Recordkeeping Plan was approved by the State Records Commission on 24 October 2017. In accordance with the State Records Commission Standard 2 and Principle 6 the following information demonstrates Legal Aid WA's compliance.

Efficiency and effectiveness of the organisation's recordkeeping systems

Legal Aid WA is committed to efficiently and effectively implementing and maintaining recordkeeping systems and practices that meet business and operational needs, compliance requirements and stakeholder/client expectations. A new corporate recordkeeping system was implemented by Legal Aid WA in July 2020 and ensures all corporate records are managed in accordance with Legal Aid WA's Recordkeeping Plan. All client content

is in the process of being migrated to the new corporate recordkeeping system. The efficiency and effectiveness of recordkeeping systems is reviewed as part of Legal Aid WA's internal audit process.

The nature and extent of the recordkeeping training program

Legal Aid WA conducts online training programs for recordkeeping. The Recordkeeping Awareness Training and Recordkeeping System Training is incorporated into the induction package provided to all new staff. A Recordkeeping Awareness refresher training program is delivered to all staff every two years after they have completed the initial program. These online courses are amended to reflect any new legislative and/or State Records requirements.

Efficiency and effectiveness of the recordkeeping training

The completion of recordkeeping training at induction followed by regular ongoing recordkeeping refresher training is a mandatory requirement for all Legal Aid WA staff and is measured through the annual staff performance appraisal process.

Organisation's induction program addressing employee roles and responsibilities in regard to their compliance with the Recordkeeping Plan.

Legal Aid WA's Recordkeeping Awareness Training is incorporated in the induction program. The content covers employee roles and responsibilities with regard to their compliance with the Recordkeeping Plan.

3.7 Government Policy Requirements

3.7.1 Occupational Safety, Health, and Injury Management

Our commitment

Legal Aid WA is committed to pursuing the highest standards of workplace safety, health and wellbeing. Our goal is to provide a safe and healthy work environment for our employees, contractors and visitors to the workplace, as far as reasonably practicable. Our objective is to improve safety and health performance through continuous improvement, to provide a workplace that does not cause harm.

We recognise that effective communication and consultation enables workers to contribute towards decisions affecting their health, safety and wellbeing at work. We consult with workers and stakeholders in forums such as team meetings, incident reviews, working group meetings (particularly at the Work Health Safety Working Group, the External Workplace Review Committee and Professional Wellbeing Committee, Executive Management Team Quarterly Work Health Safety meetings), stakeholder meetings and informally during the planning of activities or team debriefs.

Important safety updates are communicated through Safety Alert bulletins and through team meetings.

Work Health and Safety Action Plan

The Work Health and Safety Action Plan provides a clear pathway of continuous improvement to achieve our safety objectives. It is developed in consultation with the Work Health and Safety Working Group and is endorsed by the Executive Management Team, who are committed to the development of a robust safety culture, an effective Health, Safety and Wellbeing Management Plan, reducing workplace injury and illness and complying with WHS Legislation.

Status of objectives 2021-22:

Management Commitment		Status
1	Review the Work Health Safety (WHS) and Wellbeing Policy Statement.	Complete
2	Display the WHS and Wellbeing Policy statement in offices, Law Hub, and public website.	In progress
3	Develop and implement WHS Action Plan.	Complete
4	Update the WHS and Wellbeing Policy Statement to reflect agreed objectives and targets.	In progress
5	Review the WHS Legislation (Act and Regulations), Codes of Practice and guidance notes and update the WHS and Wellbeing Policy Statement and other WHS documentation to reflect legislative change.	In progress
6	Develop a WHS Calendar with scheduled EMT WHS and Wellbeing reviews, as per the WHS and Wellbeing Policy Statement objectives and targets.	Complete
7	Develop the WHS Calendar with scheduled WHS activities as per the WHS and Wellbeing Policy Statement objectives and targets.	Complete

8	Quarterly EMT WHS and Wellbeing reviews to monitor achievement of KPI's as per the WHS and Wellbeing Management Plan.	Ongoing
9	Review the collection of data for use in calculating WHS statistics in line with the WorkSafe Plan requirements.	In progress
10	Schedule an external WorkSafe Plan Audit to be conducted in the second half of 2022.	Complete
Element 2: Planning		Status
1	WHS Calendar to be developed, inclusive of First Aid inspections, workplace Inspections, WHS Working Group meetings, External Workplace Working Group meetings, WHS Team meetings, EMT WHS and Wellness meetings.	Complete
2	Review of the WHS Operational Risk Register to be completed by the WHS Working Group and endorsed by EMT.	In progress
3	WHS Legislative review to be undertaken on commencement of WHS Act and Regulations. All documentation to be reviewed and legislative references updated. Content of documentation to be reviewed to ensure legislative compliance.	In progress

4	Legislative links on the Health, Safety and Wellbeing Circuit Page to be updated.	Complete
5	WHS obligations to private practitioners to be reviewed and suitable WHS resources to be made available via Law Hub.	In progress
6	Emergency Procedures to be reviewed and implemented across all Legal Aid WA offices.	In progress
Element 3: Consultation and Reporting		Status
1	Review the structure of WHS Team meetings across each division to ensure all staff are captured as per objectives and targets in the WHS and Wellbeing Management Plan.	Complete
2	Provide guidance/support to line management on the conduct of WHS Team Meetings to ensure appropriate content is addressed.	Ongoing
3	Develop and facilitate WHS consultation training for the WHS Working Group Members.	Complete
4	Publish regular WHS feature articles for distribution to all staff.	Ongoing
5	Publish regular WHS safety alerts for distribution to all staff.	Ongoing

6	WHS obligations to private practitioners to be reviewed and suitable WHS resources to be made available via Law Hub.	In progress
7	Coordinate WHS events to be conducted during National Safe Work month (October).	NYC
8	Design and implement a positive safety culture initiative recognising and celebrating good safety practices.	NYC
Hazard Management		Status
1	Develop an external workplace inspection form.	Complete
2	Develop and implement an external workplace inspection process as per the WHS and Wellbeing Management Plan objectives and targets.	In progress
3	Finalise and implement external workplace instructions across the organisation.	In progress
4	External workplace instructions to be made available to private practitioners via Law Hub.	NYC
5	Develop an external workplace communications protocol.	In progress

6	Update and review the external workplace corrective actions register on a regular basis in consultation with the EWWG.	Ongoing
7	Identify and develop additional required policy and procedures, based on the WHS Operational Risk Register. Current identified policies and procedures include, travel, fitness for work, contractor management (draft), offsite client visit (draft).	In progress
8	Review draft business case – duress alarms.	In progress
9	Review the working from home application and assessment process.	NYC

Workers compensation and injury management

Legal Aid WA follows the injury management compliance requirements of the Workers Compensation and *Injury Management Act 1981* (the Act) and provides support to managers and employees who are managing workplace injuries. Injury Management Plans are implemented to support employees to return to work in accordance with the Act.

This financial year 1 – a compensation claim of a minor nature was recorded. This compares with no compensation claims recorded in 2020-21. Management of 2 claims received in previous years continued.

Assessment of the occupational safety and health management system

Legal Aid WA continues to implement the safety management system implemented in 2020-21. An internal assessment of the system in line with the Worksafe Plan occurred in October 2021. A formal assessment of the system is scheduled in October 2022.

Reporting

Measure	Actual results			Results against target/ comments	
	2019-20	2020-21	2021-22		
Number of fatalities	0	0	0	Zero	Remains zero
Lost time injury and/or disease incidence rate	0.65	0.92	0.28	Zero or 10% improvement on the previous 3 yrs	Target met
Lost time injury and/or disease severity rate	50	66.6	0	Zero or 10% improvement on the previous 3 yrs	Target met
% of injured workers returned to work:					
i) within 13 weeks	100	100	100	Greater than or equal to 80%	Target met
ii) within 26 weeks	100	100	100		
% of managers trained in OSH management responsibilities	89	98	100	Greater than or equal to 80%	Target met

Data Definitions

Fatalities	The number of work-related fatalities.
Lost time injury or disease	The number of lost time injury/disease claims where one day/shift or more was estimated to be lost on claims lodged in the financial year
Severe claims	The number of severe claims (estimated 60 days or more lost from work). An injury resulting in death is considered to have accounted for 60 days or more lost.
Severity rate	The number of severe claims divided by the number of lost time injury/disease claims multiplied by 100.
Invalid claims	Cancelled and declined claims are excluded, however claims with actual lost time are recorded even though a substantial approval may have been declined.

3.7.2 Board and Committee Remuneration

Position	Name	Type of Remuneration	Period of Membership	Gross/Actual remuneration for the Financial Year
Chair of Commission	Hon Jane Crisford SC	Annual	1 July 2021 - 30 June 2022	\$18,600.00
Member of Commission	Steve Toutountzis	Annual	1 July 2021 - 30 June 2022	\$7,400.00
Chair of Internal Audit Committee	Steve Toutountzis	Per Meeting	1 July 2021 - 30 June 2022	\$1,800.00
Member of Commission	Elspeth Hensler	Annual	1 July 2021 - 30 June 2022	\$7,400.00
Member of Internal Audit Committee	Elspeth Hensler	Per Meeting	1 July 2021 - 30 June 2022	\$600.00
Member of Commission	Dion Smith	Annual	1 July 2021 - 30 June 2022	\$7,400.00
Member of Commission	Lanie Chopping	Annual	1 July 2021 - 30 June 2022	\$0.00
Member of Internal Audit Committee	Lanie Chopping	Per Meeting	1 July 2021 - 30 June 2022	\$0.00
Member of Commission	Curtis Ward	Annual	1 July 2021 - 30 June 2022	\$7,400.00
Member of Commission	Graham Hill	Annual	1 July 2021- 30 June 2022	\$0.00
Member of Internal Audit Committee	Graham Hill	Per Meeting	1 July 2021 - 30 June 2022	\$0.00

Statement of Compliance

For the year ended 30 June 2022

HON JOHN QUIGLEY MLA

ATTORNEY GENERAL

In accordance with section 63 of the *Financial Management Act 2006*, we hereby submit for your information and presentation to Parliament, the Annual Report of the Legal Aid Commission of Western Australia for the financial year ended 30 June 2022.

The Annual Report has been prepared in accordance with the provisions of the *Financial Management Act 2006*, the *Legal Aid Commission Act 1976* and the *Australian Charities and Not-for-profits Commission Act 2012*.

The financial statements comply with Australian Accounting Standards - Simplified Disclosures issued by the Australian Account Standards Board.



Hon. Jane Crisford SC
Chair of the Commission
Legal Aid
Date: 13/9/22



Graham Hill
Director of Legal Aid
Member of the
Commission
Date: 13/9/22





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