



LEGAL AID  
WESTERN AUSTRALIA

**ANNUAL REPORT  
2017-2018**

# Statement of Compliance

For the year ended 30 June 2018

## Hon John Quigley MLA

Attorney General

In accordance with section 63 of the *Financial Management Act 2006* (WA), 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 30th June 2018.

The Annual Report has been prepared in accordance with the provisions of the *Financial Management Act 2006* (WA) and the *Legal Aid Commission Act 1976* (WA).



**Hon. Jane Crisford SC**  
Chair of the Commission  
Date: 29/8/2018



**Graham Hill**  
Director of Legal Aid  
Member of the Commission  
Date: 29/8/2018

## Contact Details

### Postal

GPO Box L916  
Perth WA 6842

### Street

Level 1, 32 St Georges Terrace  
Perth WA 6000

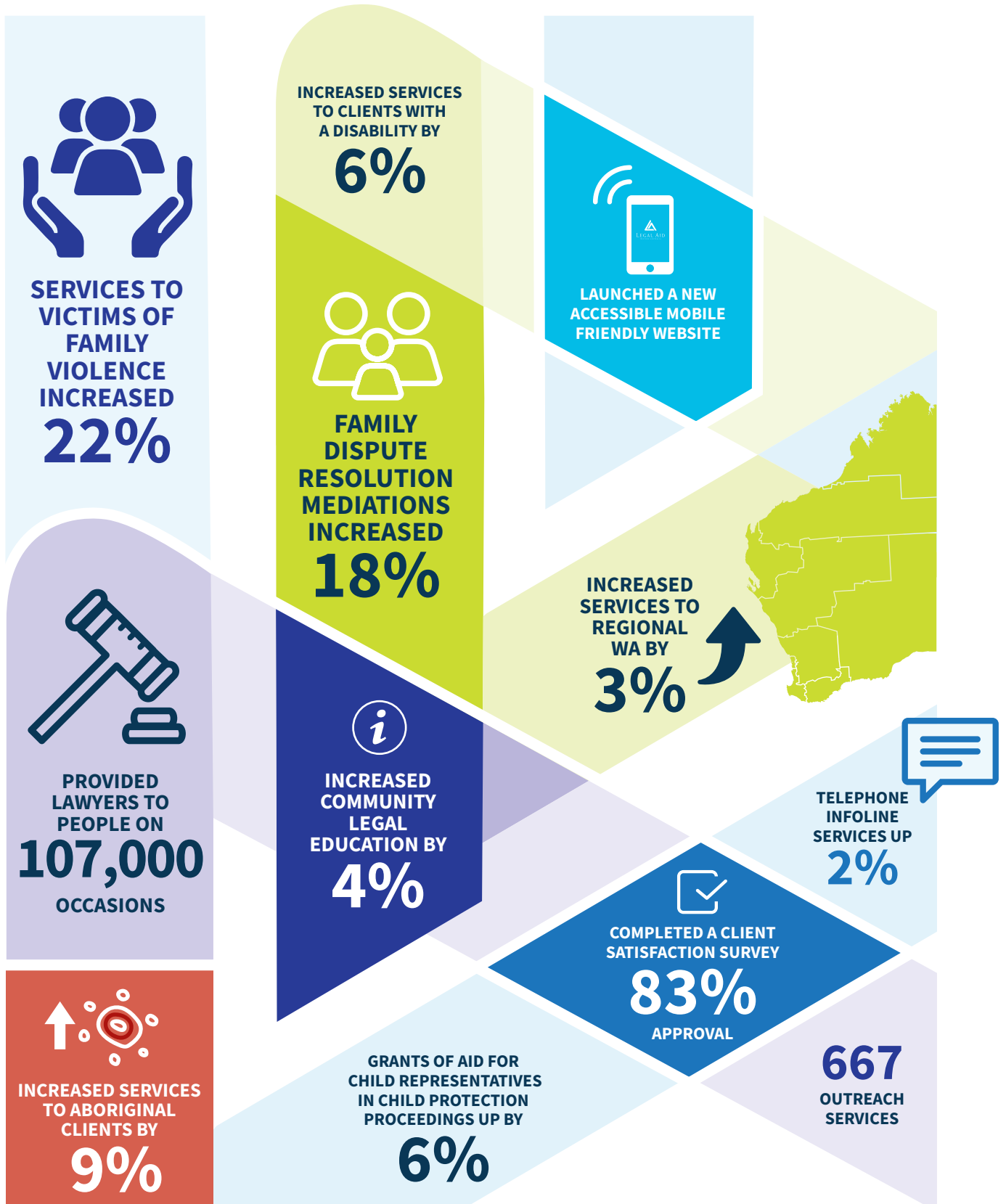
### Electronic

[www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au)

### Infoline

General Enquiries: 1300 650 579  
Telephone: 61 8 9261 6222  
Facsimile: 61 8 9261 6554

# The Year at a Glance 2017-18



## Who we are

Legal Aid Western Australia ('LAWA') is a statutory body set up under the *Legal Aid Commission Act 1976 (WA)*. We provide a range of legal aid services through a state-wide network of ten offices and 57 outreach locations. Our focus is upon economically and socially disadvantaged Western Australians. Our aim is to ensure that the most vulnerable people in our community have the protection of the law. In partnership with other agencies we deliver a 'wraparound service' that helps people turn their lives around.

LAWA was Australia's first Legal Aid Commission and is the largest legal assistance service in Western Australia. We employ 320 staff and have direct access to 445 private lawyers. The Western Australian Government and the Australian Government fund us to deliver legal aid services. In 2017-18, LAWA had a budget of \$72.794 million (plus \$11.02 million for Community Legal Centres). A Board of six Commissioners determines our policies and sets our direction. The Governor appoints Board members nominated by the Attorney-General and the Consumer Affairs Minister. LAWA operates at arm's length from Government but is accountable to the Attorney-General of Western Australia, the Hon John Quigley MLA.

### Reading the Annual Report

This Annual Report can be accessed in several different formats.

#### Online

This Annual Report is available as a PDF download from [legalaid.wa.gov.au](http://legalaid.wa.gov.au) as a full report or can be viewed in its individual sections.

### Hard Copy

Printed copies of the report can be viewed at your LAWA regional office and at the:

State Library of Western Australia  
Alexander Library Building, Perth Cultural Centre  
NORTHBRIDGE WA

### Alternative formats

On request, large print or copies of this Annual Report in an alternative format can be obtained from LAWA.

### Recognising Aboriginal and Torres Strait Islander Peoples

LAWA acknowledges the Aboriginal owners and custodians of the land on which we live and work. We recognise the spiritual relationship Aboriginal people have with Country and pay deep respect to Elders past and present.

# Contents

<b>1. Chair's Report</b>	<b>4</b>
<b>2. Chief Executive Officer's Report</b>	<b>6</b>
<b>3. About Us</b>	<b>9</b>
Our Services	10
Our Reach 2017-18	11
Financial Summary	12
Our Clients	12
<b>4. Overview of Agency</b>	<b>14</b>
4.1 Measuring our Performance	15
4.2 Operational Structure	40
4.3 Performance Management Framework	46
<b>5. Agency Performance</b>	<b>48</b>
5.1 Actual Results Versus Budget Targets	49
<b>6. Significant Trends</b>	<b>51</b>
<b>7. Disclosures and Legal Compliance</b>	<b>52</b>
7.1 Independent Auditor's Report	53
7.2 Certification of Financial Statements	57
7.3 Financial Report for the year ended 30 June 2018	58
7.4 Additional Key Performance Indicator Information	101
7.5 Ministerial Directions	105
7.6 Other Financial Disclosures	105
7.7 Governance Disclosures	112
7.8 Other Legal Requirements	114
7.9 Government Policy Requirements	117
<b>8. Contact Information</b>	<b>119</b>

# 1.

## Chair's Report

**On behalf of the Board I am pleased to present the 2017-18 Annual Report. The report describes the important work that Legal Aid Western Australia ('LAWA') and its partner organisations have done over the past year.**

Every day LAWA provides lawyers to over 430 Western Australians experiencing disadvantage. That's 430 people every day who are not denied access to justice because of poverty or social disadvantage. When you add our telephone Infoline, the service count adds up to 695 people every day. The people using these services include victims of family violence; prisoners in custody; victims of elder abuse; children at risk; people with disabilities; war veterans and their dependents; people facing homelessness; people from non-English speaking backgrounds; and people living in regional or remote parts of the State. The range of quality services provided by LAWA gives marginalised Western Australians the protection of the law, a second chance at life, and a real opportunity to turn their lives around. I am immensely proud of the services LAWA provided in 2017-18.

### **Increased services**

This report highlights LAWA's success in increasing some services; launching new services; and consolidating the innovations set in motion last year. Over the 2017-18 year, we increased services to victims of family violence by 22%, increased family law mediations by 18%, and telephone calls to our Infoline by 2%. These figures continue a trend of LAWA increasing services over recent years. Grants of legal aid are 15% higher than they were three years ago. Duty lawyer services are up 1%



and telephone Infoline services are 10% higher than they were three years ago. LAWA also launched a new website that has already become the authoritative source of legal information for the Western Australian community. We also embedded and fine-tuned recent initiatives such as the integrated duty lawyer and family violence support service and our self-represented litigants service.

LAWA recognises that to fulfil its mission of serving our State's most needy, it must also be financially strong. In 2017-18 the Board played an important role in keeping LAWA on a sound financial footing. The Board reviewed the financial and operational reports at each meeting and considered reports of the Audit and Risk Committee. A strong financial position enabled us to cover a modest deficit on the State side by drawing on our own reserves without further cuts to services. We are thankful for the extra money from the State Government over the year with the cost and demand model funding, as part of the Justice Pipeline Model project, delivering \$3.761 million. The State also provided an extra \$1.615 million in supplementary funding for expensive criminal cases and the Commonwealth provided an extra \$1.99 million for expensive Commonwealth criminal cases. These additional funds were crucial to our high levels of service delivery in 2017-18.

## Our Board

The Board met 12 times over the year. It monitored our organisation's performance and appointed new members to the independent Committees reviewing the decisions of our grants officers. An important function of the Board has been overseeing the compliance of private law firms with audits of their panel agreements.

Another focus of the year has been the transition to new leadership. The changes have included my appointment as the new Chair, four new Board members, and a new Director.

## New leadership

In July 2017, I was honoured to become Chair of this great Western Australian institution. I have a long history with the legal assistance sector that goes back to my time as a lawyer at the Kimberley office of the Aboriginal Legal Service. As a barrister in private practice I delivered legal aid to the community on LAWA's behalf. As a judge of the District Court, and the Family Court, I respected and admired LAWA's work in enabling disadvantaged and vulnerable people to access the same legal rights as everyone else.

During the year, LAWA farewelled Chairman Stuart Shepherd and Board members John Prior, Kate Beaumont, Belinda Lonsdale and Brian Bradley PSM. The Board was well served by these Commissioners and I thank them for their considerable contributions to LAWA. Stuart Shepherd led the Board for six years and I acknowledge his able stewardship of the organisation through a period of change and achievement. Over the year, we welcomed Steve Toutountzis, Lanie Chopping, Genevieve Cleary and Elspeth Hensler to the Board.

In 2017-18, the Board guided LAWA through a significant change in leadership. After 18 years as Director, George Turnbull retired in July 2017. Lex Payne served as interim Director for the next ten months until, upon the Board's recommendation, the Governor appointed Dr Graham Hill as Director from May 2018. Graham was previously CEO of Legal Aid Tasmania and, before that, Deputy Secretary, Courts, at the Department of Justice in Victoria. The Board looks forward to working with Graham in the years ahead. I record the Board's deep appreciation for the work of George Turnbull and Lex Payne over the last year.

## Special thanks

I thank the Attorney General of Western Australia, the Hon John Quigley MLA, and the Commonwealth Attorney General, the Hon Christian Porter MP, for their ongoing support and keen interest in Legal Aid. I am continually inspired by the work of LAWA's staff and those private lawyers who work tirelessly to protect the rights of our clients who suffer deep and persistent disadvantage. I thank those lawyers for their dedication and professionalism.

We look to the future with optimism and confidence. LAWA has emerged from the changes this year as a rejuvenated organisation with fresh spirit and a renewed commitment to the future. The year ahead promises ongoing improvement and innovation. In this forty first year of our history, we move forward with hope and enthusiasm as we continue to provide services that make Western Australia a fairer, safer and more inclusive community.



**Jane Crisford**  
Chair, Legal Aid Western Australia

# 2.

## Chief Executive Officer's Report

**This is the forty-first Annual Report of Legal Aid Western Australia ('LAWA'). On forty previous occasions the Directors who came before me have faithfully reported on the organisation's vital work in delivering services to those most in need and least able to advocate for themselves. In my first few weeks as Director of Australia's oldest Legal Aid Commission, I have been impressed by the long reach of LAWA's services and the large numbers in which they are provided.**



In the year that has passed, as with each of the forty years before, LAWA has played a central role in combating economic and social disadvantage in this State. Our services deliver the protection of the law to people who suffer relentless disadvantage. LAWA also contributes to the economic life of the State. Our services help people resolve their legal issues before they escalate into larger problems with downstream costs to the community. Our services contribute to the efficiency of a court system that would otherwise be overwhelmed by self-represented litigants.



This Annual Report tells the story of the 2017-18 year. It was a year that saw increased services, the launch of new services, and improvements to services launched last year. It was also a year of changing leadership and renewal.

## Service delivery

In 2017-18, LAWA provided lawyers to people on over 107,000 occasions. On top of that, calls to our Infoline increased by 2% (66,322 calls). When you add our community legal information program and website page views, the total service count is 320,669.

The year saw a continued focus on family violence services to victims of family violence which increased by 22%. We continued to develop our integrated duty lawyer and family violence support service that operates from Family Court registries. This service sees duty lawyers and social workers operating as a team to help self-represented litigants affected by family violence. Over the year, LAWA also increased family dispute resolution services by 18%. The majority of those cases involved allegations of family violence.

In 2017-18, LAWA took the law to where it was needed by providing outreach at 57 locations outside our offices. In a State the size of Western Australia, outreach is essential in providing access to justice to those who live beyond the reach of conventional services. LAWA provided a total of 667 outreach services over the year at locations outside of the Perth metropolitan area. There's also been a change in our client mix over the year with the proportion of legal services delivered to Aboriginal clients increasing by 9% and the proportion of clients with a disability increasing by 10%.

In April, LAWA launched a new website that provides authoritative legal information in the form of fact sheets, videos and animations. The new website is far more intuitive, adapts to any screen size, and is available in 30 different languages. It is already the State's major preventative service empowering people to avoid or limit legal problems.

LAWA is deeply committed to providing a high-quality service to recipients of legal aid. To be client centred, legal assistance services need to be appropriate to capability, proportionate to the problem and tailored to any cultural or special needs. To measure our success against these aims, we surveyed hundreds of former clients in April and May this year. We're proud to report an overall satisfaction rating of 83% - higher than the previous two years. Also, in support of higher

quality services, we audited 128 files of private lawyers. In-house lawyers were subject to a Quality Practice Standards audit. 2018 marks the 20<sup>th</sup> year of LAWA's participation in the Quality Practice Standards program.

## The year ahead

We release this Annual Report at a moment rich with promise. The 2018-19 year will see the launch of an online legal chat service that will provide a third way for Western Australians to get legal information beyond telephoning our Infoline or calling in at our offices. In the coming year we will create a network of "virtual offices" across the State. We will place these offices in sites currently without a permanent legal assistance service. They will enable people to get free advice, and be face-to-face with a Legal Aid lawyer, through video technology. We will also significantly extend our services to meet the growing challenge of elder abuse. The year ahead will see us launch our Blurred Borders project that will provide better justice outcomes for local Aboriginal groups who move across the border with the Northern Territory. We will also institute reporting in real time through online quarterly reports that will make LAWA the most open and transparent organisation in the Western Australian public sector. A review of business processes will see us realise significant efficiencies that will free up funds for additional service delivery.

## Thanks

We are constantly inspired by the courage and resilience of our clients as they contend with debilitating legal problems from positions of overwhelming disadvantage. We thank them for coming forward and allowing us to provide the help they need.

Over the year, the State Government provided considerable support with \$3.761 million extra funding from the cost and demand model. Supplementary funding of \$1.615 million for expensive cases also boosted our capacity to deliver services to the most vulnerable. I thank Alistair Jones, Mike Andrews and Lisa Bednarczyk from Treasury for their support of Legal Aid. I also thank Dr Adam Tomison and Mark Hainsworth from the Department of Justice for their commitment to improving access to justice. At the Commonwealth Attorney-General's Department, I thank Carolyne Howard, Sara Samios, Ariane Hermann, Adam Knott, Esther Bogaart and Kathleen Denman for their enthusiasm and ongoing support for LAWA.

Special credit is due to Lex Payne for his role in helping LAWA through the ten months between George Turnbull's retirement and my appointment. Being the Interim Director for an extended period is not an easy task but Lex Payne kept LAWA operating at the highest level. I also acknowledge George Turnbull's incomparable contribution to Legal Aid. We are all extremely grateful to him for his outstanding service to LAWA over 18 years.

LAWA's success would not be possible without a strong and supportive Board, ably led by Jane Crisford, and a steadfast and talented staff. Every day our fabulous staff make the impossible possible and deliver quality services - often in very difficult circumstances. I thank LAWA's loyal staff and our dedicated partners in the private profession for keeping the faith and staying committed to an accessible justice system and an ideal that would see all Western Australians equal before the law.



**Graham Hill**  
Director

# 3.

## About Us

<b>Our Services</b>	<b>10</b>
<b>Our Reach 2017-18</b>	<b>11</b>
<b>Financial Summary</b>	<b>12</b>
<b>Our Clients</b>	<b>12</b>

## Our Services

Legal Aid Western Australia (LAWA) provides a range of legal assistance services. Because clients have different needs, LAWA provides a continuum of services that vary in their intensity and cost. Providing a range of different assistance ensures that our services are appropriate to a client's needs, proportionate to the problem, and tailored to the level of legal capability. Our offering of different services also enables people to resolve legal issues in a timely way before they escalate into larger problems.

**Our range of services include:**

### Legal information through our website

We provide a range of fact sheets, self-help kits, YouTube videos on legal issues and referral information. Our website gets about 75,000 page views each month and is becoming the authoritative source of legal information for the Western Australian community.

### Community Legal Education

We conduct targeted community legal education sessions throughout Western Australia. Community legal education raises the personal legal capability of people within the vulnerable groups that we target. In doing so, it prevents legal problems from arising and stems the flow of issues requiring more intensive assistance. Last year, our community legal education reached over 18,000 Western Australians.

### Our telephone Infoline

We provide legal information and triage through our telephone information line. Our free call 1300 650 579 number is open to all Western Australians and can provide information and referral for people with legal problems. Last year LAWA provided over 66,000 services through the Infoline.

### Legal advice and minor assistance

Our lawyers provide legal advice and minor assistance for clients. Minor assistance includes help with drafting letters or affidavits, making telephone calls, or conducting negotiations. Last year we provided over 23,951 services of legal advice or minor assistance.

### Duty lawyer services

LAWA's duty lawyers are available at the Magistrates Court and the Family Court of Western Australia free of charge. They are available to help unrepresented litigants at court and will give advice, adjourn matters or appear for people to finalise the matter on the first appearance. This service is also available to people in custody and people effected by family violence. LAWA's duty lawyer service plays a significant role in contributing to the efficiency and effectiveness of the courts. Last year we provided over 54,000 duty lawyer services to people who would otherwise have been unrepresented before the courts.

### Grants of legal aid

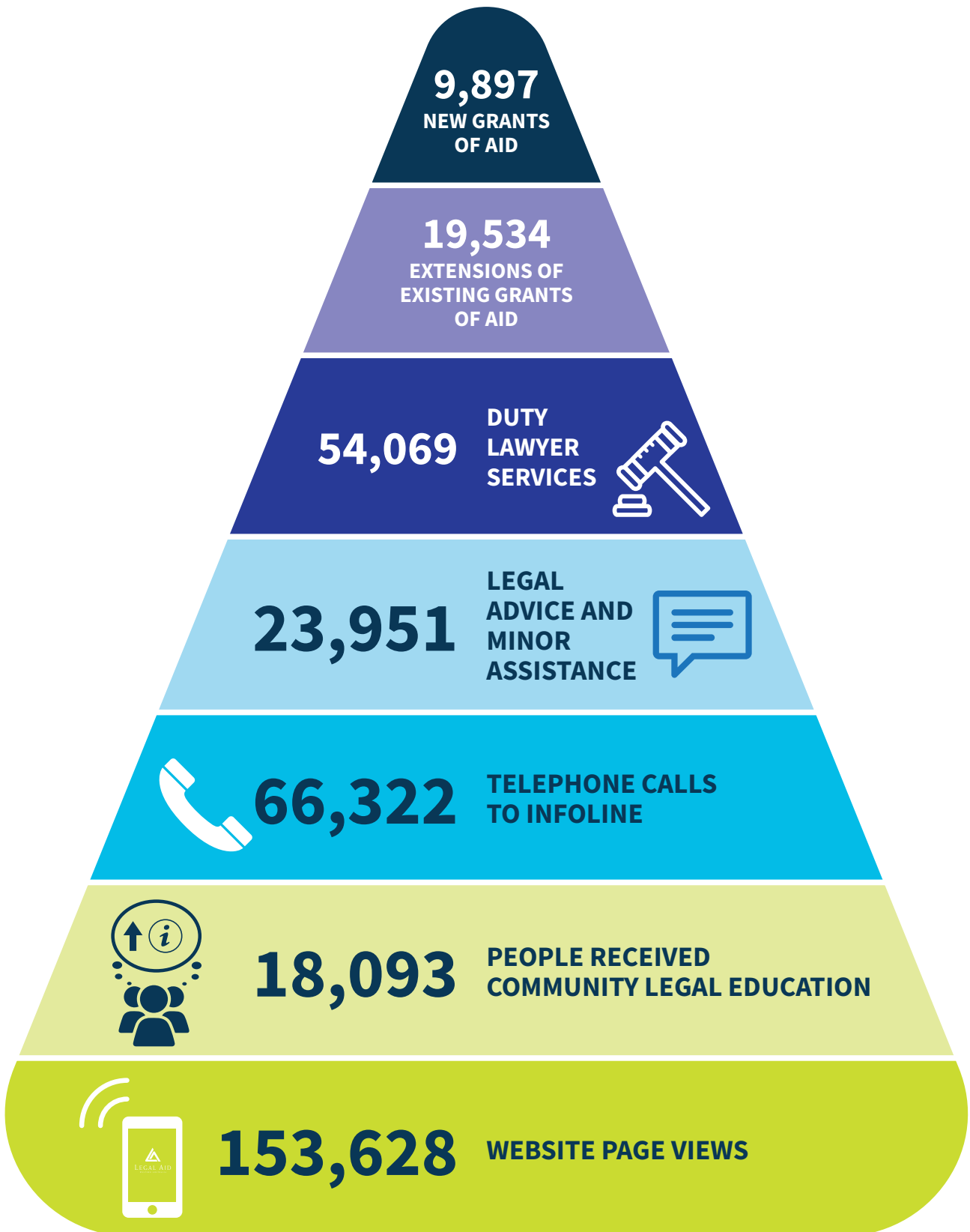
Where applicants satisfy our means test, LAWA grants aid for a lawyer to act for a client and to represent that client in court. Most legal aid for representation in Western Australia is delivered by the private profession on our behalf. LAWA also has an outstanding in-house practice that also provides representation for clients. Over the last year, we granted legal aid in 9,897 new cases, and 19,534 extensions of grants of aid.

### Mediation of family law disputes

LAWA conducts family dispute resolution mediation to settle high-conflict disputes concerning the living arrangements for children. Over the last year we conducted 602 mediations with an 89% rate of settlement. Resolving these disputes saves many thousands of court hours and provides the parties with a better resolution that is tailored to their needs.

Across our range of services, we also provide specialised services in family violence, elder abuse, and for self-represented litigants in the federal courts.

## Our Reach 2017-18



## Financial Summary

<b>Commonwealth funding</b>	<b>\$34.1 million</b>
<b>State funding</b>	<b>\$48.1 million</b>
<b>Other income</b>	<b>\$3.8 million</b>
<b>Surplus</b>	<b>\$1.988 million<sup>1</sup></b>
<b>Total income</b>	<b>\$86 million<sup>2</sup></b>
<b>Total expenditure</b>	<b>\$84 million<sup>3</sup></b>

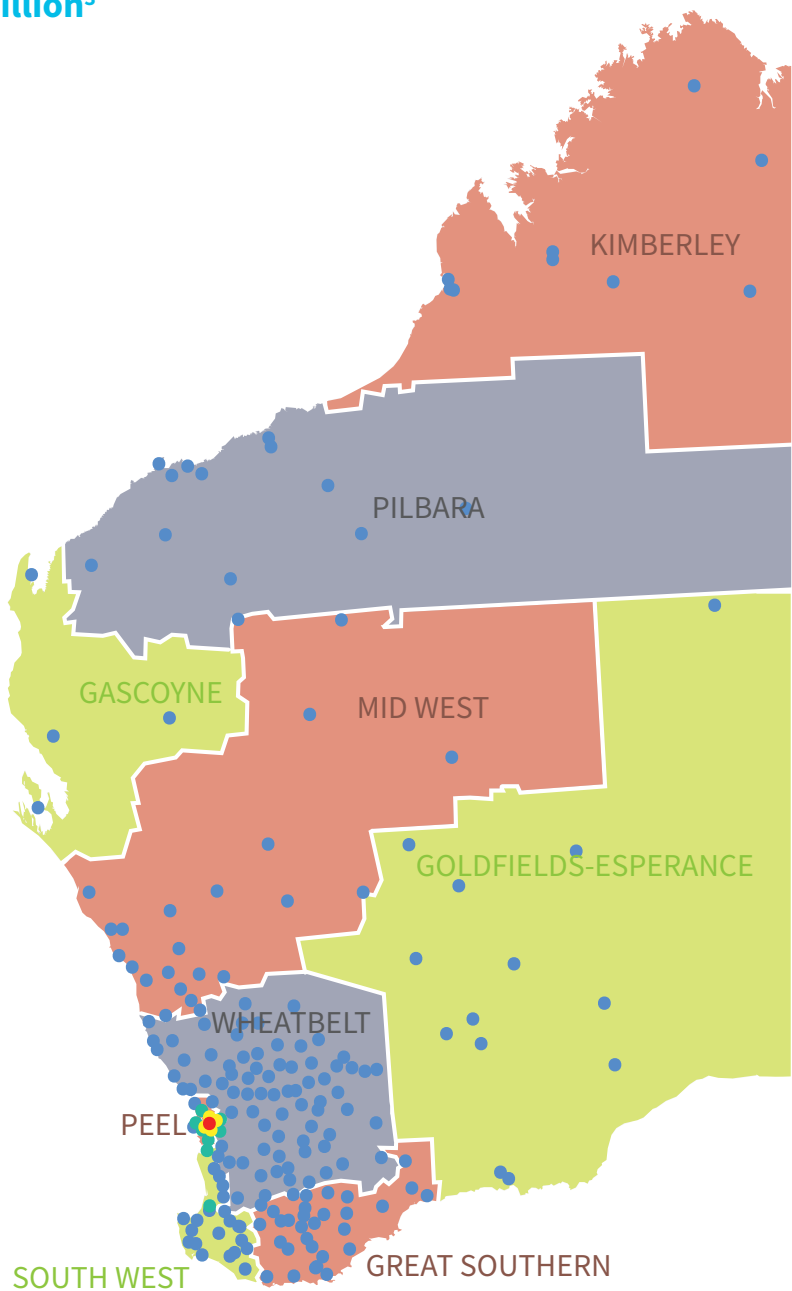
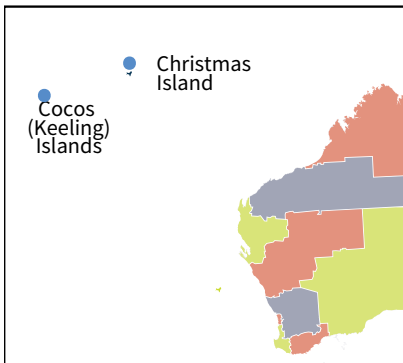
<sup>1</sup> The underlying surplus was \$832,000 after allowing for the difference in timing between funds received and expenditure incurred and allowing for non-cash reductions to depreciation, employee leave entitlements and doubtful debts.

<sup>2</sup> Includes \$10.2 million for Community Legal Centres

<sup>3</sup> Includes \$11.2 million for Community Legal Centres

## Our Clients

### Where our clients live





^ Based on new grants only

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

\*\* Excludes veterans clients who are not means tested

# 4.

## Overview of Agency

<b>4.1</b>	<b>Measuring our Performance:</b>	<b>15</b>
<b>4.2</b>	<b>Operational Structure</b>	<b>40</b>
<b>4.3</b>	<b>Performance Management Framework</b>	<b>46</b>



## 4.1 Measuring our performance

### Achievements against the *Legal Aid WA Strategic and Business Plan 2016-17*.

We achieved most of the objectives set out in our plan for the year.

#### Strategic objective 1 – Access to Justice

- ✓ Increased family violence services 22% in 2017-18
- ✓ Increased mediations 18% in 2017-18
- ✓ Increased Infoline services 2% in 2017-18
- ✓ Grants increased 15% over three years
- ✓ Duty lawyer services increased 1% over three years
- ✓ Increased services to regional WA by 3% in 2017-18
- ✓ Increased services to people with a disability by 6% in 2017-18
- ✓ Increased services to Aboriginal clients by 30% over three years

#### Strategic objective 2 – Develop and care for our employees

- ✓ Completed an external workplace review of all external sites
- ✓ Arranged the Summer Series CPD conferences for our staff and external partners
- ✓ Arranged *Supporting Staff in the Workplace* training for managers and supervisors
- ✓ Ran a six-month Group Supervision pilot for frontline staff working in client services
- ✓ Arranged staff attendance at a domestic violence alert workshop

#### Strategic objective 3 – Optimise and manage our resources

- ✓ Set performance targets for all service delivery staff to align with key performance targets
- ✓ Exercised budget discipline through vacancy control
- ✓ Worked with Treasury to develop a cost and demand model to forecast demand for services

#### Strategic objective 4 – Collaboration

- ✓ Successfully managed the Community Legal Centres program through 2017-18
- ✓ Organised WA jurisdictional forums to promote communication and exchange of information across the WA legal assistance sector
- ✓ Participated in collaborative service planning to map need in WA and to coordinate the sector-wide response to meet need

## Our performance against the State Government's Performance Management Framework set out in the budget statements

We achieved most of the indicators in the framework

### Key Effectiveness Indicators

- ✓ More than 85% of eligible applicants received a grant of legal aid
- ✓ 20% of people at court provided with a duty lawyer service
- ✓ 67% of callers successfully accessing our telephone Infoline

### Selected key Efficiency Indicators

- ✓ Reduced the average cost per application for processing a grant of legal aid
- ✓ Reduced the average cost of delivering regional initiatives for legal practice

## Reporting against the National Partnership Agreement

The Australian Government's funding of Legal Aid Western Australia is governed by the *National Partnership Agreement on Legal Assistance Services 2015-20* (NPA).

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

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

### Selected NPA performance indicators and benchmarks

Proportion of representation services to people experiencing financial disadvantage – 100%

Proportion of clients receiving quality services that LAWA delivers appropriately to match their needs and levels of capability (as measured by client satisfaction surveys) – 83% against 2018 survey

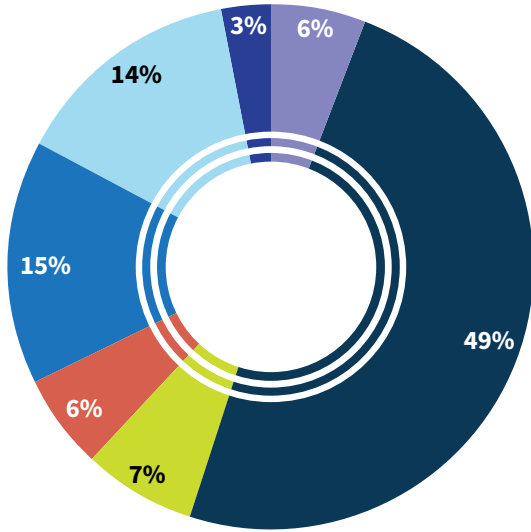
The number of dispute resolution services held – 1,373

The percentage of dispute resolution processes resulting in full or partial settlement – 89%

### The number of legal assistance services delivered under the NPA (Commonwealth funded)

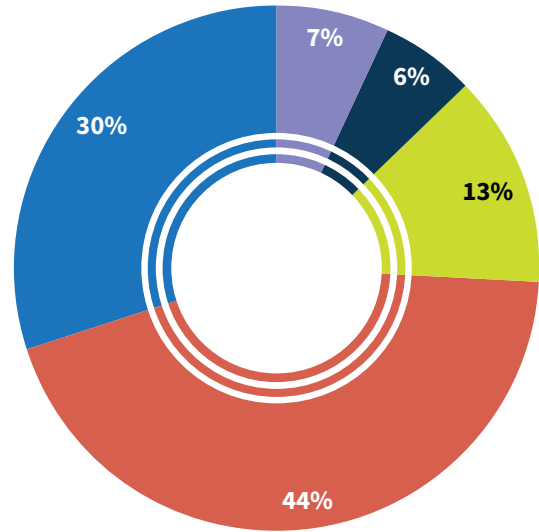
<b>Information and referrals</b>	<b>85,160</b>
<b>Legal advice</b>	<b>6,181</b>
<b>Representation</b>	<b>3,714</b>
<b>Duty lawyer services</b>	<b>2,063</b>
<b>Legal tasks</b>	<b>1,511</b>
<b>Community legal education activities</b>	<b>507</b>

**Resources by Service Type 2017-18**



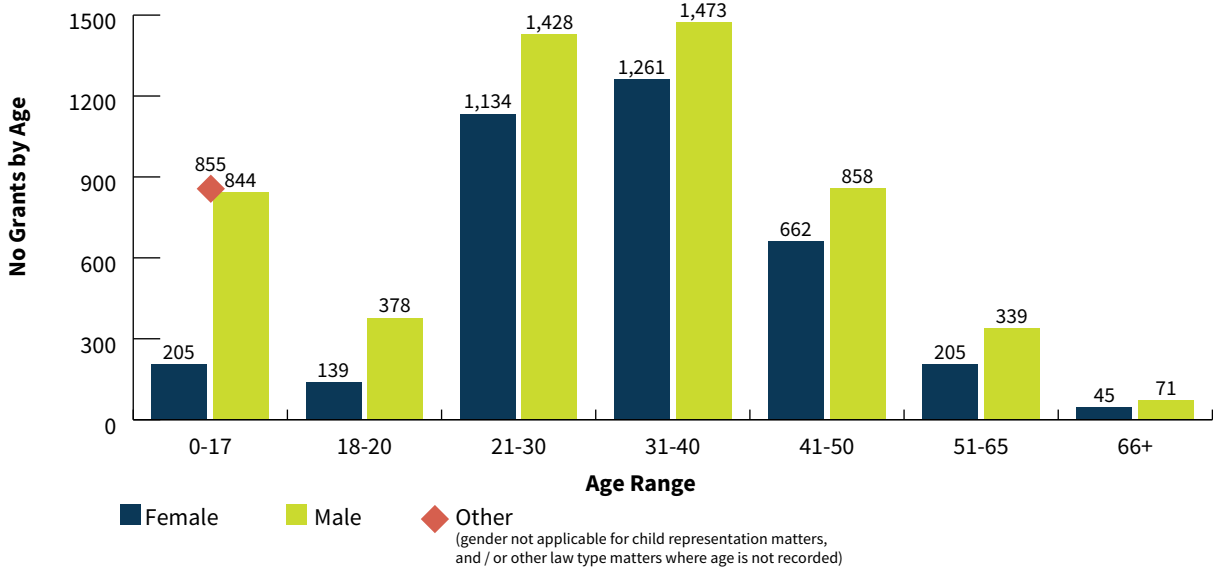
- Assessment and Case Management
- Legal Representation
- Legal Advice & Legal Task
- Infomation Services
- Duty Lawyer
- Community Legal Centres
- Other Community Services

**Outputs by Service Type 2017-18**



- Assessment and Case Management
- Legal Representation
- Legal Advice & Legal Task
- Infomation Services
- Duty Lawyer

**Applications Granted by Gender and Age Group**



## Family Violence Restraining Order Duty Lawyer Service – Perth and Joondalup Magistrates Courts

- » The Domestic Violence Legal Unit of the Family Law Division provides a duty lawyer service at the Perth and Joondalup Magistrates Courts.
- » Legal advice is available about family violence restraining order and family law matters.
- » Representation is available in interim family violence restraining order hearings and applications for adjournments.
- » Assistance is provided with family violence restraining order negotiations.
- » Applications for aid are taken so clients can be assessed for representation at final hearings.
- » The service also helps with safety planning and warm referrals to other support services for related issues, such as housing, Centrelink, tenancy and other matters.



### The people we help

LAWA's Domestic Violence Legal Unit lawyer represented Mary\* at a mention hearing for a family violence restraining order, in the Magistrates Court. With Mary's consent, her contact details and instructions from her initial application, which had been provided to the Family Violence Service of the Department of the Attorney General, were provided to the duty lawyer via email. This enabled the duty lawyer to telephone and speak to Mary ahead of the court date and get instructions and further details on the merits of the case. At the mention hearing, as the duty lawyer already had the full details of the case, he was able to spend time negotiating with Mary's ex-partner and successfully obtained a two-year conduct agreement order (consent family violence restraining order) without Mary having to go through the stress and risks of a trial.

\* Not real name.

## Working in the Justice System with Young People at Risk

The Youth Law Team (Youth Law) represents young people charged with offences. Youth Law works hard to ensure that no child is unrepresented or left in custody without timely legal advice. Youth Law provides legal representation in all metropolitan courts and continuous duty lawyer representation in the Perth Children's Court Drug Court Program.

Young people charged with offences have a range of complex inter-related issues. These include the impact of mental health impairments which can affect their 'capacity' to understand the legal process and their 'fitness' to stand trial; drug and substance misuse; homelessness; lack of, and exclusion from education; and physical, sexual and emotional abuse. Any one of these problems has an impact upon the way that a young person's legal matter is dealt with in court.

Youth Law work is collaborative in nature and lawyers will often speak to several other agencies in addition to the client and his/her family or carer, to develop 'pre- and post-sentence' therapeutic interventions and proposals. Youth Law has an active role in engaging with other stakeholders on collaborative projects and research.

## Duty Lawyer Service

The Duty Lawyer Service can be found in many courts in Western Australia, including regional Western Australia. This service helps self-represented litigants with:

- » criminal charges in the Magistrates Court or Children's Court;
- » parenting arrangements and child contact at the Family Court of WA in Perth;
- » assistance with care and protection orders at the Perth Children's Court; and
- » violence restraining orders in Perth and Joondalup Magistrates Court.

LAWA's duty lawyer service provided 54,069 services to Western Australia in 2017-18. That's 54,069 people who would otherwise be representing themselves at court.

## Children's Court Protection Services (CCPS)

LAWA provides a duty lawyer service at the Perth Children's Court to help families respond to applications for child protection orders made by the Department of Communities - Child Protection and Family Support. LAWA's lawyers and paralegal staff give legal advice and support, negotiate with the Department of Communities, prepare court documentation, provide legal representation in court, attend pre-birth signs of safety meetings at maternity hospitals, refer families to supporting services and assist parents apply for aid for ongoing representation where they are eligible.



### The people we help

The Department of Communities took an 11 year-old child Alex\*, into foster care, due to concerns about Alex's ongoing serious ill-health. Alex's parents, Max and Fiona, received initial advice from the LAWA duty lawyer who also helped them successfully apply for a grant of aid for ongoing representation. The duty lawyer represented Max and Fiona on the ongoing grant. Max and Fiona appeared to be doing everything they possibly could to have Alex treated and were complying with all directions by the medical professionals. The duty lawyer argued that the underlying issue causing Alex's recurring ill-health was the medical condition, not any neglect by Max and Fiona. The Department of Communities was persuaded to withdraw its application and Alex returned to live with Max and Fiona.

\* We have changed the names and some facts to protect privacy.

## Elder Abuse

The Civil Law Division considers elder abuse a priority issue. Elder abuse is defined as a single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person. It can include physical, psychological/emotional, sexual, financial abuse or reflect intentional or unintentional neglect.

LAWA has made submissions to the Legislative Council Select Committee Inquiry and appeared to give evidence before the Select Committee. We have also made submissions contributing to the development of the National Plan on Elder Abuse. In addition, we have spoken at a Law Society event on elder abuse, contributed through our membership of the Alliance for the Prevention of Elder Abuse Western Australia, and membership of the Department of Justice Elder Abuse Reference Group.

LAWA provides legal advice and assistance in elder financial abuse matters. In our experience this abuse takes the form of stealing from the older person; misusing an enduring power of attorney; pressuring an older person to make gifts or loans; failed assets for care arrangements and applying pressure to older parents to sign guarantee documents.

The guiding principles for our legal practice in assisting victims of elder abuse include:

- Compassionate, client centred advice and assistance
- Early intervention whenever possible
- Promotion of the autonomy and agency of older people
- Rights based legal assistance service delivery.



### The people we help

William\*, 79 years of age, was referred to LAWA by a social worker at a hospital. He told us that his eldest son stole \$80,000 from his bank account, allegedly acting under a power of attorney. William was adamant that he did not sign a power of attorney. He told us that his eldest son took him to the bank to remove the money from his account.

We established that there was no power of attorney and demanded that William's son return the \$80,000 to William's account. Following our demand, the money was returned in full to William's account.

\* Not real name.



## Family Advocacy Support Services (FASS)

- » Family Advocacy and Support Services is an innovative, holistic, legal and social support service for families who are experiencing family violence.
- » Families who are experiencing family violence can access legal advice and social support services by a LAWA duty lawyer and a social worker.
- » A recent initiative of the Commonwealth Government, the service is funded through the Commonwealth Department of the Attorney-General.
- » Through the Family Advocacy Support Services funding, LAWA was able to expand Family Court Services and establish duty lawyer and social support services in five regional areas in late 2017.
- » Family Advocacy Support Services duty lawyer services are now provided by Family Court Services in regional areas including Geraldton, Kalgoorlie, Broome, Albany and Bunbury on Family Court Magistrates' Circuits.
- » In Bunbury and Albany, the duty lawyer service is provided by the local Community Legal Centres by agreement with LAWA, supported by Family Court Services duty lawyers and regional LAWA lawyers.
- » Social support services in each of the regional areas are provided by local non-government agencies, who also provide overall management and coordination of the duty lawyer and social support services to ensure seamless and integrated delivery of services to families experiencing family violence.
- » Providing duty lawyer services in regional areas also facilitates training, mentoring and support to local practitioners to support the enhancement of family law knowledge and skills in the regions.



Some members of LAWA's FASS team



### The people we help

Ben\*, the father of 4-year-old Sarah, came to Family Court Services at the Family Court of WA in Perth after his ex-partner Alison, had obtained a family violence restraining order against him, protecting Alison and Sarah. Ben had been Sarah's carer for the past three years and Alison had not cared for Sarah during that time. Ben said that Alison had a history of drug use and mental health issues. Ben was not clear about the reasons for Alison's family violence restraining order.

Ben was triaged by the paralegal and referred to the duty lawyer, who assisted Ben to make an urgent application for the return of Sarah. The duty lawyer drafted Ben's documents and Ben in the meantime, was linked to the FASS social support worker for emotional support and safety planning for him and Sarah.

The matter was listed urgently in the Family Court the same day and heard without Alison (*ex parte*).

Ben's case was assisted by information obtained by the duty lawyer confirming Alison's history and concerns for Sarah being in the care of the Alison. The court made orders for the return of Sarah to Ben and an interim lives with order, superseding the family violence restraining order.

\* We have changed the names and some facts to protect privacy.

### LAWA's Call Centre – Information Line 2017-18

- » The Information Line (Infoline) receives calls about a broad range of legal and non-legal issues from throughout the State of Western Australia.
- » Infoline provided over 66,000 services.
- » Our leading group of callers are incarcerated or need assistance with family law issues, together making up 57% of our overall callers.

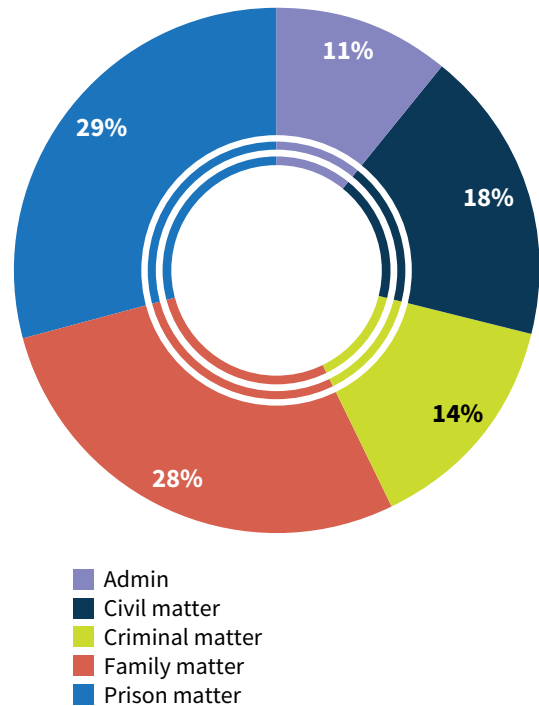


### Not just an information line

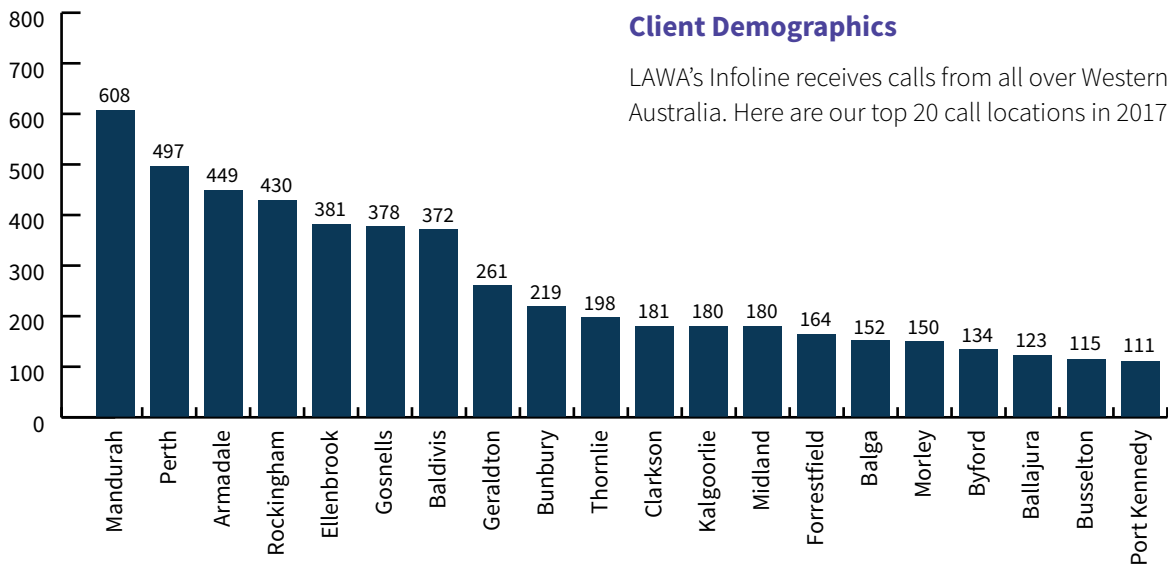
In 2017-18 we successfully planned and implemented;

- » The instant assessment and the submission of urgent applications for legal representation as an over the phone service. When clients call the Infoline there are trained staff with the ability to assess a client's eligibility for a grant of aid and the application can be taken over the phone and submitted the same day.
- » Immediate legal advice or dispute resolution screening for urgent family law matters. Clients now can be immediately transferred to a triage officer. The triage team are highly skilled paralegals who can provide immediate legal advice, screen for dispute resolution or assess and submit applications for legal representation.
- » An improved client management system for clients calling. In collaboration with our Call Centre software providers we have developed and applied a Client Record Management (CRM) system. When a client calls we search for their name and date of birth, if this is not the first call they have made to us, a full history of their contact and any associated notes will be displayed.

### 2017-18 call types to Infoline



### Top 20 Call locations



### Client Demographics

LAWA's Infoline receives calls from all over Western Australia. Here are our top 20 call locations in 2017-18.

## Health Justice Partnership

- » With the Northern Suburbs Community Legal Centre, LAWA has established a health justice partnership with the Joondalup Health Campus.
- » LAWA provides a specialist domestic violence service in Wanneroo for the Northern/North-Eastern corridor of Perth – ‘WREN’ (the Women’s Resource and Engagement Network), funded by the Commonwealth Department of the Attorney-General.
- » Legal and social support services are provided in partnership with the Northern Suburbs Community Legal Centre with a LAWA family lawyer co-located with a lawyer and a non-legal social support worker from the community legal centre.
- » By way of an innovative health/justice partnership, WREN has joined with the Joondalup Health Campus and local health services, to build screening, identification, and referral by health professionals of patients in family violence.
- » To promote awareness and legal knowledge to professionals about family violence, LAWA’s family lawyer provides family law related community legal education for staff of the Joondalup Health Campus and other local health staff. The family lawyer also conducts weekly legal advice sessions at the Joondalup Hospital for patients referred by hospital staff.
- » WREN receives referrals of patients across the Joondalup Health Campus, with the greatest number coming from the social work, emergency and maternity/ante-natal areas.
- » The partnership between the Northern Suburbs Community Legal Centre, the Joondalup Health Campus and LAWA enables vulnerable women in family violence to seamlessly access a holistic ‘wrap around’ service, including grants of aid where appropriate.
- » Targeting students as early as possible in their professional development, the LAWA family lawyer also provides community legal education for students of psychology, nursing, and law at the nearby Joondalup Campus of Edith Cowan University.



LAWA lawyer Kim Broughton currently on secondment to WREN



### The people we help

An eighty-year-old woman Maria\*, living with her sick husband Joe and forty-year-old daughter Grace, was referred to WREN by hospital social workers. WREN arranged for a client advocate working in the area of older people’s rights to sit in on the legal appointment.

Maria was lonely with no social networks and finding it difficult to care for Joe, as well as keep on top of chores around the home.

During the legal appointment Maria disclosed that Grace was verbally and physically abusive towards her and becoming more aggressive.

Maria wanted Grace to move out as she makes no financial contribution and provides no help around the home. Maria felt unable to get Grace to leave or obtain police assistance.

With the assistance of the LAWA WREN lawyer Maria was able to recognise Grace’s behaviours as elder abuse and family violence.

Family violence restraining orders and calls to the police when feeling unsafe were discussed as some options for Maria, as well as a discussion about safety planning whilst Grace remained in the home.

The client advocate for Older People’s Rights provided a referral to the Elderly Support Network; for support with caring for Joe and housework, and engagement with other elderly people in her area. Maria was also referred to a psychologist for counselling.

\* We have changed the names and some facts to protect privacy.



## Dispute Resolution

LAWA assists families in conflict to find solutions to disputes about children and property through dispute resolution conferences. Families are referred by legal practitioners, from the LAW A Infoline, the Family Court of WA, or in child protection matters, the Children's Court. All LAW A dispute resolution is legally assisted, so each person attending will usually be offered the opportunity to do so with a lawyer.

Conferences about children are child focused and, where appropriate, child inclusive. Whilst children do not attend conferences, in LAW A child inclusive conferences, children are invited to speak with LAW A's child consultant to discuss issues of importance to them. Information about the children, including the impact of the dispute on them, is then provided to the parents and/or family members at the conference.

### LAW A family dispute resolution services over three years



### 2017-18 (conference breakdown)



## LAWA Website

In April 2018, LAWA launched an updated website. The new website is mobile friendly and adapts to any screen size on computers and devices. It is intuitive, informative and easy to read and navigate. It has powerful search functions and literacy supports to enhance accessibility.

The website contains:

- » Information about LAWA including contact details, office locations and how to get legal help
- » A large amount of legal information across a range of legal topics
- » Self-help and community legal education resources, including guides, fact sheets and videos
- » A 'for lawyers' area with information about private practitioner panels, professional development and partner resources
- » Basic information about LAWA services in 30 different languages

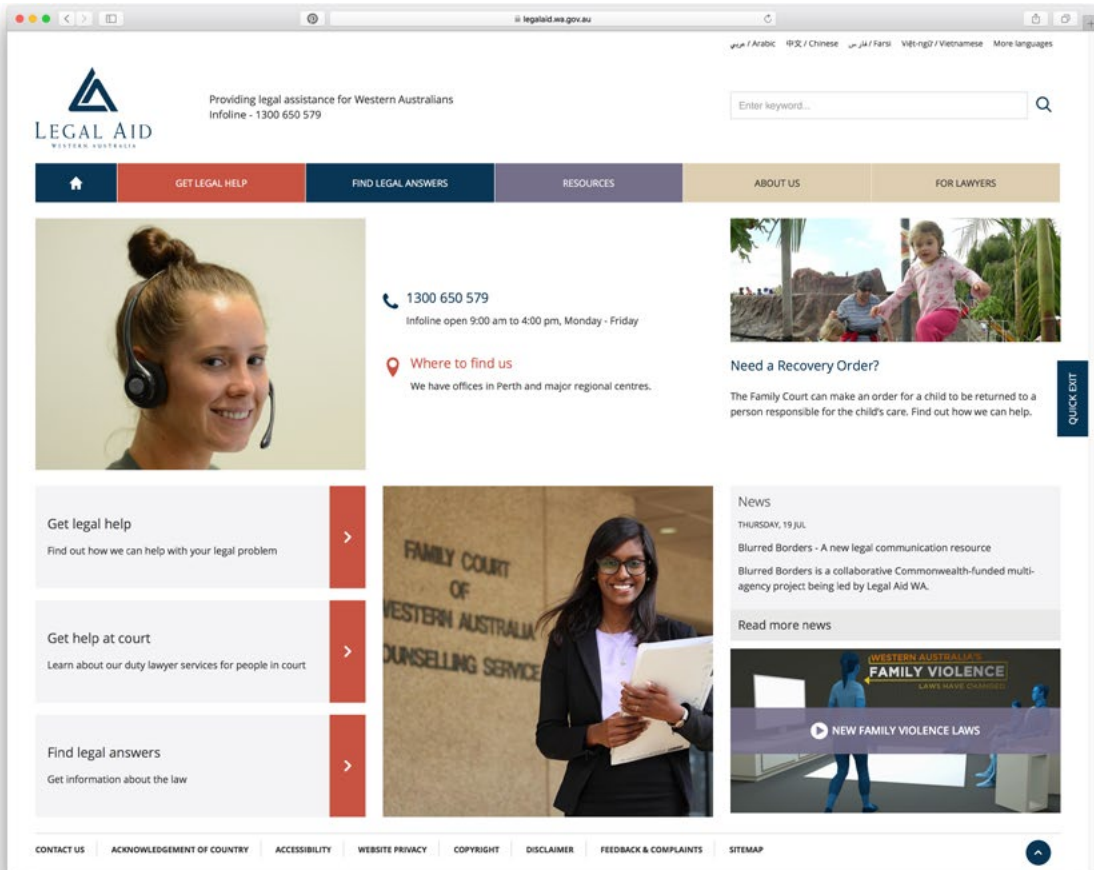
**BETWEEN THE LAUNCH DATE OF  
LAWA'S NEW WEBSITE ON 13 APRIL  
2018 AND 30 JUNE 2018, THERE WERE**

**153,628**

**UNIQUE PAGE VIEWS**



LAWA's new website will become the trusted and authoritative source of legal information for the Western Australian community.



## Self-represented litigants' advice service at the Federal Courts

The Civil Law Division provides advice and assistance to self-represented litigants at the Federal Circuit Court of Australia and the Federal Court of Australia. LAWA is the only Legal Aid Commission funded to provide this service. Funding of a national self-representation service commenced in 2013-14 and is delivered through a direct funding agreement with the Commonwealth Attorney-General's Department. The funding has been renewed for another three years, ending 31 August 2020.

The service predominantly assists clients with matters in the fair work, bankruptcy and migration appeals practice areas, but also provides some assistance in child support appeals, small business insolvency and constitutional law matters.

Assistance will generally be provided on:

- » whether there are grounds for proceeding with the application or appeal
- » the likely utility of the application or appeal
- » court process, procedure and etiquette
- » disclosure and evidence
- » drafting documents such as applications, affidavits, statements of claim or defences (it is anticipated that the client can leave the appointment with something to work on like an affidavit, a draft pleading or a form)
- » drafting court forms
- » settlement negotiations
- » preparation for trial and appearing in court to enable the client to present the best possible case in court
- » appeals, time limits and the importance of complying with directions or orders of the court
- » other options to resolve the person's legal problems

The service is provided from an office at the Commonwealth Law Courts building by a senior solicitor in the Civil Law Division.

The staff at the Perth Registry, both judicial and administrative, have been an extraordinary help and support to this service and we work very closely with the Registry staff to identify clients and to ensure effective service delivery.

### The people we help

The self-represented litigants' service assisted Bianca\*, a middle-aged woman and her younger husband Daniel, who had his application for a spouse visa refused by the Administrative Appeals Tribunal (AAT). We obtained a copy of the audio recording of the AAT hearing and identified grounds of appeal. We also arranged for a barrister to act for Bianca and Daniel on a pro bono basis. Ultimately, the Australian Government Solicitor agreed that there were valid grounds of appeal, and by consent between the parties, the matter was sent back to the AAT where it was decided in Bianca and Daniel's favour.

\* We have changed the names and some facts to protect privacy.

## Independent Children's Lawyers

- » The Family Court of WA appoints independent children's lawyers to represent children in family law proceedings. These lawyers are tasked with the difficult role of gathering evidence, presenting the views of children and advocating for the best interests of children in family law proceedings. LAWA's in-house independent children's lawyers (ICLs) are highly regarded by the Family Court of WA and take on some of the most complex and challenging children's matters in the State.



### The people we help

A LAWA ICL was appointed to a case involving two young parents, Josh\* and Lily and their 2 children Harley and Belle, aged 10 and 8. Lily did not want Josh to spend time with the children after separation, due to concerns about meth-amphetamine use. Josh had used drugs during the relationship but had been accessing support services and appeared to be making genuine progress in remaining drug free. However, because of the history, Lily was very reluctant for Harley and Belle to recommence time with Josh. The ICL was able to get orders for hair testing which showed Josh had not used drugs for at least 6 months. The ICL was also instrumental in working with Josh and Lily to try to rebuild the trust and relationship between them, resulting in the children recommencing time with and building a positive relationship with Josh. The improvement of the relationship between Josh and Lily also had a positive impact on Harley and Belle.

\* We have changed the names and some facts to protect privacy.

## Community Legal Education

Our community legal education (CLE) sessions and resources are tailored to suit different audiences depending on legal need and capability. Our CLE focuses on:

» **Prevention**

For example, our ‘R U Legal’ program teaches young people about consequences for actions in a legal context. Interactive sessions are presented in schools by lawyers and paralegals who share stories and videos about how young people can get into trouble with the law. We aim to make students stop and think before they act. We use interactive online resources about sexting, age of consent, cyberbullying and leavers to reinforce key legal messages.

» **Self-help**

We offer self-help assistance that enables individuals to address their own legal issues. For example, this year as part of our Community Online Resource Essentials (CORE) program, we created an online self-help module about ‘Getting an Interim Family Violence Restraining Order’. In 2017-18 over 1000 people accessed our CORE program.

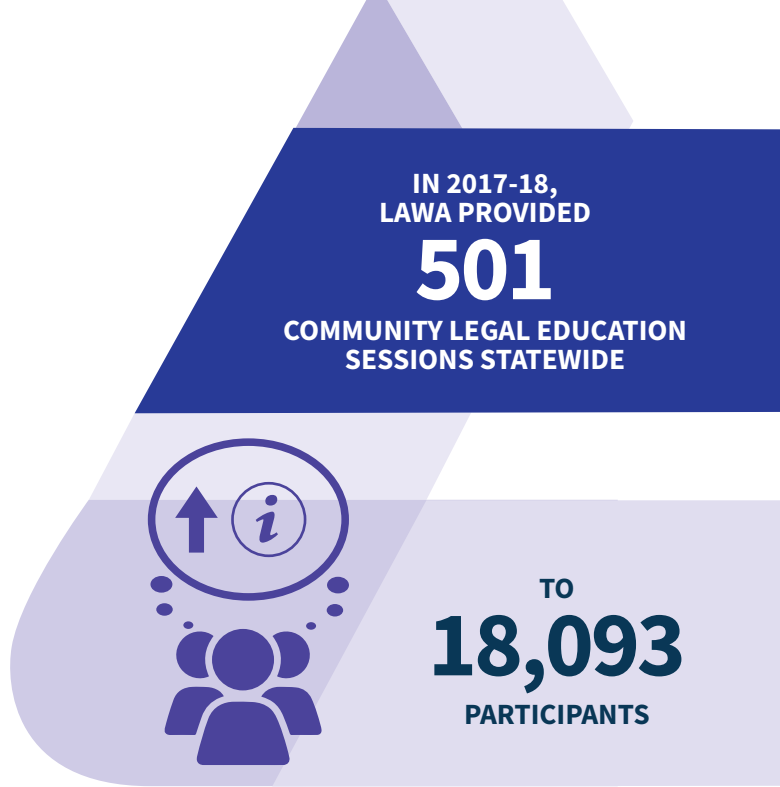
» **Information and referral**

We show people how to access legal assistance and provide a referral pathway for people who require specialised legal advice.

As part of our ‘Kids and the Law’ program, we have formed a partnership with Banksia Hill Detention Centre. Our lawyers conduct fortnightly education sessions with young people in detention to help empower them to make smart choices. We continue to receive very positive feedback about this program:

*“The staff believed it to be a very informative, relevant and interesting presentation for the young people who participated.”*

Coordinator of Youth Custodial and Re-entry Programs and Services Banksia Hill Detention Centre



Online self-help module about ‘Getting an Interim Family Violence Restraining Order’



Lindsay Greatorex Legal Aid WA Community Liaison and Education Officer at the Broome Girls Academy



## Reconciliation Action Plan

The Reconciliation Action Plan (RAP) is a strategic document that includes practical actions to drive our contribution towards reconciliation both internally and in the communities in which we serve. LAWA's first RAP was developed in 2009 by the RAP Working Group, which continues to lead on the delivery of the Plan.

One of the significant pieces of work undertaken by the RAP Working Group this year was the submission to the Australian Law Reform Commission "Pathways to Justice-Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples". We made many practical recommendations for change, including the following:

- » Justice agencies continuing the path of justice reinvestment through resources being redirected from prisons and into substance abuse treatment beds and psychiatric hospital treatment beds.
- » A greater use of Aboriginal interpreting services for explaining conditions of bail and restraining orders, for police interviews and in courts throughout the State.
- » Police training should encourage the use of a court attendance notice rather than arrest, and to keep bail conditions to a minimum when setting bail after an arrest.

- » Bail protocols should be established to permit a warning system for minor breaches of bail conditions, particularly by young accused.
- » Police officers and prosecutors should be given greater discretion to divert minor offenders away from the justice system into counselling and rehabilitation, especially where the key factor underlying an offence is one of mental impairment.
- » Road traffic law should be reformed to reduce the number of Aboriginal people imprisoned for traffic offences.

The RAP working group also progressed the development of the 2018-21 Plan. This will be LAWA's fifth Reconciliation Action Plan.

Other activities also included making arrangements to celebrate and recognise National Reconciliation Week arranging culturally specific cultural awareness training for LAWA's regional offices, and engaging a trainee through the Public Sector Aboriginal Traineeship Program.



*Legal Aid lawyer Kylie Kerin showing a local Balgo resident a story card as part of a community legal education project*

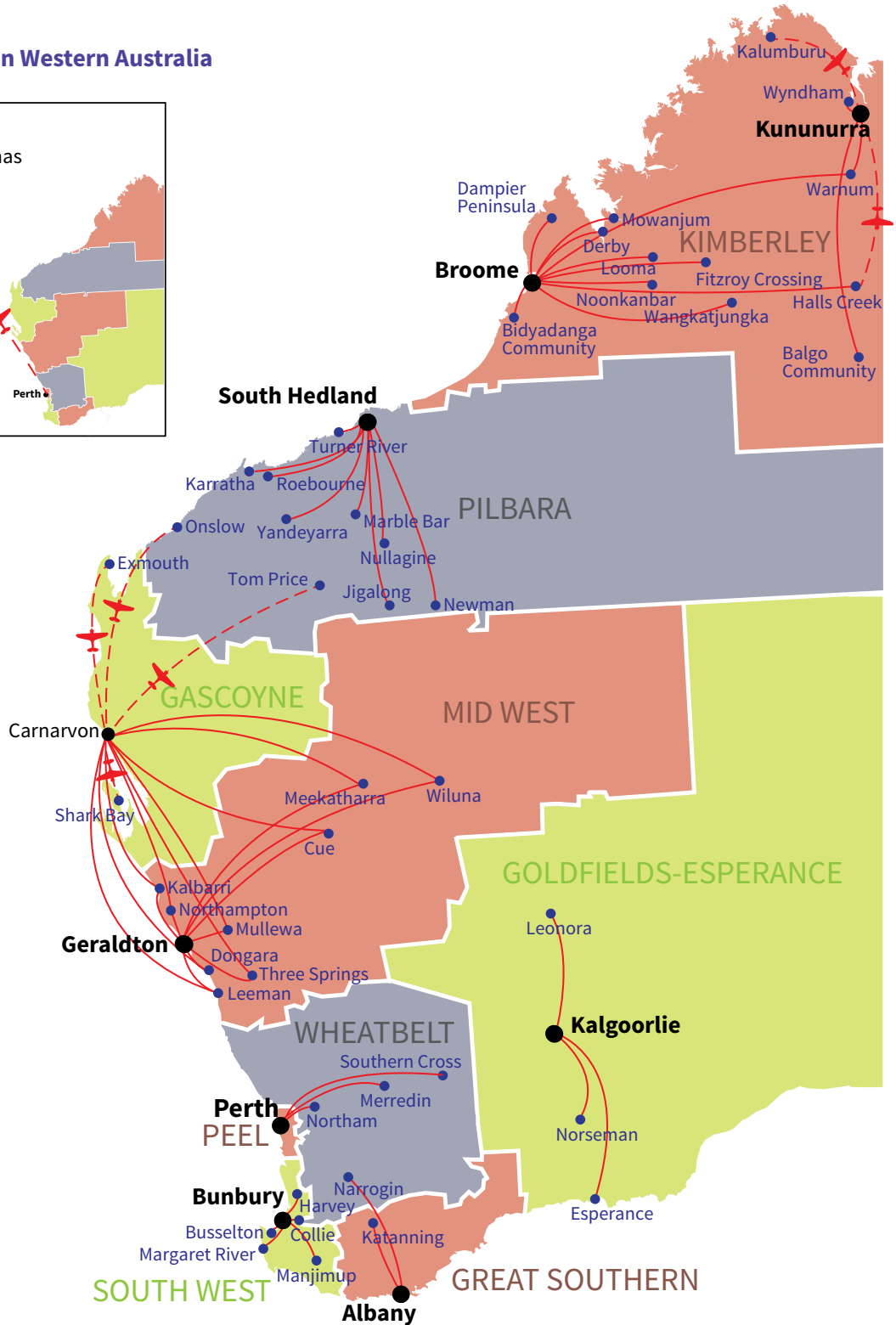
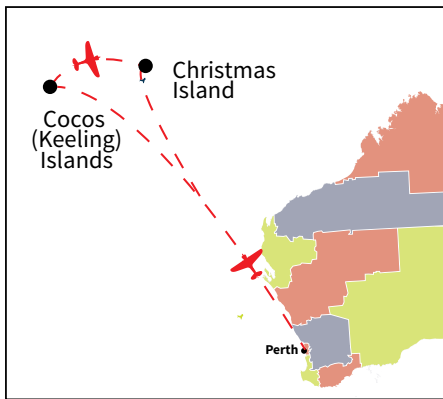
### Taking the law to where it is needed

We attended 57 outreach locations to deliver services that are accessible to Western Australians in need.

Every week our lawyers go out to meet clients where they are needed. In 2017-18, our staff covered

270,000 kilometres to deliver outreach on 667 visits to communities outside of the Perth metropolitan area. Our outreach includes lawyers at courts, community legal education, and advice clinics in regional and remote communities.

### Outreach services in Western Australia





*Bush Lawyering - plane having landed at Balgo, LAWA staff Temali Howard, Kylie Kerin and Matt Panayi waiting for a lift into town .*

In 2017-18, LAWA provided a duty lawyer service at every location where a magistrate presided over criminal and traffic lists in Western Australia. Over the year, our lawyers visited the following locations outside of the Perth metropolitan area:

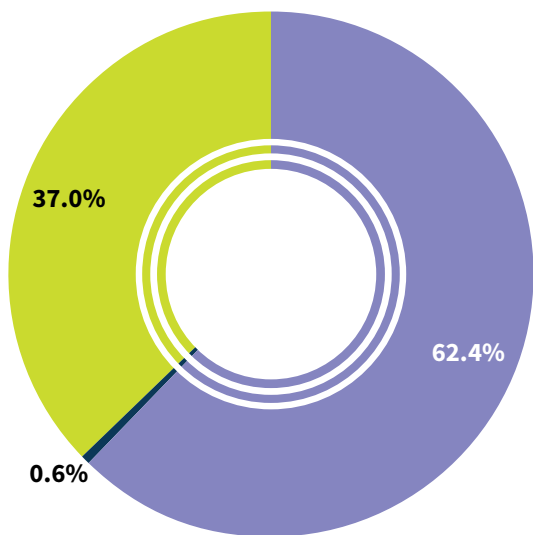
Albany Prison (70 visits)	Manjimup (20 visits)
Balgo Aboriginal Community (13 visits)	Marble Bar (6 visits)
Bidyadanga Aboriginal Community (7 visits)	Margaret River (16 visits)
Billiluna Aboriginal Community (1 visit)	Meekatharra (5 visits)
Busselton (52 visits)	Merredin (22 visits)
Christmas Island (11 visits)	Molly Springs Aboriginal Community (3 visits)
Cocos Island (1 visit)	Mulan Aboriginal Community (1 visit)
Collie (20 visits)	Mullewa (1 visit)
Cue (5 visits)	Narrogin (12 visits)
Dampier Peninsula (7 visits)	Newman (13 visits)
Derby (31 visits)	Northam (twice weekly)
Dongara (6 visits)	North Hampton (4 visits)
Emu Creek Aboriginal Community (2 visits)	Norseman (11 visits)
Esperance (11 visits)	Nullagine (5 visits)
Exmouth (5 visits)	Roebourne Regional Prison (12 visits)
Fitzroy Crossing (29 visits)	Three Springs (5 visits)
Glen Hill Station (1 visit)	Tom Price (1 visit)
Halls Creek (25 visits)	Onslow (6 visits)
Harvey (12 visits)	Ringer Soak Aboriginal Community (1 visit)
Jigalong Community (6 visits)	Shark Bay (2 visits)
Kalumburu (12 visits)	Southern Cross (11 visits)
Kalbarri (5 visits)	South Hedland (67 days)
Karratha (20 visits)	Turner River Rehabilitation Centre (1 visit)
Katanning (12 visits)	Warmun (12 visits)
Leeman (4 visits)	Wiluna (2 visits)
Leonora (6 visits)	Wyndham (28 visits)
Looma Aboriginal Community (6 visits)	Yandeyarra Community (1 visit)





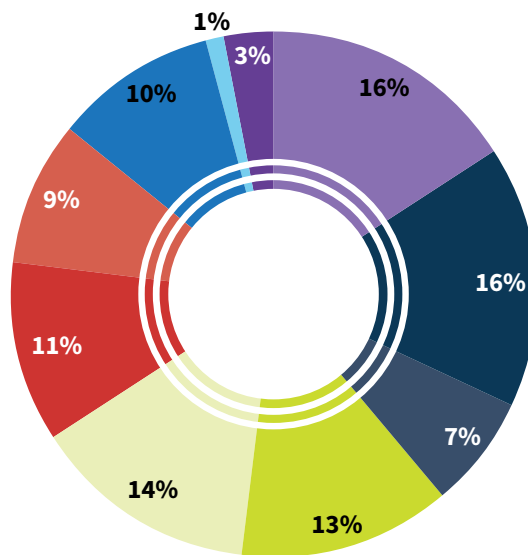
Legal Aid staff getting ready to present a community legal education session in Billiluna, a remote Aboriginal community in the Kimberley.

**Residency of Legal Aid Clients in 2017-18**



- Metropolitan Perth
- Non-Resident of Western Australia
- Regional Western Australia

**Residency of Legal Aid Clients in 2017-18 Living in Regional WA**



- South West
- Kimberley
- Great Southern
- Pilbara
- Peel
- Wheatbelt
- Goldfields - Esperance
- Mid West
- Christmas Island/Cocos
- Gascoyne



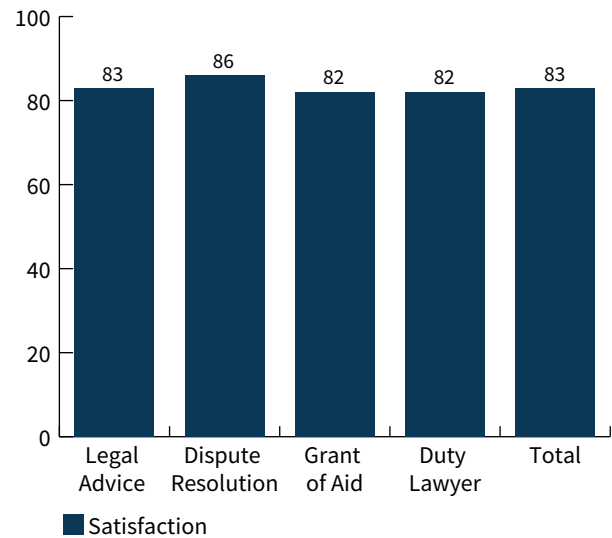
## Client Satisfaction Survey

LAWA surveys its clients each year, alternating between criminal law clients and family law clients, our two biggest client groups. In 2018, the family law client group was surveyed. The survey was conducted by an independent contractor and clients were surveyed by telephone.

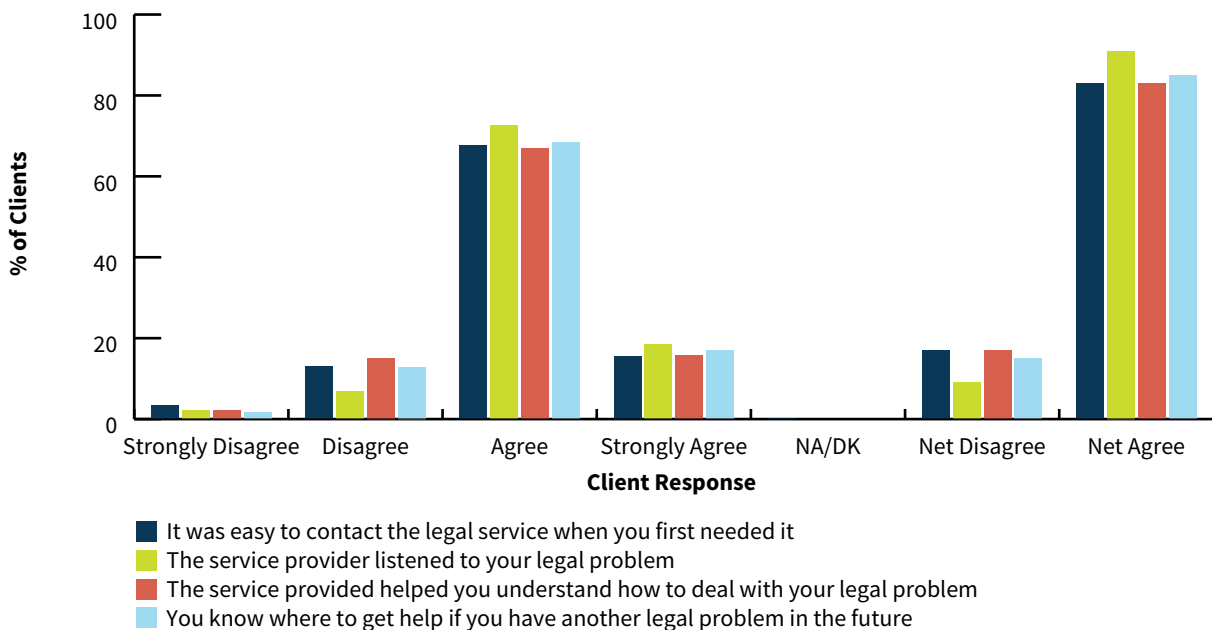
411 family law clients from four groups (legal advice, dispute resolution, grant of aid and duty lawyer) were asked a comprehensive set of questions about their experience with LAWA and the services they received. Clients who were refused a grant aid were also surveyed.

The overall satisfaction rating for the four groups was 83%, with those clients receiving dispute resolution assistance the most satisfied overall with a rating of 86%.

### Family Law Client Group



### Client Satisfaction Survey 2018



## Our Partners in the Private Profession

**IN 2017-18, PRIVATE PRACTITIONERS DELIVERED 70% OF ALL GRANTS OF LEGAL AID AT A COST OF \$25.673 MILLION. IN JUNE 2018, LAWA COULD CALL ON THE SKILLS OF 445 PRIVATE LAWYERS ON LAWA PANELS AND 335 ACTIVE FIRMS**



The private profession in Western Australia has always been deeply committed to access to justice and has decades of experience in providing legal assistance to those Western Australians experiencing social or economic disadvantage. LAWA could not maintain services to disadvantaged Western Australians without the dedication and commitment of the private profession delivering legal aid at heavily discounted rates.

LAWA sets high accountability standards for private practitioners seeking entry onto our panels or lists.

These practitioners are required to:

- » Sign a Professional Services Agreement in which they agree to meet and follow specified standards and procedures
- » Consent to the disclosure of certain information to LAWA by the Legal Practice Board and the Legal Professional Complaints Committee while applying for/ or remaining on our panels or lists
- » Meet supervision and ongoing training requirements



*“As an independent children’s lawyer and the principal of a practice that takes a lot of legal aid files, I can say that this has given us the opportunity to work on some of the most interesting as well as personally and professionally satisfying cases that you could come across in family law. The support of Legal Aid has ensured that the best interests of countless children have been protected and that parents who would otherwise be entirely unable to navigate their way through the Family Court process have been able to achieve an involvement in their children’s lives that would otherwise have been denied to them that will have lifelong benefits for both them and their kids.”*

**Richard Bannerman, Principal, Bannerman Solicitors**



*“I wish to acknowledge the contribution of the Legal Aid Commission to the community. As you know, I served as a Commissioner from 2006 until my appointment. I am immensely proud of the work Legal Aid does to provide representation to many people who would not otherwise be able to afford it and with very limited resources. The courts would cease to be able to function without the assistance of Legal Aid and indeed the Aboriginal Legal Service of WA. The lawyers who work for the Aboriginal Legal Service and Legal Aid or do legal aid work for very modest returns are in my mind the real heroes of the profession and I thank you all for your great service to the community.”*

**Her Honour, District Court Judge Belinda Lonsdale at her swearing in ceremony**

*“Legal Aid provides an invaluable service to the community by providing the means by which lawyers are made available to people unable to fund their own defence. Such people are often the ones needing legal assistance the most. Funding provided by Legal Aid not only reduces the risk of injustice occurring, but also assists in the efficient running of the courts.”*

**Ben Tyers, private practitioner**

### Top 30 Legal Aid WA Fee Earners 17/18

Rank	Firm	Net Solicitor Fees
1	BARONE CRIMINAL LAWYERS PTY LTD	765,682.30
2	BANNERMAN SOLICITORS	671,401.84
3	CALVERLEY JOHNSTON	591,008.11
4	JUSTINE FISHER BARRISTERS & SOLICITORS	565,653.33
5	IAN HOPE	483,969.70
6	PLATINUM LEGAL	366,007.82
7	WAYNE DAWKINS LAWYERS PTY LTD	322,172.40
8	FERRIER ATHANASIOU & KAKULAS PTY LTD	321,569.74
9	CHELMSFORD LEGAL	311,072.08
10	MORRIS LAW PTY LTD	277,499.16
11	MCDONALD & SUTHERLAND	267,493.91
12	LISA BOSTON	266,493.70
13	ALANA PADMANABHAM BARRISTER AND SOLICITOR	263,173.75
14	DAVID MCKENZIE LEGAL PTY LTD	258,229.95
15	CATHAL SMITH LEGAL	256,496.90
16	HBR FAMILY LAWYERS	256,051.51
17	OSWALD LEGAL PTY LTD	254,575.42
18	JONATHAN ADAM DAVIES	241,084.25
19	CHRIS STOKES AND ASSOCIATES	238,993.70
20	CMS LEGAL	227,364.50
21	READER LAWYERS & MEDIATORS	225,788.10
22	PATTI CHONG LAWYER	218,501.25
23	SKLARZ LAWYERS PTY LTD	209,392.70
24	GENEVIEVE CLEARY	207,744.46
25	NR BARBER LEGAL	204,155.60
26	CPK LEGAL	202,174.50
27	S V PHILLIPS & CO	200,456.30
28	KENNETH BATES	199,354.10
29	S.F. RAFFERTY PTY LTD	191,232.58
30	DAVID CHARLES MANERA	190,738.90

Net Solicitor Fees is solicitors fee payments net of cost recovery (inclusive of GST), for claims certified and cost recovery in the period.

## Reviewing Decisions of our Grants Officers

Under the *Legal Aid Commission Act 1976*, independent Review Committees can review grants officers' decisions regarding grants of aid. The Review Committee can confirm, vary or reverse any decision of a grants officer.

By law, Review Committees are made up of:

- » A private lawyer;
- » a LAWA lawyer;
- » a non-lawyer who has relevant qualifications and experience.

During the 2017-18 financial year, 80 decisions relating to grants of aid were considered by the Review Committee. Of these, 64 decisions of grants officers were confirmed and 16 were either varied or overturned by the Committee.

Reviewed	
Family Law	39
Criminal Law	36
Civil Law	5
<b>TOTAL:</b>	<b>80</b>

Granted or Varied	
Family Law	10
Criminal Law	6
Civil Law	0
<b>TOTAL:</b>	<b>16</b>

## Community Legal Centre Program

LAWA manages the Community Legal Centre Program in Western Australia.

Community Legal Centres (CLCs) are not-for-profit, community-based organisations that deliver legal services to disadvantaged clients, communities and identified target client groups. CLC services are focussed on early intervention strategies to assist clients to resolve their legal problems as early as possible. There are 28 CLCs in Western Australia and 25 of these are funded under the CLC Program.

In 2017-18, the CLC Program in WA provided \$11.2 million in Commonwealth and State funding to 24 CLCs and to the CLC Association of WA.

CLC funding is administered under the National Partnership Agreement on Legal Assistance Services (2015 to 2020) (NPA) and in Western Australia, the funding provided to CLCs is approximately 55% Commonwealth funding and 45% State funding.

In 2017-18, CLCs funded under the program provided legal assistance to 22,000 clients. During 2017-18, CLCs in Western Australia met the NPA benchmark of delivering 94.9% of representation services to clients experiencing disadvantage. This demonstrates continued targeting of Western Australian CLC services to those clients most in need. CLCs in Western Australia have a long and strong history of ensuring that CLC services are prioritised to the most disadvantaged.

The top 10 problem types for matters that CLCs assisted clients with, were child contact orders, family or domestic violence, tenancy, child residence (custody), parenting issues, credit and debt, property (marriage & de facto), restraining orders, consumer issues and other civil law matters.

LAWA performs the role of State Program Manager of the CLC Program for the Commonwealth and State Governments. LAWA is responsible for the day-to-day administration of the program, implementing funding agreements with individual CLCs, ensuring CLC services in Western Australia are aligned with NPA priorities, convening collaborative service planning under the NPA, monitoring outputs and outcomes of individual centres and the program as a whole, ensuring CLC benchmarks under the NPA are met for Western Australia and liaising and maintaining relationships with all CLCs and with the CLC Association of WA.

Overall 2017-18 was a highly productive year for the CLC sector in Western Australia in assisting disadvantaged clients from all over Western Australia to access legal services in their own community. Areas of future opportunity and work for the CLC sector include examining sustainability issues, ways to deliver services in partnership and collaboration and innovative methods of service delivery to expand the reach of CLC services in Western Australia.

### Community Legal Centre Funding 2017-2018

Centres	Commonwealth CLC Funding	Cth Defined Funding - FDV Services	LCT/CPC Funding	State CLC Funding	Other State Grant	(Cth) SACS	TOTALS
Albany CLS	\$151,805	\$124,000	\$53,500			\$42,081	\$371,386
Bunbury CLC	\$188,372	\$124,000		\$61,341		\$47,660	\$421,373
CASE for Refugees		\$124,000		\$7,937	\$100,000	\$18,919	\$250,856
Citizens Advice Bureau			\$81,400	\$61,341			\$142,741
CLC Association				\$171,345			\$171,345
Consumer Credit Legal Service	\$259,405			\$426,140		\$39,578	\$725,123
EDO WA					\$150,000		\$150,000
Fremantle CLC	\$58,548	\$124,000		\$138,816			\$321,364
Geraldton RC	\$174,404	\$124,000		\$155,478		\$45,529	\$499,411
Goldfields CLC	\$148,103	\$124,000				\$41,516	\$313,619
Gosnells CLC	\$256,171	\$124,000		\$246,305		\$58,004	\$684,480
Kimberley CLS	\$353,002	\$124,000				\$72,778	\$549,780
Mental Health Law Centre				\$822,073			\$822,073
Northern Suburbs CLC	\$308,900	\$124,000	\$330,000			\$66,049	\$828,949
Peel CLC	\$14,139	\$124,000		\$477,447		\$21,076	\$636,662
Pilbara LS	\$218,346	\$124,000				\$52,233	\$394,579
RAWA (PAFVPLS)				\$708,000			\$708,000
SCALES	\$80,126	\$124,000		\$175,837		\$31,144	\$411,107
Street Law Centre WA Inc	\$67,916		\$195,000			\$10,362	\$273,278
Sussex Street CLS	\$204,194	\$124,000	\$114,120	\$8,731		\$50,074	\$501,119
Tenancy WA Incorporated	\$133,297						\$133,297
WRAS	\$285,240		\$37,200	\$17,063		\$43,520	\$383,023
Wheatbelt CLC		\$124,000	\$299,520			\$18,919	\$442,439
Women's Law Centre	\$447,912					\$68,339	\$516,251
Youth Legal Service WA	\$80,089		\$71,000	\$252,819		\$12,219	\$416,127
Costs for CLASS/TIS	\$133,165						\$133,165
	<b>\$3,563,134</b>	<b>\$1,736,000</b>	<b>\$1,181,740</b>	<b>\$3,730,673</b>	<b>\$250,000</b>	<b>\$740,000</b>	<b>\$11,201,547</b>





Haley being presented with the Women Lawyers WA "Woman Lawyer of the Year Award" by WLWA President Charmaine Tsang (left) and The Hon Justice Janine Pritchard (right)

## Legal Aid WA Congratulates Haley Allan

Haley Allan from our West Kimberly regional office based in Broome has had an amazing year.

At the Law Society of WA Law Week Awards night on 18 May 2018, Haley was named as the winner of the Law Society 2018 Lawyer of the Year Award (more than five years' experience category). The Law Society President presented Haley with her Award at a function at Bankwest Place in Perth. The Lawyer of the Year Award recognises practitioners who have made particularly noteworthy contributions to the Western Australian legal profession. In Haley's case, the Award recognises her outstanding work in so many areas, including organising the annual Broome White Ribbon Gala Event. This function has raised more than \$150,000 over six years to address domestic violence. Haley has also played an important role in mentoring junior practitioners and is highly regarded by the legal profession for her dedicated and professional approach to her practice. The Award is well-deserved recognition of her efforts to promote access to justice and to make the community a safer and fairer place.

Earlier in the year Haley was also named as "Woman Lawyer of the Year" at the Annual Women Lawyers WA Honours Dinner on 16 March 2018. This Award

acknowledges both the professional work of the nominees and their contribution to their community and, in particular, their mentoring of other women lawyers.

Haley, as a young single mother, was encouraged to study and she completed her law degree and obtained articles at LAWA. Haley has worked in the Perth, Geraldton and Broome offices. Whilst working at regional offices, Haley developed programs and networking to provide support and benefit to her community.

As Haley has said:

*"Look around your own community and see if there is anyone you can encourage or help to build a better life and brighter future. It could be as simple as a few words of encouragement over a cup of coffee. Show you have confidence in them, give them hope and continue to be that strong role model for other women."*

LAWA is delighted to congratulate Haley on her awards and her positive approach to regional legal practice.

## Legal Aid Western Australia staff recognised and promoted

Legal Aid Western Australia (LAWA) acknowledges the achievements of long-serving staff called upon for judicial duties. The State Government's choice of LAWA staff demonstrates the strength and vitality of our in-house practice as a source of outstanding personnel for senior roles.



In March 2018, the Governor appointed Brie Ayling a magistrate of the Magistrates Court of Western Australia. Ms Ayling spent the previous 15 years with LAWA where she worked in the criminal law practice. Whilst at LAWA, Ms Ayling appeared as counsel in all criminal jurisdictions and was active in sharing her knowledge with junior staff. Her commitment to professional development extended to conducting advocacy training for graduates of the College of Law.



Also in October 2017, Robin Cohen was appointed as an acting magistrate of the Family Court of Western Australia. Ms Cohen had been with LAWA since she was an articled clerk in 2002. She spent most of her 15 years at LAWA with the family law practice. In addition to being a senior independent children's lawyer and trial lawyer within the practice, Ms Cohen has expertise in family violence restraining order and protection and care matters. She is a recognised mentor of junior practitioners within LAWA and has been responsible for organising and delivering the family law and protection and care advocacy component of the Professional Development Program for LAWA graduates, junior lawyers and country lawyers.



In February 2018, Jocelyn Connick was appointed as an acting registrar of the Family Court of Western Australia. Ms Connick had been with LAWA from 1989 to 1995 before spending time in private practice and as an academic lawyer. She returned to LAWA in 2006 and has served with the family law practice since then. Ms Connick was highly regarded as the supervisor of LAWA's duty lawyer service at the Family Court of Western Australia.

In October 2017, Andrew Mackey was appointed an acting magistrate of the Family Court of Western Australia. Mr Mackey joined LAWA in 2005 and served as a valued senior member of our family law practice. Mr Mackey's appointment to the Family Court of WA is recognition of his outstanding work as a family lawyer and his leadership in the role of counsel for the independent children's lawyer in complex child related proceedings.

## George Turnbull

On 10 July 2018, LAWA farewellled George Turnbull who retired after 18 years of exceptional service as Director of Legal Aid.

George was appointed on 12 July 1999, and was able to quickly build relationships with government, the private profession and CLCs. It became very clear, early on, that relationship building was a great strength.

Other highlights of his tenure as Director of Legal Aid included:

- » In 2001-2002, overseeing the establishment of a comprehensive new Alternative Dispute Resolution program that provided varying levels of legal advice, mediation and negotiation services in the area of family law.
- » Ensuring that LAWA was at the forefront of the focus on therapeutic jurisprudence and rehabilitative justice including LAWA's involvement in specialist criminal courts including the Perth Drug Court, the Joondalup Family Violence Court, the Perth Children's Court and the Yandeyarra Circle Court. George was also instrumental in LAWA's participation in the Columbus Pilot in the Family Court of WA which involved the individual case management of matters involving allegations of spousal violence, child or sexual abuse or family violence, where there were significant risk issues.
- » Succeeded in establishing new regional offices in Geraldton, Albany and Kununurra.
- » Established LAWA's extensive Family Court Duty Lawyer service which commenced in 2005.
- » In 2008, persuaded the Commonwealth to provide funding to enable LAWA and the Law Society of WA to address professional isolation experienced by lawyers working outside of the metropolitan area.
- » Throughout 2012 and 2013, saw a major review of the role of the private profession in the representation of vulnerable members of the community and, in particular, the arrangements under which private lawyers qualify to provide legal services pursuant to grants of legal aid. This led to the review of panel arrangements for private practitioners who provide services under grants of legal aid including a number of changes which prescribe levels of experience and competence for practitioners seeking to represent clients on complex matters. A more stringent audit regime was also introduced. This legacy lives on today.
- » Strengthening and enabling a very strong co-operative spirit between the various stakeholders in the legal assistance sector including the State and Commonwealth Governments.



With his extensive knowledge and vast experience, Legal Aid Commissions around Australia looked to George for leadership. George served as Chair of National Legal Aid from May 2004 to September 2005 and from February 2014 to March 2015. LAWA is indebted to George for his outstanding service and thanks him for his contribution to access to justice.



## Complaints and Freedom of Information

### Complaints

We regard complaints as a valuable source of information about the quality of our services and a way to highlight new opportunities to improve how we help our clients.

We aim to resolve complaints quickly and fairly and our Infoline and reception staff are trained to explain the complaints process to dissatisfied clients. Our website explains how to make a complaint if we do not meet expectations.

Anyone can make a complaint about our staff, services or private practitioners representing clients under a grant of legal assistance.

This year we received 69 complaints, from users of our services and general community, compared to 68 complaints in 2016-17.

Nature of complaint	
1. Funding eligibility	5
2. Aid being provided to another party	24
3. Our services and staff	16
4. Services provided by a private practitioner	23
5. Other	1
<b>Overall</b>	<b>69</b>

### Feedback

LAWA encourages all types of feedback, including compliments. This allows us to know when people have had a positive experience and what we are doing well.

### Freedom of Information

Anyone can apply for access to documents and records held by LAWA. Whenever possible, documents will be provided outside the FOI process. If our documents contain personal information about you that is incorrect or incomplete, you can ask us to fix what is wrong.

LAWA complies with government requirements for the *Freedom of Information Act 1992* and includes information about this process on our website.

This year LAWA received 4 freedom of information requests, compared with 4 in 2016-17. These requests were all managed within the specified time frame of 45 days.

## 4.2 Operational Structure

### Name of agency

Legal Aid Commission of Western Australia.

### Enabling legislation

The Legal Aid Commission of Western Australia was established under section 6 of the *Legal Aid Commission Act 1976*, listed as a statutory authority on Schedule 1 of the *Financial Management Act 2006* and is subject to the provisions of the *Public Sector Management Act 1994* with the exceptions of Part 3 and Part 5.

### Responsible Minister

Attorney General of Western Australia.

### Accountable authority

Part II of the *Legal Aid Commission Act 1976* establishes the Commission and Part III creates the position of Director of Legal Aid and the power to employ staff. The Director and staff of LAWA are accountable to the Commission which exists by way of a Board of Commissioners.

The Board of Commissioners meets monthly and as required and consists of:

- » a Chairman, who must be a lawyer with at least seven years' experience, appointed on the nomination of the State Attorney General;
- » four members, nominated by the State Attorney General, two of whom are lawyers nominated by the Law Society of Western Australia and one (not being a lawyer) who has administrative experience at a senior level;
- » one member, a non-lawyer, is nominated by the Minister of Commerce who is responsible for consumer protection;
- » two members appointed by the Commonwealth Attorney-General.

Since April 2000, the Commonwealth Attorney-General has declined to replace members whose terms have expired and the Commission has operated without Commonwealth representatives.

In 2017-18 there were 12 meetings of the Commission. The Chairman of the Legal Aid Commission receives \$18,600 per annum and ordinary members who are not public servants receive \$7,400 per annum.

The Board of Commissioners operates with the support of an Audit Committee. The Audit Committee is chaired by Dion Smith. Lanie Chopping is a member of the Audit Committee.

While there is no formal reporting relationship to a Minister, the Director of Legal Aid provides advice to the State Attorney General on an ongoing basis. It is also noted that for budget and general administrative purposes the Attorney General is the responsible Minister for the *Legal Aid Commission Act 1976*.

## Commission Members

In 2017-18, the terms of appointment of Chairman, Stuart Shepherd and Commissioners Brian Bradley PSM and Kate Beaumont ended. Two other Commissioners, Belinda Lonsdale and John Prior, resigned when they were appointed judges of the District Court. LAWA is indebted to all these former Commissioners for their service and their contribution to access to justice.



### **Hon Jane Crisford, SC – Chair (appointed July 2017)**

Jane Crisford is the first female Chairperson of the Commission. She 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. 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 District Court of WA from 2004 to 2006. She was then appointed as a Judge of the Family Court of WA 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 - Director of Legal Aid**

Graham Hill was admitted to practice as a Barrister and Solicitor of the Supreme Court of Victoria and the High Court of Australia in 1990. He was an Associate to Justice Gray at the Federal Court of Australia, before working for 14 years in private practice, including as a partner at the Melbourne law firm of Ryan Carlisle Thomas. He spent eight years as Director of the Legal Branch at the Victorian Department of Premier and Cabinet and three years as Deputy Secretary, Courts, at the Department of Justice in Victoria, before taking on the role of Director of Legal Aid Tasmania in January 2014. Graham was appointed Director of LAWA on 7 May 2018.

Graham has a Bachelor of Economics and a Master of Laws from Monash University. He has also completed a specialist doctorate in law at the University of Melbourne's law school.

Graham was the Chairperson of National Legal Aid during 2017-18.



### Dion Smith

Dion Smith is currently Director of Sales and Marketing at MineARC Systems, Perth.

Dion has held various management and executive positions in sales and operations at Vocation in Education, Mining People International, TSS-Weststaff and Programmed Group. He has served on the Board of two publicly listed companies as an Executive Director, and for the WA Branch of Save the Children. He holds a Bachelor of Economics from the University of Western Australia, and a Masters in Business Administration from the University of NSW/University of Sydney. Dion has four children and is involved in many voluntary activities on their behalf at school and in the community. Dion was appointed a Commissioner in December 2010, as a nominee of the then State Attorney General.

Dion is also the Chair of the Audit Committee and has held that position since his appointment to LAWA in 2010.



### Genevieve Cleary

Genevieve Cleary has been a barrister at Francis Burt Chambers in Perth since 2015, and practices in the areas of criminal, civil, family and disciplinary matters.

Genevieve has experience in all courts including single judge appeals, the Court of Appeal and the Family Court of Appeal, State Administrative and Administrative Appeals Tribunals and the Coroners Court. She takes briefs on behalf of accused, appellants, applicants, respondents, the State, Commonwealth and Federal Police, and respondents to any actions those agencies take.

Previously, Genevieve worked as a State Prosecutor, Office of the Director of Public Prosecutions for WA, although her criminal law career commenced at LAWA.

From 2015 to 2017, Genevieve was President of the Criminal Lawyers Association of WA. She is a consumer representative on the Building Services Board of Western Australia, and is a board member of Hope Community Services, sitting on the Governance and Risk Committee, and a board member at WA Bar Chambers. From 2010 to 2015, she was Chairperson, Legal Training Sub-committee, Office of the Director of Public Prosecutions for WA. She has also sat on various committees for the Law Society of WA.



### Lanie Chopping

Lanie Chopping is the Director Retail and Services at Consumer Protection (Department of Mines, Industry Regulation & Safety), overseeing the retail, building and services sectors including the automotive industry and product safety regulation. Lanie also oversees consumer protection services across regional Western Australia and the community education and media teams.

A social worker by profession, Lanie first joined Consumer Protection in 2011. Prior to joining Consumer Protection, she worked with the Economic Regulation Authority, having previously worked as the Manager - Social Policy Unit, at the West Australian Council of Social Services, and in community legal centres, including in the Pilbara region of Western Australia. Lanie is a Leadership WA alumni from 2007 and graduate of the Australian Institute of Company Directors.

Lanie is also a member of the Audit Committee.



### Steve Toutountzis

Steve Toutountzis holds the position of Director of Performance and Evaluation – Group 1, with the Strategic Policy and Evaluation Business Unit of the Department of Treasury. His responsibilities include analysis and strategic advice to government on budgetary and financial management issues impacting Health, Social Services and Transport Portfolios.

Steve has been in the State Public Service for over 30 years and a member of the Senior Executive Service since 2005. He has held a number of senior positions including Chief Financial Officer of the former Department of Treasury and Finance. He holds a Bachelor of Business from Edith Cowan University and is a Certified Practising Accountant.



### Elspeth Hensler

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

Elspeth is a former Chair of the WA Legal Assistance Forum and former President of Australian 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.

Elspeth is a current member of the WA Bar Council, and is involved with coordinating the WA Bar Association's response to requests for pro bono assistance, as well as its CPD and Bar Reader courses. She is also Deputy Chair of the Advisory Board of the School of Law at Notre Dame University in Fremantle.

In 2014, Elspeth 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 Woman Lawyer of the Year.

## Director of Legal Aid

The Director, Graham Hill, is also the Chief Executive Officer. Under section 19 of the *Legal Aid Commission Act 1976* the Director is responsible for:

- » administering the scheme of legal assistance established by the Act; and
- » providing legal services to assisted persons and arranging and supervising the provision of such services by practitioners who are members of staff.

The Director is also an ex-officio member of the Commission. The Director is appointed by the Governor on the recommendation of the Commission and was appointed for a five-year term on 7 May 2018.

## Board of Management

The day to day management of LAWAW is the responsibility of the Director of Legal Aid, who is supported by a Board of Management which consists of the Directors of each of the organisational Divisions.

In line with functions prescribed under section 15 of the *Legal Aid Commission Act 1976*, LAWAW delivers services in the areas of criminal law, family law, civil law, general legal advice and practice development. The delivery of these services is supported by an internal corporate services function which provides services in the areas of finance, information management and human resources.

More generally, across all Divisions, LAWAW plays an important role in community legal education and the law reform agenda through its strong expertise in those areas of the law which have a direct impact on the day to day lives of most citizens.

The current Board of Management structure was constituted in 2008.

## Administered Legislation

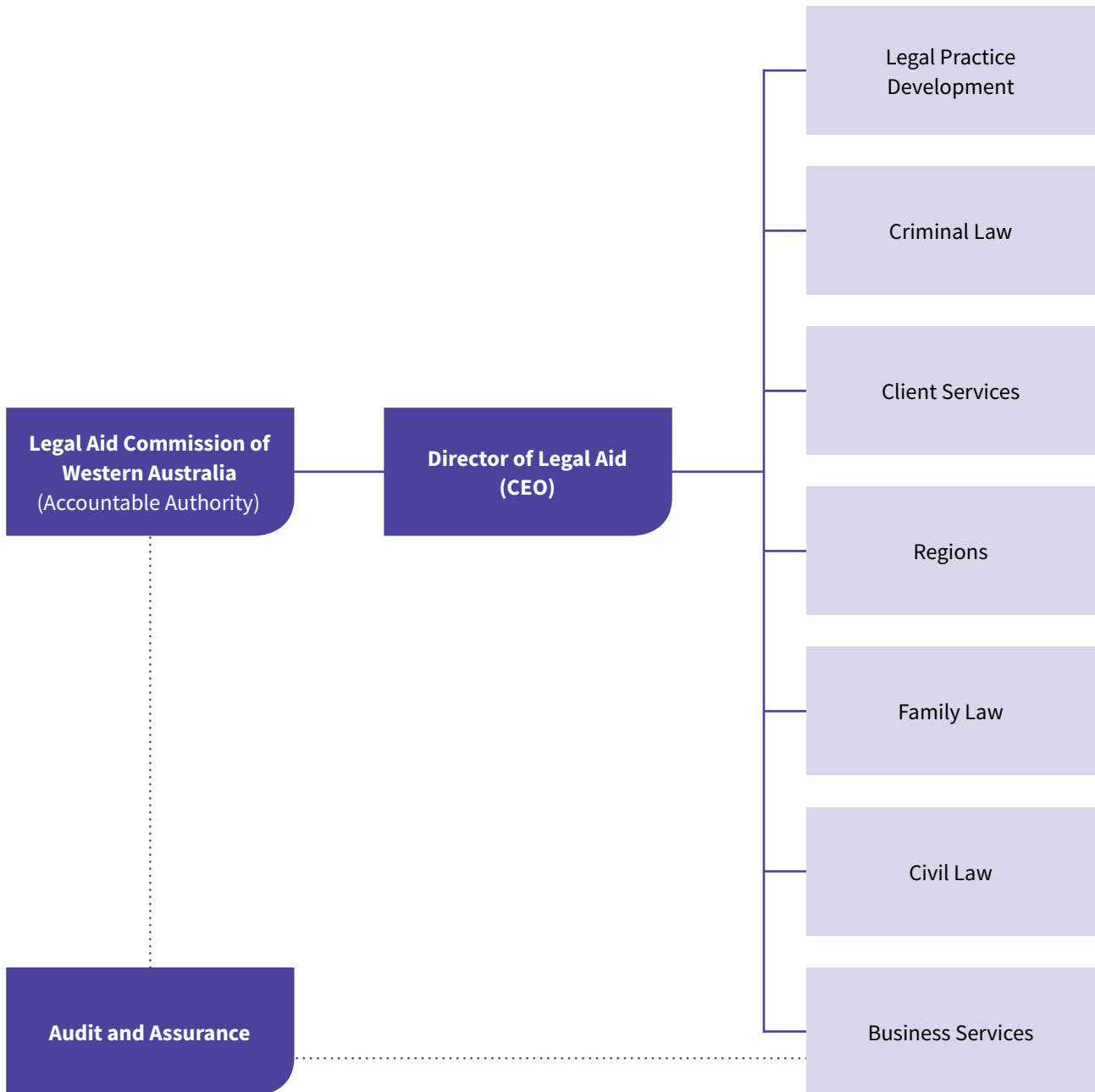
The Authority assists the Attorney General in the administration of the *Legal Aid Commission Act 1976*.

## Other Key Legislation Impacting on LAWAW's Activities

*A New Tax System (Goods and Services Tax) Act 1999;*  
*Auditor General Act 2006;*  
*Copyright Act 1968;*  
*Disability Discrimination Act 1986 (Cwth);*  
*Disability Services Act 1993;*  
*Equal Opportunity Act 1984;*  
*Family Law Act 1975 (Cwth);*  
*Financial Management Act 2006;*  
*Freedom of Information Act 1992;*  
*Fringe Benefits Tax Assessment Act 1986;*  
*Government Employees Housing Act 1964;*  
*Income Tax Assessment Act 1936 (in relation to staff) and*  
*Income Tax Assessment Act 1997;*  
*Industrial Relations Act 1979;*  
*Land Administration Act 1997;*  
*Legal Aid Commission Act 1976;*  
*Legal Deposit Act 2012;*  
*Legal Profession Act 2008;*  
*Minimum Conditions of Employment Act 1993;*  
*Occupational Safety and Health Act 1984;*  
*Public and Bank Holidays Act 1972;*  
*Public Sector Management Act 1994 (Part 3 and*  
*Part 5 Exemption);*  
*Racial Discrimination Act 1975;*  
*Salaries and Allowances Act 1975;*  
*State Superannuation Act 2000;*  
*State Records Act 2000;*  
*State Supply Commission Act 1991*  
*Transfer of Land Act 1893;*  
*Workers' Compensation and Injury Management Act 1981; and*  
*Workplace Agreement Act 1993.*

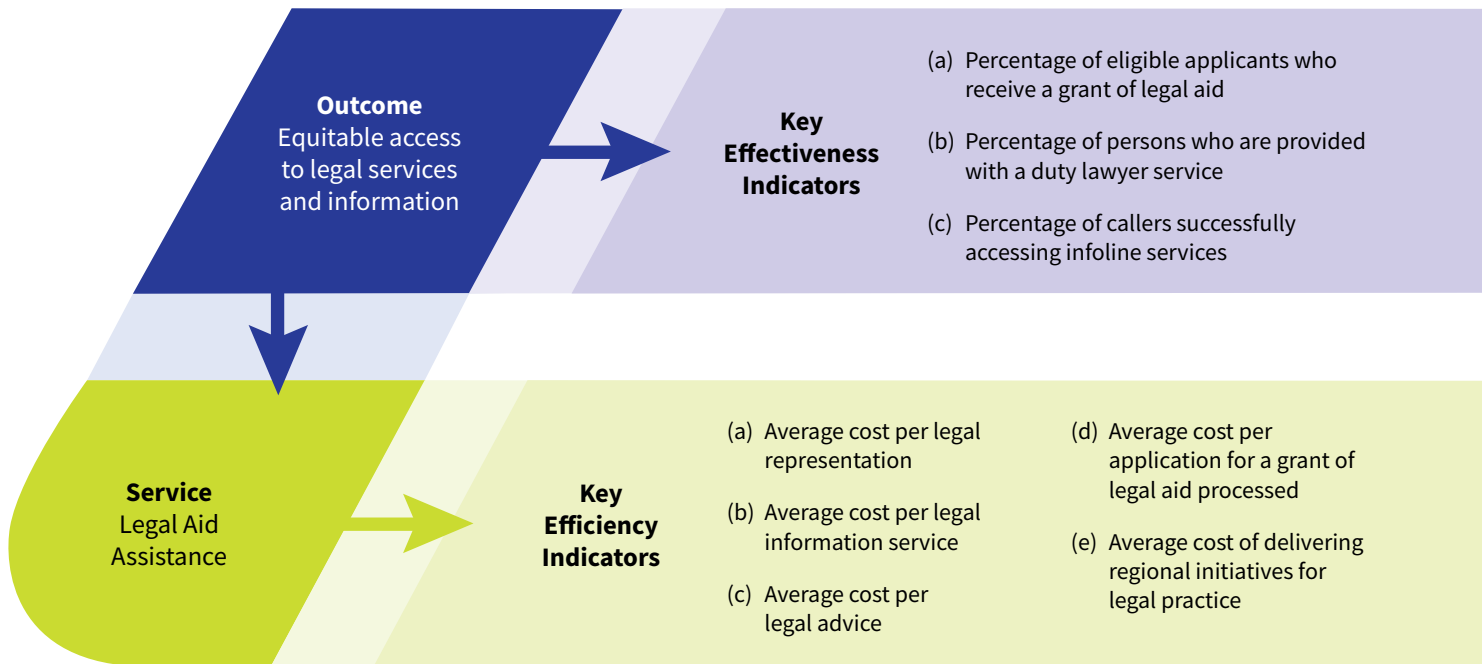


## Organisation Structure - June 2018



## 4.3 Performance Management Framework

### Outcome Based Management Framework



#### Government Goal

Strong Communities: Safe communities and supported families.

#### Agency Level Government Desired Outcome

Equitable access to legal services and information.

#### Agency Service Delivered

Legal aid assistance.

## Our Services

The community and target groups require access to and the provision of quality legal services. This service responds to the demand for legal assistance through application of priority guidelines. This is achieved by providing 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, duty lawyer services and community legal education is provided to assist the wider community to access fair solutions to legal problems at the earliest opportunity.

For the community		For target groups			For legal service providers
Information and advice	Duty lawyer services	Legal advice and legal tasks	Legal representation	Community education services	Regional initiatives for legal practice
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 Magistrates 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 lawyers.	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 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.	To increase the presence of lawyers in regional and remote areas of Western Australia and to ensure legal practice training and professional development is available to providers of legal services in regional and remote areas of Western Australia.  Regionally based lawyers are employed, trained and supervised by LAWА and training and professional development is delivered through legal practice training and interactive online learning systems.

## Changes to Outcome Based Management Framework

There were no changes to the LAWА's Outcome Based Management Framework during 2017-18.

## Shared Responsibilities with Other Agencies

The Legal Aid Commission did not share any responsibilities with other agencies in 2017-18.

# 5.

## Agency Performance

5.1 Actual Results Versus Budget Targets

49

## 5.1 Actual Results Versus Budget Targets

### Financial Targets

	2017-18 Estimates <sup>(1)</sup> \$000	2017-18 Actual \$000	Variation <sup>(2)</sup> \$000
<b>Total cost of services (expense limit)</b> (sourced from Statement of Comprehensive Income)	75,993	83,996	8,003 <sup>(a)</sup>
<b>Net cost of services</b> (sourced from Statement of Comprehensive Income)	43,304	46,119	2,815 <sup>(b)</sup>
<b>Total equity</b> (sourced from Statement of Financial Position)	15,971	19,305	3,334 <sup>(c)</sup>
<b>Net increase/(decrease) in cash held</b> (sourced from Statement of Cash Flows)	(2,424)	3,275	5,699 <sup>(d)</sup>
<b>Approved salary expense level</b>	32,604	33,020	416

1. As specified in the Annual Report for 2016-17.

2. Further explanations are also contained in Note 9.11 'Explanatory statement' to the financial statements.

- (a) The increase in cost of services is largely due to the higher than expected legal service expenses (\$5.2 million) and grant payments to Community Legal Centres (CLCs) (\$3.4 million), which is offset by minor savings for supplies and services (\$0.6 million).

Higher than estimated expensive criminal case costs for both State (\$1.060 million) and Commonwealth matters (\$2.003 million) has driven the increase in legal services expenses, for which supplementary funding has been provided. In addition, \$1.144 million received from the Criminal Property Confiscation Grants Program was received in June 2017, and distributed to State Community Legal Centres in 2017-18.

- (b) The increase in net cost of services is a combination of higher than budgeted State criminal expensive case costs (\$1.060 million) and higher than budgeted grant payments to CLCs. LAWA has received additional State funding to cover these additional expenses.

- (c) Total equity is higher than estimated due to the turn-around from an estimated deficit of \$1.482 million to a surplus of \$1.988 million for the year. The surplus is mainly due to the receipt of funds from the Commonwealth Government under the National Partnership Agreement 2015-2020, the Family Advocacy and Support Services Agreement, and the Christmas Island Service Delivery Agreement, which have not been fully expensed in 2017-18. In addition, provisions for employee leave entitlements and doubtful debts reduced by \$0.6 million and supplies and services expenditure was lower than estimated by \$0.6 million.

- (d) The net cash inflow for 2017-18 is largely due to \$2.378 million of grants of legal aid committed to private practitioners during the year remaining to be paid to private practitioners at year end, and \$2.029 million of unexpended funds received from the Commonwealth Government which are subject to a funding agreement. The remaining variance in the cash balance is accounted for by lower than estimated cash payments of \$1.591 million for capital works postponed into future years.

## Summary of Key Performance Indicators

	2017-18 Target <sup>(1)</sup>	2017-18 Actual	Variation <sup>(2)</sup>
<b>Outcome: Equitable access to legal services and information.</b>			
<b>Key Effectiveness Indicators:</b>			
Percentage of eligible applicants who receive a grant of legal aid	85%	86%	1%
Percentage of persons who are provided with a duty lawyer service	20%	20%	0%
Percentage of callers successfully accessing Infoline services	67%	67%	0%
<b>Service: Legal Aid Assistance</b>			
<b>Key Efficiency Indicators:</b>			
Average cost per legal representation <sup>(3)</sup>	\$3,813	\$4,166	\$353
Average cost per legal information service <sup>(4)</sup>	\$56	\$61	\$5
Average cost per legal advice	\$224	\$236	\$12
Average cost per application for a grant of legal aid processed <sup>(5)</sup>	\$420	\$401	(\$19)
Average cost of delivering regional initiatives for legal practice <sup>(6)</sup>	\$200	\$167	(\$33)

- As specified in the budget statements for 2017-18.
- Explanations for the variations between actual results and prior years are presented in Disclosures and Legal Compliance under the Performance Indicators for 2017-18.
- The 2017-18 actual is higher than the 2017-18 target, mainly due to higher than expected expensive case costs granted for both State and Commonwealth criminal matters. In addition, time delays in court lists due to insufficient judiciary numbers and higher levels of court applications has contributed to the cost per legal representation being higher. Furthermore, there is a steady increase in the complexity of matters generally which has driven the average cost higher in 2017-18 actual.
- The more effective shift system implemented in 2017-18 has reduced the number of client call backs to the Infoline, but has increased the cost per service. In addition, extra staff training was scheduled and held between January and June 2018, adding to the overall cost. There also continues to be a general increase in the overall complexity and length of calls.
- The average cost of assessing and processing of applications for grants of aid has reduced this financial year with reduced availability of resources due to staff leave and vacancies while the volume of work has remained steady.
- The lower than budgeted costs in 2017-18 is attributed to LAWA being more active in the regions and with an increase of 19% regional legal training.



# 6.

## Significant Trends

---

**LAWA continues to leverage information and communications technology to improve productivity and service reach. This is particularly the case in regional areas of Western Australia where limited telecommunications facilities have previously restricted the delivery of services to clients. As high-speed telecommunications become more readily available across regional and remote Western Australia they will facilitate the delivery of new legal assistance services.**

During the last year LAWA has upgraded network facilities in all regional offices to take advantage of greater data transfer speeds that will soon become available with the roll out of NBN. This means that we will be ready to connect to the NBN as soon as it becomes available in a regional location where LAWA has an office. This improved network will enable the delivery of video based legal assistance extending the reach of services offered by specialist Perth based legal resources. Video enables face to face legal assistance to be provided to clients whether they are in custody or in isolated areas of Western Australia. Video assisted dispute resolution is allowing parties to be connected face to face from different locations across Western Australia. Video can improve the safety of conference participants while extending the reach of dispute resolution across different locations.

For LAWA staff working in regional offices, improved network connectivity will allow them to prioritise innovative uses of existing technology e.g. Legal Chat and virtual offices to deliver a greater range of services to clients in remote communities.

The improved regional network is extending the reach of LAWA services by building a platform for the delivery of new legal assistance services to more clients across a larger area of the State.

# 7.

## Disclosures and Legal Compliance

<b>7.1</b>	<b>Independent Auditor's Report</b>	<b>53</b>
<b>7.2</b>	<b>Certification of Financial Statements</b>	<b>57</b>
<b>7.3</b>	<b>Financial Report for the year ended 30 June 2018</b>	<b>58</b>
<b>7.4</b>	<b>Additional Key Performance Indicator Information</b>	<b>101</b>
<b>7.5</b>	<b>Ministerial Directions</b>	<b>105</b>
<b>7.6</b>	<b>Other Financial Disclosures</b>	<b>105</b>
<b>7.7</b>	<b>Governance Disclosures</b>	<b>112</b>
<b>7.8</b>	<b>Other Legal Requirements</b>	<b>114</b>
<b>7.9</b>	<b>Government Policy Requirements</b>	<b>117</b>

## 7.1 Independent Auditor's Report



### Auditor General

#### INDEPENDENT AUDITOR'S REPORT

To the Parliament of Western Australia

#### LEGAL AID COMMISSION OF WESTERN AUSTRALIA

#### Report on the Financial Statements

##### *Opinion*

I have audited the financial statements of the Legal Aid Commission of Western Australia which comprise the Statement of Financial Position as at 30 June 2018, the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows for the year then ended, and 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 2018 and the financial position at the end of that period. They are in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions.

##### *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 am independent of the Commission in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial statements. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

##### *Responsibility of the Commission for the Financial Statements*

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

In preparing the financial statements, the Commission is responsible for assessing the agency's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and 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 Responsibility 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.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. 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.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the agency's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commission.
- Conclude on the appropriateness of the Commission's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the agency's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Commission regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

#### **Report on 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 by the Commission 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).

My opinion has been formed on the basis of the matters outlined in this report.

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 2018.

##### ***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 the controls, necessary to achieve the overall control objectives, were implemented as designed.

An assurance engagement to report on the design and implementation of controls involves performing procedures to obtain evidence about the suitability of the design of controls to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including the 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 the controls are in operation, the overall control objectives may not be achieved so that fraud, error, or noncompliance 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 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 2018. The key performance indicators are the key effectiveness indicators and the 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 2018.

**The Commission's Responsibility 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 Responsibility**

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 agency'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 Reports on Controls and Key Performance Indicators**

I have complied with the independence requirements of the *Auditor General Act 2006* 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.

**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 2018 included 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 and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements or key performance indicators. 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 refer to the hard copy of the audited financial statements and key performance indicators to confirm the information contained in this website version of the financial statements and key performance indicators.



DON CUNNINGHAME  
ASSISTANT AUDITOR GENERAL FINANCIAL AUDIT  
Delegate of the Auditor General for Western Australia  
Perth, Western Australia  
19 August 2018



## 7.2 Certification of Financial Statements

### For the year ended 30 June 2018

The accompanying financial statements of the Legal Aid Commission of Western Australia have been prepared in compliance with the provisions of the *Financial Management Act 2006 (WA)* from proper accounts and records to present fairly the financial transactions for the financial year ending 30 June 2018 and the financial position as at 30 June 2018.

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.



**Lee Baker**  
Chief Finance Officer

Date: 15/8/2018



**Graham Hill**  
Director of Legal Aid  
Member of the Commission

Date: 15/8/2018



**Hon. Jane Crisford SC**  
Chair of the Commission

Date: 15/8/2018

## 7.3 Financial Report for the year ended 30 June 2018

The Commission has pleasure in presenting its audited general purpose financial statements for the financial reporting period ended 30 June 2018 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:

### Index

<b>Financial statements</b>	<b>59</b>	<b>6. Other assets and liabilities</b>	<b>75</b>
Statement of comprehensive income	59	6.1 Receivables	75
Statement of financial position	60	6.2 Other assets	76
Statement of changes in equity	61	6.3 Payables	76
Statement of cash flows	62	6.4 Other liabilities	76
<b>Notes to the financial statements</b>	<b>63</b>	<b>7. Financing</b>	<b>77</b>
<b>1. Basis of preparation</b>	<b>63</b>	7.1 Cash and cash equivalents	77
Statement of compliance	63	7.2 Commitments	78
Basis of preparation	63	<b>8. Risks and Contingencies</b>	<b>79</b>
Judgements and estimates	63	8.1 Financial risk management	79
Contributed equity	63	8.2 Contingent assets and liabilities	83
<b>2. Legal Aid WA outputs</b>	<b>63</b>	8.3 Fair value measurements	84
2.1 The Commission's objectives	63	<b>9. Other disclosures</b>	<b>84</b>
2.2 Schedule of income and expenses by service	63	9.1 Events occurring after the end of the reporting period	84
2.3 Schedule of assets and liabilities by service	63	9.2 Future impact of Australian Accounting Standards not yet operative	85
<b>3. Use of our funding</b>	<b>64</b>	9.3 Key management personnel	88
3.1(a) Employee benefits expenses	64	9.4 Related party transactions	89
3.1(b) Employee related provisions	65	9.5 Related bodies	90
3.2 Legal service expenses	67	9.6 Affiliated bodies	90
3.3 Grants and subsidies	67	9.7 Special purpose accounts	90
3.4 Other expenditure	68	9.8 Remuneration of auditors	91
<b>4. Our funding sources</b>	<b>69</b>	9.9 Equity	91
4.1 Income from State Government	69	9.10 Supplementary financial information	92
4.2 User charges and fees	70	9.11 Explanatory statement	93
4.3 Commonwealth grants and contributions	70	9.12 Special category funding	99
4.4 Interest revenue	70	9.13 Community legal services	100
4.5 Other revenue	70		
<b>5. Key assets</b>	<b>71</b>		
5.1 Property, plant and equipment	71		
5.2 Intangible assets	73		

## Statement of Comprehensive Income

For the year ended 30 June 2018

	Note	2018 \$	2017 \$
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	3.1	33,020,429	32,366,387
Supplies and services	3.4	4,851,031	5,058,350
Depreciation and amortisation expense	5.1, 5.2	598,549	824,280
Accommodation expenses	3.4	6,230,378	6,117,332
Legal services expenses	3.2	26,555,185	23,299,815
Loss on disposal of non-current assets		14,163	-
Grants and Subsidies	3.3	11,401,547	10,693,025
Other expenses	3.4	1,324,269	1,219,687
<b>Total cost of services</b>		<b>83,995,551</b>	<b>79,578,876</b>
<b>Income</b>			
<i>Revenue</i>			
User charges and fees	4.2	2,610,867	2,938,822
Commonwealth grants and contributions	4.3	34,116,630	30,579,916
Interest revenue	4.4	819,420	895,525
Other revenue	4.5	330,085	210,005
<b>Total Revenue</b>		<b>37,877,002</b>	<b>34,624,268</b>
<b>Total income other than income from State Government</b>		<b>37,877,002</b>	<b>34,624,268</b>
<b>NET COST OF SERVICES</b>			
		<b>46,118,549</b>	<b>44,954,608</b>
<b>Income from State Government</b>			
State government grant	4.1	48,022,000	45,305,560
Royalties for Regions Fund	4.1	84,551	113,799
<b>Total income from State Government</b>		<b>48,106,551</b>	<b>45,419,359</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>		<b>1,988,002</b>	<b>464,751</b>
<b>OTHER COMPREHENSIVE INCOME</b>			
<b>Items not reclassified subsequently to profit and loss</b>			
Changes in asset revaluation surplus	5.1	(133,702)	(287,400)
<b>Total other comprehensive income</b>		<b>(133,702)</b>	<b>(287,400)</b>
<b>TOTAL COMPREHENSIVE INCOME FOR THE PERIOD</b>		<b>1,854,300</b>	<b>177,351</b>

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

## Statement of Financial Position

As at June 2018

	Note	2018 \$	2017 \$
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	7.1	9,653,777	11,296,692
Restricted cash and cash equivalents	7.1	195,821	228,800
Receivables	6.1	3,653,359	3,016,797
Other financial assets	7.1	25,000,000	20,200,000
Other current assets	6.2	573,794	361,923
<b>Total Current Assets</b>		<b>39,076,751</b>	<b>35,104,212</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	7.1	277,136	125,312
Receivables	6.1	5,303,738	5,050,339
Property plant & equipment	5.1	1,599,535	2,093,020
Intangible assets	5.2	498,028	497,322
<b>Total Non-Current Assets</b>		<b>7,678,437</b>	<b>7,765,993</b>
<b>TOTAL ASSETS</b>		<b>46,755,188</b>	<b>42,870,205</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Payables	6.3	21,038,326	18,739,651
Provisions	3.1	5,070,555	5,041,604
Other current liabilities	6.4	18,525	30,929
<b>Total Current Liabilities</b>		<b>26,127,406</b>	<b>23,812,184</b>
<b>Non-Current Liabilities</b>			
Provisions	3.1	1,321,975	1,606,514
<b>Total Non-Current Liabilities</b>		<b>1,321,975</b>	<b>1,606,514</b>
<b>TOTAL LIABILITIES</b>		<b>27,449,381</b>	<b>25,418,697</b>
<b>NET ASSETS</b>		<b>19,305,807</b>	<b>17,451,507</b>
<b>EQUITY</b>			
Contributed equity	9.9	595,669	595,669
Reserves	9.9	136,874	270,576
Accumulated surplus	9.9	18,573,264	16,585,262
<b>TOTAL EQUITY</b>		<b>19,305,807</b>	<b>17,451,507</b>

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 2018

	Contributed equity \$	Reserves \$	Accumulated surplus \$	Total equity \$
<b>Balance at 1 July 2016</b>	595,669	557,976	16,120,511	17,274,156
Surplus	-	-	464,751	464,751
Other Comprehensive Income	-	(287,400)	-	(287,400)
Total comprehensive income for the period	-	(287,400)	464,751	177,351
<b>Balance at 30 June 2017</b>	<b>595,669</b>	<b>270,576</b>	<b>16,585,262</b>	<b>17,451,507</b>
<b>Balance at 1 July 2017</b>	595,669	270,576	16,585,262	17,451,507
Surplus	-	-	1,988,002	1,988,002
Other Comprehensive Income	-	(133,702)	-	(133,702)
Total comprehensive income for the period	-	(133,702)	1,988,002	1,854,300
<b>Balance at 30 June 2018</b>	<b>595,669</b>	<b>136,874</b>	<b>18,573,264</b>	<b>19,305,807</b>

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 2018

	Note	2018 \$	2017 \$
<b>CASH FLOWS FROM STATE GOVERNMENT</b>			
State Government Grant		48,022,000	45,305,560
Royalties for Regions Fund		84,551	113,799
<b>Net cash provided by State Government</b>		<b>48,106,551</b>	<b>45,419,359</b>
Utilised as follows:			
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Employee benefits		(33,293,172)	(31,921,072)
Supplies and services		(4,968,301)	(4,776,975)
Accommodation		(6,368,607)	(6,098,031)
Legal services		(24,328,981)	(22,197,962)
GST payments on purchases		(4,796,576)	(4,494,744)
Other payments		(12,487,362)	(11,745,248)
<b>Receipts</b>			
User charges and fees		2,314,266	2,728,587
Commonwealth grants and contributions		33,616,631	30,579,916
Interest received		876,294	925,619
GST receipts on sales		75,121	33,595
GST receipts from taxation authority		4,615,861	4,331,543
Other receipts		267,690	175,925
<b>Net cash provided by/(used in) operating activities</b>	7.1	<b>(44,477,136)</b>	<b>(42,458,847)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Payments</b>			
Purchase of non-current physical assets		(353,485)	(750,440)
<b>Net cash used in investing activities</b>		<b>(353,485)</b>	<b>(750,440)</b>
Net increase/(decrease) in cash and cash equivalents		3,275,930	2,210,072
Cash and cash equivalents at the beginning of period		31,850,804	29,640,732
<b>CASH AND CASH EQUIVALENTS AT THE END OF PERIOD</b>	7.1	<b>35,126,734</b>	<b>31,850,804</b>

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



## Note 1. Basis of preparation

Legal Aid Commission Western Australia (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 1 September 2018.

### Statement of compliance

These general purpose financial statements are prepared in accordance with:

- 1) The Financial Management Act 2006 (FMA)
- 2) The Treasurer's Instructions (the Instructions or TI)
- 3) Australian Accounting Standards (AAS) including applicable interpretations
- 4) Where appropriate, those AAS paragraphs applicable for not for profit entities have been applied.

The FMA and the Instructions take precedence over AAS. Several AAS are modified by the Instructions 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.

### 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.

The transfers of net assets to/from other agencies, other than as a result of a restructure of administrative arrangements, are designated as contributions by owners where the transfers are non-discretionary and non-reciprocal.

## Note 2. Legal Aid WA Outputs

	Note
The Commission's objectives	2.1
Schedule of Income and Expenses by Service	2.2
Schedule of Assets and Liability by Service	2.3

### 2.1 The Commission's Objectives

**Government Goal:** Strong Communities, Safe Communities and supported families.

**Agency Level Government Desired Outcome:** Equitable access to legal services and information.

**Our services:** Legal Aid Assistance.

### 2.2 Schedule of Income and Expenses by service

The Commission is only responsible for delivering one service as set out above. All income and expenditure are in relation to the delivery of this service.

### 2.3 Schedule of Assets and Liabilities by Service

The Commission is only responsible for delivering one service as set out above. All assets and liabilities are in relation to the delivery of this service.

### Note 3. Use of our funding

The primary expenses incurred by the Commission in achieving its objectives and the relevant notes are:

	Note	2018 \$	2017 \$
Employee benefits expenses	3.1(a)	33,020,429	32,366,387
Employee related provisions	3.1(b)	6,392,530	6,648,118
Legal service expenses	3.2	26,555,185	23,299,815
Grants and subsidies	3.3	11,401,547	10,693,025
Other expenditure	3.4	12,405,678	12,395,369

#### 3.1 (a) Employee benefits expenses

	2018 \$	2017 \$
Wages and Salaries	29,405,342	29,488,614
Termination Benefits	797,136	-
Superannuation – defined contribution plans <sup>(a)</sup>	2,817,951	2,877,773
	33,020,429	32,366,387

(a) Defined contribution plans include West State Superannuation Scheme (WSS), Gold State Superannuation Scheme (GSS), Government Employees Superannuation Board Schemes (GESBs) and other eligible funds.

**Wages and salaries:** Employee expenses include all costs related to employment including wages and salaries, fringe benefits tax, and leave entitlements.

**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 agency 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. The employer contribution paid to the Government Employees Superannuation Board (GESB) in respect of the GSS is paid back into the Consolidated Account by the GESB.

GSS (concurrent contributions) is a defined benefit scheme for the purposes of employees and whole of government reporting. It is however a defined contribution plan for agency purposes because the concurrent contributions (defined contributions) made by the agency to GESB extinguishes the agency's obligations to the related superannuation liability.

The Commission does not recognise any defined benefit liabilities because it has no legal or constructive obligation to pay future benefits relating to its employees. The Liabilities for the unfunded Pension Scheme and the unfunded GSS transfer benefits attributable to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the agency to the GESB.

The GESB and other fund providers administer public sector superannuation arrangements in Western Australia in accordance with legislative requirements. Eligibility criteria for membership in particular schemes for public sector employees vary according to commencement and implementation dates.

**Note 3. Use of our funding (continued)****3.1 (b) Employee related provisions**

	2018 \$	2017 \$
<b>Current</b>		
<i>Employee benefits provision</i>		
Annual leave <sup>(a)</sup>	1,577,756	1,459,308
Long service leave <sup>(b)</sup>	3,422,272	3,472,653
Purchased leave	24,528	62,704
	5,024,556	4,994,665
<i>Other provisions</i>		
Employment on-costs <sup>(c)</sup>	45,999	46,939
	45,999	46,939
<b>Total current employee related provisions</b>	<b>5,070,555</b>	<b>5,041,604</b>
	2018 \$	2017 \$
<b>Non-current</b>		
<i>Employee benefits provision</i>		
Long service leave <sup>(b)</sup>	1,310,087	1,590,498
	1,310,087	1,590,498
<i>Other provisions</i>		
Employment on-costs <sup>(c)</sup>	11,888	16,016
	11,888	16,016
<b>Total non-current employee related provisions</b>	<b>1,321,975</b>	<b>1,606,514</b>
<b>Total employee related provisions</b>	<b>6,392,530</b>	<b>6,648,118</b>

**(a) 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. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2018 \$	2017 \$
Within 12 months of the end of the reporting period	1,367,934	1,318,678
More than 12 months after the reporting period	209,822	140,630
	<b>1,577,756</b>	<b>1,459,308</b>

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.

## Note 3. Use of our funding (continued)

### 3.1 (b) Employee related provisions (continued)

**(b) 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.

Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2018 \$	2017 \$
Within 12 months of the end of the reporting period	1,159,098	1,288,552
More than 12 months after the reporting period	3,573,261	3,774,599
	<b>4,732,359</b>	<b>5,063,151</b>

The provision for long service leave are 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.

**(c) Employment on-costs:** The settlement 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, 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 expenses, Note 3.4 (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'.

	2018 \$	2017 \$
<b>Employment on-cost provision</b>		
<i>Current</i>		
Carrying amount at start of period	46,939	45,056
Additional/(reversals of) provisions recognised	(940)	1,883
<b>Carrying amount at end of period</b>	<b>45,999</b>	<b>46,939</b>
<i>Non-current</i>		
Carrying amount at start of period	16,016	15,007
Additional/(reversals of) provisions recognised	(4,128)	1,009
<b>Carrying amount at end of period</b>	<b>11,888</b>	<b>16,016</b>

## Note 3. Use of our funding (continued)

### 3.1 (b) Employee related provisions (continued)

#### 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.

### 3.2 Legal service expenses

	2018 \$	2017 \$
<b>Grant of aid expenses</b>		
Casework	26,444,533	23,212,639
	<b>26,444,533</b>	<b>23,212,639</b>
<b>Other service expenses</b>		
Legal advice	54,689	48,382
Duty lawyer	55,963	38,794
	<b>110,652</b>	<b>87,176</b>
<b>Total legal service expenses</b>	<b>26,555,185</b>	<b>23,299,815</b>

### 3.3 Grants and subsidies

	2018 \$	2017 \$
State CLC program	5,162,413	4,892,533
Commonwealth CLC program <sup>(a)</sup>	6,039,134	5,800,492
Kimberley interpreting service grant	200,000	-
<b>Total Grants and Subsidies</b>	<b>11,401,547</b>	<b>10,693,025</b>

(a) Commonwealth Community Legal Centres (CLC) funding comes under National Partnership Agreements from 2015/16. Legal Aid WA includes transactions related to the Commonwealth CLCs in its financial statements for the first time in 2015/16 as it has effective decision making over the allocation of funds.

**Note 3. Use of our funding (continued)****3.4 Other expenditure**

	2018 \$	2017 \$
<b>Supplies and services</b>		
Communications	686,766	799,440
Consumables	1,006,562	984,037
Consultants Fees	189,650	210,344
Maintenance	980,029	1,058,891
Travel	374,860	374,740
Information technology	743,419	802,785
Practicing certificates and fees	198,950	203,927
Audit fees <sup>(a)</sup>	139,959	141,863
Other supplies and services	530,836	482,323
<b>Total Supplies and services expenses</b>	<b>4,851,031</b>	<b>5,058,350</b>
<b>Accommodation expenses</b>		
Lease rentals	6,151,028	6,061,981
Repairs and maintenance	79,350	55,351
<b>Total Accommodation expenses</b>	<b>6,230,378</b>	<b>6,117,332</b>
<b>Other</b>		
Bad debts written off	477,540	161,516
Doubtful debts expense	(337,254)	(52,558)
Employment on-costs	(5,068)	2,892
Staff training	75,125	70,111
Other staff related expenses	530,558	492,245
Plant and equipment	226,143	227,312
Other expenses	357,225	318,169
<b>Total other expenses</b>	<b>1,324,269</b>	<b>1,219,687</b>
<b>Total other expenditure</b>	<b>12,405,678</b>	<b>12,395,369</b>

**Supplies and services:**

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

(a) Includes audit cost, see note 9.8 'Remuneration of auditor'.

**Accommodation expenses:**

Operating lease payments are recognised on a straight line basis over the lease term, except where another systematic basis is more representative of the time pattern of the benefits derived from the use of the leased asset. [AASB 117.33]

Repairs, maintenance and cleaning costs are recognised as expenses as incurred.



**Note 3. Use of our funding (continued)****3.4 Other expenditure (continued)****Other:**

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

**Building maintenance and equipment repairs and 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.

**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 3.1(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 4. Our funding sources**

The primary income received by the Commission and the relevant notes are:

	Note	2018 \$	2017 \$
Income from State Government	4.1	48,106,551	45,419,359
User charges and fees	4.2	2,610,867	2,938,822
Commonwealth grants and contributions	4.3	34,116,630	30,579,916
Interest revenue	4.4	819,420	895,525
Other revenue	4.5	330,085	210,005

**4.1 Income from State Government**

	2018 \$	2017 \$
<b>Appropriation received during the period:</b>		
Legal Aid Assistance Grant <sup>(a)</sup>	48,022,000	43,511,000
Other State Community Legal Centre Funding	-	1,794,560
	<b>48,022,000</b>	<b>45,305,560</b>
<b>Royalties for Regions Fund</b>		
Royalties for Regions Funding <sup>(b)</sup>	84,551	113,799
	84,551	113,799
<b>Total income from State Government</b>	<b>48,106,551</b>	<b>45,419,359</b>

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

(b) This is a sub-fund within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas.

**Note 4. Our funding sources (continued)****4.2 User charges and Fees**

	2018 \$	2017 \$
Client contributions and fees on grants of aid	1,340,202	1,538,177
Recovered costs on grants of aid	1,089,083	1,236,328
Legal advice fees	8,261	8,716
Duty lawyer fees	61,611	69,289
Community legal education	111,710	86,312
<b>Total user charges and fees</b>	<b>2,610,867</b>	<b>2,938,822</b>

Revenue is recognised and measured at the fair value of consideration received or receivable.

**4.3 Commonwealth grants and contributions**

	2018 \$	2017 \$
National Partnership Agreement on Legal Assistance Services <sup>(a)</sup>	30,547,000	29,851,000
Christmas/Cocos Islands <sup>(b)</sup>	337,479	363,498
Other Commonwealth Funding <sup>(c)</sup>	3,232,151	365,418
<b>Total Commonwealth grants and contributions</b>	<b>34,116,630</b>	<b>30,579,916</b>

(a) The 5 year National Partnership Agreement (NPA) on Legal Assistance Services expires 30th June 2020. The terms of the funding are generally intended to fund matters within the Commonwealth jurisdiction, the NPA also seeks to promote investments in preventative law and early intervention initiatives. The funded amount for 2017-18 was \$30.547 million.

(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.

**4.4 Interest Revenue**

	2018 \$	2017 \$
Interest earned on Legal Aid Operational Funds	900,688	962,206
Implicit interest write back on debtors <sup>(a)</sup>	(81,268)	(66,681)
	<b>819,420</b>	<b>895,525</b>

(a) Implicit interest was written back at the end of the reporting period and therefore recorded as interest revenue.

**4.5 Other Revenue**

	2018 \$	2017 \$
State - Specific purpose contributions	-	26,500
Other miscellaneous income	330,085	148,505
Lease Incentive	-	35,000
	<b>330,085</b>	<b>210,005</b>

**Note 5. Key assets**

	Note	2018 \$	2017 \$
Property, plant and equipment	5.1	1,599,535	2,093,020
Intangible assets	5.2	498,028	497,322
<b>Total Key Assets</b>		<b>2,097,563</b>	<b>2,590,342</b>

**5.1 Property, plant and equipment**

	Land \$	Buildings \$	Fixtures and Fittings \$	Leasehold Improvements \$	Office Equipment \$	Work in Progress \$	Total \$
<b>2018</b>							
Carrying amount at start of period	<b>225,000</b>	<b>65,000</b>	<b>4,659</b>	<b>932,324</b>	<b>753,878</b>	<b>112,159</b>	<b>2,093,020</b>
Additions	-	-	6,114	-	45,112	46,912	98,138
Transfer	-	-	-	113,927	-	(113,927)	-
Disposals	-	-	-	-	(1,867)	-	(1,867)
Revaluation increments/ (decrements)	(125,000)	(8,702)	-	-	-	-	(133,702)
Depreciation	-	(1,298)	(2,503)	(152,476)	(299,777)	-	(456,054)
<b>Carrying amount at end of period</b>	<b>100,000</b>	<b>55,000</b>	<b>8,270</b>	<b>893,775</b>	<b>497,346</b>	<b>45,144</b>	<b>1,599,535</b>
<b>2017</b>							
Carrying amount at start of period	<b>450,000</b>	<b>130,000</b>	<b>7,473</b>	<b>1,105,212</b>	<b>782,760</b>	-	<b>2,475,445</b>
Additions	-	-	-	-	333,207	112,159	445,366
Revaluation increments/ (decrements)	(225,000)	(62,400)	-	-	-	-	(287,400)
Depreciation	-	(2,600)	(2,814)	(172,888)	(362,089)	-	(540,391)
<b>Carrying amount at end of period</b>	<b>225,000</b>	<b>65,000</b>	<b>4,659</b>	<b>932,324</b>	<b>753,878</b>	<b>112,159</b>	<b>2,093,020</b>

**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).

**Subsequent measurement**

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

Where market-based evidence is available, the fair value of land and buildings is determined on the basis of current market values determined by reference to recent market transactions. When buildings are revalued by reference to recent market transactions, the accumulated depreciation is eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount.

**Note 5. Key assets (continued)****5.1 Property, plant and equipment (continued)**

In the absence of market-based evidence, fair value of land and buildings is determined on the basis of existing use. This normally applies where buildings are specialised or where land use is restricted. Fair value for existing use buildings is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the depreciated replacement cost. Where the fair value of buildings is determined on the depreciated replacement cost basis, the gross carrying amount and the accumulated depreciation are restated proportionately, with the change in the gross carrying amount of the asset. Fair value for restricted use of land is determined by comparison with market evidence for land with similar approximate utility (high restricted use of land) or market value of comparable unrestricted land (low restricted use of land).

Land and buildings are independently valued annually by the Western Australian Land Information Authority (Valuation Services) 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 building were revalued as at 1 July 2017 by the Western Australia Land Information Authority (Valuation and Property Analytics). The valuations were performed during the year ended 30 June 2018 and recognised at 30 June 2018. In undertaking the revaluation, fair value was determined by reference to market values for land: \$100,000 (2017:\$225,000) and building: \$55,000 (2017: \$65,000).

**5.1.1 Depreciation and impairment charge for the period**

	2018 \$	2017 \$
<b>Depreciation</b>		
Buildings	1,298	2,600
Fixtures and fittings	2,503	2,814
Leasehold improvements	152,476	172,888
Office equipment	299,777	362,089
	<b>456,054</b>	<b>540,391</b>

As at 30 June 2018 there were no indications of impairment to property, plant and equipment.

All surplus assets at 30 June 2018 have either been classified as assets held for sale or have been written-off.

Please refer to note 5.2 for guidance in relation to the impairment assessment that has been performed for intangible assets.

**Finite 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:

<b>ASSET</b>	<b>Useful life</b>
Buildings	50 years
Furniture and fittings	5 to 13 years
Leasehold improvements	2 to 12 years
Office equipment	5 to 10 years

**Note 5. Key assets (continued)****5.1 Property, plant and equipment (continued)**

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.

Land is not depreciated.

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

**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.

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.

**5.2 Intangible assets**

	<b>Computer Software</b>		<b>Work in Progress</b>	<b>Total</b>
	\$	\$	\$	\$
<b>2018</b>				
Carrying amount at start of period	<b>280,995</b>	-	<b>216,327</b>	<b>497,322</b>
Additions	-	-	155,496	155,496
Transfer	106,663	-	(106,663)	-
Disposal	(12,294)	-	-	(12,294)
Amortisation	(142,496)	-	-	(142,496)
<b>Carrying amount at end of period</b>	<b>232,868</b>	-	<b>265,160</b>	<b>498,028</b>
<b>2017</b>				
Carrying amount at start of period	<b>295,925</b>	<b>86,765</b>	<b>13,020</b>	<b>395,710</b>
Additions	182,195	-	203,307	385,502
Amortisation	(197,125)	(86,765)	-	(283,890)
<b>Carrying amount at end of period</b>	<b>280,995</b>	-	<b>216,327</b>	<b>497,322</b>

**Note 5. Key assets (continued)****5.2 Intangible assets (continued)****Initial recognition**

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$50,000 or more that comply with the recognition criteria as per AASB 138.57 (as noted below), are capitalised.

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

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.

**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.

**5.2.1 Amortisation and impairment****Charges of the period**

	2018 \$	2017 \$
<b>Amortisation</b>		
Computer Software	142,496	197,125
Licenses	-	86,765
<b>Total Amortisation</b>	<b>142,496</b>	<b>283,890</b>

As at 30 June 2018 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 no 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:

<b>ASSET</b>	<b>Useful life</b>
Licences	3 years
Software <sup>(a)</sup>	3 to 10 years

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

**Impairment of intangible assets**

Intangible assets with finite 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 5.1.1

**Note 6. Other assets and liabilities**

	Note	2018 \$	2017 \$
Receivables	6.1	8,957,097	8,067,136
Other assets	6.2	573,794	361,923
Payables	6.3	21,038,326	18,739,651
Other liabilities	6.4	18,525	30,929

**6.1 Receivables**

	2018 \$	2017 \$
<b>Current</b>		
Receivables - unsecured	3,256,559	2,989,482
Allowance for impairment of receivables	(229,779)	(567,033)
GST receivable	340,965	333,129
Interest receivable	285,614	261,219
<b>Total current</b>	<b>3,653,359</b>	<b>3,016,797</b>
<b>Non-current</b>		
Receivables - secured <sup>(a)</sup>	5,734,174	5,399,505
Allowance for impairment of receivables	(20,000)	(20,000)
Allowance for discount <sup>(b)</sup>	(410,436)	(329,166)
<b>Total non-current</b>	<b>5,303,738</b>	<b>5,050,339</b>
<b>Total receivables</b>	<b>8,957,097</b>	<b>8,067,136</b>

(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) History shows that the average repayment period of secured debts is approximately 4.76 years. No interest is charged on the outstanding debt. An implicit interest adjustment is made to take account of this long term repayment aspect.

Receivables - secured, were discounted at 2.36% (2017: 1.99%) using the 5 year government bond rate (per RBA website) at June 30, 2018.

**6.1.1 Movement of the allowance for impairment of receivables**

	2018 \$	2017 \$
<b>Reconciliation of changes in the allowance for impairment of receivables:</b>		
Balance at start of period	587,033	639,591
Doubtful debts expense	140,285	108,956
Amounts written off during the period	(477,539)	(161,514)
<b>Balance at end of period</b>	<b>249,779</b>	<b>587,033</b>

The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off against the allowance account. The allowance for uncollectible amounts (doubtful debts) is raised when there is objective evidence that the agency will not be able to collect the debts.



**Note 6. Other assets and liabilities (continued)****6.2 Other assets**

	2018 \$	2017 \$
<b>Current</b>		
Prepayments	573,794	361,923
<b>Total current</b>	<b>573,794</b>	<b>361,923</b>

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.

**6.3 Payables**

	2018 \$	2017 \$
<b>Current</b>		
Grant of aid commitments	20,256,361	17,838,082
Accrued expenses	634,280	738,414
Accrued salaries	112,248	110,002
Accrued superannuation	19,702	30,533
Staff benefit fund	15,531	22,416
Unclaimed monies	204	204
<b>Total current</b>	<b>21,038,326</b>	<b>18,739,651</b>

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.

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.

The accrued salaries suspense account (See Note 7.1.1 'Restricted cash and cash equivalents') consists of amounts paid annually, from Commission appropriations for salaries expense, into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

**6.4 Other liabilities**

	2018 \$	2017 \$
<b>Current</b>		
Department of Child Protection and Family Support Funding in advance	18,410	22,121
Child representation trust fund	-	5,000
Commonwealth paid parenting fund	-	3,808
Other	115	-
<b>Total current</b>	<b>18,525</b>	<b>30,929</b>

**Note 7. Financing**

	Note	2018 \$	2017 \$
Cash and cash equivalents	7.1	35,126,734	31,850,804
Commitments	7.2	88,246,130	94,433,655

**7.1 Cash and cash equivalents****7.1.1 Reconciliation of cash**

	Note	2018 \$	2017 \$
Cash and cash equivalents	8.1	9,653,777	11,296,692
Restricted cash and cash equivalents	8.1	472,957	354,112
Other Financial Assets - Term Deposits	8.1	25,000,000	20,200,000
<b>Balance at end of period</b>		<b>35,126,734</b>	<b>31,850,804</b>

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.

Term deposits is classified as other financial assets from Financial year 2017-2018.

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

	Note	2018 \$	2017 \$
Net cost of services		(46,118,549)	(44,954,608)
<b>Non-cash items:</b>			
Depreciation and amortisation expense	5.1, 5.2	598,550	824,280
Doubtful debts expense	3.4	140,286	108,957
Net (gain)/loss on disposal of property plant and equipment		14,163	-
Implicit right back of interest revenue		81,271	66,682
Other		-	-
<b>(Increase)/decrease in assets:</b>			
Current receivables <sup>(a)</sup>		(769,045)	(301,268)
Other current assets		(211,870)	92,866
Non-current receivables		(334,668)	(296,180)
<b>Increase/(decrease) in liabilities:</b>			
Current payables <sup>(a)</sup>		2,398,556	1,658,905
Current provisions		28,951	256,752
Other current liabilities		(12,405)	3,270
Non-current provisions		(284,539)	93,254
Net GST receipts/(payments) <sup>(b)</sup>		(9,100)	(129,746)
Change in GST in receivables/payables <sup>(c)</sup>		1,263	117,989
<b>Net cash provided by/(used in) operating activities</b>		<b>(44,477,136)</b>	<b>(42,458,847)</b>

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

(b) This is the net GST paid/received, i.e.. cash transactions.

(c) This reverses out the GST in receivables and payables.

## Note 7. Financing (continued)

### 7.2 Commitments

#### 7.2.1 Non-cancellable operating lease commitments

	2018 \$	2017 \$
Commitments for minimum accommodation lease payments are payable as follows:		
Within 1 year	6,518,735	6,376,372
Later than 1 year and not later than 5 years	27,059,186	26,550,651
Later than 5 years	54,352,974	61,279,096
	<b>87,930,895</b>	<b>94,206,119</b>

The Commission has entered into property leases which are non-cancellable leases with various terms ranging up to 15 years, with rent payable monthly in advance. Contingent rent provisions within the lease agreements require that the minimum lease payments shall be increased by a combination of CPI or a pre-determined percentage per annum. Options exist to renew the leases at the end of the various terms for additional terms.

Accommodation operating lease commitments for the financial year only include property and car parking lease expenses as required by Accounting Standards and Treasurers Instructions.

	2018 \$	2017 \$
Commitments for minimum motor vehicle lease payments are payable as follows:		
Within 1 year	112,001	103,634
Later than 1 year and not later than 5 years	200,155	123,902
Later than 5 years	3,079	-
	<b>315,235</b>	<b>227,536</b>

The Commission has entered into motor vehicle leases which are non-cancellable leases with terms ranging up to 6 years, with payments payable monthly in advance.

The Commission has no capital commitments.

## Note 8. Risks and Contingencies

	Notes
Financial risk management	8.1
Contingent assets and liabilities	8.2
Fair value measurements	8.3

### 8.1 Financial risk management

Financial instruments held by the Commission are cash and cash equivalents, restricted cash and cash equivalents, receivables and payables. The Commission has limited exposure to financial risks. The Commission's overall risk management program focuses on managing the risks identified below.

#### (a) Summary of risks and risk management

##### Credit risk

Credit risk arises when there is the possibility of the Commission's receivables defaulting on their contractual obligations resulting in financial loss to the Commission.

The maximum exposure to credit risk at the end of the reporting period in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any allowance for impairment as shown in the table at note 8.1(c) 'Ageing Analysis of financial assets' and note 6.1 'Receivables'.

Credit risk associated with the Commission's financial assets is minimal. The Commission has policies in place to ensure that credit risk is minimal. For example, where possible, debts due are adequately secured by way of caveats or memorials over the properties of the debtor. In addition, where such debts cannot be secured either because the amount of the debt is small or the client does not have adequate assets to offer as security, the Commission monitors the debts and communicates with debtors on an ongoing basis to ensure that debts are collected promptly to minimise the amount of irrecoverable debts to be written off. At the end of the reporting period there were no significant concentrations of credit risk.

##### Liquidity risk

Liquidity risk arises when the Commission is unable to meet its financial obligations as they fall due.

The Commission is exposed to liquidity risk through its trading in the normal course of business.

The Commission has appropriate procedures to manage cash flows including drawdown of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments. The Commission attempts to maximise revenues from surplus funds by fixed term deposit investments chosen. The term of investments is based on the annual cash flow budget in order to meet cash requirements in a timely manner. The selection of the term of the investment depends upon the cash flow requirements and the rate of return available for different investment terms.

##### Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates which will affect the Commission's income or the value of its holdings of financial instruments. The Commission does not trade in foreign currency and is not materially exposed to other price risks. The Commission's exposure to market risk for changes in interest rates relate primarily to surplus, cash and cash equivalents and restricted cash and cash equivalent investments. Other than as detailed in the interest rate sensitivity analysis table at note 8.1(e), the Commission is not exposed to interest rate risk because apart from amounts of restricted cash, all other cash and cash equivalents and restricted cash are non interest bearing and it has no borrowings.

The Commission's policy is to manage changes in interest rates by using a mix of fixed and variable interest rate investments as appropriate.

**Note 8. Risks and Contingencies (continued)****8.1 Financial risk management (continued)****(b) Categories of 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:

	2018 \$	2017 \$
<b>Financial Assets</b>		
Cash and cash equivalents <sup>(a)</sup>	9,653,777	11,296,692
Restricted cash and cash equivalents	472,957	354,112
Receivables <sup>(b)</sup>	6,759,495	7,734,007
Other financial assets <sup>(c)</sup>	25,000,000	20,200,000
<b>Total Financial assets</b>	<b>41,886,229</b>	<b>39,584,811</b>
<b>Financial Liabilities</b>		
Payables	21,038,326	18,739,651
<b>Total Financial liabilities</b>	<b>21,038,326</b>	<b>18,739,651</b>

(a) Cash and cash equivalents balance includes petty cash balance.

(b) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

(c) Other financial assets include term deposits.

**(c) Ageing Analysis of financial assets**

	Carrying Amount \$	Not past due and not impaired \$	Past due but not impaired				Impaired financial assets \$
			Up to 3 months \$	3 months to 1 year \$	1 year to 6 years \$	More than 6 years \$	
<b>2018</b>							
Cash & cash equivalents <sup>(a)</sup>	9,653,777	9,653,777	-	-	-	-	-
Restricted cash & cash equivalents	472,957	472,957	-	-	-	-	-
Receivables <sup>(b)</sup>	6,759,495	1,347,756	-	743,333	2,705,739	1,962,667	-
Other financial assets <sup>(c)</sup>	25,000,000	25,000,000	-	-	-	-	-
	<b>41,886,229</b>	<b>36,474,490</b>	<b>-</b>	<b>743,333</b>	<b>2,705,739</b>	<b>1,962,667</b>	<b>-</b>
<b>2017</b>							
Cash & cash equivalents <sup>(a)</sup>	11,296,692	11,296,692	-	-	-	-	-
Restricted cash & cash equivalents	354,112	354,112	-	-	-	-	-
Receivables <sup>(b)</sup>	7,734,007	2,428,689	-	931,360	2,308,443	2,065,515	-
Other financial assets <sup>(c)</sup>	20,200,000	20,200,000	-	-	-	-	-
	<b>39,584,811</b>	<b>34,279,493</b>	<b>-</b>	<b>931,360</b>	<b>2,308,443</b>	<b>2,065,515</b>	<b>-</b>

(a) Cash and cash equivalents balance includes petty cash balance.

(b) The amount of receivables excludes GST recoverable from the ATO (statutory receivable).

(c) Other financial assets include term deposits.

## Note 8. Risks and Contingencies (continued)

### 8.1 Financial risk management (continued)

#### (d) Liquidity Risk and Interest Rate Exposure

##### Liquidity risk and interest rate exposure

The following table details the Commission's interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flows. The interest rate exposure analysis only the carrying amounts of each item.

#### Interest rate exposure and maturing analysis of financial assets and financial liabilities

2018	Weighted Average Effective Interest Rate %	Interest rate exposure				Nominal Amount \$	Maturity Dates			
		Carrying Amount \$	Fixed Interest Rate \$	Variable Interest Rate \$	Non-Interest Bearing \$		Up to 3 months \$	3 months to 1 year \$	1 year to 6 years \$	More than 6 years \$
<b>Financial Assets</b>										
Cash & cash equivalents	1.97%	9,653,777	-	9,647,717	6,060	9,653,777	9,653,777	-	-	-
Restricted cash & cash equivalents	1.97%	472,957	-	472,957	-	472,957	472,957	-	-	-
Receivables <sup>(b)</sup>	2.36% <sup>(a)</sup>	6,759,495	-	-	6,759,495	6,759,495	6,759,495	-	-	-
Other financial assets <sup>(c)</sup>	2.74%	25,000,000	25,000,000	-	-	25,000,000	8,000,000	17,000,000	-	-
		<b>41,886,229</b>	<b>25,000,000</b>	<b>10,120,674</b>	<b>6,765,555</b>	<b>41,886,229</b>	<b>24,886,229</b>	<b>17,000,000</b>	-	-
<b>Financial Liabilities</b>										
Payables		21,038,326	-	-	21,038,326	21,038,326	21,038,326	-	-	-
		<b>21,038,326</b>	-	-	<b>21,038,326</b>	<b>21,038,326</b>	<b>21,038,326</b>	-	-	-

(a) Debtors-secured were discounted at 2.36% (2017: 1.99%) which is the 5 year government bond rate as at June 30 2018.

(b) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

(c) The Commission has the right to withdraw term deposits before maturity dates.



**Note 8. Risks and Contingencies (continued)****8.1 Financial risk management (continued)****Interest rate exposure and maturing analysis of financial assets and financial liabilities**

2017	Weighted Average Effective Interest Rate %	Interest rate exposure				Nominal Amount \$	Maturity Dates			
		Carrying Amount \$	Fixed Interest Rate \$	Variable Interest Rate \$	Non-Interest Bearing \$		Up to 3 months \$	3 months to 1 year \$	1 year to 6 years \$	More than 6 years \$
<b>Financial Assets</b>										
Cash & cash equivalents <sup>(a)</sup>	2.46%	11,296,692	-	11,290,432	6,260	11,296,692	11,296,692	-	-	-
Restricted cash & cash equivalents	2.70%	354,112	-	354,112	-	354,111	354,111	-	-	-
Receivables <sup>(b)</sup>	1.99% <sup>(a)</sup>	7,734,007	-	-	7,734,007	7,734,007	7,734,007	-	-	-
Other financial assets <sup>(c)</sup>	2.46%	20,200,000	20,200,000	-	-	20,200,000	7,000,000	13,200,000	-	-
		<b>39,584,811</b>	<b>20,200,000</b>	<b>11,644,544</b>	<b>7,740,267</b>	<b>39,584,810</b>	<b>26,384,810</b>	<b>13,200,000</b>	-	-
<b>Financial Liabilities</b>										
Payables		18,739,651	-	-	18,739,651	18,739,651	18,739,651	-	-	-
		<b>18,739,651</b>	-	-	<b>18,739,651</b>	<b>18,739,651</b>	<b>18,739,651</b>	-	-	-

(a) Debtors-secured were discounted at 1.99% (2016: 1.663%) which is the 5 year government bond rate as at June 30 2017.

(b) The amount of receivables excludes the GST recoverable from the ATO (statutory receivable).

(c) The Commission has the right to withdraw term deposits before maturity dates.

**Note 8. Risks and Contingencies (continued)****8.1 Financial risk management (continued)****(e) Interest rate sensitivity analysis**

The following table represents a summary of the interest rate sensitivity of the Commission's financial assets at the end of the reporting period on the surplus for the period and equity for a 1% change in interest rates. It is assumed that the change in interest rates is held constant throughout the reporting period.

The Commission took into account past performance, future explanations, economic forecasts, and management's knowledge and experience of financial markets to determine the movements that are reasonably possible over the next 12 months.

	Carrying amount \$	-100 basis points		+100 basis points	
		Surplus \$	Equity \$	Surplus \$	Equity \$
<b>2018</b>					
<b>Financial assets</b>					
Cash and cash equivalents <sup>(a)</sup>	9,647,717	(96,477)	(96,477)	96,477	96,477
Restricted cash and cash equivalents	472,957	(4,730)	(4,730)	4,730	4,730
Other financial assets <sup>(b)</sup>	25,000,000	(250,000)	(250,000)	250,000	250,000
Total Increase/(Decrease)		<b>(351,207)</b>	<b>(351,207)</b>	<b>351,207</b>	<b>351,207</b>
<b>2017</b>					
<b>Financial assets</b>					
Cash and cash equivalents <sup>(a)</sup>	11,290,432	(112,904)	(112,904)	112,904	112,904
Restricted cash and cash equivalents	354,112	(3,541)	(3,541)	3,541	3,541
Other financial assets <sup>(b)</sup>	20,200,000	(202,000)	(202,000)	202,000	202,000
Total Increase/(Decrease)		<b>(318,445)</b>	<b>(318,445)</b>	<b>318,445</b>	<b>318,445</b>

(a) Cash and cash equivalents balance does not include petty cash balance.

(b) Other financial assets include term deposits

**8.2 Contingent assets and liabilities**

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

### 8.3 Fair value measurements

Assets measured at fair value:				Fair Value At end of period
	Level 1 \$	Level 2 \$	Level 3 \$	\$
<b>2018</b>				
Land (Note 5.1)	-	100,000	-	100,000
Buildings (Note 5.1)	-	55,000	-	55,000
	-	<b>155,000</b>	-	<b>155,000</b>
<b>2017</b>				
Land (Note 5.1)	-	225,000	-	225,000
Buildings (Note 5.1)	-	65,000	-	65,000
	-	<b>290,000</b>	-	<b>290,000</b>

There were no transfers between Levels 1, 2 or 3 during the current and prior period.

#### Valuation techniques to derive Level 2 fair values

Level 2 fair values of Non-current assets land and buildings (office accommodation) are derived using the market approach. Market evidence of sales prices of comparable land and buildings (office accommodation) in close proximity is used to determine price per square metre.

### Note 9. Other disclosures

	Notes
Events occurring after the end of the reporting period	9.1
Future impact of Australian Accounting Standards not yet operative	9.2
Key management personnel	9.3
Related party transactions	9.4
Related bodies	9.5
Affiliated bodies	9.6
Special propose accounts	9.7
Remuneration of auditors	9.8
Equity	9.9
Supplementary financial information	9.10
Explanatory statement	9.11
Special category funding	9.12
Community legal centres	9.13

#### 9.1 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.

## Note 9. Other disclosures (continued)

### 9.2 Future impact of Australian Accounting Standards not yet operative

The Commission cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 *Application of Australian Accounting Standards and Other Pronouncements* or by an exemption from TI1101. Consequently, the Commission has not applied early any of the following Australian Accounting Standards that have been issued that may impact the Commission. Where applicable, the Commission plans to apply the following Australian Accounting Standards from their application date.

<b>AASB 9</b>	<b>Financial Instruments</b>	1 Jan 2018
	<p>This Standard supersedes AASB 139 Financial Instruments: Recognition And Measurement, introducing a number of changes to accounting treatments.</p> <p>The Commission has assessed that recognition of expected credit losses will not increase the amount of impairment losses recognised as Other expenses in the Statement of Comprehensive Income, and thus have no adverse impact on the agency's Surplus/(Deficit) for the period.</p>	
<b>AASB 15</b>	<b>Revenue from Contracts with Customers</b>	1 Jan 2019
	<p>This Standard establishes the principles that the agency shall apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The mandatory application date of this Standard is currently 1 January 2019 after being amended by AASB 2016 7.</p> <p>The Commission's income is principally derived from appropriations which will be measured under AASB 1058 Income of Not for Profit Entities and will be unaffected by this change. However, the Commission has not yet determined the potential impact of the Standard on 'User charges and fees' and 'Sales' revenues. In broad terms, it is anticipated that the terms and conditions attached to these revenues will defer revenue recognition until the Commission has discharged its performance obligations.</p>	
<b>AASB 16</b>	<b>Leases</b>	1 Jan 2019
	<p>This Standard introduces a single lessee accounting model and requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset is of low value.</p> <p>Whilst the impact of AASB 16 has not yet been quantified, the entity currently has operating lease commitments for \$88,246,130 worth of non cancellable operating leases which the Commission anticipates most of this amount will be brought onto the statement of financial position, excepting amounts pertinent to short term or low value leases. Interest and amortisation expense will increase and rental expense will decrease.</p>	

## Note 9. Other disclosures (continued)

### 9.2 Future impact of Australian Accounting Standards not yet operative (continued)

AASB 1058	<p><i>Income of Not-for-Profit Entities</i></p> <p>This Standard clarifies and simplifies the income recognition requirements that apply to not for profit (NFP) entities, more closely reflecting the economic reality of NFP entity transactions that are not contracts with customers. Timing of income recognition is dependent on whether such a transaction gives rise to a liability or other performance obligation (a promise to transfer a good or service), or a contribution by owners, related to an asset (such as cash or another asset) received by an agency. The Commission anticipates that the application will not materially impact appropriations or untied grant revenues.</p>	1 Jan 2019
AASB 1059	<p><i>Service Concession Arrangements: Grantors</i></p> <p>This Standard addresses the accounting for a service concession arrangement (a type of public private partnership) by a grantor that is a public sector agency by prescribing the accounting for the arrangement from the grantor's perspective. Timing and measurement for the recognition of a specific asset class occurs on commencement of the arrangement and the accounting for associated liabilities is determined by whether the grantee is paid by the grantor or users of the public service provided. The Commission has not identified any public private partnerships within scope of the Standard.</p>	1 Jan 2019
AASB 2010-7	<p><i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 &amp; 1038 and Int 2, 5, 10, 12, 19 &amp; 127]</i></p> <p>This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010.</p> <p>The mandatory application date of this Standard has been amended by AASB 2012-6 and AASB 2014-1 to 1 January 2018. Other than the exposures to AASB 9 noted above, the Commission is only insignificantly impacted by the application of the Standard.</p>	1 Jan 2018
AASB 2014-1	<p><i>Amendments to Australian Accounting Standards</i></p> <p>Part E of this Standard makes amendments to AASB 9 and consequential amendments to other Standards. These changes have no impact as Appendix E has been superseded and the commission was not permitted to early adopt AASB 9.</p>	1 Jan 2018

**Note 9. Other disclosures (continued)****9.2 Future impact of Australian Accounting Standards not yet operative (continued)**

<i>AASB 2014-5</i>	<i>Amendments to Australian Accounting Standards arising from AASB 15</i>	1 Jan 2018
	This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 15. The Commission has not yet determined the application or the potential impact of the Standard.	
<i>AASB 2014-7</i>	<i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)</i>	1 Jan 2018
	This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 9 (December 2014). The Commission has not yet determined the application or the potential impact of the Standard.	
<i>AASB 2015-8</i>	<i>Amendments to Australian Accounting Standards – Effective Date of AASB 15</i>	1 Jan 2018
	This Standard amends the mandatory application date of AASB 15 to 1 January 2018 (instead of 1 January 2017). It also defers the consequential amendments that were originally set out in AASB 2014-5. There is no financial impact arising from this Standard.	
<i>AASB 2016-3</i>	<i>Amendments to Australian Accounting Standards – Clarifications to AASB 15</i>	1 Jan 2018
	This Standard clarifies identifying performance obligations, principal versus agent considerations, timing of recognising revenue from granting a licence, and, provides further transitional provisions to AASB 15. The Commission has not yet determined the application or the potential impact.	
<i>AASB 2016-7</i>	<i>Amendments to Australian Accounting Standards - Deferral of AASB 15 for Not for Profit Entities</i>	1 Jan 2018
	This Standard defers, for not for profit entities, the mandatory application date of AASB 15 to 1 January 2019, and the consequential amendments that were originally set out in AASB 2014 5. There is no financial impact arising from this standard.	
<i>AASB 2016-8</i>	<i>Amendments to Australian Accounting Standards - Australian Implementation Guidance for Not for Profit Entities</i>	1 Jan 2019
	This Standard inserts Australian requirements and authoritative implementation guidance for not for profit entities into AASB 9 and AASB 15. This guidance assists not-for-profit entities in applying those Standards to particular transactions and other events. There is no financial impact.	



## Note 9. Other disclosures (continued)

### 9.3 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 Attorney General and therefore the disclosures in relation to State Attorney General's compensation may be found in the Annual Report on State Finances.

Total compensation 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

	2018	2017
Compensation Band (\$)		
0 - 10,000	9	5
10,001 - 20,000	1	-
20,001 - 30,000	-	1
80,001 - 90,000	1	
160,001 - 170,000	1	-
420,001 - 430,000	-	1
	12	7
	<b>\$</b>	<b>\$</b>
Short-term employee benefits	249,905	398,176
Post-employment benefits	22,195	42,974
Other long-term benefits	28,467	42,238
Termination benefits	-	-
<b>Total compensation of the members of the Commission</b>	<b>300,567</b>	<b>483,388</b>
	<b>2018</b>	<b>2017</b>
Compensation Band (\$)		
10,001 - 20,000	1	-
160,001 - 170,000	-	1
170,001 - 180,000	2	1
180,001 - 190,000	1	1
190,001 - 200,000	-	1
200,001 - 210,000	-	-
210,001 - 220,001	-	-
220,001 - 230,000	1	-
230,001 - 240,000	-	1
240,001 - 250,000	3	1
250,001 - 260,000	2	3
260,001 - 270,000	-	1
300,001 - 310,000	-	1
400,001 - 410,000	1	-
	11	11

**Note 9. Other disclosures (continued)****9.3 Key management personnel (continued)****Compensation of members of the Commission (continued)**

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Short-term employee benefits	2,027,565	2,120,071
Post-employment benefits	191,503	187,001
Other long-term benefits	205,559	224,132
Termination benefits	-	-
<b>Total compensation of senior officers</b>	<b>2,424,627</b>	<b>2,531,204</b>
	<b>\$</b>	<b>\$</b>
Short-term employee benefits	2,277,470	2,518,247
Post-employment benefits	213,698	229,975
Other long-term benefits	234,026	266,370
Termination benefits	-	-
<b>Total compensation of key management personnel</b>	<b>2,725,194</b>	<b>3,014,592</b>

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

**9.4 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 department include:

- all Ministers and their close family members, and their controlled or jointly controlled entities;
- all senior officers and their close family members, and their controlled or jointly controlled entities;
- other departments and public sector entities, including related bodies included in the whole of government consolidated financial statements;
- associates and joint ventures, that are included in the whole of government consolidated financial statements; and
- the Government Employees Superannuation Board (GESB).

**Significant transactions with government related entities**

Significant transactions include:

- State Government Grant (Note 4.1);
- Royalties for Regions Fund (Note 4.1);
- Superannuation payments to GESB (Note 3.1(a));
- lease rentals payments to the Department of Finance (Government Office Accommodation and State Fleet) and the Housing Authority (Government Regional Officer Housing) (Note 3.4);
- insurance payments to the Insurance Commission and RiskCover fund (Note 3.4);
- Remuneration of services provided by the Auditor General (Note 9.8).

**Note 9. Other disclosures (continued)****9.4 Related party transactions (continued)****Material transactions with other related parties**

In 2017/18, the Commission had related party transactions with 4 parties who are key management personnel of the Commission.

- 3 parties were assigned client files by the Commission and provided legal services to the Commission's clients to the value of \$354,160. These expenses were arm's length transactions following the Commission's formal assignment processes. As at 30 June 2018 the amount payable is \$195,658.
- 1 party was Executive Officer at Welfare Rights & Advocacy Services, which received funding of \$421,325 from the Commission in 2017/18.

**9.5 Related bodies**

The Commission had no related bodies during the financial year.

**9.6 Affiliated bodies**

The Commission had no affiliated bodies during the financial year.

**9.7 Special purpose accounts****(i) Child Representation Trust Fund**

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

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Balance at start of period	5,000	5,000
Receipts	-	-
Payments	(5,000)	-
<b>Balance at end of period</b>	<b>-</b>	<b>5,000</b>

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

**(ii) Client Trust Fund**

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

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Balance at start of period	328,038	11,838
Receipts	540,694	1,167,855
Payments	(831,389)	(851,655)
<b>Balance at end of period</b>	<b>37,343</b>	<b>328,038</b>

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.

**Note 9. Other disclosures (continued)****9.8 Remuneration of auditors**

Remuneration paid or payable to the External Auditor in respect of the audit for the current financial year is as follows:

	2018 \$	2017 \$
Auditing the accounts, financial statements and key performance indicators	83,930	83,100

The remuneration of the auditor is included at note 3.4 'Supplies and services'. The remuneration to 30 June 2018 was not accrued as work was not substantially completed. This amount excludes GST.

**9.9 Equity**

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

	2018 \$	2017 \$
<b>Contributed equity</b>		
Balance at start of period	595,669	595,669
<b>Contribution by owners</b>		
Capital Appropriation	-	-
<b>Total contributions by owners</b>	-	-
<b>Distribution to owners</b>		
Net assets transferred to government	-	-
<b>Total distributions to owners</b>	-	-
<b>Balance at end of period</b>	<b>595,669</b>	<b>595,669</b>

	2018 \$	2017 \$
<b>Reserves</b>		
<b>Asset revaluation surplus</b>		
Balance at start of period	270,576	557,976
<i>Net revaluation increments/(decrements)</i>		
Buildings	(8,702)	(62,400)
Land	(125,000)	(225,000)
<b>Balance at end of period</b>	<b>136,874</b>	<b>270,576</b>

Any moneys in the Reserve shall be available, as part of the Legal Aid fund, to the Commission for application by it under the State Act.

**Note 9. Other disclosures (continued)****9.9 Equity (continued)**

	2018 \$	2017 \$
Accumulated surplus		
Balance at start of period	16,585,262	16,120,511
Result for the period	1,988,002	464,751
<b>Balance at end of period</b>	<b>18,573,264</b>	<b>16,585,262</b>
<b>Total equity at end of period</b>	<b>19,305,807</b>	<b>17,451,507</b>

**9.10 Supplementary financial information****(a) Write-Offs**

	2018 \$	2017 \$
Debts written off during the year that were authorised by the Commission	208,297	161,516
Debts written off during the year that were authorised by the Attorney General	269,243	-
<b>Total</b>	<b>477,540</b>	<b>161,516</b>

**(b) Losses through theft, defaults and other causes**

	2018 \$	2017 \$
Losses of public money and public and other property through theft or default	-	105
Amount recovered	-	-
	-	<b>105</b>

**Note 9. Other disclosures (continued)****9.11 Explanatory statement**

This statement provides details of any significant variations between estimates and actual results for 2018 and between the actual results for 2018 and 2017. Significant variations are considered to be those greater than 5% and \$1.680 million for the Statement of Comprehensive Income and Statement of Cash Flows; and greater than 5% and \$898,935 for the Statement of Financial Position.

**Statement of Comprehensive Income**

	Variance Note	2018 Estimate \$	2018 Actual \$	2017 Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2018 and 2017 \$
<b>Expenses</b>						
Employee benefit expense		32,604,000	33,020,429	32,366,387	416,429	654,042
Supplies and services		5,464,000	4,851,031	5,058,350	(612,969)	(207,319)
Depreciation and amortisation expense		792,000	598,549	824,280	(193,451)	(225,731)
Accommodation expenses		6,420,000	6,230,378	6,117,332	(189,622)	113,046
Legal Services expenses	1,a	21,331,000	26,555,185	23,299,815	5,224,185	3,255,370
Loss on disposal of non-current assets		-	14,163	-	14,163	14,163
Community Legal Center Grants	2	7,968,000	11,401,547	10,693,025	3,433,547	708,522
Other expenses		1,414,000	1,324,269	1,219,687	(89,731)	104,582
<b>Total Cost of Services</b>		<b>75,993,000</b>	<b>83,995,551</b>	<b>79,578,876</b>	<b>8,002,551</b>	<b>4,416,675</b>
<b>Income</b>						
User charges and fees		2,338,000	2,610,867	2,938,822	272,867	(327,955)
Commonwealth grants and contributions	3,b	29,193,000	34,116,630	30,579,916	4,923,630	3,536,714
Interest revenue		950,000	819,420	895,525	(130,580)	(76,105)
Other revenue		208,000	330,085	210,005	122,085	120,080
<b>Total Revenue</b>		<b>32,689,000</b>	<b>37,877,002</b>	<b>34,624,268</b>	<b>5,188,002</b>	<b>3,252,734</b>
<b>Gains</b>						
Gain on disposal of non-current assets		-	-	-	-	-
<b>Total Gains</b>		<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Net Cost of Services</b>		<b>43,304,000</b>	<b>46,118,549</b>	<b>44,954,608</b>	<b>2,814,549</b>	<b>1,163,941</b>
<b>Income from State Government</b>						
State Government Grant	4,c	41,708,000	48,022,000	45,305,560	6,314,000	2,716,440
Royalties for Regions Fund		114,000	84,551	113,799	(29,449)	(29,248)
<b>Total income from State Government</b>		<b>41,822,000</b>	<b>48,106,551</b>	<b>45,419,359</b>	<b>6,284,551</b>	<b>2,687,192</b>
<b>Surplus / (Deficit) for the period</b>		<b>(1,482,000)</b>	<b>1,988,002</b>	<b>464,751</b>	<b>3,470,002</b>	<b>1,523,251</b>



## Note 9. Other disclosures (continued)

### 9.11 Explanatory statement (continued)

#### Major Variance Narratives

##### Variations between estimate and actual

1. Legal Service expenses addition higher than the estimates mainly due to higher than expected expensive case costs for both State and Commonwealth criminal matters. In addition, time delays in Court lists due to reduced judiciary resources, higher levels of court applications and steady increase in the complexity of matters generally has contributed to the higher cost of legal representation for inditable matters.
2. Community Legal Centre grants are higher than the estimates due to additional Commonwealth grant funding provided for in the amendments to the National Partnership Agreement in June 2017 (\$1.746 million), and additional State grant funding received from Proceeds of Criminal Confiscation fund to replace the loss of Legal Contribution Trust grant funding for Community Legal Centres (\$1.114 million).
3. The Commonwealth Government Grant is higher than the estimates mainly due to the receipt of \$1.991 million funding for the additional cost of Commonwealth expensive criminal cases, \$1.046 million funding for the Family Advocacy and Support Service, and \$1.746 additional funding provided for Community Legal Centres in the amendments to the National Partnership Agreement in June 2017.
4. The State Government Grant is higher than the estimates due to \$1.615 million of supplementary funding received for State expensive criminal cases, together with an increase in State funding in line with the cost and demand model forecasts of \$3.761 million and \$0.783 million provided to fund staff redundancies under the Voluntary Targeted Separation Scheme.

##### Variations between actual results for 2018 and 2017

- a. The increase of legal service expenses in 2017-18 is largely due to an increase in the case costs for expensive criminal matters. The case costs for expensive criminal matters was \$5.6 million compared to \$2.8 million in 2016-17. Supplementary funding of \$3.6 million was received for the increase in case costs for expensive criminal matters.
- b. The Commonwealth Government Grant is higher than prior year mainly due to receipt of \$1.991 million funding for additional costs for expensive criminal matters, and \$1.046 million funding for the Family Advocacy and Support Service.
- c. The State Government Grant is higher than prior year mainly due to an increase in funding in line with the cost and demand model forecasts of \$3.761 million in 2017-18, which is offset by increased State Government saving measures of \$0.965 million.

**Note 9. Other disclosures (continued)****9.11 Explanatory statement (continued)****Statement of Financial Position**

	Variance Note	2018 Estimate \$	2018 Actual \$	2017 Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2018 and 2017 \$
<b>ASSETS</b>						
<b>Current Assets</b>						
Cash and cash equivalents	1, a	8,998,000	9,653,777	11,296,692	655,777	(1,642,915)
Restricted cash and cash equivalents		229,000	195,821	228,800	(33,179)	(32,979)
Receivables		2,794,000	3,653,359	3,016,797	859,359	636,562
Other financial assets	1,a	20,075,000	25,000,000	20,200,000	4,925,000	4,800,000
Other current assets		362,000	573,794	361,923	211,794	211,871
<b>Total Current Assets</b>		<b>32,458,000</b>	<b>39,076,751</b>	<b>35,104,212</b>	<b>6,618,751</b>	<b>3,972,539</b>
<b>Non-Current Assets</b>						
Restricted cash and cash equivalents		125,000	277,136	125,312	152,136	151,824
Receivables		5,050,000	5,303,738	5,050,339	253,738	253,399
Property plant & equipment	2	2,626,000	1,599,535	2,093,020	(1,026,465)	(493,485)
Intangible assets	2	1,130,000	498,028	497,322	(631,972)	706
<b>Total Non-Current Assets</b>		<b>8,931,000</b>	<b>7,678,437</b>	<b>7,765,993</b>	<b>(1,252,563)</b>	<b>(87,556)</b>
<b>TOTAL ASSETS</b>		<b>41,389,000</b>	<b>46,755,188</b>	<b>42,870,205</b>	<b>5,366,188</b>	<b>3,884,983</b>
<b>LIABILITIES</b>						
<b>Current Liabilities</b>						
Payables	3,b	18,739,000	21,038,326	18,739,651	2,299,326	2,298,675
Provisions		5,042,000	5,070,555	5,041,604	28,555	28,951
Other current liabilities		31,000	18,525	30,929	(12,475)	(12,404)
<b>Total Current Liabilities</b>		<b>23,812,000</b>	<b>26,127,406</b>	<b>23,812,184</b>	<b>2,315,406</b>	<b>2,315,222</b>
<b>Non-Current Liabilities</b>						
Provisions		1,606,000	1,321,975	1,606,514	(284,025)	(284,539)
<b>Total Non-Current Liabilities</b>		<b>1,606,000</b>	<b>1,321,975</b>	<b>1,606,514</b>	<b>(284,025)</b>	<b>(284,539)</b>
<b>TOTAL LIABILITIES</b>		<b>25,418,000</b>	<b>27,449,381</b>	<b>25,418,698</b>	<b>2,031,381</b>	<b>2,030,683</b>
<b>NET ASSETS</b>		<b>15,971,000</b>	<b>19,305,807</b>	<b>17,451,507</b>	<b>3,334,807</b>	<b>1,854,300</b>
<b>EQUITY</b>						
Contributed equity		596,000	595,669	595,669	(331)	-
Reserves		271,000	136,874	270,576	(134,126)	(133,702)
Accumulated surplus	4,c	15,104,000	18,573,264	16,585,262	3,469,264	1,988,002
<b>TOTAL EQUITY</b>		<b>15,971,000</b>	<b>19,305,807</b>	<b>17,451,507</b>	<b>3,334,807</b>	<b>1,854,300</b>

## Note 9. Other disclosures (continued)

### 9.11 Explanatory statement (continued)

#### Major Variance Narratives

##### Variations between estimate and actual

1. The combined variance for Cash and Cash Equivalent and Other Financial Assets (terms deposits held at period end) between actual and budget is \$5.580 million. The variance is largely due to \$2.227 million of grants of legal aid committed to private practitioners during the year remaining to be paid to private practitioners at year end. In addition, cash payments for capital works are \$1.591 million less than the estimates largely due to postponing the Kalgoorlie Office fit-out, Document Management System upgrade and the redevelopment of LAWA's core grants management into future years. The remaining variance in cash balance is accounted for by unexpended funds of \$2.029 million received from the Commonwealth and subject to a funding agreement.
2. Plant and Equipment and Intangible Assets are lower than the estimate by \$1.658 million largely due to the postponement of the Kalgoorlie office fit-out, and upgrades to the Document Management System and redevelopment of LAWA's grants management system.
3. Payables are higher than the estimate as a result of an increase of \$2.418 million in the commitment for grants of aid to private practitioners.
4. The accumulated surplus is higher than the estimates due to the turn-around from an estimated deficit of \$1.482 million deficit to a surplus of \$1.988 million for the year. The surplus of the year is mainly due to funds received from Commonwealth Government under the National Partnership Agreement 2015-2020, Family Advocacy and Support Services Agreements, and Christmas Island Service Delivery Agreement which have not been fully expensed in 2017-18.

##### Variations between actual results for 2018 and 2017

- a. The combined variance for Cash and Cash Equivalent and Other Financial Assets between 2017-18 and 2016-17 is \$3.157 million. The variance is largely due to unexpended funds of \$2.029 million received from the Commonwealth subject to a funding agreement, less capital works payments of \$400,000, and State funding of \$307,000 received for expenses incurred or to be incurred in other years.
- b. Payables are higher than the prior year as a result of an increase of \$2.418 million in the commitment for grants of aid to private practitioners.
- c. The accumulated surplus is higher than the previous year due to a surplus of \$1.988 million for the year. The surplus result is mainly due to unexpended funds of \$2.029 million received from Commonwealth Government under the National Partnership Agreement 2015-2020, Family Advocacy and Support Services Agreements, and Christmas Island Service Delivery Agreement which have not been expensed in 2017-18.

**Note 9. Other disclosures (continued)****9.11 Explanatory statement (continued)****Statement of Cash Flows**

	Variance Note	2018 Estimate \$	2018 Actual \$	2017 Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2018 and 2017 \$
<b>CASH FLOWS FROM STATE GOVERNMENT</b>						
State Government Grant	1, a	41,708,000	48,022,000	45,305,560	6,314,000	2,716,440
Royalties for Regions Fund		114,000	84,551	113,799	(29,449)	(29,248)
<b>Net cash provided by State Government</b>		<b>41,822,000</b>	<b>48,106,551</b>	<b>45,419,359</b>	<b>(6,284,551)</b>	<b>2,687,192</b>
Utilised as follows:						
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
<b>Payments</b>						
Employee benefits		(32,619,000)	(33,293,172)	(31,921,072)	(674,172)	(1,372,100)
Supplies and services		(5,438,000)	(4,968,301)	(4,776,975)	469,699	(191,326)
Accommodation		(6,420,000)	(6,368,607)	(6,098,031)	51,393	(270,576)
Legal services	2, b	(21,331,000)	(24,328,981)	(22,197,962)	(2,997,981)	(2,131,019)
GST payments on purchases	3	(2,828,000)	(4,796,576)	(4,494,744)	(1,968,576)	(301,832)
Other payments	4	(10,175,000)	(12,487,362)	(11,745,248)	(2,312,362)	(742,114)
<b>Receipts</b>						
User charges and fees		2,486,000	2,314,266	2,728,587	(171,734)	(414,321)
Commonwealth grants and contributions	5, c	29,193,000	33,616,631	30,579,916	4,423,631	3,036,715
Interest received		950,000	876,294	925,619	(73,706)	(49,325)
GST receipts on sales		264,000	75,121	33,595	(188,879)	41,526
GST receipts from taxation authority	3	2,828,000	4,615,861	4,331,543	1,787,861	284,318
Other receipts		788,000	267,690	175,925	(520,310)	91,765
<b>Net cash provided by/(used in) operating activities</b>		<b>(42,302,000)</b>	<b>(44,477,136)</b>	<b>(42,458,847)</b>	<b>(2,175,136)</b>	<b>(2,018,289)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>						
<b>Payments</b>						
Purchase of non-current physical assets		(1,944,000)	(353,485)	(750,440)	1,590,515	396,955
<b>Receipts</b>						
Proceeds from sale of non-current physical assets		-	-	-	-	-
<b>Net cash provided by/(used in) investing activities</b>		<b>(1,944,000)</b>	<b>(353,485)</b>	<b>(750,440)</b>	<b>1,590,515</b>	<b>396,955</b>
Net increase/(decrease) in cash and cash equivalents	6	(2,424,000)	3,275,930	2,210,072	5,699,930	1,065,858
Cash and cash equivalents at the beginning of period	d	31,851,000	31,850,804	29,640,732	(196)	2,210,072
<b>CASH AND CASH EQUIVALENTS AT THE END OF PERIOD</b>		<b>29,427,000</b>	<b>35,126,734</b>	<b>31,850,804</b>	<b>5,699,734</b>	<b>3,275,930</b>

## Note 9. Other disclosures (continued)

### 9.11 Explanatory statement (continued)

#### Major Variance Narratives

##### Variations between estimate and actual

1. The State Government Grant is higher than the estimates largely due to \$1.615 million of supplementary funding received for state indictable matters, together with \$3.761 million of distribution for the Cost and Demand Model Funding and \$783,000 provided for the State Government funded Voluntary Targeted Separation Scheme.
2. The Legal Service Expenses are higher than the estimates mainly due to higher than expected expensive case costs granted for both State and Commonwealth criminal matters. In addition, time delays in Court lists due to insufficient judiciary numbers, higher levels of court applications and steady increase in the complexity of matters generally has contributed to the higher cost of legal representation for indictable matters.
3. GST Payments on Purchase and GST receipt from taxation authority is higher than the estimates mainly due to higher Legal Service Expenses and higher Community Legal Centre Grant paid during 2017-18.
4. The other payments is higher than the estimates largely due to additional payments for Community Legal Centre Grant. At the end of 2016-17, \$1.114 million was received from the Proceeds of Criminal Confiscation fund to replace the loss of Legal Contribution Trust grant funding, and \$1.746 million of additional funds received from the Commonwealth under the National Partnership Agreement amended on 26 June 2017. These additional funds were paid to Community Legal Centre in 2017-18.
5. The Commonwealth Government Grant is higher than the estimates mainly due to receipt of \$1.991 million funding for additional costs for expensive criminal matters, \$1.046 million funding for Family Advocacy and Support Service, and \$1.746 additional funding provided by amended National Partnership Agreement for Community Legal Center grants.
6. The net cash inflow for 2017-18 is largely due to grants of legal aid assistance committed to in 2017-18 but not paid in cash, leaving \$2.227 million of cash remaining to be paid to private practitioners. In addition, Legal Aid has postponed \$1.591 million of cash payment on capital projects, these include Kalgoorlie Office fit-out project, Document Management System upgrade, and core grants management system upgrade project. Furthermore, Commonwealth funds received from Commonwealth Government under the National Partnership Agreement 2015-2020, Family Advocacy and Support Services Agreements, and Christmas Island Service Delivery Agreement which have not been fully expensed in 2017-18.

##### Variations between actual results for 2018 and 2017

- a. The State Government Grant is higher than prior year mainly due to additional funding of \$3.761 million received as a result of Cost and Demand Model forecasts for the Commission, which is offset by an increase in State Government efficiency measures of \$965,000.
- b. The increase in 2017-18 is largely due to an increase in the costs for State and Commonwealth expensive criminal matters. The cost for expensive criminal matters was \$5.6 million compared to \$2.8 million in 2016-17.
- c. The Commonwealth Government Grant is higher than prior year mainly due to receipt of \$ 1.991 million funding for additional costs for expensive criminal matters, and \$1.046 million funding for Family Advocacy and Support Service.
- d. The closing cash for 2016-17 is higher than 2015-16 due to \$1.114 million of funds received from the Proceeds of Criminal Confiscation fund to replace the loss of Legal Contribution Trust grant funding to be paid to Community Legal Centres in 2017-18; and State supplementary funding of \$4.105 million for indictable matters, with only \$2.813 million of these committed costs paid in cash, leaving balance of \$1.292 million cash remaining to be paid to private practitioners.

**Note 9. Other disclosures (continued)****9.12 Special category funding**

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

*(i) Finance Brokers Legal Fund*

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

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Balance at start of period	167,364	167,364
Expenditure	-	-
<b>Balance at end of period</b>	<b>167,364</b>	<b>167,364</b>

*(ii) Department of Child Protection and Family Support Legal Fund*

A legal fund for private lawyers to investigate and provide advice as to claims that children may have been abused whilst in care of the Department of Child Protection and Family Support.

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Balance at start of period	22,120	21,200
Funding	-	-
Expenditure	(3,710)	920
<b>Balance at end of period</b>	<b>18,410</b>	<b>22,120</b>

*(iii) 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.

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Balance at start of period	118,793	138,936
Receipt from Commonwealth	337,479	363,498
User charges and fees	51,772	16,185
Expenditure	(402,780)	(399,826)
<b>Balance at end of period</b>	<b>105,264</b>	<b>118,793</b>

*(iv) 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 \$26,000.

	<b>2018</b>	<b>2017</b>
	<b>\$</b>	<b>\$</b>
Balance at start of period	(157,389)	395,647
Funding	3,775,000	2,160,000
Client Contributions	78,653	131,065
Assigned expenditure	(3,059,210)	(2,558,129)
Expenditure for IHP disbursements	(161,572)	(155,586)
In-House legal services expenditure	(144,945)	(130,386)
<b>Balance at end of period</b>	<b>330,537</b>	<b>(157,389)</b>

## Note 9. Other disclosures (continued)

### 9.12 Special category funding (continued)

#### (v) Commonwealth Expensive Cases

Arrangements exist with the Commonwealth 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 \$40,000.

	2018 \$	2017 \$
Balance at start of period	340,648	208,315
Supplementary Funding	1,990,651	132,333
Expenditure	(2,344,399)	-
<b>Balance at end of period</b>	<b>(13,100)</b>	<b>340,648</b>

#### (vi) Commonwealth Proceeds of Crime

Arrangements exist with the Commonwealth for reimbursement for proceedings where an applicant for aid has property covered by a restraining order under the *Proceeds of Crime Act 2002 (POCA)*, the costs are reimbursed in accordance with sections 292 and 293 of the Act.

	2018 \$	2017 \$
Balance at start of period	(98,262)	-
Expenditure	(54,791)	(98,262)
Reimbursement	-	-
<b>Balance at end of period</b>	<b>(153,053)</b>	<b>(98,262)</b>

### 9.13 Community legal centres

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

Commonwealth CLCs funding comes under National Partnership Agreements from 2015/16. Legal Aid WA includes transactions related to the Commonwealth CLCs in its financial statements as it has effective decision making over the allocation of the funds.

Financial transactions for 2017/18 related to the State and Commonwealth funding for CLCs are as follows:

	State	Commonwealth
Balance at start of period	1,527,191	219,991
Receipts	4,176,615	6,024,617
Payments	(5,162,413)	(6,048,787)
<b>Balance at end of period</b>	<b>541,393</b>	<b>195,821</b>



## 7.4 Additional Key Performance Indicator Information

### 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 2018.



Hon. Jane Crisford SC  
Chair of the Commission

Date: 15/8/2018



Graham Hill  
Director of Legal Aid  
Member of the Commission

Date: 15/8/2018

## 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, duty lawyer services and community legal education is provided to assist the wider community to access fair solutions to legal problems at the earliest opportunity.

### Our Services

For the community		For target groups			For legal service providers
Information and advice	Duty lawyer services	Legal advice and legal tasks	Legal representation	Community education services	Regional initiatives for legal practice
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 Magistrates 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 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.	To increase the presence of lawyers in regional and remote areas of Western Australia and to ensure legal practice training and professional development is available to providers of legal services in regional and remote areas of Western Australia.  Regionally based lawyers are employed, trained and supervised by LAWA and training and professional development is delivered through legal practice training and interactive online learning systems.

## Effectiveness Indicators

The outcome sought by Legal Aid WA as a result of the services provided is equitable access to legal services and information.

Equitable access to legal services is measured by the proportion of eligible applicants who receive a grant of aid and 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. Determining the type and extent of assistance provided to people is critical to LAWA's operations. Decisions about the appropriateness of the service provided are regulated by policies and procedures relating to clients' means, the nature and seriousness of their legal problem and the availability of resources.

Equitable access to legal information is measured by the extent to which members of the public are able to access LAWA's Infoline service to identify legal problems, understand the alternatives for resolution and the resources available in pursuing a legal and non-legal solution.

## Desired Outcomes and Key Effectiveness/Efficiency Indicators

### Agency Level Government Desired Outcome: Equitable access to legal services and information.

Effectiveness indicators	2014-15 Actual %	2015-16 Actual %	2016-17 Actual %	2017-18 Budget %	2017-18 Actual %	Reasons For Significant Variance * Between Current Actuals and Target and Prior Year Comparative
Percentage of eligible applicants who receive a grant of legal aid	78%	87%	85%	85%	86%	The increase in the prior year comparatives is attributable to an increase in demand for grants of aid for indictable crime matters in the District and Supreme Courts from 2014-15 to 2015-16. Because of the Dietrich principle all applicants charged with an indictable crime must be provided with legal aid. Also, additional funding provided under the new National Partnership Agreement enabled the guidelines for Commonwealth family law matters to be relaxed in 2015-16, compared to restrictions on these guidelines in place in the 2014-15.
Percentage of persons who are provided with a duty lawyer service	22%	20%	20%	20%	20%	There is no significant variation.
Percentage of callers successfully accessing infoline services	70%	60%	67%	67%	67%	The decline from 2014-15 to 2015-16 reflects an increase in demand for the service and limited capacity to allocate additional resources to the Infoline service. The increase in effectiveness from 2015-16 to 2016-17 and 2017-18 is largely due to a combination of technology improvements and a change of opening hours where resources were redirected to peak times.

\* Significant variances are considered to be those greater than 10%.

**Service: Legal Aid Assistance**

Key Efficiency Indicators	2014-15 Actual \$	2015-16 Actual \$	2016-17 Actual \$	2017-18 Budget \$	2017-18 Actual \$	Reasons For Significant Variance * Between Current Actuals and Target and Prior Year Comparative
Average cost per legal representation	3,883	3,754	3,813	3,813	4,166	The 2017-18 actual is higher than 2017-18 target and prior year actuals mainly due to higher than expected expensive case costs granted for both State and Commonwealth criminal matters. In addition, time delays in court lists due to insufficient judiciary numbers and higher levels of court applications has contributed to the cost per legal representation being higher. Furthermore, there is a steady increase in the complexity of matters generally which has driven the average cost higher in 2017-18 actual.
Average cost per legal information service	48	50	56	56	61	The more effective shift system implemented in 2017-18 has reduced the number of client call backs to the Infoline, but has increased the cost per service. In addition, extra staff training was scheduled and held between January and June 2018 adding to the overall cost. There also continues to be a general increase in the overall complexity and length of calls.
Average cost per legal advice	223	220	224	224	236	There is no significant variation.
Average cost per application for a grant of legal aid processed	394	435	426	420	401	The average cost of assessing and processing of applications for grants of aid has reduced this financial year with reduced availability of resources due to staff leave and vacancies while the volume of work has remained steady.
Average cost of delivering regional initiatives for legal practice	1,148	204	198	200	167	The cost reduction from 2014-15 to 2015-16 is due to the Country Lawyers Program ceasing from 2015-16. The interactive online learning system continues to deliver professional training to lawyers in regional and remote areas in Western Australia. The lower than budgeted costs in 2017-18 is attributed to LAWA being more active in the regions and with an increase of 19% regional legal training.

\* Significant variances are considered to be those greater than 10%.

## 7.5 Ministerial Directions

No ministerial directions were received during the financial year.

## 7.6 Other Financial Disclosures

### Pricing policies of services provided

LAWA charges for goods and services rendered on a full or partial cost recovery basis. These fees and charges were determined in accordance with Costing and Pricing Government Services: Guidelines for Use by Agencies in the Western Australian Public Sector published by the Department of Treasury.

### Capital Works

#### Capital projects incomplete

Project Name	Estimated Total Costs	Estimated Remaining Costs	Expected Completion
<b>Enhancement to LAW Office application – automation of business processes</b>	\$346,451	\$146,581	2018-19
<p>This enhancement will enable LAWA to automate grant payment processes to external firms which includes automated payments and automated extensions and deliver business efficiencies.</p>			
<b>Website Redevelopment</b>	\$45,345	0	2018-19
<p>Redevelopment of LAWA's external website.</p>			

#### Capital projects completed

Project Name	Total Costs
<b>Partial refit of Albany Regional Office</b>	\$113,926
<p>LAWA commenced the tenancy of the Albany Office in January 2006. The partial refit is part of LAWA's ongoing investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.</p>	
<b>Performance Target Setting System – Stage 2 to 4</b>	\$86,552
<p>Development of a software solution to assist directors to better achieve LAWA's strategic targets and assign them to individual staff level.</p> <p>LAWA rolled out stage 1 and 2 of the system in 2017-18.</p>	

## Employment and Industrial Relations

### EMPLOYEE PROFILE 2017-2018

Level	Lawyer		Paralegal		Administration		TOTAL 2016/17	TOTAL 2017/18	% 2016/17	% 2017/18
	P	O	P	O	P	O				
Cadet							0	0	0.00%	0.00%
1					4	7	9	11	2.73%	3.44%
2					43	16	66	59	20.00%	18.44%
3			21	12	18	6	54	57	16.36%	17.81%
4			8	1	7		17	16	5.15%	5.00%
5			5	2	8		17	15	5.15%	4.69%
6			1		8	1	10	10	3.03%	3.13%
7					2		2	2	0.61%	0.63%
8					3		3	3	0.91%	0.94%
9							0	0	0.00%	0.00%
Class 1							0	0	0.00%	0.00%
Class 2							0	0	0.00%	0.00%
Class 3					1		1	1	0.30%	0.31%
Class 4							0	0	0.00%	0.00%
Special Division		1					1	1	0.30%	0.31%
S/C Level 1	3	11					18	14	5.45%	4.38%
S/C Level 2	38	14			1		49	53	14.85%	16.56%
S/C Level 3	9	3					8	12	2.42%	3.75%
S/C Level 4	29				1		34	30	10.30%	9.38%
S/C Level 5					4	1	6	5	1.82%	1.56%
S/C Level 6	23						27	23	8.18%	7.19%
S/C Level 7	1						2	1	0.61%	0.31%
S/C Level 8	1						0	1	0.00%	0.31%
S/C Level 9							0	0	0.00%	0.00%
S/C Level 10					5	1	6	6	1.82%	1.88%
<b>TOTAL</b>	<b>104</b>	<b>29</b>	<b>35</b>	<b>15</b>	<b>105</b>	<b>32</b>	<b>330</b>	<b>320</b>	<b>100%</b>	<b>100%</b>

#### Includes staff on LWOP:

2016/2017 LWOP 8 Females/ 0 Male

2017/2018 LWOP 11 Females/ 2 Male

Note: Legal staff, psychologists and librarians paid under GOSAC Specified Callings

**P = Permanent Employee**

**O = Contract Employee**

### Staff Development

LAWA is committed to the professional development and care of its employees. LAWA has a comprehensive in-person and online induction program which includes personal safety and resilience training. This ensures all employees are fully prepared for the work they will be doing.

In addition, LAWA also provides accredited professional development opportunities for all in-house lawyers and lawyers in the community legal sector, including those based in rural, regional and remote areas of Western Australia. This includes:

- » An annual three-day Summer Series which consists of a series of workshops in criminal, family and civil law.
- » Accredited training online and in-person via LAWA's learning management system, Train-N-Track. Train-N-Track now has 1406 registered active users (1170 lawyers), houses 130 online modules (102 legal, 20 admin, 8 public facing) and operates as a booking manager for major in-person training events. From 1 July 2017 to 30 June 2018, LAWA awarded 4101 Continuing Professional Development points to Western Australian lawyers.

### Workers' Compensation

LAWA is committed to ensuring the highest standards of workplace safety, health and wellbeing to ensure the protection of its employees. One new worker's compensation claim was received during 2017-18. One claim which was received during 2014-15 was finalised and the management of one claim which was received during 2016-17 continued.

### Unauthorised Use of Credit Cards

Officers of LAWA hold corporate credit cards where their functions warrant usage of this facility. Despite each cardholder being aware of their obligations under LAWA's credit card policy, three employees inadvertently utilised the corporate credit card for refreshments/meals. 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.

	<b>2018</b>
	<b>\$</b>
Aggregated amount of personal use expenditure for the reporting period	74
Aggregate amount of personal use expenditure settled by the due date (within 5 working days)	66
Aggregate amount of personal use expenditure settled after the period (after 5 working days)	8
Aggregate amount of personal use expenditure outstanding at balance date	-



## Annual Estimates

## Statement of Comprehensive Income

For the year ended 30 June 2019

	2016-17 Actuals \$000	2017-18 Estimated Actuals \$000	2018-19 Section 40 Estimates \$000
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	32,366	34,067	31,993
Supplies and services	5,058	5,777	5,472
Depreciation and amortisation expense	824	672	792
Accommodation expenses	6,118	6,453	6,666
Legal services expenses	23,300	26,296	24,096
Other expenses	11,913	12,590	13,456
<b>Total cost of Services</b>	<b>79,579</b>	<b>85,855</b>	<b>82,475</b>
<b>Income</b>			
<i>Revenue</i>			
User charges and fees	2,939	2,552	2,338
Commonwealth grants and contributions	30,580	33,380	32,616
Interest revenue	895	950	950
Other revenue	210	208	2,208
<b>Total Revenue</b>	<b>34,624</b>	<b>37,090</b>	<b>38,112</b>
<b>Total income other than income from State Government</b>	<b>34,624</b>	<b>37,090</b>	<b>38,112</b>
<b>NET COST OF SERVICES</b>	<b>44,955</b>	<b>48,765</b>	<b>44,363</b>
<b>Income from State Government</b>			
State Government grant	45,306	46,057	43,998
Services received free of charge	-	-	-
Royalties for Regions Fund	114	85	114
<b>Total income from State Government</b>	<b>45,420</b>	<b>46,142</b>	<b>44,112</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>	<b>465</b>	<b>(2,623)</b>	<b>(251)</b>

## Annual Estimates (continued)

## Statement of Financial Position

As at 30 June 2019

	2016-17 Actuals \$000	2017-18 Estimated Actuals \$000	2018-19 Section 40 Estimates \$000
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	31,497	28,531	28,023
Restricted cash and cash equivalents	229	229	229
Receivables	3,017	3,020	2,809
Other current assets	363	362	362
<b>Total Current Assets</b>	<b>35,106</b>	<b>32,142</b>	<b>31,423</b>
<b>Non-Current Assets</b>			
Restricted cash and cash equivalents	125	125	125
Receivables	5,050	5,050	5,050
Property plant & equipment	2,093	2,003	2,394
Intangible assets	497	685	763
<b>Total Non-Current Assets</b>	<b>7,765</b>	<b>7,863</b>	<b>8,332</b>
<b>TOTAL ASSETS</b>	<b>42,871</b>	<b>40,005</b>	<b>39,755</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Payables	18,739	18,739	18,739
Provisions	5,042	4,868	4,868
Other current liabilities	30	30	31
<b>Total Current Liabilities</b>	<b>23,811</b>	<b>23,637</b>	<b>23,638</b>
<b>Non-Current Liabilities</b>			
Provisions	1,607	1,538	1,538
<b>Total Non-Current Liabilities</b>	<b>1,607</b>	<b>1,538</b>	<b>1,538</b>
<b>TOTAL LIABILITIES</b>	<b>25,418</b>	<b>25,175</b>	<b>25,176</b>
<b>NET ASSETS</b>	<b>17,453</b>	<b>14,830</b>	<b>14,579</b>
<b>EQUITY</b>			
Contributed equity	596	596	596
Reserves	271	271	271
Accumulated surplus	16,586	13,963	13,712
<b>TOTAL EQUITY</b>	<b>17,453</b>	<b>14,830</b>	<b>14,579</b>

**Annual Estimates (continued)****Statement of Changes in Equity**

For the year ended 30 June 2019

	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
	<b>Actuals</b>	<b>Estimated</b>	<b>Section 40</b>
	<b>\$000</b>	<b>Actuals</b>	<b>Estimates</b>
		<b>\$000</b>	<b>\$000</b>
<b>CONTRIBUTED EQUITY</b>			
<b>Contributed equity at start of period</b>	596	596	596
Equity contributions during the period	-	-	-
<b>Contributed equity at the end of period</b>	<b>596</b>	<b>596</b>	<b>596</b>
<b>ASSET REVALUATION SURPLUS</b>			
<b>Balance at start of period</b>	558	271	271
Net revaluation increments/(decrements)	(287)	-	-
<b>Contributed equity at the end of period</b>	<b>271</b>	<b>271</b>	<b>271</b>
<b>ACCUMULATED SURPLUS</b>			
<b>Balance at start of period</b>	16,121	16,586	13,963
Surplus / (deficit) for the period	465	(2,623)	(251)
<b>Contributed equity at the end of period</b>	<b>16,586</b>	<b>13,963</b>	<b>13,712</b>
<b>BALANCE OF EQUITY AT END OF PERIOD</b>	<b>17,453</b>	<b>14,830</b>	<b>14,579</b>

**Annual Estimates (continued)****Statement of Cash Flows**

For the year ended 30 June 2019

	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
	<b>Actuals</b>	<b>Estimated</b>	<b>Section 40</b>
	<b>\$000</b>	<b>Actuals</b>	<b>Estimates</b>
		<b>\$000</b>	<b>\$000</b>
<b>CASH FLOWS FROM STATE GOVERNMENT</b>			
State Government Grant	45,306	46,057	43,998
Royalties for Regions Fund	114	85	114
<b>Net cash provided by State Government</b>	<b>45,420</b>	<b>46,142</b>	<b>44,112</b>
Utilised as follows:			
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
<b>Payments</b>			
Employee benefits	(31,922)	(34,403)	(32,076)
Supplies and services	(4,777)	(5,758)	(5,457)
Accommodation	(6,099)	(6,453)	(6,666)
Legal services	(22,198)	(26,296)	(24,096)
GST payments on purchases	(4,495)	(3,092)	(3,092)
GST payments to taxation authority	-	-	-
Other payments	(11,745)	(13,033)	(13,905)
<b>Receipts</b>			
User charges and fees	2,728	2,486	2,486
Commonwealth grants and contributions	30,580	33,380	32,616
Interest received	926	950	950
GST receipts on sales	34	34	34
GST receipts from taxation authority	4,332	3,058	3,058
Other receipts	176	788	2,788
<b>Net cash provided by/(used in) operating activities</b>	<b>(42,460)</b>	<b>(48,339)</b>	<b>(43,360)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Payments</b>			
Purchase of non-current physical assets	(750)	(769)	(1,260)
<b>Net cash provided by/(used in) investing activities</b>	<b>(750)</b>	<b>(769)</b>	<b>(1,260)</b>
Net increase/(decrease) in cash and cash equivalents	2,210	(2,966)	(508)
Cash and cash equivalents at the beginning of period	29,641	31,851	28,885
<b>CASH AND CASH EQUIVALENTS AT THE END OF PERIOD</b>	<b>31,851</b>	<b>28,885</b>	<b>28,377</b>

## 7.7 Governance Disclosures

### Pecuniary interests

The *Legal Aid Commission Act 1976* requires members to disclose their pecuniary interest in matters being considered and to have such disclosure recorded in the minutes of that meeting. No disclosures were recorded.

### Contracts with Senior Officers

At the date of reporting, no senior officers, or firms of which senior officers are members, or entities in which senior officers have substantial interests, had any interests in existing or proposed contracts with LAWA, other than normal contracts of employment of services.

### Insurance premiums to indemnify any Director

An insurance premium of \$3,146.00 (including GST) was paid to AIG Australia Limited for Directors and Officers Liability Insurance.

### Professional conduct

LAWA and individual legal practitioners employed by or receiving remuneration from LAWA, are required, where applicable, to comply with the *Legal Profession Act 2008*, *Legal Profession Regulations 2009*, *Legal Profession Rules 2009*, and *Legal Profession Conduct Rules 2010*.

### Application of Accountability Legislation

Section 56 of the *Legal Aid Commission Act 1976* states that the provisions of the *Financial Management Act 2006* regulating the financial administration, audit and reporting of statutory authorities apply to and in respect of LAWA and its operations.

## Legal Aid Commission Board of Western Australia

Position	Name	Type of Remuneration	Period of Membership	Gross/actual remuneration (annual) \$
Chair	Jane Crisford	Per Annum	20/07/2017 to 30/06/2018	17,589.13
Member	Dion Smith	Per Annum	01/07/2017 to 30/6/2018	7,400.00
Chairman of Audit sub-committee	Dion Smith	Per Annum	01/07/2017 to 30/6/2018	660.00
Member of Audit sub-committee	Lanie Chopping	0	09/07/2018 to 30/06/2018	0
Member	Lanie Chopping	0	09/01/2018 to 30/06/2018	0
Member	Brian Bradley	Per Annum	01/07/2017 to 31/12/2017	3,700.00
Member	Katherine Beaumont	Per Annum	01/07/2016 to 31/12/2017	3,700.00
Member	Belinda Lonsdale	Per Annum	01/07/2017 to 30/09/2017	1,648.91
Member	John Prior	Per Annum	01/07/2017 to 05/03/2018	5,008.29
Member	Genevieve Cleary	Per Annum	09/01/2018 to 30/06/2018	3,516.02
Member	Steve Toutountzis	0	09/01/2018 to 30/06/2018	0
Member	Elspeth Hensler	Per Annum	22/05/2018 to 30/06/2018	817.68
Member	Lex Payne	0	01/07/20176 to 04/05/2018	0
Member	Graham Hill	0	07/05/2018 to 30/06/2018	0

## 7.8 Other Legal Requirements

### Expenditure on advertising, market research, polling and direct mail

In accordance with section 175ZE of the *Electoral Act 1907*, LAWA incurred the following expenditure in advertising, market research, polling, direct mail and media advertising:

**Total expenditure for 2017-18 was \$33,820.37**

Expenditure was incurred in the following areas:

Expenditure	Total	Expenditure	Amount
Advertising agencies	\$14,190.37	Adcorp	\$14,190.37
Market research organisations	\$19,630.00	Advantage Communications and Marketing	\$19,630.00
Polling organisations	Nil		Nil
Direct mail organisations	Nil		Nil
Media advertising organisations	Nil		Nil

### Compliance with Public Sector Standards and Ethical Codes

LAWA strives to maintain compliance with both the Public Sector Standards in Human Resources Management and the Public Sector Code of Ethics. The following actions were taken during 2017-18 to ensure compliance:

- » All recruitment and selection processes were reviewed by an independent person;
- » LAWA operated a gift register;
- » All employees were asked to acknowledge their obligations under the Public Sector Code of Ethics, the LAWA Code of Conduct and relevant information, communication technology use policies at the time of their annual performance appraisal or on commencement of employment;
- » Standards information was made available to employees and applicants for positions;
- » Relevant policies and procedures were available to all staff via the intranet;
- » Trained grievance and contact officers are available to all staff.

There was no breach of Standard claims received during 2017-18.



## Disability Access and Inclusion Plan Outcomes

The *Disability Services Act 1993* requires LAWA to have a Disability Access and Inclusion Plan (DAIP). LAWA's first DAIP (2014-2019) was endorsed by the Disability Services Commission in 2015. LAWA is committed to ensuring that everyone has equal access to legal aid services.

Outcome	Comment	Status
People with disabilities have the same opportunities as other people to access the services of and any events organised by LAWA.	<p>LAWA's Social Inclusion Program provides legal assistance to the public, particularly vulnerable sections of the community, including people with cognitive or intellectual impairment, mental illness, physical disability or illness. The program focusses on early intervention and resolution of legal issues through a variety of means, including legal advice, advocacy and negotiations.</p> <p>LAWA represents clients in the Administrative Appeals Tribunal on complex and novel appeals of decisions of the National Disability Insurance Scheme. LAWA provides a free information and advice service at the Administrative Appeals Tribunal to people wishing to review a decision made by Centrelink in relation to the Disability Support Pension.</p> <p>LAWA provides advice to and represent clients in the START Court. The Start Court offers a program that combines access to mental health supports and services (including alcohol and other drug support if necessary), with regular appearances before the Start Court magistrate. The program can take up to six months to complete.</p>	Ongoing
People with disabilities have the same opportunities as other people to access the building and facilities of LAWA.	Processes are in place to ensure that any changes to workplace accommodation and public service access areas are accessible to members of the public. LAWA reviews workplace arrangements and ensures appropriate access facilities for employees with a disability. Processes are in place to consult with building management in relation to facilities issues.	Ongoing
People with disabilities receive information from LAWA in a format that will enable them to access the information as readily as other people are able to access it.	The LAWA Website has recently been redesigned and implemented. The final stage of the implementation is to install a read to text facility, compliant with the State Government Access Guidelines for Information, Services and Facilities. This is due to be implemented at the end of July 2018.	Ongoing
People with disabilities have the same opportunities as other people to participate in any public consultation by LAWA.	No further action has been taken in relation to consultation with the public in relation to LAWA's DAIP (2014-19).	Ongoing
People with disabilities have the same opportunities as other people to obtain and maintain employment with LAWA.	LAWA continued to engage with employees and Job Access to assist with review and modification of the workplace to assist employees with a disability.	Ongoing

## **Recordkeeping Plans**

At its meeting of 24 October 2017, the State Records Commission approved LAWA's revised Recordkeeping Plan.

In accordance with the State Records Commission Standard 2 and Principle 6 the following information demonstrates LAWA's compliance.

### **Efficiency and effectiveness of the organisation's recordkeeping systems**

LAWA utilises an external service provider to conduct an internal audit of LAWA's recordkeeping systems and practices. Recommendations provided in their report are considered and changes implemented where necessary. Another external service provider is contracted to ensure the document management system is operating in accordance with agency specifications.

### **The nature and extent of the recordkeeping training program**

LAWA conducts online training programs for recordkeeping. The Recordkeeping Awareness Training (RAT) is incorporated into the induction package provided to all new staff, with a RAT refresher online training program 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 Office requirements.

In-person training is conducted on LAWA's Document Management System and Business Classification Scheme to new employees with follow up training as required. Ad-hoc lunchbox records management information/question and answer sessions are run for all staff to attend.

### **Efficiency and effectiveness of the recordkeeping training**

Review of recordkeeping training is done on an ongoing basis through feedback and evaluation of usage of LAWA's Document Management System and Business Classification Scheme and ad-hoc training sessions.

### **Organisation's induction program addressing employee roles and responsibilities in regard to their compliance with the recordkeeping plan**

LAWA's RAT training is incorporated in the induction program. The content covers employee roles and responsibilities with regard to their compliance with the recordkeeping plan.

## 7.9 Government Policy Requirements

### Occupational Safety, Health and Injury Management

#### Statement of LAWA's commitment to occupational safety and health and injury management 2017-18

LAWA is committed to ensuring the highest standards of workplace safety, health and wellbeing to ensure the protection of its employees, contractors and visitors to the workplace by:

- » Providing an environment (as far as practicable) where people can undertake their work safely;
- » Developing appropriate systems for the reporting of work safety and health incidents and the tracking of follow up action;
- » Encouraging employees to report incidents or hazards and working together to achieve outcomes;
- » Identifying work safety and health risks and acting (as far as practicable) to mitigate the risk;
- » Providing programs of workplace safety education, training and awareness;
- » Ensuring everyone is accountable for occupational safety, health and injury management in the workplace and aware of their individual responsibilities;
- » Striving to ensure that at least 80% of managers and supervisors have completed occupational safety, health and injury management training.

During 2017-18 LAWA circulated occupational safety and health information to staff by:

- » Reviewing external workplaces;
- » Encouraging staff to report incidents and hazards and responding to reports;
- » Providing 'Safety First: Working Safely with Clients at LAWA training to all staff;
- » Providing occupational safety, health and injury management training to managers and supervisors;
- » Providing a trained staff member to conduct ergonomic assessments of individual work station set-ups as required;
- » Providing Remote Driver and Remote First Aid training to those undertaking regional circuit work;
- » Providing a trained group of first aid officers and fire wardens;
- » Operating a risk register.

LAWA promoted and encouraged staff wellness during 2017-18 by:

- » Promoting the Employee Assistance Program to all staff;
- » Offering fully subsidised flu vaccinations to all staff;
- » Offering fully subsidised inoculations e.g. Hepatitis to all staff working in frontline roles;
- » Offering training to supervisors in supporting staff in the workplace;
- » Offering end of trip facilities and bicycle parking at most office locations;
- » Openly discussing resilience related issues and encouraging debriefing practices;
- » Managing the use of accrued leave and supporting flexible work practices.

#### Statement of compliance with the injury management requirements of the *Workers' Compensation and Injury Management Act 1981*

LAWA follows the injury management compliance requirements in accordance with the *Workers' Compensation and Injury Management Act 1981*, and provides support to managers and staff who are managing workplace injuries. Injury management plans are implemented in accordance with the Act.

## Occupational safety and health systems

LAWA did not complete an accredited assessment during the reporting period.

Measure	Actual Results			Results against Target	
	2015-16	2016-17	2017-18	Target	Comment on result
Number of fatalities	0	0	0	0	NIL
Lost time injury and/or disease incidence rate	1	1	1	0	NIL
Lost time injury and/or disease severity rate	0	0	0	0	NIL
Percentage of injured workers returned to work	100	100	100	NA	NIL
(i) Within 13 weeks	100	100	100	NA	NIL
(i) Within 26 weeks	NA	NA	NA	NA	NIL
Percentage of managers trained in occupational safety, health and injury management responsibilities	82	88	94	80	NIL

Period	Number of fatalities	Number of Lost Time Injury or Disease	Number of Severe Claims	Lost Time Injury Severity Date
01/07/17 – 30/06/18	0	1	0	0
01/07/16 – 30/06/17	0	1	0	0
01/07/15 – 30/06/16	0	1	0	0

Data Definitions	
Fatalities	The number of compensated 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 subsequent approval may have been declined.

## Government Building Contracts

No contracts subject to the Government Building Training Policy were awarded during 2017-18.

8.

## **Contact Information**

# Legal Aid Offices

## Perth Office

32 St Georges Terrace  
Perth WA 6000

PO Box L916  
Perth WA 6842

Telephone (08) 9261 6222  
Facsimile (08) 9261 6554

## Telephone Information Line

General Inquiries  
1300 650 579

National Relay Service:  
(for hearing and speech impaired) 133677

Translating and interpreting services 131450

## Website

[www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au)

## Southwest Regional Office

7th Floor Bunbury Tower  
61 Victoria Street  
Bunbury WA 6230

Telephone (08) 9721 2277  
Facsimile (08) 9721 2060

## East Kimberley Regional Office

98 Konkerberry Drive  
Kununurra WA 6743

Telephone (08) 9166 5800  
Facsimile (08) 9166 5888

## Great Southern Regional Office

Unit 3, 43-47 Duke Street  
Albany WA 6330

Telephone (08) 9892 9700  
Facsimile (08) 9892 9777

## Goldfields Regional Office

Suite 3, 120 Egan Street  
Kalgoorlie WA 6430

Telephone (08) 9025 1300  
Facsimile (08) 9091 2077

## Midwest & Gascoyne Regional Office

Unit 8, The Boardwalk  
273 Foreshore Drive  
Geraldton WA 6530

Telephone (08) 9921 0200  
Facsimile (08) 9921 0255

## Pilbara Regional Office

28-32 Throssell Road  
South Hedland WA 6722

Telephone (08) 9172 3733  
Facsimile (08) 9172 2061

## West Kimberley Regional Office

Upper Level  
Woody's Arcade  
15-17 Dampier Terrace  
Broome WA 6725

Telephone (08) 9195 5888  
Facsimile (08) 9192 1520

## Christmas/Cocos Islands Office

Administration Building  
20 Jalan Pantai  
Christmas Island, Indian Ocean 6798

Telephone (08) 9164 7529  
Facsimile (08) 9164 7162







LEGAL AID  
WESTERN AUSTRALIA

[www.legalaid.wa.gov.au](http://www.legalaid.wa.gov.au)