

LEGAL AID WA
ANNUAL
REPORT 22
23

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- Acknowledgement of Country and People

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

OUR YEAR 2022-23

WE PROVIDED LAWYERS TO PEOPLE ON
124,000 OCCASIONS

11%
increase in new
grants of aid

21%
increase in duty
lawyer services

165%
increase in services provided relating to
the Disability Royal Commission

**Launched our
6th Reconciliation
Action Plan**

135%
increase in services
provided under the NDIS
appeals funding

**Launched the
Virtual Office
in Collie**

7%
increase in Virtual
Office services

36%
increase in Elder Rights
new services

**Launched our Ay!
What Now? TikTok
campaign**

78%
increase in number of people receiving
community legal education

42%
increase in social support
services

39%
increase in Children's
Therapeutic Court services

**Appointed
a Disability
Services
Coordinator**

78%
increase in services provided through
the Family Violence Shuttle Conference
service

49%
increase in services provided
under the Vulnerable Women's
Services funding

23%
increase in services to older
Western Australians

**Launched
Finance to
the Cloud**

24%
increase in services to
First Nations Western
Australians

**Launched
Legal Yarn**

18%
increase in family
violence-related
services

22%
increase in services from Bail
Support Service and Remand
Advocacy Service

**Won an Institute
of Public
Administration
award for COVID-19
Innovation**



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1 OVERVIEW

1.1 About Legal Aid WA

1.2 Our services by the numbers

1.3 Measuring our performance

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1.5 Performance Management Framework



1.1 ABOUT LEGAL AID WA

WHERE JUSTICE HAS A VOICE

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

WHY WE'RE HERE

We're working toward a future where equal justice is a reality for every Western Australian.

Every day and in every region, Legal Aid WA improves the lives of disadvantaged people. Our work saves homes, keeps families together, gives children a better chance in life, prevents wrongful convictions, helps people with a disability get support, reduces Aboriginal incarceration, protects older people from abuse, helps victims escape domestic violence, recovers stolen wages, and keeps people from walking away from their right to a fair outcome.

Our steadfast presence around the State promotes trust and confidence in our justice system. We're making Western Australia safer, fairer, and more inclusive.

WHO WE ARE

We're a statutory body set up under the *Legal Aid Commission Act 1976 (WA)*. We deliver a range of high quality, life-changing, legal assistance services through 11 offices, 22 Virtual Offices, and 53 outreach locations. As well as our in-house services, we can call on the skills of the 470 private lawyers across the State on our panels.

We deliver holistic services that treat the client and not just the legal problem. We aim to provide services that are appropriate, joined-up, culturally safe, targeted, and timely.

We're funded by the State Government and the Federal Government. Legal Aid WA is governed by a Board of Commissioners and is accountable to the Western Australian Attorney General.

HOW WE ACT

These are the behaviours by which we measure ourselves:

Making a difference

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

Client Centred

We put our clients at the centre of everything we do

Respect

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

Innovation

We're committed to continuous improvement

Efficiency

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

Transparency

We're an open and accountable organisation



On behalf of the Legal Aid Commission of Western Australia, we're pleased to present the 2022-23 Annual Report.

Over the past year, we've continued to adapt and innovate as we've focused on targeting existing and emerging areas of legal need, with clients remaining at the centre of all our services.

This Report demonstrates how we've been guided by the eight strategic priorities in our Legal Aid WA Strategic Plan 2022-24: to anticipate and respond to emerging trends and issues; focus on early intervention; drive holistic service; implement our First Nations Strategy; work closely with our key partners and stakeholders; optimise the allocation of our resources; transform our business; and look after our staff.

CHAIR AND DIRECTOR MESSAGE

INCREASED SERVICES

Demand for our services continues to grow. Over the past year, we've provided lawyers to people on 124,000 occasions. As we emerge from the COVID-19 pandemic, we've delivered 21% more duty lawyer services around the State than we did the previous year. Elder abuse services increased by 36% and services to our children and parents in the Children's Therapeutic Court by 39%.

Social support services have increased by nearly 40% as we grow our social support model of service delivery. Embedding these social supports in the legal practice is significantly improving client outcomes and dealing head on with the underlying causes that drive legal need.

We also delivered 9,611 new grants to the private profession in 2022-23, which represents more than 77% of the total new grants made in the year.

RESPONDING TO LEGAL NEED

Legal Aid WA plays a key role in supporting Western Australians facing the impact of challenges such as natural disasters and the financial pressures on our community with multiple interest rate and cost of living increases. The Kimberley floods in December and January impacted on local communities with an increase in demand for family violence, criminal law and protection and care services.

Our staff in the Kimberley rose to the challenge and, with the Legal Assistance Branch (LAB) of the Department of Justice, worked closely with local stakeholders to lead the coordinated response and ensure the community had access to legal services.

In the past year, our Mortgage Hardship Service experienced a 30% increase in demand as more Western Australians reached out for legal advice and assistance on various mortgage issues. In response to

this need, we launched our Yanchep Outreach Service in collaboration with Yanchep-based Uniting WA and the City of Wanneroo.

Legal Aid WA showed an innovative and creative approach to tackling youth crime in the Kimberley, embracing TikTok with the launch in January 2023 of the 'Ay! What Now?' campaign.

This is a wonderful example of showing how young people can change the narrative and drive key preventative positive messages and information about what's illegal using social media. It was also a great opportunity to work with local young people, community leaders and our partners on the ground in the Kimberley.

OUR COMMITMENT TO FIRST NATIONS PEOPLE

Legal Aid WA is proud of Jalba, our First Nations Strategic Plan, which we launched in 2021. We remain committed to its goals: to increase awareness and accessibility of our services; deliver culturally informed and culturally safe services; deepen our expertise in Aboriginal-specific legal issues; increase our employment of Aboriginal staff; and address systemic problems in our justice system.

In 2022-23, we delivered many of the priorities, including an Australia first, the launch of Legal Yarn in June. Legal Yarn is a First Nations legal information and referral call centre, created 'by mob for mob' where First Nations clients can call a dedicated phone number and can immediately speak with a First Nations officer.

Led by our 14-member Legal Yarn team, we've now achieved one of our key commitments in Jalba, surpassing our



ambitious target of a 5% Aboriginal workforce within three years and working towards 10% in six years.

We also launched Innovate, our sixth Reconciliation Action Plan, in June 2023. This was an opportunity for our staff to rededicate ourselves to continue to target social injustice and improve outcomes for our First Nations people.

NEW AND EXPANDED SERVICES

We introduced the Disability Advocacy and Referral Diversion Service for Young People (DARDY) in November 2022. DARDY supports young people under 25 with a disability who are in contact with the justice system by putting in place a holistic, therapeutic, and trauma-informed service.

We know that 29% of our clients have a disability, and we're intent on achieving the best possible outcomes for those clients. In December 2022, we launched our five-year Disability Access and Inclusion Plan (DAIP).

This Plan is enabling us to set priorities and strategies.

We appointed our inaugural Disability Services Coordinator, Esther Zhu Gao, in October 2022. Esther has been working to promote positive collaboration across Legal Aid WA and other organisations to promote best practice and contemporary ideas in providing legal services for people with disability.

Legal Aid WA's Virtual Office program has continued to expand in the past year.

There are now 22 Virtual Offices across the State, including at the Collie Family Centre, at three Lucy Saw Centres (LSCs), and at Wungening Aboriginal Corporation in East Perth and their domestic violence refuge Wooree Miya.

The Virtual Office service takes the law to where it's needed by using technology to give people in regional, remote, and outer metropolitan communities access to face to face legal information and advice.

The Transforming our Business program has progressed significantly over the past year. This important program of works will streamline our processes, enabling us to be more responsive to client needs and support them with better social and legal outcomes.

IPAA AWARD FOR COVID-19 INNOVATION

Our COVID-19 Duty Lawyer Hubs were awarded the Best Practice in Innovation at The Institute of Public Administration Australia (IPAA) awards in December 2022. This initiative ensured uninterrupted services to our vulnerable clients during the pandemic.

It's also testament to our staff who, in challenging circumstances, came up with an effective and innovative system to avoid crossover between duty lawyer teams and a widespread COVID-19 outbreak. The Duty Lawyer Service was able to ensure that every court list was serviced by at least one duty lawyer.

OUR BOARD

We thank the Board of Legal Aid WA for their exceptional leadership over the past year.

At the end of 2022, two of our long-standing Commissioners finished their term of service. Mr Dion Smith was appointed to our Board in 2010 by then State Attorney General Christian Porter and was reappointed two further times by our now Attorney General, the Hon John Quigley MLA. Dion served as a Commissioner and also the Chair of our Audit Committee.

Ms Lanie Chopping was appointed to our Board in 2017 by the Minister for Commerce. Lanie was a Commissioner and also a member of our Audit Committee. Both Commissioners travelled to our regions to meet with staff and other stakeholders, were instrumental in the innovative way Legal Aid WA has progressed over the years, and helped to ensure our financial stability. We thank them for the contributions they made to our organisation and to our clients. In May

2023, we welcomed Kristin Berger to the Board of Legal Aid WA. Ms Berger was nominated to our Board by the Minister for Commerce and is the Deputy Director General for Industry Regulation and Consumer Protection in the Department of Mines, Industry Regulation and Safety.

THANK YOU

Firstly, thank you to our dedicated and talented staff who work so tirelessly on the front line and behind the scenes to improve the lives of our clients.

The Legal Aid WA system in Western Australia relies upon the hard work of our private lawyers. We thank all of our panel lawyers for their commitment and hard work over the past year.

We thank the Western Australian Attorney General, the Hon John Quigley MLA, and the Australian Attorney-General, the Hon Mark Dreyfus KC, MP and their staff for their support and commitment to Legal Aid WA.

We are grateful to Dr Adam Tomison, Mark Hainsworth, Helen Pearce, and Kurt Sibma and their teams, from the Western Australian public service.

Finally, a special thanks to Dr Graham Hill who provided exceptional leadership and a strong and clear strategic direction for Legal Aid WA during his five-year tenure. He continues his outstanding contribution to Western Australia in his new role as State Solicitor.

THE YEAR AHEAD

The year ahead is dedicated to ensuring continuous improvement in all aspects of our service delivery. We're developing a client centred strategy to help improve the experience clients have when they access our services.

In 2022-23, more than 29% of Legal Aid WA clients disclosed that they had a disability, and we're seeing a steady increase in demand for services for people with disabilities.

We know that people living with disability often experience poorer outcomes in their interactions with various sectors of the justice system. People living with disability regularly present with a range of interconnected legal issues, and face a variety of barriers, both legal and non-legal to accessing justice.

Our new Disability Legal WA service launching in 2023 will help streamline and expand the support that we provide with a dedicated case management team to oversee intake and case manage complex clients, making it easier for clients to access and navigate legal services.

We're launching our Health Justice Partnerships (HJPs) this year, partnering with health services and hospitals in the metropolitan area to give people access to help for their problems when and where they need it.

The strength of the HJPs is that it's taking legal advice and assistance to vulnerable

people in the places they're most likely to seek help.

We value a collaborative legal assistance sector, and we look forward to continuing to work closely with our service partners on programs that will target some of our most vulnerable clients in remote and regional Western Australia.

Working closely with police, we'll be introducing a 'Youth on Track' Program, initially in the West Kimberley. The program will involve young people who are given a caution by police being diverted to Legal Aid WA for targeted legal education by our Community Liaison and Education Officers (CLEOs) based in Broome and Fitzroy Crossing.

We'll persist in our goal of improving outcomes for people experiencing family violence by building an intervention program that educates perpetrators.

We're delighted to welcome Hon Ken Wyatt AM to our Board of Commissioners. Mr Wyatt

brings a wealth of experience to Legal Aid WA, and we look forward to his valuable input and guidance as we work to improve justice outcomes for First Nations people.

We're proud of what we've delivered to the Western Australian community over the past 12 months and look forward to continuing to deliver on our vision of a future where equal justice is a reality for every Western Australian.



1.2 OUR SERVICES BY THE NUMBERS

51,294

Family Violence Services

1,630

Virtual Office Services

2,088

Elder Abuse Services

692

Dispute Resolution Conferences

KEY ACHIEVEMENTS IN 2022-23:

78% increase in people receiving community legal education

36% increase in elder abuse services

21% increase in duty lawyer services

12,415

New grants of aid

27,557

Extensions of existing grants of aid

58,556

Duty lawyer services

25,243

Legal advice and minor assistance

61,903

Telephone calls to Infoline answered

9,295

Completed Infoline chats

39,180

People receiving community legal education

1,925,600

Website page views

OUR CLIENTS BY THE NUMBERS

27%

Identify as First Nations people



25%

Young people under 25



4%

People over 65



75%

Family Law clients who disclosed family violence*



7%

With grants whose main language spoken at home was not English



29%

Disclosed having a disability or mental illness



14%

With grants who were in custody, detention or hospital**



36%

Living in rural or remote location



70%

Receiving some form of government benefit



100%

With eligible grants who were financially disadvantaged***



3%

Needing assistance of an interpreter



Footnote:

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

**Based on new grants only

***Excludes non means tested grants (i.e. NDIS appeals, Veterans, Cross Examination of Parties Scheme, and Corruption and Crime Commission)

Other note:

During 2022-23, we helped 39,119 unique clients. Unique clients are individuals who accessed one or more of Legal Aid WA's services. This includes people receiving legal services from lawyers, paralegals and triage, and social workers. It does not include people who received telephone, website or in-person information at all other direct client contact points or participated in community legal education. Legal Aid WA does not create an individual client record for these people.

OUR CLIENTS

58,556

people received duty lawyer services from Legal Aid WA

39,180

people received community legal education

12,221

first time clients received a targeted legal service

RESIDENCY OF LEGAL AID WA CLIENTS IN 2022-23

R/M	%
Regional	36%
Metropolitan	63%
Interstate	1%

Snapshot of Financial Performance

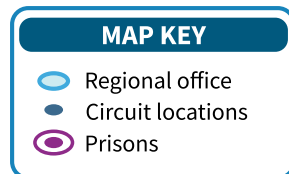
Financial Summary

	2022-23 \$000's	2021-22 \$000's
Commonwealth Funding	35,281	38,386
State Funding	65,865	57,450
Other Income	7,208	4,485
Total income	108,354	100,321
Total Expenditure	108,187	96,918
Surplus/(Deficit)	167	3,403

The increased income and expenditure in 2022-23 was mainly due to higher income funding from the State Government along with corresponding increased expenditure to support legal services to clients.

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

OUR REACH



LEGAL AID WA IN 2022-23

In 2022, we set ourselves ambitious targets with the launch of the Legal Aid WA Strategic Plan 2022 – 2024. The plan builds on the hard work and successes we've already achieved and sharpens our resolve to reach for excellence and to continue to achieve the best outcomes for disadvantaged Western Australians.

We know the needs of the community are changing. They're complex, diverse, and multi-faceted, and we need to be innovative and agile in our response.

The eight strategic priorities set out in the Strategic Plan inform our approach and guide our efforts for how we deliver our services.

We're focused on innovation, holistic services, and prioritising services that tackle emerging areas of disadvantage.

We're helping to divert people away from the justice system where their offending may relate to an underlying social problem. We're also seeking to reduce the over-representation of First Nations people in the justice system in Western Australia.

We're doing this in partnership with our colleagues across the legal assistance sector, and we're working with State and Federal Governments to develop a shared strategy for the sector.

There remains much to do but halfway through the three-year plan, we can be proud of what we've achieved and where we're heading as the programs and initiatives highlighted in this Annual Report demonstrate.



WE CONTINUE TO:

- Foster collaboration and support across the legal assistance sector
- Be innovative problem solvers
- Target our services to groups experiencing vulnerability
- Widen the reach of our services in the regions
- Use innovation and technology to increase access to justice
- Identify early intervention opportunities
- Provide high-quality legal education and resources for practitioners and the community
- Increase our support to private practitioners delivering legal aid
- Be a trusted partner for government in relation to legal service delivery in Western Australia, and
- Be an employer of choice, representative of the diverse community we serve, and a training ground for future leaders



STRATEGIC PLAN 2022 -2024



Our Vision

Equitable access to justice to support a fair and safe community

Our Mission

To provide quality, timely and holistic help to those who need our legal assistance

Our Values

- Making a difference
- Client centred
- Respect
- Innovation
- Transparency

Our Key Result Areas



1 Excellence in Service Delivery



2 Client Access



3 Justice System Impact



4 Organisational Sustainability



5 Stakeholder Partnerships

Our 2022-24 Strategic Priorities

Anticipate and respond to emerging trends and issues

Focus on early interventions, prevention and diversionary pathways

Drive holistic, integrated, wrap-around support for clients beyond their legal problem

Implement the First Nations Strategy

Enhance strategic partnerships with key stakeholders managing finances or cyber safety

Optimise the allocation of resources to ensure financial sustainability

Drive process and technological transformation to improve efficiencies

Invest in our organisation's capability and wellbeing

1.2.1 STRATEGIC PRIORITIES

1. ANTICIPATE AND RESPOND TO EMERGING TRENDS AND ISSUES



KIMBERLEY FLOODS RESPONSE

In December 2022 and January 2023, Tropical Cyclone Ellie passed over the north of Western Australia bringing unprecedented rainfall, resulting in one of the State's most significant natural disasters. The flooding impacted the whole Kimberley region as the main arterial road, the Great Northern Highway, was effectively washed away between Broome and Derby.





As the Fitzroy River reached its highest ever peak of 15.81 metres on 4 January, the bridge at Fitzroy Crossing was damaged beyond repair, cutting the town off from all forms of transport and leaving residents north of the river unable to access the rest of the town.

Roads were cut for many months to both Derby and Fitzroy Crossing. During this time however, court was still proceeding, and every court day was attended by Legal Aid WA staff in person when they could travel by airplane, or by audio/video link when in-person

representation wasn't possible.

Legal Aid WA, with the Legal Assistance Branch of the Department of Justice, responded to the unfolding crisis by immediately coordinating other legal services to be available for legal advice and assistance to those impacted by the floods.

For the first time, we engaged a CLEO to be based in Fitzroy Crossing, as a visible presence to assist in identifying emerging legal issues, and to reassure the community

they weren't alone and had access to legal services.

Legal Aid WA lawyers and CLEOs flew into Derby and Fitzroy Crossing to be on the ground responding to legal issues at the Flood Hub with the Department of Communities, Department of Fire and Emergency Services, and Shire flood response teams.

Since April 2023, Legal Aid WA has been formally coordinating the local legal services'



response to the Kimberley Floods to ensure a collaborative response to the extensive legal issues that have emerged.

This includes a multi-media approach in collaboration with Kimberley Community Legal Service (KCLS) and Marra Worra Worra's Financial Counsellor to deliver a series of podcasts called "Financial Freedom" that are played on the local Wangki Radio and through social media.

Legal Aid WA initiated a series of free legal assistance forums in Fitzroy Crossing, "Bringing Legal Help to you", the first of which was a collaborative effort coordinated by Legal Aid WA, with two Perth-based community legal services, Circle Green Community Legal and the Welfare Rights and Advocacy Service travelling to Fitzroy Crossing.

This was a valuable opportunity to develop relationships and create networks between local services in Fitzroy Crossing and other

non-legal services helping flood impacted people, and specialised Perth-based legal services along with Legal Aid WA.



AY! WHAT NOW? TIKTOK CAMPAIGN

Legal Aid WA embraced TikTok with the launch in January 2023 of the 'Ay! What Now?' campaign, a grassroots project filmed in Kununurra and Broome aimed at curbing youth crime in the Kimberley and featuring local young people and community leaders.

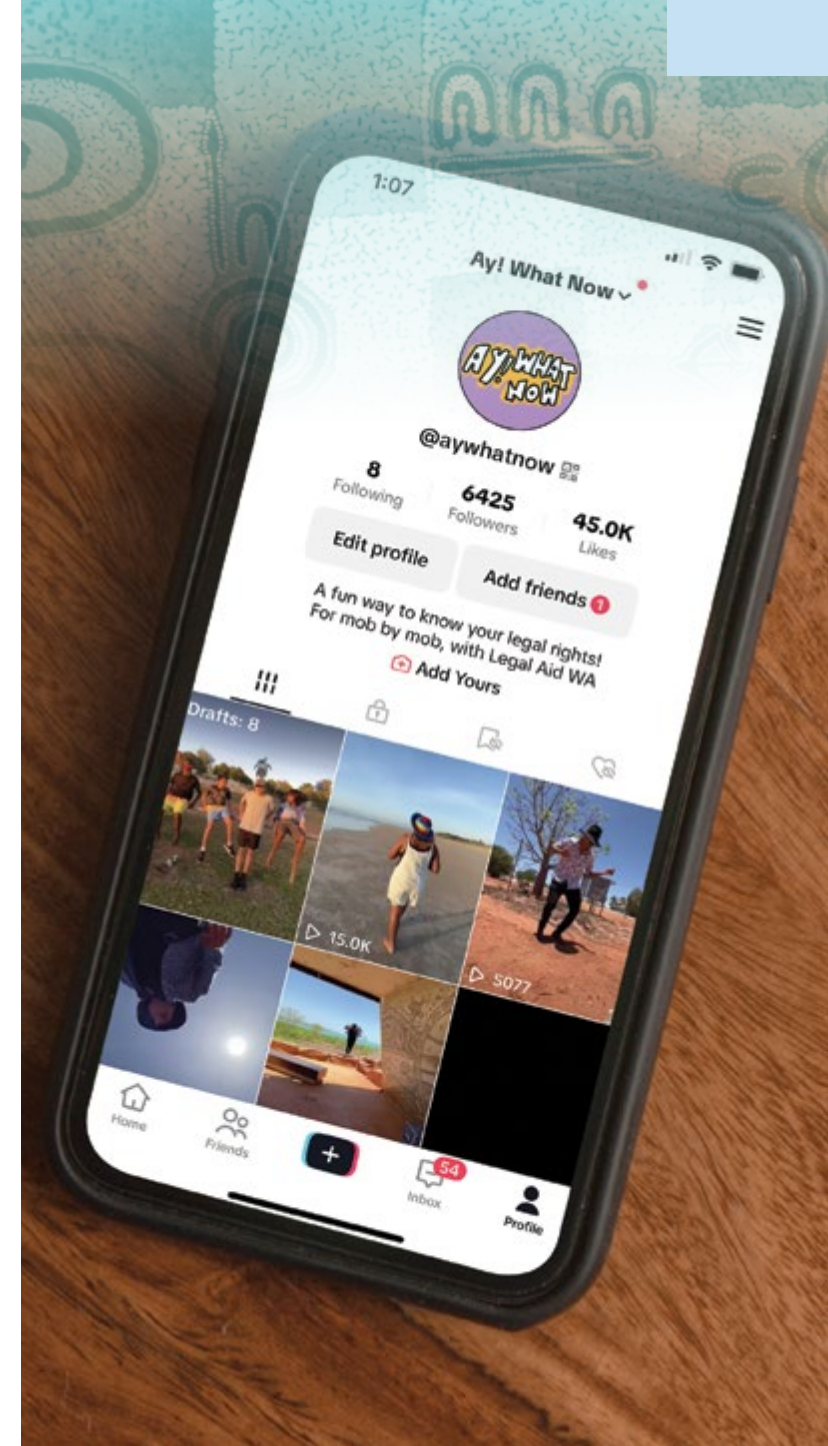
The project was developed out of a recognition that social media platforms like TikTok were being used to encourage young people to commit criminal offences.

The 26-video series showed how young people can use social media to change the narrative and drive key preventative positive messages about the age of criminal responsibility and information about what is illegal.

The project was led by Legal Aid WA's First Nations staff, in collaboration with other justice-based services in the Kimberley including Aboriginal Family Legal Service, Kimberley Community Legal Service, Youth Justice Services, and WA Police Youth Liaison Officers.

The page has attracted more than 6,426 followers and 45,000 likes, and the most watched video has been viewed 187,700 times. The page has also received many positive comments, including from the local Broome Magistrate who stood young people down from court to watch the videos.

We're hoping to build on the success of the project by integrating it into our CLE program and expanding into other regions in Western Australia.





“Legal Aid WA continues to be innovative and agile in delivering legal education through its Ay! What Now? Tik Tok videos targeting young people in a way that is relevant, direct, and humorous.

“In a very short space of time at least one video has had over 120,000 views which provides some evidence that social media platforms can be powerful tools, dwarfing other forms of direct communication and which can be used for educative and insightful purposes.”

**Magistrate Deen Potter,
West Kimberley**

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MORTGAGE HARDSHIP SERVICE

Legal Aid WA's Mortgage Hardship Service experienced a 30% increase in demand for the 2022-23 year, with more Western Australians seeking advice and assistance as interest rates continued to rise.

The service offers specialist legal advice and assistance on various mortgage issues, such as hardship default, court proceedings for repossession, responsible lending, shortfall debts, reverse mortgages, and loan guarantees.

To meet the demand and to extend our reach into the community, in January 2023 we

launched the Yanchep Outreach Service in collaboration with Yanchep-based Uniting WA and the City of Wanneroo.

This outreach service provides fortnightly in-person financial hardship legal assistance to residents in the northern suburbs and works with financial counsellors to offer borrowers a holistic service.

Legal Aid WA focuses on providing legal advice on the borrower's rights and obligations while financial counsellors assist with budgeting, communicating with lenders, and accessing available resources to alleviate financial pressures from other debts.



Legal Aid help for mortgage stress

JESSICA MORONEY

Legal Aid WA is urging Geraldton residents struggling to pay their mortgage amid rising interest rates to apply for a hardship variation to their loan, as major banks expect another hike.

After 11 interest rate rises since May 2022, Legal Aid WA says major banks are predicting rates to increase again when the Reserve Bank of Australia meets on Tuesday.

Legal Aid WA civil law director Gemma Mitchell, pictured, said

the interest rate environment had changed considerably over the past year, but many Geraldton homeowners were yet to feel the full effect of rate increases.



"The unique circumstances of the COVID-19 pandemic and historically low interest rates in the pre-COVID period made homeownership a possibility for more Western Australians," she said.

"The interest rate environment

has changed dramatically since then, and those homebuyers will face a dramatic increase in mortgage repayments as they come to the end of fixed-term rate periods."

Ms Mitchell said it was important for people to act quickly and not put their head in the sand if there were problems making mortgage repayments and directed regional homeowners to Legal Aid WA's Mortgage Hardship Service.

"We can provide free legal advice on mortgage hardship, credit law matters, and debts such as strata title fees or council rates," she said.

THE PEOPLE WE HELP:

Legal Aid WA helped a 30-year-old client who defaulted on his home loan after being sentenced to a period in prison.

While the client was still in prison, the bank started court proceedings to repossess his property.

As our client was assured by his employer that he would still have his job once he was released from prison, Legal Aid WA's Mortgage Hardship Service team stepped in to negotiate a hardship variation with the bank, suspending payment requirements, and staying all court proceedings for repossession.

The client was relieved as it allowed him to avoid having his property repossessed while in prison as well as giving him another chance to service the loan and keep his property.



THE PEOPLE WE HELP:

Legal Aid WA helped an elderly client who was pressured to pay a \$60,000 shortfall debt as the sale proceeds from her property were insufficient to pay off her home loan balance and arrears were owed.

The debt was later sold to a debt collector, but the client couldn't afford to pay the debt and was pursued and threatened with legal action.

We were able to negotiate for a debt waiver and the debt collector later acknowledged the client's deteriorating health condition, long-term financial hardship, and lack of capacity to maintain employment to repay the debt.

Legal Aid WA was able to offer support under dire circumstances and free her from the financial and legal pressures she was facing.

2. FOCUS ON EARLY INTERVENTIONS, PREVENTION, AND DIVERSIONARY PATHWAYS



ADVICE BEFORE COURT

Advice Before Court (ABC) began in April 2022 as a result of what we learned from the COVID-19 pandemic about how technology can be used to provide criminal law legal advice services to community members before their first court appearance.

It differs from traditional duty lawyer services by providing a telephone advice service to clients before their first court date.

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

This holistic approach helps clients feel a greater sense of control over their case, giving them more time to speak to a lawyer away from the pressures of court and allowing them to confidently make important decisions.

The court benefits as more matters progress at the first appearance, there's less need for administrative adjournments, and there's a clear referral pathway for people who are unrepresented.

Our ABC has proved to be successful, delivering 944 information and triage services, 438 legal advice and legal task services, and 93 facilitated and simple referrals in the 2022-23 year.



COMMUNITY LEGAL EDUCATION

Providing preventative legal education is an important part of the work we do at Legal Aid WA. By helping people understand their rights and obligations under the law, we hope to empower them to avoid legal problems arising. We also aim to raise awareness of our services and how we can help, so that when people do encounter a legal issue, they can get help at an early stage to resolve it before it escalates.

In 2022-23, we continued to run our R U Legal? education program for young people and their parents and teachers in schools across Western Australia, including delivering the program to young inpatients at Perth Children's Hospital.

Tailored versions of the program were delivered for students in Curriculum and Re-engagement in Education (CARE) schools and young people in custody at Banksia Hill Detention Centre, and we continued our partnership with Aboriginal Youth Health

promotion officers from the Department of Health, delivering a session as part of their program for First Nations students.

We continued to deliver a range of other community legal education (CLE) programs for our priority client groups including our 'Your Family and the Law' program for people going through separation or at risk of family violence, our 'Inside Out' program for people in custody, 'What's the Law' for new migrants, and 'How We Help' for community workers and members.

We also attended and contributed to a range of important community events including NAIDOC Week celebrations, Law Week events, and Aboriginal Justice Open Days across metropolitan Perth and regional Western Australia.



ROAD SAFETY COMMISSION 2023 YOUTH SUMMIT

In 2023, for the first time Legal Aid WA was invited to participate in the Road Safety Commission 2023 Youth Summit.

Our workshop 'Got Your Licence, Keep Your Licence' provided young people with important information about things to think about before getting behind the wheel like

vehicle registration, insurance and what to do if you have an accident.

There was also information on laws about mobile phone use while driving, alcohol and drug driving, hooning, demerit points, and consequences of driving without a licence.

At the end of the workshop, we asked students to tell us the top three things they learned. The most popular responses related to laws about using a mobile phone while driving, demerit points - what you can get them for and how many will result in loss of licence as a P plater, drink and drug driving laws, and hooning laws.



SCHOOL OF ISOLATED AND DISTANCE EDUCATION

Legal Aid WA was invited to deliver our R U Legal? community legal education program to students from the School of Isolated and Distance Education (SIDE).

SIDE is the WA Department of Education centre that provides distance education and online learning to students from kindergarten to Year 12 who for a range of reasons can't attend classes in a regular school.

We delivered a presentation for primary school students focusing on the age of criminal responsibility, common ways young people get in trouble with the law, and laws about cyber bullying.

We also presented to high school students with a focus on laws about sexting and image-based abuse, and drugs and alcohol and driving.

The presentations were live streamed to students around the State and were recorded and made available for SIDE students to access through their online learning platform.



DARDY PILOT PROGRAM LAUNCHED

The Disability Advocacy and Referral Diversion Service for Young People (DARDY) was established by Legal Aid WA as a pilot program in November 2022. It provides a holistic, therapeutic, and trauma-informed service to support young people under 25 with a disability or suspected disability who are in contact with the justice system.

The DARDY pilot program has three Legal Aid WA lawyers with criminal and NDIS expertise who work alongside our two social support workers.

The lawyers provide a duty lawyer service to the InRoads and Drug Court at Perth Children's Court and are assisted by the social support workers.

Since November 2022, DARDY has assisted with five successful NDIA access applications including an Administrative Appeals Tribunal appeal, and another four active applications from referrals via the InRoads and Intellectual Disability Diversion Program (IDDP) courts.



IPAA AWARD FOR COVID-19 HUBS

The Institute of Public Administration Australia (IPAA) recognised Legal Aid WA in December 2022 with an award for COVID-19 Innovation.

The award for Best Practice in Innovation acknowledged the importance of the Duty Lawyer Hub system we developed, and the vital work done by our duty lawyers and administration staff to provide uninterrupted services to vulnerable Western Australians during the pandemic.

The hub strategy was implemented as Western Australia opened its borders in early 2022, dividing the metropolitan courts and Perth into four teams. The duty lawyers were then matched based on experience, home location and work roster to provide services to their hub only and had administration staff assigned to provide important services that assisted the running of each hub.

The hub system ensured that duty lawyers avoided crossover between teams and at the Perth office, avoiding a widespread COVID-19 outbreak.

It also ensured that other teams could provide remote services using telephone and audio/video links at court where a hub was impacted by COVID-19. During the height of COVID-19 in Western Australia, the Duty Lawyer Service was able to ensure that every court list was serviced by at least one duty lawyer.



CLIENT SAFETY FRAMEWORK

With almost 75% of Legal Aid WA clients in 2022-23 disclosing family violence, Legal Aid WA's Client Safety Framework continues to provide intensive practical training to all our client-facing staff.

The training is tailored specifically to lawyers, frontline staff and the legal practice. It focuses on developing the capacity of staff to ensure they can confidently and effectively identify and respond to family violence or suicide risk issues when working with the community.

This involves working sensitively with clients who are victims of family violence, as well as working safely with clients who are using family violence.

In regional Western Australia where there are limited options for legal assistance, this can result in challenging situations for our staff who often have clients who use family violence.

The training was delivered by Legal Aid WA Family Violence Consultant Michael Hovane to all regional offices and staff and was offered to our legal partners in the regions, Aboriginal Legal Service of Western Australia, Aboriginal Family Legal Service, community legal centres, and local private lawyers.

We're hoping to make this training part of the onboarding training for all new staff as well as for our panel practitioners in future.



WORKPLACE AND DEVELOPMENT PERMIT SCHEME

The Workplace and Development Permit Scheme (WDPS) has continued to be a success story in 2022-23 with 4,000 Work and Development Permits issued to more than 220 registered Work and Development Permit (WDP) sponsors. It's resulted in \$4.5 million in expiated court fines, and significant savings to the State with reduced court fine imprisonment.

As well as the strong partnerships with Fines Enforcement Registry and Aboriginal Legal Service of Western Australia, our WDPS team has engaged with key stakeholders including the Aboriginal Justice Open Days, attending metropolitan and regional events, and providing support at Wungening Aboriginal Corporation as part of Legal Aid WA's First Nations Program.

The WDPS continues to support its registered sponsors and is actively seeking and engaging new WDP sponsors to support clients in hardship.

The collaborative pilot program has proved to be so successful, it's continued past its end date of June 2023 and is now a part of Legal Aid WA's Civil Law Division.





THE PEOPLE WE HELP:

Peter contacted our WDPS team for help in managing his outstanding \$9,000 in court fines.

He met with one of our paralegals who helped him engage with Cyrenian House after Peter disclosed he had serious alcohol addiction issues. Our team also supported Cyrenian House in applying for a Work and Development Permit for Peter to attend their Alcohol and Other Drugs counselling sessions.

When Peter expressed an interest in doing some volunteering, we connected him with Salvation Army Doorways Perth.

Fast forward and Peter no longer has an outstanding court debt and has achieved that by successfully engaging with his sponsors in two forms of rehabilitation.

Peter has gone on to secure an ongoing position with Salvation Army and has effectively finished the WDPS with zero court fines, better management over his alcohol issues, and a long-term volunteer position with Salvation Army that will hopefully pave the way to more promising opportunities in the future.



3. DRIVE HOLISTIC, WRAP-AROUND SUPPORT FOR CLIENTS BEYOND THEIR LEGAL PROBLEM

Elder Right

A holistic
service for
and the

LEGAL AID
WESTERN AUSTRALIA

1300 650

rRightsWA@legal

ELDER RIGHTS WA MARKS FIRST YEAR

Legal Aid WA's Elder Rights WA (ERWA) service marked its first anniversary after launching in June 2022.

A team of lawyers and social workers with specialist skills in issues affecting older Western Australians, work collaboratively within an integrated service model to provide clients with a holistic service that tackles not only their legal issues but also social issues that often underpin clients' legal issues.

ERWA is a state-wide legal service and in 2022-23, the team delivered 1,729 services to 386 clients across Western Australia, including about 28% of ERWA clients who live outside the Perth Metropolitan area.

People aged over 80 were the largest cohort of people seeking assistance, making up 25% of clients. The most common legal issues clients presented with were guardianship and administration matters and financial abuse.

The team has been able to effectively utilise our regional offices and Virtual Offices to

assist clients living in Western Australia's regional and remote areas.

ERWA provides targeted community legal education to various service providers such as hospital staff to better equip those who work with older Western Australians to identify and protect against elder abuse.

The team also provides community legal education to older Western Australians to help them plan for their future, prevent elder abuse, and raise awareness about how ERWA can assist.

This year ERWA has worked rigorously through outreach activities that span metropolitan and regional areas to raise awareness about elder abuse.

ERWA is emerging as a leader in the space of elder abuse in Western Australia, establishing important collaborative relationships and partnerships with several key service providers, both in the legal and non-legal sector.

THE PEOPLE WE HELP:

Nicola was a client in her early 80s. She had suffered from physical, financial, and emotional abuse from her son who lived with her in her house. Prior to coming to ERWA, Nicola had been forced to move out of her home to live with a relative due to the violence escalating from her son.

An ERWA lawyer who assisted Nicola with her legal issues, referred Nicola (with her consent) to the ERWA social work team for social work services. Using an integrated approach, the ERWA lawyer and social worker worked closely to assist Nicola to navigate what was a very stressful and traumatic time for her.

Along with providing legal assistance which included having the son move out of Nicola's home, ERWA assisted Nicola to return home with safety mechanisms in place, collaborating with multiple external agencies including the police and a home care service provider to ensure she was able to live safely in her own home. Nicola continues to live independently at home.



SOCIAL SUPPORT

Legal Aid WA clients often present with a range of non-legal issues, complex presentations, including trauma, mental health, disability, alcohol and drug issues, homelessness, family violence, high conflict, and financial problems.

Often a client's circumstances mean their non-legal issues need to be managed as a priority before they can deal with their legal issues.

These might include parties separating, family violence, a client concerned that they and/or their children are at immediate risk, access to bail, a client threatening suicide, or elder abuse.

Our social support workers can help people manage their non-legal issues by assisting with risk management through safety planning, court support, referrals for counselling, housing, and other appropriate services.

We recognise that by providing a holistic client centric wrap-around support, rather than legal assistance alone we can help clients access services and achieve better outcomes. At the same time, we can improve the professional wellbeing, mental health, and skill development of our staff.

In 2022-23, we provided 2,933 non-legal social support services to 1,744 clients across the metropolitan area and regional Western Australia, an increase of nearly 40% on the previous financial year.

SNAPSHOT:

Social Support services increased by

39.67%

in the 2022-23 year

BAIL SUPPORT SERVICE AND REMAND ADVOCACY SERVICE

Our Bail Support and Remand Advocacy Services celebrated the end of their three-year pilot on 30 June 2023, with funding secured for another two years.

The services aim to improve access to bail for people who may be experiencing social challenges like drug and alcohol use, health or housing problems, or lack of family support.

The Remand Advocacy Service focuses on progressing bail applications and resolving matters quickly where clients have been remanded in custody, while the Bail Support Service provides practical assistance for people who've been granted bail, to help them comply with their bail conditions.

In what's been a very successful three years for the programs, the lawyers and social support workers in the team have completed more than 1,800 bail applications, resolved more than 900 matters where the accused person would've likely been remanded in custody, and supported more than 1,500 clients to obtain bail and comply with their conditions.

We look forward to providing continued support to members of the community who are facing barriers when applying for bail, and who need support to comply with their conditions once bail is obtained.



FAMILY ADVOCACY AND SUPPORT SERVICE

Legal Aid WA has had a duty lawyer service based at the Family Court of WA since 2005 called Family Court Services. In 2017, Legal Aid WA received funding to expand this service and introduce the Family Advocacy and Support Service (FASS).

Since it started, the demand for the service has continued to increase.

FASS provides wrap-around support to people who need legal assistance or social support in the Family Court of Western Australia, providing vulnerable people with a free duty lawyer and social support worker service.

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

The team has grown to six lawyers, three paralegals and four social workers, who support FASS clients, especially those who are impacted by mental health and family violence challenges.

Since its inception, the FASS service also travels to support clients on the regional Family Court circuit in partnership with local social support services and community legal services.

In 2022-23, FASS delivered 2,870 legal services.

"I started off as a junior lawyer when it was Family Court Services in 2007, and I fell in love with the service. It's kind of like the 'Emergency Department' of Legal Aid WA. We help people who need urgent help or matters that need urgent attention."

Legal Aid WA FASS lawyer Tonya

THE PEOPLE WE HELP:

A client was referred to FASS by a local community organisation after showing signs of family violence and coercive control in her relationship with her husband and wider family. The client didn't speak English and had a disability.

Her family didn't allow her to travel freely around Perth or have a mobile phone, which meant she couldn't go into the Legal Aid WA office, or easily communicate with a lawyer.

Our FASS team worked with the community organisation to arrange appointments for her to speak with a Legal Aid WA family lawyer and work on documents for her legal issue.

FASS was able to give her a voice in a highly distressing situation, helped to address her legal issues and put in place safety measures for her in a way that ensured she wasn't at risk of further harm by her family.

DANDJOO BIDI-AK

Dandjoo Bidi-Ak, “together on a path”, is an innovative therapeutic court of the Children’s Court which aims to provide a culturally safe and respectful environment and empower and support First Nations families who are involved in protection and care matters.

Since it began as a pilot program in July 2020, Legal Aid WA has given legal advice, representation and support to families as they work with the Department of Communities and the Court in a judgement free space where everyone has a say.

It’s grown into a meaningful and healing journey for families where each appointment starts with a Welcome to Country and is held in a less formal way with everyone sitting around the table at the same level with the Magistrate.

Dandjoo Bidi-Ak operates three days a week at the Perth Children’s Court and since starting, has provided more than 1,200 legal services for Aboriginal families.

In the 2022-23 State Budget, Legal Aid WA was allocated funds for the pilot program to expand to four days a week and has secured our ability to deliver this important service.

In 2022-23, our lawyers at Dandjoo Bidi-Ak provided 669 duty lawyer services to Aboriginal families.

The service will expand to the newly built Armadale Courthouse, which is due to open in November 2023.



LEGAL AID WA LAWYER SANDI:

Q: What difference is Dandjoo Bidi-Ak making?

Sandi: We're reuniting a lot of families. They're not as lost in the big system, and they have a voice. One of the great things about Dandjoo Bidi-Ak is that this process strengthens the relationship between the parents and the Department of Communities and families. We've got many cases where the parents were children in care themselves which is challenging for them to work with the Department.

When we work with the clients and the Department to reunify families, it could take three months or it could take three years. While we're working with the family to get them ready to have their kids home again, what we see happen often is that the Department withdraws the order because they can see the positive changes in the parent or family, and no protection order is made. Families in Dandjoo Bidi-Ak are respected as the parents and have a say about what happens to their children.

Q: What's your role as a lawyer in Dandjoo Bidi-Ak?

Sandi: I do so many different things: advocacy, court appearances, liaising with support and social workers, ordering skip bins and pre-births. I'm not just a lawyer, and it's not just me working with these clients; it's a team effort.

Sometimes we see clients who feel shame and refuse to come to court. The Magistrate will suggest we meet outside of court first so they feel more comfortable. That's what I mean by team; we do it together.

Q: What's the best part of working in Dandjoo Bidi-Ak?

The clients - I am in awe of these people. They literally climb Mount Everest to get their children back. They have so much they have to do, and they do it. They're so strong and seeing them when the children return to them - well, it's incredible.



"In Dandjoo Bidi-Ak, we listen, and it is a patient court. Families are finally getting heard and sometimes it's the first time they've been heard and understood. And for parents who were also in care themselves, this may be decades where no one has listened to them."

**Legal Aid WA lawyer
Sandi**



4. IMPLEMENT THE FIRST NATIONS STRATEGY

LEGAL YARN LAUNCH

In an Australia first, Legal Aid WA launched Legal Yarn in June 2023, a First Nations legal information and referral call centre, created 'by mob for mob' to increase First Nations people's awareness and access to Legal Aid WA services.

First Nations clients can access Legal Yarn through its own dedicated phone number and can immediately speak with a First Nations officer in a free and confidential call, providing a culturally safe environment for them.

The initiative was led by our First Nations Staff Network as there was clear evidence that Aboriginal callers sometimes felt more comfortable speaking with fellow First Nations mob.

A six-month trial which began in November 2022 saw 1,782 callers actively seeking the support of these dedicated operators, evenly split between family matters, civil law support, criminal law issues, and help with grants of aid.





Legal Yarn has been welcomed by organisations including the Aboriginal Legal Service of Western Australia, Aboriginal Family Legal Service, and Wungening Aboriginal Corporation, and the service is creating referral pathways through collaboration with those legal services and other partner organisations.

Establishing Legal Yarn was one of the key commitments in Jalba, Legal Aid WA's First

Nations Strategic Plan, which set ambitious targets in 2021 of a 5% Aboriginal workforce within three years and 10% in six years. We currently have 8% led by our 14-member Legal Yarn team including a team leader, paralegals, and information officers (staff and contractors). This sets the benchmark for real change and provides a gateway for First Nations staff into other roles at Legal Aid WA.

"Our hope is that Legal Yarn will help to ensure that all Aboriginal Western Australians are able to access justice in the most appropriate way for them."

Legal Aid WA First Nations Coordinator Michelle Sims

"When they call, they know straight away that we can give them that relatability and that's what they depend on, being understood."

Legal Yarn team member Alyssa

RECONCILIATION ACTION PLAN LAUNCH

Legal Aid WA launched our sixth Reconciliation Action Plan (RAP) in June 2023, encouraging innovation in how we provide services to our First Nations clients.

Staff in the Perth office and in our regional offices around Western Australia came together to celebrate the launch and to recommit ourselves to Legal Aid WA's ongoing reconciliation journey.

The dedicated RAP Working Group has met for the past 15 years, addressing systemic barriers faced by First Nations people, and now has a diverse membership of 25 members, 40% of whom are First Nations.

The launch was an opportunity for all Legal Aid WA staff to dedicate ourselves to continue to target social injustice and improve outcomes for our First Nations people.



FIRST NATIONS RECRUITMENT & RETENTION

In 2022-23, we strengthened our recruitment procedures to attract First Nations applicants and increase First Nations employment with a range of initiatives including the creation of a First Nations Register for people interested in working at Legal Aid WA.

The opportunity was advertised widely under section 51 of the *Equal Opportunity Act WA (1984)* to prioritise First Nations applicants for appointment, relaxing selection requirements for regional offices, and increasing supports available for First Nations applicants throughout the process.

By January 2023, we had placed 27 First Nations candidates on the Register and to date, eight have gone on to be employed at Legal Aid WA.

We've embedded the changes through training for recruiting managers and guidance materials, and as a result, our First Nations workforce is now 8% including our staff and the Legal Yarn team.

We've facilitated Cultural Awareness Training for more than 100 staff in early 2023, and 83 of our managers completed training in Working Inclusively with First Nations Colleagues in March 2023.

The training is designed to help managers (especially non-First Nations) ensure culturally appropriate and inclusive workplace practice by better understanding the wellbeing needs of First Nations colleagues and developing skills to better support and engage First Nations staff.





JESS'S STORY:

Jess submitted her resume to the First Nations Register in December 2022 and went to an informal meet and greet shortly afterwards, providing more information about herself and the types of opportunities she was interested in. It also gave her an opportunity to learn more about the work of Legal Aid WA.

In January 2023, Jess was matched with a 12-month vacancy and began a secondment to Legal Aid WA in the role of paralegal. A month later, Jess was matched with and accepted a permanent position with Legal Aid WA. Since she started, she's been offered professional development including short-term acting opportunities in the role of team leader.

5. ENHANCE STRATEGIC PARTNERSHIPS WITH KEY STAKEHOLDERS



WUNGENING ABORIGINAL CORPORATION

Legal Aid WA has continued to grow the strength of its relationship with one of our key stakeholders, Wungening Aboriginal Corporation.

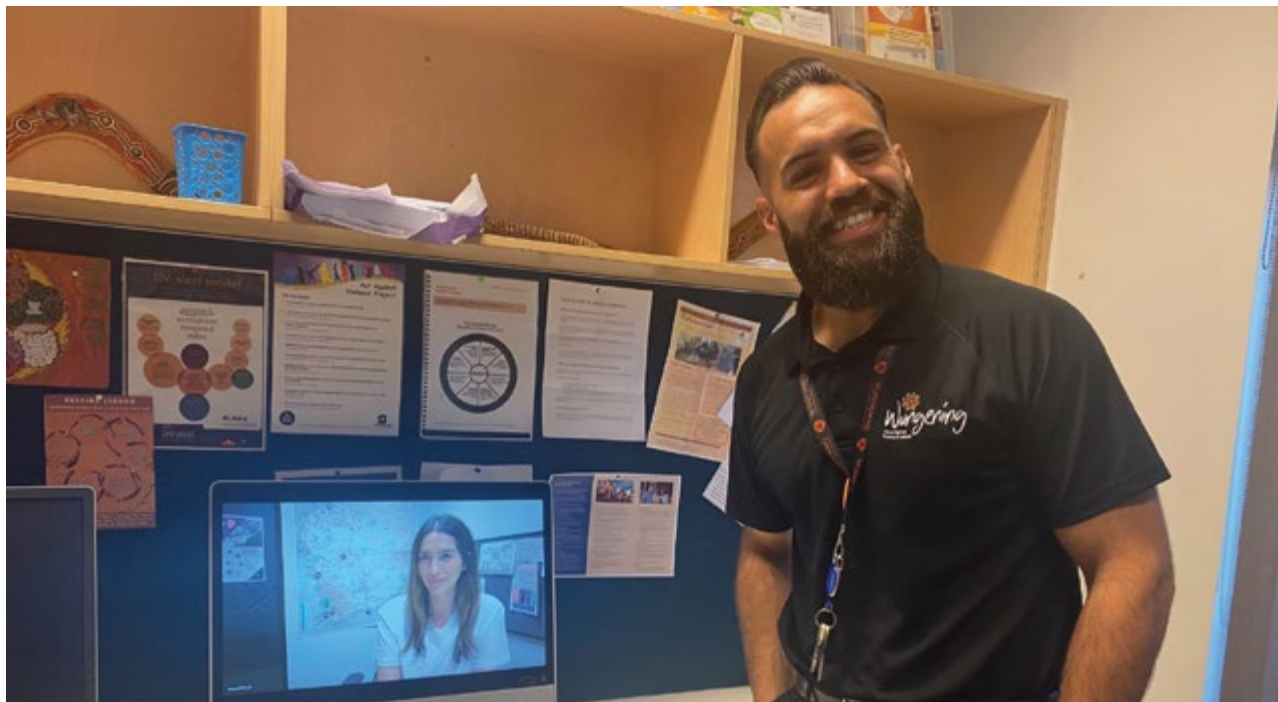
For the past 18 months, Wungening has hosted us while we deliver our First Nations Advice Bureau (drop-in legal clinic) one day a week from their East Perth head office. We have now installed Virtual Office screens into East Perth and their domestic violence refuge Wooree Miya.

The installation of these screens means clients can access specialised services from the safety of the Wooree Miya refuge, obtaining legal advice and allowing court documents to be drafted and important action to be taken to assist with family violence and child-related matters.

The East Perth screen also means that support staff at Wungening can organise assistance for clients at times when the First Nations Advice Bureau isn't operating or if a lawyer practising in the required specialty area isn't available.

Wungening staff conduct Legal Health Checks for their clients when needed and refer them to Legal Aid WA for assistance and provide a diverse range of programs across the family and rehabilitation spaces.

These initiatives create avenues to address unmet legal need in the community, and our collaborative partnership means we're providing access to justice for clients who may otherwise fall through the cracks and not receive the help they need.



COLLABORATING IN THE GREAT SOUTHERN

In October 2022, Legal Aid WA held a collaborative workshop with Albany Community Legal Centre (CLC) to improve referral pathways between the two agencies and identify better outcomes for the Great Southern community.

Legal Aid WA's Family Law Director Colleen Brown and staff from our Stronger Women program travelled to Albany to facilitate a workshop with our Great Southern Office and Albany CLC staff.

The two offices worked together to discuss what services they could both offer to the community and explored how they could reach more people in the Great Southern region.

Stronger Women is a dedicated family and domestic violence legal service which helps disadvantaged women living in regional and remote locations with access to legal and non-legal support services in relation to family violence, family law, and child protection issues.

It's a holistic and collaborative service approach that's delivered through consultation with regional Legal Aid WA offices and local service providers, to identify and support services that are currently struggling and where confidentiality or conflict may result in women and children at risk not being able to access legal services in their local community.

Where there's a client conflict identified, the Stronger Women program can assist as an alternative legal assistance pathway.



SNAPSHOT:

The Stronger Women program provided

1,221

legal services in 2022-23

The workshop included other legal assistance and social support services in Albany including Aboriginal Legal Service of Western Australia, Anglicare, Relationships Australia, Western Australia Police Force, and local private practitioners.

They explored the eligibility criteria for Legal Aid WA services, the cross-examination scheme, Single Expert Witness reports, and other ways to improve service delivery collaboratively.

The workshop allowed Legal Aid WA, including the Albany office, and Albany CLC to develop a stronger working relationship, and better understanding of how we can work collaboratively to assist vulnerable clients.

Legal Aid WA and Albany CLC are looking to host a second workshop in 2024.

HOW WE HELP:

One of our clients was a Bunbury woman who'd been separated from her husband for two years and had experienced significant family violence by her husband during the relationship.

After being referred to our Stronger Women team by the South-West Family Violence Response Team, we applied for an urgent grant of legal aid for her to be represented in court and referred her to the Stronger Women Social Support Worker who provided her with safety planning and linked her in with ongoing counselling and support services in her area.

We worked in collaboration with Victim Support Services in Bunbury to ensure she received advocacy, emotional support, and safety planning, and that she had access to ongoing counselling.

This collaborative effort demonstrates the positive outcomes that can be achieved through working with local services in regional WA.

ENHANCING SUPPORT TO PANEL PRACTITIONERS

Legal Aid WA continued to enhance support to our 470 panel practitioners, who play a vital role in delivering access to justice in Western Australia.

In March, our Lawyers Engagement Network Division conducted the first ever survey of our panel lawyers. The results identified some of the key barriers to taking on Legal Aid WA work and will continue to inform a number of key initiatives.

In May 2023, Legal Aid WA secured an important increase to the standard hourly rate for private practitioners through the State Budget process.

The increase from \$147 to \$167 per hour took effect on 1 July 2023 and was the first substantive change since 2011.

In June 2023, more than 150 private practitioners attended our first ever Continuing Professional Development (CPD) Wellness series. Topics included client psychology for managing clients, client psychology for lawyers, wellness resilience for life, work life and energy balance, and stress and burnout.

"As a criminal lawyer doing legal aid work, my job involves helping vulnerable people access justice. Legal Aid WA provides free legal assistance to those who cannot afford it. Many of my clients are from low income backgrounds and some are homeless and/or facing mental health issues. It is incredibly fulfilling to be able to use my legal skills to help those who would otherwise be unable to navigate the complex legal system. I strive to ensure that every client receives the best possible representation, regardless of their financial situation. It's a challenging job, but it's also incredibly rewarding, and I hope that I am making a real difference in people's lives."

David Manera, Barrister & Solicitor



ATTORNEY GENERAL COMMUNITY SERVICE AWARD

Legal Aid WA introduced the first Attorney General's Community Service award for a Legal Aid WA Panel Practitioner which was announced in October 2022.

The award recognises private lawyers on Legal Aid WA's panels who've made an exceptional contribution in assisting disadvantaged people.

We were thrilled to see the inaugural award go to Ms Kate Turtley-Chappel in recognition of her outstanding work in the criminal law jurisdiction.

Ms Turtley-Chappel is renowned for her professionalism, compassion, and cultural sensitivity and is highly regarded by the judiciary, her peers and her clients.

We congratulate and thank her for her commitment and contribution to seeking equal access to justice for all Western Australians.



"I'm pleased that the invaluable work being done for clients of Legal Aid has been prominent among those recognised."

"Kate Turtley-Chappel is the principal of a private practice, yet frequently takes on challenging and difficult matters for underprivileged and sometimes contentious clients."

**Attorney General, the Hon. John Quigley
MLA**

PANEL PRACTITIONER REFERENCE GROUP

Legal Aid WA established a Panel Practitioner Reference Group in 2022-23 to provide critical input into our new Client Relationship Management (CRM) system, as part of our Transforming Our Business program.

The Reference Group includes representatives from various practice areas and firm sizes and includes administration staff to ensure everyone is heard.

This project aims to make it easier for private practitioners to do Legal Aid WA work and responds to one of the key themes raised in our first Private Practitioner Survey, conducted in March 2023.



INDEPENDENT CHILDREN'S LAWYER (ICL) TRAINING

In May 2023, Legal Aid WA hosted the Phase Two component of the National Independent Children's Lawyer (ICL) and child representative training to lawyers in Western Australia who wanted to expand their legal skillset into child representation.

An ICL is an experienced and specially trained lawyer who's appointed by the Family Court to represent a child's best interests in a family court matter. The training was open to internal Legal Aid WA staff and external practitioners who have five years post admission experience as a family lawyer.

Three of our senior family lawyers delivered the two-day training in our Perth office to 13 lawyers, some currently working at Legal Aid WA and others working in CLCs or private practice.

The training included topics on understanding the role of ICL, gathering evidence and decision making, preparing for trial, and trial conduct. It also focused on the role of separate (child) representatives in the Children's Court of WA.

Legal Aid WA currently has 12 in-house lawyers who do ICL work and child representation, and 72 private practitioners on the ICL and Child Representative list. We're planning to host and deliver another round of National ICL training later in 2023.



EARLY RESOLUTION PROGRAM

Legal Aid WA introduced an Early Resolution Program in January 2023 to reduce the number of court appearances and matters proceeding to trial, recognising the increasing burden on the criminal courts and the pressures placed on those accused of offences.

Working with WA Police Prosecutions, the team identifies matters which may be suitable for resolution without the need to go to trial.

By building an atmosphere of mutual trust between the agencies, the Early Resolution Program allows for fast-tracked negotiation of complex matters, for trial issues to be narrowed allowing for fewer listing days, and for the consideration of evidence before a plea is entered.

As a mark of the program's early success, 370 submissions were sent to WA Police Prosecutions between January to May 2023. 210 of those were either fully or partly accepted, and 171 submissions avoided the listing of some form of trial.

The result is that our clients have been receiving more favourable outcomes and there's been a significant reduction in the number of matters listed and being heard at trial.



CRIMINAL AND FAMILY LAW INTENSIVES

Legal Aid WA's Criminal and Family Law Intensives continue to be a valuable source of training for junior practitioners both at Legal Aid WA and across the community legal sector.

The training is made available in-person and online, allowing practitioners in our regional offices and CLCs to also participate.

In 2022-23, we had between 50-60 attendees at each of our intensives, including practitioners from Street Law, Fremantle CLC, Northern Suburbs CLC, Sussex Street CLC, South West CLC, Kimberley Community Legal Service, Goldfields CLC, Midlas, RUAH, Consumer Credit Legal Service, Aboriginal Family Legal Service, and Law Access.

We also continued to run training for staff, community legal sector practitioners and private practitioners in relation to acting in protection and care matters.



6. OPTIMISE THE ALLOCATION OF RESOURCES TO ENSURE FINANCIAL SUSTAINABILITY



DIGITAL CAPABILITY FUND

In May 2023, Legal Aid WA received confirmation that our application to the Department of Premier and Cabinet's Office of Digital Government Digital Capability Fund (DCF) was successful.

The DCF funding will allow us to build on our Transforming our Business Program to realise the full potential of our digital first and client centred service delivery model.

The budget for this new project, called Legal+, is \$7 million which includes \$4.2 million funding from the DCF commencing in the 2023-24 financial year.

The project includes the rebuilding of our website, the omni-channel development of our contact centre, and their integration with our CRM system around the journey of our clients as they navigate the justice system.

This approach will intuitively guide clients to the information and services they require at each stage of their problem, regardless of their legal knowledge. It will improve accessibility to our services, increase their

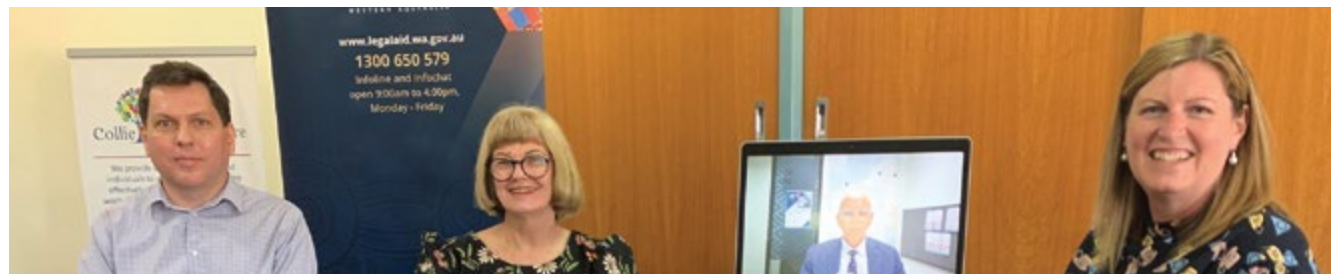
ability to achieve early resolution of their legal issues, and prevent them occurring where possible. The project will enable us to achieve better social and legal outcomes for clients, and to deliver more effective low-cost legal assistance services to more Western Australians.



7. DRIVE PROCESS AND TECHNOLOGICAL TRANSFORMATION TO IMPROVE EFFICIENCIES



VIRTUAL OFFICE PROGRAM EXPANDS



Legal Aid WA's innovative Virtual Office program aims to take the law to where it's needed. Using technology, people in regional, remote and outer metropolitan communities have easier access to face to face legal information and advice, helping them to resolve their legal issues early or where possible, prevent them occurring.

Our lawyers assist people with a range of family, civil and criminal law issues including family violence and restraining orders, parenting and property settlement, and protection and care.

Our network of Virtual Offices across WA grew to 22 in the 2022-23 year, including the launch in February 2023 of the Virtual Office at the Collie Family Centre.

The addition of Collie to the state-wide program came after a request from Attorney General, the Hon John Quigley MLA that the Collie-Preston region be included into Legal Aid WA's program.

A state-of-the-art video screen was installed at the Collie Family Centre to connect clients directly with a lawyer or support worker at Legal Aid WA's head office in Perth or our office in Bunbury.

From July 2022, vulnerable women experiencing domestic violence have also been given access to the program with Virtual Offices installed at three Lucy Saw Centres.

The service allows women staying in LSC refuges to remotely connect with a Legal Aid WA lawyer and gain valuable face to face legal advice for issues including mediation, divorce, child protection and violence restraining orders (VROs) without the risk of leaving the premises and travelling to Perth.

About 10 women a week have been using the service since it launched.

We've also now installed Virtual Office screens into Wungening Aboriginal Corporation in East Perth and at their domestic violence refuge Wooree Miya. Clients can access legal advice, court

documents can be drafted, and assistance can be given with family violence and child-related matters, all from the safety of the Wooree Miya refuge.

More than 1,600 Western Australians accessed our Virtual Offices in the 2022-23 year, and more than 4,000 legal services have been delivered via the service across Western Australia since it began in July 2019.

"Legal Aid plays an important role in our State's justice system, providing a high level of quality services to the Western Australian community and it is vital that all Western Australians have access to this."

"This is about taking the law to where it is needed most."

**Attorney General,
the Hon. John Quigley MLA**

TRANSFORMING OUR BUSINESS

Legal Aid WA has embarked on a significant program of work, to improve service delivery and better support our clients. We're implementing a new CRM system to replace end of life core systems, undertaking critical foundational work to improve key processes, policies, and guidelines, and moving to cloud-based services to improve information sharing and collaboration.

In a move to become more client centred, we'll create a single '360 degree' view of our clients and their entire journey with Legal Aid WA.

Together with streamlining our processes and workflows for clearer pathways to help our clients, this will enable us to be more responsive to client needs, supporting them with better social and legal outcomes.

Significant improvements to how we manage grants of aid are set to greatly assist our in-house practitioners and 470 panel practitioners deliver services more effectively

with faster turnaround of grant applications, revised means test, clear funding guidelines, and clearer communications.

Panel practitioners will also find it easier to deal with Legal Aid WA with the implementation of an enhanced, user-friendly, one stop shop Practitioner Portal.



INFORMATION MANAGEMENT

We've continued our move to using cloud-based services to support a modern workplace with the implementation of Microsoft 365.

This includes launching Microsoft Teams to improve collaboration and information sharing and make meetings more productive, and establishing the Power Platform to enable the streamlining and automation of processes.

Legal Aid WA is also completing the migration of all client content into our Content Management System (CMS) to increase its accessibility and ensure we can manage it effectively.

In 2022-23, we've taken steps to further improve our cyber security capability and the protection of our information and continue to work towards aligning to the WA Government Cyber Security Policy.



A photograph of three women sitting in a row, smiling and looking towards the right. The woman on the left has long, wavy brown hair and is wearing a blue patterned top. The woman in the middle has long, straight reddish-brown hair and is wearing a grey cardigan over a colorful floral top. The woman on the right has long, straight brown hair, wears glasses, and is wearing a dark blue jacket. They are all smiling and appear to be in a positive, collaborative environment. A semi-transparent red box is overlaid on the left side of the image, containing the text '8. INVEST IN OUR ORGANISATION'S CAPABILITY AND WELLBEING'. A horizontal row of white dots is located at the bottom left of the image.

8. INVEST IN OUR ORGANISATION'S CAPABILITY AND WELLBEING

REGIONAL GRADUATE PROGRAM

Our Regional Graduate Program provides junior practitioners with an opportunity to fast track their careers, receive comprehensive training, be supported to interact directly with clients, and engage in advocacy and litigation across a range of areas.

Graduates spend six months in our Perth office undergoing intensive training primarily in criminal law. After taking up placements in our regional offices, graduates have ongoing training in family and civil law, returning to Perth from time to time for various development opportunities.

In the 2022-23 year, we had graduates complete placements in our Kununurra, Kalgoorlie, Geraldton, South Hedland, and Bunbury offices as well as our Perth-based Criminal Law, Family Law, Civil Law, and Early Intervention Services Divisions.

Our graduates are equipped with the skills necessary to provide valuable support and make a real contribution to the work of our regional offices. There's a strong focus on

wellbeing throughout the program, including a series of professional debriefing sessions for our graduate cohort.

Graduates leave the two-year program with a wealth of experience and opportunities for the next step in their career, and many recent graduates have accepted permanent regional positions with Legal Aid WA at the end of the program.

In May 2023, we hosted our inaugural law students' networking and information event, showcasing all the volunteer and paid opportunities within the organisation.

This resulted in a very competitive recruitment process for the 2024 Regional Graduate Program, and we have six new graduates starting next year.

We're further investing in our junior practitioners in 2024 by expanding the program to include paid Practical Legal Training.



REGIONAL GRADUATE PROFILES

TENAIYA DICKERSON

In December 2022, one of our young lawyers, Tenaiya Dickerson, made history in WA as the first admission of an Aboriginal applicant, moved by an Aboriginal lawyer, Legal Aid WA's First Nations Coordinator Michelle Sims, before an Aboriginal judge, Justice Michael Lundberg.

"I always wanted to work for Legal Aid WA as social justice was the reason I chose to study law in the first place. I was attracted to our Regional Graduate Program to have more opportunity at an earlier stage to do a wider variety of work across all practice areas that I perhaps wouldn't have if based in the Perth office.

"After starting in the Perth office in May 2022, I moved to our Goldfields office in Kalgoorlie in early 2023 and have been able to take on a variety of files including criminal trials, children's criminal files, and protection and care.

"There have also been opportunities to do family law advice appointments and restraining order advice, negotiations and representation, and travel on circuit to Esperance and remote communities in the northern Goldfields.

"Being admitted was such a monumental experience in my life for many reasons. Not only was it the culmination of years of hard work and sacrifice but the day itself was made extra special as I, an Aboriginal admittee, was admitted by an Aboriginal solicitor, my mentor Michelle Sims, by the first Aboriginal Supreme Court Justice in WA, Justice Michael Lundberg, in his first admission ceremony.

"It's definitely a memory that I cherish."



OLIVIA PUSEY

Olivia got her start with Legal Aid WA's Regional Graduate Lawyer Program and after initially being mentored in our Perth office, she headed to our Goldfields Office in Kalgoorlie.

"I did really go in with an open mind and ready to say yes to everything. I think that is the takeaway and the most important thing as a regional grad or as a young lawyer in the regions is you just have to say yes to every opportunity, and you get access to so many things you would never have thought of coming from Perth.

"It gives you a lot of confidence feeling trusted to be able to do that many different types of matters and with support be thrown into the deep end. You come out of it feeling confident and capable of practising in a way that is because of working in the regions.

"I think working in the smaller remote communities is probably the most rewarding part of our work.

"We go out there to our Lands Circuit every six weeks and that is really the only opportunity that these clients will get to speak to a lawyer. A lot of them don't have access to phones or email addresses so the only

way you can have contact with your client is when you're in community and you're sitting down and you're talking to them there."

Olivia has now moved to our South West office in Bunbury, taking with her a wealth of experience and many good stories to tell.



WELLNESS FOCUS

In 2022-23, Legal Aid WA focused on enhancing and improving our staff's understanding of mental health and providing strategies to support individual wellbeing.

We developed and implemented a Check-In Guide to support teams to build psychological safety, encourage people to bring their full selves to work, to have follow up conversations with staff, and to identify and support wellbeing needs.

We introduced onsite psychoeducation groups for teams, hosted events to promote mental health and wellbeing including RU OK? day, Stress Down Day, and Mental Health Week, and saw the number of staff using our onsite Employee Assistance Program more than double.

Our peer support Wellness Mentors completed comprehensive training, and we increased the number of Mental Health First Aiders to 18 with those individuals nominating to be recognised as workplace Mental Health First Aiders after they completed the accreditation process.

Legal Aid WA also saw five staff complete the Aboriginal and Torres Strait Islander Mental Health First Aider training and become accredited. We liaised with consultants from Think Culture to develop a Cultural Safety Survey for our First Nations Staff, with the results to be used to develop and implement specific culturally safe mental health and wellbeing training and programs.





A SNAPSHOT OF TRAINING AND EVENTS:

- Safe Professional Boundaries
- Wellness Mentor Training
- Foundations for Building Trauma Awareness workshop
- Managing Wellbeing and Recognising Vicarious Trauma workshops
- Resilience training to graduate lawyers and introduction to a mentor
- An organisational WHS risk register to ensure all psychosocial risks were adequately captured
- Aboriginal Mental Health First Aid training
- Wellness online presentations for private practitioners

DISABILITY ACCESS AND INCLUSION STRATEGY LAUNCHED

In December 2022, Legal Aid WA launched its five-year Disability Access and Inclusion Plan (DAIP) and Disability Action Plan (DAP).

The DAIP sets out our priorities and key strategies for the next five years, while the DAP is updated annually and provides detailed activities and measurements to track our performance against the DAIP.

We held a series of seminars for staff and external stakeholders including panel practitioners to celebrate the International Day of People with Disability 2022.

Her Honour Judge Kathleen Helen Glancy and Karen Farley SC led a panel discussion about ensuring effective communication with people with disability in the justice system.

We also explored the concept of supported decision making for people with cognitive impairment, and heard a lived experience story by a person with complex communication needs.



LEGAL AID WA DISABILITY SERVICES COORDINATOR APPOINTED

In 2022-23, more than 29% of Legal Aid WA's clients disclosed that they had a disability, and we acknowledge that our services need to be provided in a way that is accessible to meet diverse needs.

In pursuit of this objective, we formed a Disability Action Plan Committee and appointed Esther Zhu Gao to be our inaugural Disability Services Coordinator in October 2022.

Esther is working to promote positive collaboration across the agency and other organisations to achieve the best possible outcomes for our clients with disability, to identify unmet legal needs for people with disability, and to promote best practice and contemporary ideas concerning legal services for people with disability.

"My mission is to make Legal Aid WA an equal playing field for people with disability, and for accessibility and inclusion to be at the centre of our business."

**Legal Aid WA Disability Services
Coordinator Esther Zhu Gao**

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SUMMER SERIES SUCCESS

We ran our annual Summer Series professional development conference in person for the first time since COVID-19 hit in 2020, with a record 404 attendees across the whole event.

This included Legal Aid WA staff, practitioners from CLCs across Western Australia, government departments and agencies, as well as private practitioners.

Topics included 'Criminal Responsibility' presented by Paul Yovich SC and Justice Van Dongen, to 'Mabo – the 30th Anniversary of the Decision, and a Referendum to Amend the Constitution to Enable a First Nations Voice to Parliament' presented by Greg McIntyre SC.

There was also a session on 'Understanding context and culture when working with Aboriginal families in family law and child

protection proceedings'. This was presented by a panel including Aboriginal Legal Service solicitors Kathy Russell and Jonathon Reid, the Executive Director of the Noongar Family Safety and Wellbeing Council Barbara Henry, and Legal Aid WA's First Nations Coordinator Michelle Sims.



A nighttime photograph of a city skyline, likely Perth, Australia, featuring several illuminated skyscrapers and a body of water in the foreground. A teal rectangular box is overlaid on the left side of the image, containing the title 'SNAPSHOT' and a bulleted list of statistics. The background shows the city lights reflecting on the water.

SNAPSHOT

- 404 attendees across the whole event - 260 people on Criminal Law day, 220 on Family Law day and 142 on Civil Law day
- 42% Legal Aid WA staff, 16% CLC practitioners, 23% private practitioners and 19% practitioners from other government departments and agencies
- Maximum attendance per session on each day was 214 on Criminal Law day, 185 on Family Law day, and 117 on Civil Law day

OUR REACH



NAIDOC WEEK ACTIVITIES IN THE REGIONS

Legal Aid WA staff in our regional offices embraced the opportunity to participate in annual NAIDOC Week celebrations in July 2022.

The week was a chance for Legal Aid WA to support our local Aboriginal communities and recognise the immense contribution of our First Nations people to our history and culture.

At our West Kimberley Office, we set up a stall in the picturesque grounds of the Broome Courthouse, as crowds milled around chatting to our staff in the market style atmosphere.

The Broome Office also travelled two hours north to the community of Pandanus Park to participate in a Family Fun Day.

Our team in our Midwest Office, organised a 'paint your own mug' craft activity where community members could use the theme 'For Our Elders' and decorate a mug for the Elders in their family.

Legal Aid WA staff in our Great Southern Office collaborated with other legal service providers and held a stall in Albany's York Street.



FOCUS ON THE REGIONS

Legal Aid WA is committed to making sure equitable access to justice is available across the State.

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

Each office provides outreach to surrounding courts and CLE to surrounding towns, schools, and community groups.

Legal Aid WA works to cover the whole of Western Australia to ensure that services are provided to those in need of legal advice and assistance.

We've travelled to remote places by single prop plane, twin prop plane, small jet, 4WD vehicle, 2WD sedan, or tray back Ute, and the 61 staff made up of solicitors, regional office supervisors, paralegals, and legal secretaries, all work to ensure that our clients receive the best service.





Cocos Keeling Islands
Visitor Centre

Proudly Funded by

Cocos Keeling Islands
Community Resource Centre



EAST KIMBERLEY

The East Kimberley Office has continued to focus on providing holistic and wrap-around services for the most vulnerable members of our community. An example is where we assisted a young Aboriginal man from a remote community with significant intellectual and cognitive disabilities who found himself homeless after his mother died.

We worked with a local disability support provider to increase the funding in his National Disability Insurance Scheme (NDIS) plan to include supported accommodation. The client was released from prison with a significant plan of on-going support in the community and a home where he's safe and his basic needs are met.

The office focused on increasing outreach to remote communities and delivering CLE. We visited the remote community of Balgo on three separate outreach trips (outside normal court circuits) and attended Aboriginal Justice Open Days in a variety of locations in the East Kimberley.

The East Kimberley Office has focused on Legal Aid WA's First Nations Strategic Plan and its emphasis on attracting and retaining First Nations staff. 37% of the permanent staff in Kununurra are First Nations people, including the office supervisor.

Our team delivered R U legal? sessions to schools across the East Kimberley and participated in careers days.

In 2022-23, we collaborated with Aboriginal Family Legal Service, Kimberley Community Legal Service, Law Access, and pro-bono lawyers to deliver a Wills clinic to First Nations clients in Kalumburu, Halls Creek and Kununurra.



WEST KIMBERLEY



- Above photo by Tourism Western Australia

The West Kimberley Office has experienced significant demand over the past year for all services, with many of the challenges for vulnerable people living in the Kimberley exacerbated by the floods in December 2022 and January 2023. This natural disaster impacted service delivery significantly and has led to an increase in demand in a range of areas and required our team to be flexible and adaptable and utilise our resources effectively.

Our legal practice has been extremely busy, carrying grants of aid in child protection, family law, FVRO and criminal matters, including complex trials and sentencing in superior courts. We've also expanded our civil practice, to include grants for guardianship and administration matters in the State Administrative Appeals Tribunal, criminal injuries compensation, and applications to vary and cancel FVROs in the District Court.

We've continued to provide extensive duty lawyer services in all practice areas at every court in our region as well as legal advice services and have also delivered CLE to men's behaviour changes programs, schools, and local Aboriginal organisations.

Our office provides regular prison visiting services to the two prisons in our region, in Broome and Derby, and we've had a presence at many outreach events, including every Aboriginal Justice Open Day

throughout the Kimberley, careers days at schools, and a range of community events.

We've been focused on ensuring timely, holistic, and culturally responsive services. Our team's been committed to our strategic goals of reducing the over-representation of Aboriginal people in the justice system, improving outcomes, increasing the employment of First Nations Staff, with 40% of our office First Nations people.

We continue to collaborate closely with other legal services and enjoy the strength of the West Kimberley Legal Services Network's ability to identify and respond to systemic issues impacting the region. In 2022-23, we've hosted the Attorney General, the Auditor General, the Legal Assistance Branch of the Department of Justice, and the Law Reform Commission.



PILBARA



- Above photo by Greg Snell

The Pilbara Office (South Hedland and Karratha) has continued to assist vulnerable and disadvantaged clients in the region in a variety of areas of law.

We cover a large geographical area and service clients at the local courts in South Hedland and Karratha as well as circuits to Newman, Nullagine, Jigalong, Exmouth, Onslow, and Tom Price.

The team works closely with Bloodwood Tree Association Inc. and Hope Community Services to refer clients for support services, and we continue to actively engage with other stakeholders to provide our clients with a holistic service.

Our office conducted CLE at Yaandina's Turner River Rehabilitation Centre with more planned in the future.

We're trialling remote administration support from Albany due to the challenges in staffing. This remote assistance model is working well and serves as a benchmark for an everchanging working environment.

The appointment of a permanent Magistrate in Karratha has meant that since October 2022 for the first time, we have a full-time lawyer in Karratha to meet the growing demand.

The team looks forward to expanding our legal services in Karratha and the surrounding areas, with an office opening later in 2023.



MIDWEST

In 2022-23, the Midwest Office (Geraldton and Carnarvon) has continued to offer a wide range of legal services over one of the largest court regions in the State.

The Mid West and Gascoyne region covers about 1/3 of Western Australia or 600,000 sq km and has a population of 65,000 people.

Our lawyers travelled on circuit to Dongara, Kalbarri, Jurien Bay, Three Springs and Northhampton and to Meekathara by video link. Our Carnarvon lawyer travels to Wiluna, Cue and Shark Bay and, until January 2023 with the commencement of the permanent Magistrate in Karratha, also to Exmouth, Onslow and Tom Price.

We delivered criminal duty lawyer services across the region including the FVRO list in Geraldton. The office also provided CLE sessions at regional high schools and provided family law and civil services to the community. This complements the extensive criminal law services offered to the community.

Our office worked to improve the number of WDPS sponsors in the Midwest and assist clients with fine expiation orders, with a paralegal from the WPDS team travelling to our office to assist.

In May 2023, a new lawyer was appointed to our Carnarvon Satellite Office, with remote administrative support from the Geraldton Office, helping us to increase our reach to clients in the Gascoyne region.

The Midwest Office has maintained strong relationships with clients, the Courts and other legal and non-legal stakeholders, and our team played a pivotal role in planning and participating in the Justice NAIDOC event.

We're also active long-term members of the Midwest Family Violence Network.



GOLDFIELDS

The Goldfields Office continued to champion access to justice throughout our region for 2022-23 with face to face assistance as well as utilising technology for remote access.

There was a focus on increasing our assistance to First Nations clients in criminal, family, and civil matters, and providing consistency in services in a legal landscape that's been changing in the region.

We were pleased to announce the appointment of a family law solicitor who's helping to provide advice in the areas of family law and restraining orders. We provided a regular duty lawyer service for restraining order and protection and care, adding to our successful criminal law service.

Our office also has a dedicated CLE legal officer and a regular prison visiting service.

Our court circuits are to Esperance, Leonora, Laverton and into the remote desert communities of Warburton, Blackstone and Warakurna. We also provide advice to the towns of Southern Cross, Norseman, Coolgardie, and Kambalda.



SOUTH WEST



- Above photo by Tourism Western Australia

Our South West Office has seen increased demand for legal advice, prison visits, at court duty lawyer and representation services in Criminal Law, and Family Law (including Family Violence and Protection and Care) practice areas over the past year.

The legal issues and the type of matters faced in the South West are as varied as the background of the people we represent throughout the region.

With three permanent South West Magistrates based in Bunbury, we have provided duty lawyer services to all the South West Magistrates and Children's courts concurrent sittings at Bunbury, Busselton, Manjimup, Collie, Harvey, and Margaret River.

The Family Court circuits to Bunbury 24 weeks each year, and there are District Court sittings in both Bunbury and Busselton, often sitting concurrently, for more than 40 weeks a year.

To help meet growing demand, our team expanded to include a second Bunbury-based specialist Family lawyer and a First Nations Civil and Community Legal Education and Liaison lawyer.





GREAT SOUTHERN

2022-23 was a busy year with our Great Southern Office in Albany hosting the annual Solicitor in Charge Summit, Office Supervisor Conference, livestream of the Western Australia Family Law Pathways Network Annual Conference, and a visit from the Law Reform Commission.

Our office has continued to give advice and representation in the areas of family law, protection and care, family violence restraining orders, and criminal law.

The addition of one lawyer in the past year has enabled the team to increase our reach to communities in the Great Southern and to continue building community awareness of Legal Aid WA services and resources.

Our commitment to CLE primarily focused on young and disadvantaged youth, with R U Legal? presentations at several local high schools and at the first round of the Moorditj Benang Program for Indigenous Youth.

The Great Southern Office supported and attended events including NAIDOC Week, the Homeless Forum, and the Homeless Awareness Cookout.

- Above photo by Tourism Western Australia

THE PEOPLE WE HELP:

A client from a cultural and linguistically diverse background contacted our Great Southern Office seeking general advice about the rights of the ex-partner to allow a grandmother to remove the child back to their original homeland.

The client advised their ex-partner had possession of the child's current passport and the grandmother was in Australia to remove the child. Our staff identified the urgency of the situation and referred the client for an urgent grant of aid and legal advice.

Our office secured a grant of aid within hours, immediately began working on an injunction, and within two hours of filing there were Family Court orders preventing the child being removed from the State of Western Australia and the Commonwealth of Australia.

The client was then assisted to place the child on the Family Law Watchlist with the Australia Federal Police for a period of three years.

Prior to contact with our staff, the client didn't realise the urgency of the matter or their rights as a parent. The client was extremely grateful and moved by the efforts of our staff.

CHRISTMAS AND COCOS ISLANDS

Legal Aid WA provides legal services to the Indian Ocean Territories, made up of Christmas Island and Cocos (Keeling) Island, about 2,650 kilometres northwest of Perth.

We have an office located on Christmas Island which is staffed by a local member of the community. Our lawyer visits the Islands 11 months out of 12 every year, making it a genuinely unique service working with a diverse client group.

For the past 22 years, Annie Gray has been the managing solicitor and has delivered more than 6,000 legal services and CLE to this community across a broad range of legal areas of law in civil, family and crime.

Throughout the year, Legal Aid WA provided valuable CLE including a video message to Christmas Island seniors discussing the different types of elder abuse.

The office also facilitated school presentations, including one involving the Chief Magistrate who talked to young people about the criminal justice system. The visit showed the positive impact of the judiciary and Legal Aid WA collaborating to educate young people on the Islands.



1.3 MEASURING OUR PERFORMANCE

ACHIEVEMENTS AGAINST THE NATIONAL LEGAL ASSISTANCE PARTNERSHIP

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

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

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

Selected NLAP performance indicators and benchmarks:

- Proportion of representation services to people experiencing financial disadvantage – 100% (exceeds benchmark of 95%)
- The percentage of dispute resolution processes resulting in full or partial settlement – 81%
- Total number of duty lawyer services - up by 22%
- Total number of community legal education activities - up by 52%

Type of Service	22-23 Service counts ³⁾
Information and referrals ^{1), 2)}	47,482
Legal advice	5,765
Representation	3,638
Duty lawyer services	2,562
Legal tasks	1,214
Community legal education activities	111

1) Includes 15,676 referral services.

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

3) Exclude services performed by external service providers under NLAP agreement

ACHIEVEMENTS AGAINST THE STATE GOVERNMENT'S PERFORMANCE MANAGEMENT FRAMEWORK SET OUT IN THE BUDGET STATEMENT

Legal Aid WA achieved most of key effectiveness indicators and a key efficiency indicator in the budget papers:

- ✓ More than 86% of eligible applicants received a grant of legal aid
- ✓ More than 20% of people at court were provided with a duty lawyer service
- ✓ Reduced the weighted average cost per wrap-around support service below the budget target

Key Performance Indicators	2022-23 Budget	2022-23 Actual
Percentage of eligible applicants who receive a grant of legal aid	86%	90%
Percentage of persons who are provided with a duty lawyer service	20%	23%
Weighted average cost per wrap-around support service	\$1251	\$1204

ORGANISATIONAL CHART

LEGAL AID COMMISSION OF WESTERN AUSTRALIA (ACCOUNTABLE AUTHORITY)

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TRANSFORMING OUR BUSINESS STRATEGIC PROJECTS

DIRECTOR LEGAL AID WA

Early Intervention Services Division

- Infoline
- Infochat & Chatbot
- Legal Yarn
- Virtual Office
- Intake & Advice
- Community Legal Education
- Legal training
- Resources (website, social media, publications)
- Graduate Program
- Midwest & Gascoyne regional office (Geraldton)

Criminal Law Division

- Criminal law practice
- Duty lawyer service
- Youth law
- Appeals
- Disability Legal WA
- The DARDY project
- Bail support and remand advocacy services
- Advice Before Court
- Prison Visiting Service
- First Nations Services
- Goldfields regional office (Kalgoorlie)
- Southwest regional office (Bunbury)
- Central Wheatbelt Outreach

Family Law Division

- Family law practice
- Independent Children's Lawyers and Child Representatives
- Family Court Services
- Family Advocacy and Support Services
- Domestic Violence Legal Unit
- Children's Court Protective Services
- Dispute Resolution conferences
- Stronger Women
- Great Southern regional office (Albany)

AUDIT AND ASSURANCE

Civil Law Division

- Civil law practice
- Mortgage Hardship
- Elders Rights WA
- Work and Development Permit Service
- NDIS Appeals
- Defence and Veterans
- Social Inclusion
- AAT Service
- Natural Disasters
- Health Justice Partnerships
- Federal Court self-represented litigants
- Civil Litigation Assistance Scheme
- Pilbara regional office (South Hedland)
- Indian Ocean Territories regional office

Business Services Division

- Perth office
- Business Service Management
- Finance
- Human Resources
- Information and Records Services
- Information and Communication Technology
- Work, Health & Safety
- Procurement
- Property
- West Kimberley regional office (Broome)

Lawyers Engagement Network

- Audit and Compliance
- Grants and Assessing
- Private Practitioner Engagement
- East Kimberley regional office (Kununurra)

1.4 OUR ORGANISATION

ENABLING LEGISLATION

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

RESPONSIBLE MINISTER

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

ADMINISTERED LEGISLATION

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

ORGANISATIONAL STRUCTURE

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

Members of the Legal Aid Commission of Western Australia are appointed under the *Legal Aid Commission Act 1976* (WA). The Commission is chaired by the Hon Jane Crisford SC and its members include Steve Toutountzis, Elspeth Hensler, Curtis Ward, Kristin Berger, and the Director of Legal Aid WA, Helen De Brito (ex officio).

The Director of Legal Aid WA administers the scheme of legal assistance established by the *Legal Aid Commission Act 1976* (WA). The Director is supported by the Executive Management Team and the 408 staff employed by Legal Aid WA, who enable the delivery of legal assistance to Western Australians.

Hon. Jane Crisford SC, Chair

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

Jane has extensive experience in civil, criminal, and family law, and comes to the Commission as a highly respected solicitor, barrister 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 Western Australia as the solicitor-in-charge of its West Kimberley Office and was later solicitor-in-charge of the East Kimberley Office in Kununurra. She appeared as counsel representing Aboriginal families at the Royal Commission into Aboriginal Deaths in Custody. In 1991, Jane 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, then the Family Court of WA and Family Court of Australia from 2006 until her retirement in 2016.

She's 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.



Helen De Brito Member, Director of Legal Aid WA

Helen De Brito started her career at Legal Aid WA in 2005 and has practised predominantly in criminal law.

In 2011, Helen was appointed Acting Solicitor in Charge of the Fremantle office, before going on to manage the Legal Practice Development Division and the Criminal Law Division. She was also responsible for establishing Legal Aid WA's Virtual Office service in 2019.

Helen is strongly committed to improving service delivery and delivering positive outcomes for Legal Aid WA's clients.

She's passionate about resilience and wellness in the legal profession, regional service delivery, and the development and mentoring of staff.

Helen is a long-standing member of Legal Aid WA's Reconciliation Action Plan Committee, has managed the Graduate Program, and the Country Lawyers Program.

As the Director of the Criminal Law Division, Helen was instrumental in maintaining criminal law services during the height of the COVID-19 pandemic, including establishing Duty Lawyer Hubs. In 2022, the Institute of Public Administration Australia awarded the Duty Lawyer Hubs as Best Practice in Innovation.

Helen has a Bachelor of Arts and a Bachelor of Laws from Murdoch University, achieving First Class Honours in Law.



Elsbeth Hensler, Member

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

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

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.



Steve Toutountzis, Member

Steven Toutountzis has been in the State Public Service for more than 30 years and a member of the Senior Executive Service for more than 13 years.

His most recent senior position was that of Director of Performance and Evaluation – Group 1, with the Strategic Policy and Evaluation Business Unit of the Department of Treasury.

His responsibilities included analysis and strategic advice to government on budgetary and financial management issues impacting Health, Social Services and Transport Portfolios.

Other senior public service positions he has held have included Chief Financial Officer of the former Department of Treasury and Finance and Director of Business Analysis, Department of Health.

Steve holds a Bachelor of Business from Edith Cowan University and is a Certified Practising Accountant.

He's currently also a member of the North Metropolitan Health Service Board and chairs the Finance Committee.



Curtis Ward, Member

Curtis Ward (he/him) is a Solicitor at Clairs Keeley Lawyers. He has worked predominantly in family law, with a particular focus on matters involving issues of family violence.

Curtis has also practised in both criminal and commercial matters, including small business disputes and consumer protection.

He has experience in a variety of different workplaces including private practice, the community legal sector, and Legal Aid WA.

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

Curtis was previously on the Young Lawyers Committee of the Law Society of Western Australia, sitting as the Social Justice and Human Rights Chair.

Curtis is also a selected member of a City of Perth advisory group.



Kristin Berger, Member

Kristin Berger is a Deputy Director General at the Department of Mines Industry Regulation and Safety with responsibility for the Consumer Protection, Building and Energy and Service Delivery Group. She has held this position since 2018.

Prior to this, Kristin was the Executive Director of Labour Relations and Industry Development in the former Department of Commerce. Kristin joined the public sector in 2002 and worked in a number of government labour relations roles which included responsibility for public sector bargaining.

Before joining the public sector, she was employed in the union movement and in the university sector as lecturer in labour relations and human resource management.

Kristin has a Bachelor of Science Hons, Anthropology from the University of Western Australia and a Master of Science, Industrial Relations from the London School of Economics and Political Science.



Graham Hill, Member, former Director and CEO of Legal Aid WA (2018- May 2023)

Graham Hill started as CEO of the Legal Aid Commissioner of Western Australia in May 2018.

Graham was the Chair of National Legal Aid from 2017-18. He served as CEO of Legal Aid Tasmania from 2014-18.



Before that, Graham spent three years as Deputy Secretary, Courts, at the Department of Justice in Victoria. He was also Director of the Legal Branch at the Victorian Department of Premier and Cabinet for eight years.

Graham worked for 14 years as a lawyer in private practice and was a partner in a Melbourne law firm. He also served as an Associate to a Federal Court Judge.

Graham has a Bachelor of Economics and a Master of Laws from Monash University. He also has a specialist doctorate in Law from the University of Melbourne.

Lanie Chopping, Member (2017 – November 2022)

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



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

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

**Dion Smith, Member
(2010 -November 2022)**

Dion Smith holds a Bachelor Economics from the University of Western Australia, and a Master of Business Administration from the University of NSW/University of Sydney.



With extensive experience in management and executive roles across business strategy, sales and marketing capacities, Dion is currently Head of Sales – Health Division for Australian listed company, the APM Group.

He's served as an Executive Director on the board of recruitment and professional services companies over many years and is the current President of the Trinity College and CBC Perth Old Boys Association.

Dion was a previous Board member for the WA State branch of Save the Children and has previously served on the judging panel of the Telstra Business Awards.

1.5 PERFORMANCE MANAGEMENT FRAMEWORK

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

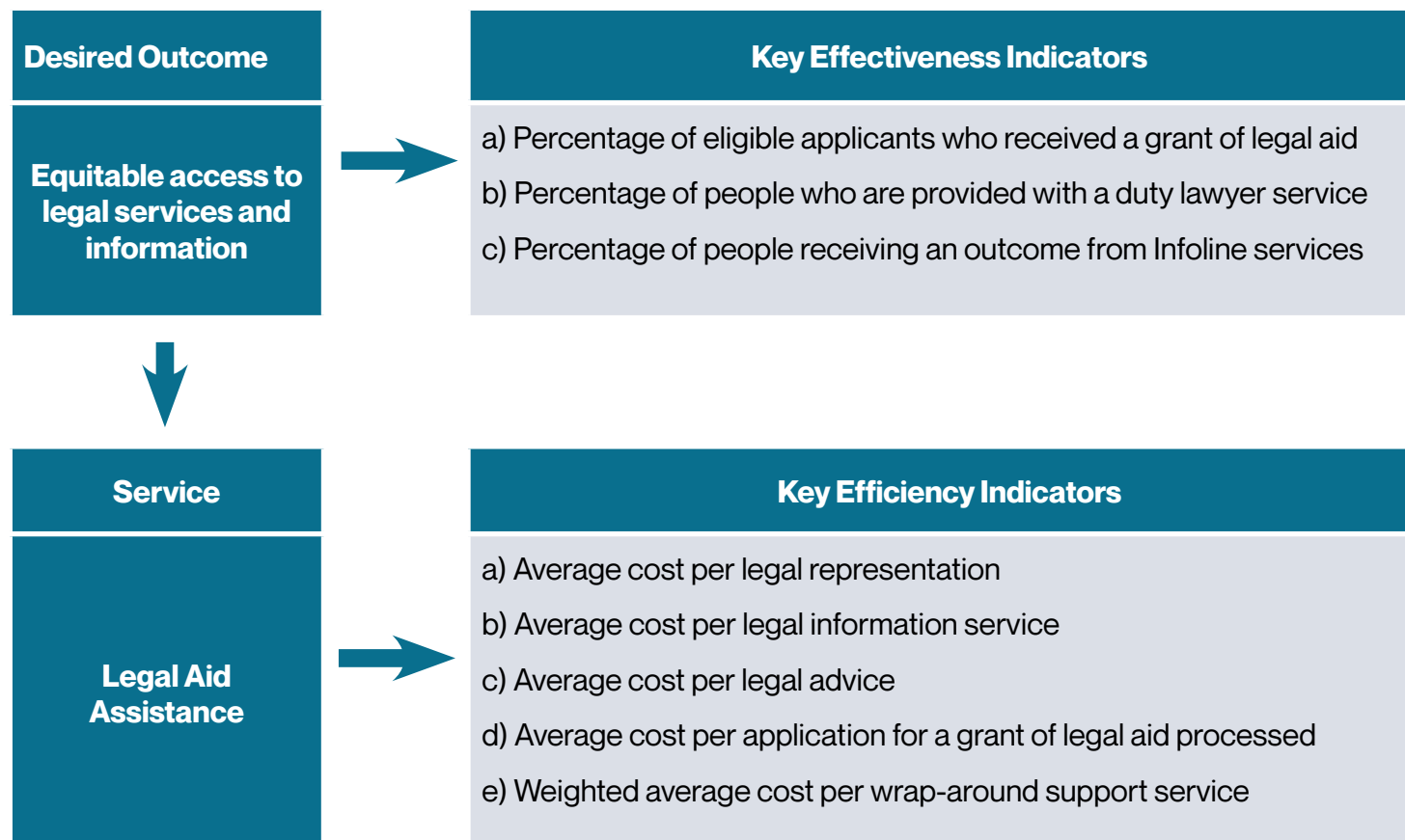
GOVERNMENT GOAL

Safe, Strong and Fair Communities: Supporting our local and regional communities to thrive.

AGENCY LEVEL GOVERNMENT DESIRED OUTCOME

Equitable access to legal services and information.

Outcome Based Management Framework



CHANGES TO OUTCOME BASED MANAGEMENT FRAMEWORK

There was a change to Legal Aid WA's outcome based management framework in 2022-23.

Efficiency Indicator

The new indicator, "Weighted average cost per wrap-around support service" was approved by the Under Treasurer on 1st August 2022, with effect from the 2022-23 reporting year. Wrap-around support services have four distinct schemes of services. These are social support services to targeted priority groups, community legal education activities to the community at large, dedicated indigenous community liaison, and community education services.

SHARED RESPONSIBILITIES WITH OTHER AGENCIES

The Legal Aid Commission did not share any responsibilities with other agencies in 2022-23.

For the community		
Information and advice	Duty lawyer service	Community legal education
To assist members of the public to identify legal problems, understand the alternatives for resolution and the resources available to them in pursuing a legal solution. Includes referral to other agencies and is delivered through public counters in all offices and by 1300 INFOLINE.	To ensure that members of the public brought before the courts have access to legal advice so that they understand the options available for responding to legal proceedings in which they are involved. Available at all Magistrate Court sittings throughout WA, the Family Court of WA and the Children's Court.	To provide education sessions for legal professionals, stakeholders and the general community to enhance awareness and understanding about the law and how to identify, prevent and deal with legal problems, or about the help available from legal and support services.

For target groups

Legal advice and legal task	Legal representation	Social support service	Community liaison service	Community education service
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 provide safety planning, case management, co-ordination and advocacy, that address non legal issues such as family violence, substance abuse, mental health, disability (cognitive and physical), and homelessness that are linked to legal issues.	To communicate and share information with stakeholder agencies in relation to the delivery of services for the indigenous community by a dedicated liaison officer. This may relate to organising a visit to a remote community, making arrangements for an upcoming Community Legal Education activity, managing relationships or making sure cultural protocols are followed.	To provide education sessions for the indigenous community to address non-legal problems that impact on the ability of individuals to access or participate in the justice system, or aim to prevent legal problems arising or escalating. For example, sessions about safety planning, managing finances, or cyber safety.

2 AGENCY PERFORMANCE

2.1 Financial targets

2.2 Summary of Key Performance Indicators



2.1 FINANCIAL TARGETS

ACTUAL RESULTS VERSUS BUDGET TARGETS

The Legal Aid Commission of Western Australia's performance against financial targets set for 2022-23 financial year is outlined in the table below. Further details are provided in the Financial Statements in section 4.

	2022-23 Estimates⁽¹⁾ \$000	2022-23 Actual \$000	Variation⁽²⁾ \$000
Total cost of services (expense limit) (sourced from Statement of Comprehensive Income)	93,107	108,187	(15,080) ^(a)
Net cost of services (sourced from Statement of Comprehensive Income)	58,714	65,699	(6,985) ^(b)
Total equity (sourced from Statement of Financial Position)	8,871	20,818	(11,947) ^(c)
Net increase/(decrease) in cash held (sourced from Statement of Cash Flows)	(3,041)	3,520	(6,561) ^(d)
Approved salary expense level	48,280	50,040	(1,760) ^(e)

1. Further explanations are also contained in Note 9.1 'Explanatory statement' to the financial statements.

- (a) The increase in total cost of services is largely due to higher than expected employee benefit expense (\$1.76 million), supplies and services expense (\$4.87 million) and legal service expenses (\$8.63 million).

Supplies and services are higher than the estimates largely due to the budgeted expenses to support the digital transformation program and Microsoft 365 Cloud transition programs which are included in the estimates as intangible asset. There were also other project carry overs from 2021-22 due to underspends.

Legal services expense are higher than the estimates largely due to higher than budgeted costs for State indictable criminal matters (\$5.10 million), State expensive cases (\$1.10 million), and Commonwealth Family violence and cross-examination scheme (\$1.96 million) and other case works.

- (b) The increased net cost of services is largely due to higher Total Cost of Services as outlined above, offset by the increase in user charges and fees (\$2.22 million), higher interest revenue (\$1.60 million) and Commonwealth grants and contributions (\$4.37 million).

User charges and fees are higher than expected largely due to the increased cost recoveries associated with grants of aids. The higher interest revenue is a result in the increase in interest rates.

Commonwealth grants and contributions are higher than the estimates mainly due to additional funding from Commonwealth which includes Family Violence and Cross Examination (\$1.71 million), National Legal Assistance Partnership grants (\$1.18 million), and other funding (\$1.41 million).

- (c) Total equity is higher than the estimate mainly due to higher accumulated surplus (\$11.80 million) which is the result of the difference in the beginning balance in the original estimate. In 2022-23, there was a turn-around in accumulated surplus from an estimated deficit of \$1.96 million to a small surplus of \$0.16 million. The surplus of 2022-23 was mainly due to higher revenue from cost recovery for State casework and higher interest revenue than expected. These unspent funds will be carried over into 2023-24 budget.
- (d) The net increase in cash and cash equivalents is higher than estimated is mainly due to higher than expected funding from both State (\$9.10 million) and Commonwealth (\$4.37 million) and higher user fees and charges (\$1.97 million). These were offset by higher than estimated payments for Legal services (\$8.53 million).
- (e) The approved salary expense level is higher than estimate is mainly due to the \$3,000 one-off cost of living payment from State Government provided to all employees and growth in staff numbers.

2.2 SUMMARY OF KEY PERFORMANCE INDICATORS

During the 2022-23 financial year, the Legal Aid Commission of Western Australia reported on three effectiveness and five efficiency indicators. The table below shows to what extent the performance targets were met, exceeded or not met.

Outcome: Equitable access to legal services and information

	2023 Target	2023 Actual	Variation ⁽¹⁾
Percentage of eligible applicants who receive a grant of legal aid	86%	90%	4%
Percentage of people who are provided with a duty lawyer service	20%	23%	3% ^(a)
Percentage of people receiving an outcome from Infoline services	77%	71%	-6%

Service: Legal Aid Assistance

	2023 Target	2023 Actual	Variation ⁽¹⁾
Average cost per legal representation	\$3,926	\$4,183	(\$257)
Average cost per legal information service	\$50	\$60	(\$10) ^(b)
Average cost per legal advice	\$378	\$402	(\$24)
Average cost per application for a grant of legal aid processed	\$452	\$504	(\$52) ^(c)
Weighted average cost per wrap-around support service	\$1,251	\$1,204	\$47

1. Explanations for the variations between target and actual results are:

- (a) The 2022-23 actual is higher than the 2022-23 budget mainly because the demand for duty lawyer services in the Magistrates Court has increased.
- (b) The variation is because of a number of factors including higher than anticipated recruitment and associated training, the development and implementation of the Legal Yarn Service which commenced operation in June 2023 and the wage increase under the Public Sector CSA Agreement 2022.
- (c) The variation is mainly due to the wage increase under the Public Sector CSA Agreement 2022, and the additional resource allocation from the specially funded programmes contributed to the cost increase.

2. Additional information is provided at the Detailed information in support of key performance indicators.

3 DISCLOSURES AND LEGAL COMPLIANCE

3.1 Financial statements

3.2 Additional Key Performance
Indicator Information

3.3 Ministerial Directions

3.4 Other Financial Disclosures

3.5 Governance Disclosures

3.6 Other legal requirements

3.7 Government Policy Requirements



3.1 FINANCIAL STATEMENTS

3.1.1 INDEPENDENT AUDITOR'S REPORT



Auditor General

INDEPENDENT AUDITOR'S REPORT

2023

Legal Aid Commission of Western Australia

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

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

- the Statement of Financial Position at 30 June 2023, and the Statement of Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year then ended
- Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial statements are:

- based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Legal Aid Commission of Western Australia for the year ended 30 June 2023 and the financial position at the end of that period
- in accordance with Australian Accounting Standards (applicable to Tier 2 Entities), the Financial Management Act 2006, the Treasurer's Instructions, Division 60 of the Australian Charities and Not-for-profits Commission Act 2021 (ACNC Act), and Australian Charities and Not-for-profits Commission Regulation 2013.

Basis for opinion

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

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

Responsibilities of the Commission for the financial statements

The Commission is responsible for:

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

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

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

Auditor's responsibilities for the audit of the financial statements

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

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

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

Report on the audit of controls

Opinion

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

In my opinion, in all material respects, the controls exercised by the Legal Aid Commission of Western Australia are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities have been in accordance with the State's financial reporting framework during the year ended 30 June 2023.

The Commission's responsibilities

The Commission is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investments 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 Engagement ASAE 3150 *Assurance Engagements on Controls* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and were implemented as designed.

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

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

Limitations of controls

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

Report on the audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Legal Aid Commission of Western Australia for the year ended 30 June 2023. The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, the key performance indicators of the Legal Aid Commission of Western Australia are relevant and appropriate to assist users to assess the Commission's performance and fairly represent indicated performance for the year ended 30 June 2023.

The Commission's responsibilities for the key performance indicators

The Commission is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal controls 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 Instructions 904 *Key Performance Indicators*.

Auditor General's responsibilities

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

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

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

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

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

Other information

The Commission is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2023, but not the financial statements, key performance indicators and my auditor's report.

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

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

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

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

The 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 2023 included in the annual report on the Commission's website. The Commission's management is responsible for the integrity of the Commission's website. This audit does not provide assurance on the integrity of the Commission's website. The auditor's report refers only to the financial statements, controls and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version.



Patrick Arulsingham
Senior Director, Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
4 September 2023

3.1.2 CERTIFICATION OF FINANCIAL STATEMENTS

DISCLOSURES AND LEGAL COMPLIANCE

Financial Statements

Certification of Financial Statements

For the year ended 30 June 2023

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

(a) The accompanying financial statements and notes have been prepared in compliance with the provisions of the *Financial Management Act 2006* and the *Australian Charities and Not-for-profits Commission Act 2012* from proper accounts and records to present fairly the financial transactions for the year ended 30 June 2023 and the financial position as at 30 June 2023.

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

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

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



Craig Gibson
Chief Finance Officer
Date: 30.8.2023



Helen DeBrito
Director of Legal Aid
Member of the Commission
Date: 30.8.2023

Hon. Jane Crisford SC
Chair of the Commission
Date: 30.8.23



3.1.3 FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2023

Legal Aid WA has pleasure in presenting its audited general purpose financial statements for the financial reporting period ended 30 June 2023 which provides users with the information about the Agency's stewardship of resource entrusted to it. The financial information is presented in the following structure:

Statement of Comprehensive Income

For the year ended 30 June 2023

	Note	2023 \$	2022 \$
COST OF SERVICES			
Expenses			
Employee benefits expenses	2.1 (a)	50,039,656	41,850,871
Supplies and services	2.3	11,269,535	7,772,665
Depreciation and amortisation expense	4.1.1, 4.2.1, 4.3	6,166,857	6,046,549
Finance costs	6.2	1,923,462	2,476,576
Accommodation expenses	2.3	1,810,682	1,676,564
Legal services expenses	2.2	34,867,387	35,350,404
Other expenses	2.3	2,109,776	1,744,515
Total cost of services		108,187,355	96,918,144
Income			
User charges and fees	3.2	4,992,575	3,904,661
Commonwealth grants and contributions	3.3	35,281,262	38,385,604
Interest income	3.4	1,951,496	339,355
Other income	3.5	263,454	241,366
Total income		42,488,787	42,870,986

	Note	2023 \$	2022 \$
Total income other than income from State Government		42,488,787	42,870,986
NET COST OF SERVICES		65,698,568	54,047,158
Income from State Government			
Income from other public sector entities	3.1	65,754,773	57,258,000
Resources received	3.1	35,599	89,119
Royalties for Regions Fund	3.1	74,604	102,564
Total income from State Government		65,864,976	57,449,683
SURPLUS FOR THE PERIOD		166,408	3,402,525
OTHER COMPREHENSIVE INCOME			
Items not reclassified subsequently to profit and loss			
Changes in asset revaluation surplus		80,267	68,708
Total other comprehensive income		80,267	68,708
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		246,675	3,471,233

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

Statement of Financial Position

As at 30 June 2023

	Notes	2,023 \$	2022 \$
ASSETS			
Current Assets			
Cash and cash equivalents	6.3	28,336,527	28,656,048
Receivables	5.1	6,347,733	4,840,475
Other financial assets	6.3	30,500,000	27,000,000
Other current assets	5.2	1,611,443	1,507,582
Total Current Assets		66,795,703	62,004,105
Non-Current Assets			
Restricted cash and cash equivalents	6.3	1,393,328	1,054,244
Receivables	5.1	5,531,900	5,546,182
Property, plant and equipment	4.1	2,477,471	2,591,550
Intangible assets	4.2	394,718	489,111
Right of use assets	4.3	51,605,522	54,934,645
Total Non-Current Assets		61,402,939	64,615,732
TOTAL ASSETS		128,198,642	126,619,837
LIABILITIES			
Current Liabilities			
Payables and accruals	5.3	35,778,819	34,469,618
Lease liabilities	6.1	4,370,910	3,956,221

	Notes	2,023 \$	2022 \$
Employee related provisions	2.1 (b)	7,695,277	6,580,005
Contract liabilities	5.4	1,277,213	1,090,940
Total Current Liabilities		49,122,219	46,096,784
Non-Current Liabilities			
Lease liabilities	6.1	54,700,905	57,030,838
Employee related provisions	2.1 (b)	2,318,517	1,774,640
Contract liabilities	5.4	1,239,324	1,146,573
Total Non-Current Liabilities		58,258,746	59,952,051
TOTAL LIABILITIES		107,380,965	106,048,835
NET ASSETS		20,817,677	20,571,002
EQUITY			
Contributed equity		595,669	595,669
Reserves		668,392	588,125
Accumulated surplus		19,553,616	19,387,208
TOTAL EQUITY		20,817,677	20,571,002

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 2023

	Notes	Contributed equity \$	Reserves \$	Accumulated surplus \$	Total equity \$
Balance at 1 July 2021		595,669	519,417	15,984,683	17,099,769
Surplus		-	-	3,402,525	3,402,525
Other comprehensive Income		-	68,708	-	68,708
Total comprehensive income for the period		-	68,708	3,402,525	3,471,233
Balance at 30 June 2022		595,669	588,125	19,387,208	20,571,002
Balance at 1 July 2022		595,669	588,125	19,387,208	20,571,002
Surplus		-	-	166,408	166,408
Other comprehensive Income		-	80,267	-	80,267
Total comprehensive income for the period		-	80,267	166,408	246,675
Balance at 30 June 2023		595,669	668,392	19,553,616	20,817,677

Statement of Cash Flow

For the year ended 30 June 2023

Notes	2,023 \$	2022 \$
CASH FLOWS FROM STATE GOVERNMENT		
Funds from other public sector entities	65,754,773	57,258,000
Royalties for Regions Fund	74,604	102,564
Net cash provided by State Government	65,829,377	57,360,564
Utilised as follows:		
CASH FLOWS FROM OPERATING ACTIVITIES		
Payments		
Employee benefits	(47,771,936)	(41,450,315)
Supplies and services	(10,784,916)	(8,431,332)
Accommodation	(1,788,126)	(1,676,190)
Legal services	(34,766,968)	(30,617,398)
Finance costs	(1,968,439)	(1,923,126)
GST payments on purchases	(5,539,802)	(4,960,459)
Other payments	(1,906,159)	(2,117,797)
Receipts		
User charges and fees	4,888,060	4,221,397
Commonwealth grants and contributions	35,281,262	38,385,604
Interest received	1,160,502	255,228

Notes	2,023 \$	2022 \$
GST receipts on sales	170,428	166,906
GST receipts from taxation authority	4,922,959	4,390,290
Other receipts	263,454	230,294
Net cash used in operating activities	(57,839,681)	(43,526,898)
CASH FLOWS FROM INVESTING ACTIVITIES		
Payments		
Purchase of non-current assets	(228,181)	(690,611)
Net cash used in investing activities	(228,181)	(690,611)
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments		
Principal elements of lease payments	(4,241,952)	(3,897,832)
Net cash used in financing activities	(4,241,952)	(3,897,832)
Net increase in cash and cash equivalents	3,519,563	9,245,223
Cash and cash equivalents at the beginning of period	56,710,292	47,465,069
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD	60,229,855	56,710,292

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

NOTE 1. BASIS OF PREPARATION

Legal Aid Commission of 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 31 August 2023.

Statement of compliance

These general purpose financial statements are prepared in accordance with:

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

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

financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

Basis of preparation

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

Judgements and estimates

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

Accounting for Goods and Services Tax (GST)

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

- a. amount of GST incurred by the Commission as a purchaser that is not recoverable from the Australian Taxation Office (ATO) is recognised as part of an asset's cost of acquisition or as part of an item of expense; and
- b. receivables and payables are stated with the amount of GST included.

Cash flows are included in the Statement of Cash Flows on a gross basis. However, the GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

Contributed equity

AASB Interpretation 1038 Contributions by Owners Made to *Wholly-Owned Public Sector Entities* requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to, transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 *Contributions by Owners made to Wholly Owned Public Sector Entities* and have been credited directly to Contributed Equity.

Comparative information

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

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

NOTE 2. USE OF OUR FUNDING

Expenses incurred in the delivery of services

This section provides additional information about how the

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

	Notes	2023 \$	2022 \$
Employee benefits expenses	2.1(a)	50,039,656	41,850,871
Employee related provisions	2.1(b)	10,013,794	8,354,645
Legal service expenses	2.2	34,867,387	35,350,404
Other expenditure	2.3	15,189,993	11,193,744

2.1 (a) Employee benefits expenses

	2023 \$	2022 \$
Employee benefits	45,330,599	38,153,333
Termination benefits	306,373	61,807
Superannuation – defined contribution plans	4,402,684	3,635,731
Total employee benefits expenses	50,039,656	41,850,871
Add: AASB 16 Non-monetary benefits (not included in employee benefits expense)	616,114	433,811
Less: Employee Contributions (per note 3.5 Other income)	(213,556)	(191,091)
Total employee benefits provided	50,442,214	42,093,591

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

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

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

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

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

2.1 (b) Employee related provisions

	2023 \$	2022 \$
<u>Current</u>		
Employee benefits provision		
Annual leave	3,172,333	2,526,186
Long service leave	4,408,267	3,958,201
Deferred leave	45,479	36,418
Deferred salary scheme	-	-
	7,626,079	6,520,805
Other provisions		
Employment on-costs	69,197	59,200
	69,197	59,200
Total current employee related provisions	7,695,276	6,580,005
<u>Non-current</u>		
Employee benefits provision		
Long service leave	2,297,498	1,758,551
	2,297,498	1,758,551
Other provisions		
Employment on-costs	21,020	16,089
	21,020	16,089
Total non-current employee related provisions	2,318,518	1,774,640
Total employee related provisions	10,013,794	8,354,645

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

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

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

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

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

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

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

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

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

	2023 \$	2022 \$
<u>Employment on-cost provision</u>		
Current		
Carrying amount at start of period	59,200	56,884
Additional provisions recognised	9,997	2,316
Payments/other sacrifices of economics benefits	-	-
Carrying amount at end of period	69,197	59,200
Non-current		
Carrying amount at start of period	16,089	16,215
Additional/(reversals of) provisions recognised	4,931	(126)
Payments/other sacrifices of economics benefits	-	-
Carrying amount at end of period	21,020	16,089

Key sources of estimation uncertainty – long service leave

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

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

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

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

2.2 Legal service expenses

	2023 \$	2022 \$
Grant of aid expenses		
Casework	34,595,783	35,037,841
	34,595,783	35,037,841
Other service expenses		
Legal advice	210,510	242,758
Duty lawyer	61,094	69,805
	271,604	312,563
Total legal service expenses	34,867,387	35,350,404

2.3 Other expenditure

	2023 \$	2022 \$
Supplies and services		
Communications	675,393	672,997
Consumables	1,018,587	941,995
Consultants and contractors	4,335,002	1,542,608
Maintenance	1,524,404	1,481,853
Travel	920,060	529,587
Information technology	1,138,701	1,264,387
Practicing certificates and fees	314,173	266,945

	2023 \$	2022 \$
Audit fees (external and internal audit) ^(a)	137,287	135,642
Insurance	339,283	310,743
Other supplies and services	866,645	625,908
Total supplies and services expenses	11,269,535	7,772,665
Accommodation expenses		
Office rental	1,670,660	1,585,288
Other accommodation expenses	140,022	91,276
Total accommodation expenses	1,810,682	1,676,564
Other		
Bad debts written off	53,235	52,440
Expected credit losses expense	119,040	(144,224)
Employment on-costs	14,928	2,190
Staff training	281,826	145,831
Other staff related expenses	217,284	256,908
Plant and equipment	965,076	1,047,704
Other expenses	458,387	383,666
Total other expenses	2,109,776	1,744,515
Total other expenditure	15,189,993	11,193,744

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

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

Other accommodation expenses are recognised as expenses as incurred.

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

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

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

Software modification costs are recognised as expenses as incurred.

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

NOTE 3. OUR FUNDING SOURCES

How we obtain our funding

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

	Notes	2023 \$	2022 \$
Income from State Government	3.1	65,864,976	57,449,683
User charges and fees	3.2	4,992,575	3,904,661
Commonwealth grants and contributions	3.3	35,281,262	38,385,604
Interest income	3.4	1,951,496	339,355
Other income	3.5	263,454	241,366

3.1 Income from State Government

	2023 \$	2022 \$
Income received from other public sector entities during the period:		
Legal Aid Assistance Grant ^(a)	65,754,773	57,258,000
Total income from other public sector	65,754,773	57,258,000
Resources received from other public sector entities during the period		
Service received free of charge ^(b)	35,599	89,119
Total resources received	35,599	89,119
Royalties for Regions Fund		
Royalties for Regions funding ^(c)	74,604	102,564
Total Royalties for Regions Fund	74,604	102,564
Total income from State Government	65,864,976	57,449,683

- (a) The Legal Aid Commission is an output of the Department of Justice (the Department) for the purposes of the State Budget, and receives State Government funding through the Department. The Legal Assistance Grant is recognised as income at the fair value of consideration when the Commission receives the fund.

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

3.2 User charges and fees

	2023 \$	2022 \$
Client contributions and fees on grants of aid ^(a)	1,184,085	1,083,618
Recovered costs on grants of aid ^(b)	3,658,858	2,686,916
Legal advice fees ^(c)	1,110	1,130
Duty lawyer fees ^(d)	661	2,687
Freedom of information ^(e)	60	60
Community legal education ^(f)	147,801	130,250
Total user charges and fees	4,992,575	3,904,661

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

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

3.3 Commonwealth grants and contributions

	2023 \$	2022 \$
Recurrent Grants		
National Legal Assistance Partnership Agreement ^(a)	31,035,540	30,668,100
Christmas/Cocos Islands ^(b)	402,380	325,269
Other Commonwealth funding ^(c)	3,843,342	7,392,235
Total Commonwealth grants and contributions	35,281,262	38,385,604

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

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

3.4 Interest income

	2023 \$	2022 \$
Interest earned on Legal Aid operational funds	1,951,496	339,355
	1,951,496	339,355

3.5 Other Income

	2023 \$	2022 \$
Employee contributions ^(a)	213,556	191,091
Other miscellaneous income	49,898	86,279
Legal contribution trust	-	-
Lease Incentive	-	-
	263,454	277,370

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

NOTE 4. KEY ASSETS

Assets the Commission utilises for economic benefit or service potential

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

	Notes	2023 \$	2022 \$
Property, plant and equipment	4.1	2,477,471	2,591,550
Intangible assets	4.2	394,718	489,111
Right-of-use assets	4.3	51,605,522	54,934,645
Total key assets		54,477,711	58,015,306

4.1 Property, plant and equipment

Year ended 30 June 2023	Land	Buildings	Works of Art	Fixtures and Fittings	Leasehold Improvements	Office Equipment	Work in Progress	Total
	\$	\$	\$	\$	\$	\$	\$	\$
1 July 2022								
Gross carrying amount	255,000	325,000	6,000	55,606	3,552,201	2,445,565	100,229	6,739,601
Accumulated depreciation	-	-	-	(40,848)	(2,008,267)	(2,098,936)	-	(4,148,051)
Carrying amount at start of period	255,000	325,000	6,000	14,758	1,543,934	346,629	100,229	2,591,550
Additions				188,499		44,793	177,962	411,254
Transfer					11,971		(211,659)	(199,688)
Reclassification							(320)	(320)
Disposals						(24,191)		(24,191)
Reversal of accumulated depreciation for disposed assets								
Revaluation increments	25,000	55,267						80,267
Impairment losses								
Impairment losses reversed								
Depreciation		(20,267)		(14,450)	(227,605)	(119,079)		(381,401)
30 June 2023								
Gross carrying amount	280,000	360,000	6,000	244,105	3,564,172	2,466,167	66,212	6,986,656
Accumulated depreciation	-	-	-	(55,298)	(2,235,872)	(2,218,015)	-	(4,509,185)
Carrying amount at end of period	280,000	360,000	6,000	188,807	1,328,300	248,152	66,212	2,477,471

Initial recognition

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

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

Subsequent measurement

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

Land is carried at fair value.

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

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

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

Land and buildings were revalued as at 1 July 2022 by Landgate. The valuations were performed during the year ended 30 June 2023 and recognised at 30 June 2023. In undertaking the revaluation, fair

value was determined by reference to market values for land: \$280,000 (2022: \$255,000) and buildings: \$360,000 (2022: \$325,000) by market value using Level 2 inputs. As at 30 June 2023, there were no indications of impairment to property, plant and equipment.

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

4.1.1 Depreciation and impairment charge for the period

	Notes	2023 \$	2022 \$
Depreciation			
Buildings	4.1	20,267	18,708
Fixtures and fittings	4.1	14,450	2,031
Leasehold improvements	4.1	227,605	199,456
Office equipment	4.1	143,270	171,895
Total depreciation for the period		405,592	392,090

Useful lives

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

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

ASSET	Useful life
Buildings	14 years
Furniture and fittings	10 years
Leasehold improvements	5 to 12 years
Office equipment	4 to 20 years

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

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

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

Impairment

Non-financial assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the

carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

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

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

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

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

As at 30 June 2023, there were no indications of impairment to property, plant and equipment.

All surplus assets at 30 June 2023 have either been classified as assets held for sale or have been written-off.

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

4.2 Intangible assets

Year ended 30 June 2023	Computer Software	Work in Progress	Total
1 July 2022	\$	\$	\$
Gross carrying amount	1,323,448	-	1,323,448
Accumulated amortisation	(834,337)	-	(834,337)
Carrying amount at start of period	489,111	-	489,111
Additions	-	-	-
Transfer	-	-	-
Reclassification	-	-	-
Disposal	-	-	-
Reversal of accumulated amortisation for disposed asset	-	-	-
Amortisation	(94,393)	-	(94,393)
30 June 2023			
Gross carrying amount	1,323,448	-	1,323,448
Accumulated amortisation	(928,730)	-	(928,730)
Carrying amount at end of period	394,718	-	394,718

Initial recognition

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

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

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

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

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

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

Subsequent measurement

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

4.2.1 Amortisation and impairment charges of the period

	2023	2022
<u>Amortisation</u>	\$	\$
Computer software	94,393	152,946
Total amortisation	94,393	152,946

As at 30 June 2023 there were no indications of impairment to intangible assets.

The Commission held no goodwill or intangible assets with an indefinite useful life during the reporting period. At the end of the reporting period there were nil (2022: nil) of intangible assets not yet available for use.

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

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

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

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

Impairment of intangible assets

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

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

4.3 Right-of-use assets

Year ended 30 June 2023

	Buildings	Vehicles	Residential Housing	Concessionary Leases	Total
	\$	\$	\$	\$	\$
Carry Amount at beginning of period	54,498,047	138,716	297,882	-	54,934,645
Additions	543,782	168,606	756,469	-	1,468,857
Remeasurement of lease liabilities	868,892	-	-	-	868,892
Depreciation	(5,072,734)	(111,815)	(482,323)	-	(5,666,872)
Net carrying amount as at end of period	50,837,987	195,507	572,028	-	51,605,522

The Commission has leases for vehicles, office and residential housing. The lease contracts are typically made for fixed periods of 1-15 years with an option to renew the lease after that date. Lease payments for buildings not leased through the Department of Finance are renegotiated at the time of the lease to reflect market rentals.

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

Initial recognition

At the commencement date of the lease, the Commission recognises right-of-use assets and a corresponding lease liability for most leases, the right-of-use assets are measured at cost including the following

- the amount of the initial measurement of lease liability;
- any lease payments made at or before the commencement date

less any lease incentives received;

- any initial direct costs, and
- restoration costs, including dismantling and removing the underlying asset.

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

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

Subsequent measurement

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

Depreciation and impairment of right-of-use assets

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

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

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

NOTE 5. OTHER ASSETS AND LIABILITIES

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

	Notes	2023 \$	2022 \$
Receivables	5.1	11,879,633	10,386,657
Other assets	5.2	1,611,443	1,507,582
Payables	5.3	35,778,819	34,469,618
Contract liabilities	5.4	2,516,537	2,237,513

5.1 Receivables

	2023 \$	2022 \$
<u>Current</u>		
Debtors - unsecured	4,952,095	4,254,681
Allowance for impairment of receivables	(240,366)	(138,668)
GST receivable	654,381	533,833
Interest receivable	981,623	190,629
Total current	6,347,733	4,840,475
<u>Non-current</u>		
Debtors - secured ^(a)	6,427,897	6,385,664
Allowance for impairment of receivables	(93,530)	(76,187)
Allowance for discount ^(b)	(802,467)	(763,295)
Total non-current	5,531,900	5,546,182
Total receivables	11,879,633	10,386,657

- (a) Legal assistance may be granted subject to a condition that legal costs be secured by a charge being lodged against property registered in the name of the legally assisted person. Full payment of the debt secured is required on sale or other alienation of the property.
- (b) An implicit interest adjustment is made to take account of long term repayment aspect on secured debt. Debtors - secured, were discounted at 4.22% (2022: 3.74%) using the 5 year bond rate (source :Western Australian Treasury Corporation) at 30 June 2023.

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

The Commission recognises a loss allowance for expected credit losses (ECLs) on secured debt not held at fair value through profit or loss. The ECLs based on the difference between the contractual cash flows and the cash flows that the entity expects to receive, discounted at 4.22% (2022: 3.74%) using the 5 year bond rate (source: Western Australian Treasury Corporation) at 30 June 2023. Individual receivables are written off when the Agency has no reasonable expectations of recovering the contractual cash flows.

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

carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days. Please refer to note 6.2 for the amount of ECLs expensed in this financial year.

5.2 Other assets

	2023 \$	2022 \$
<u>Current</u>		
Prepayments	1,611,443	1,507,582
Total current	1,611,443	1,507,582

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

5.3 Payables

	2023 \$	2022 \$
Current		
Grant of aid commitments	32,923,936	32,803,348
Accrued expenses	1,732,585	888,548
Accrued salaries	1,007,512	689,261
Accrued superannuation	111,816	77,724
Staff benefit fund	2,636	10,543
Unclaimed monies	334	194
Total current	35,778,819	34,469,618

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 20 days.

Grant of aid commitments are settled as the case progresses and matters can be outstanding for between 3 months and 2 years. The Commission considers the carrying amount of grant of aid commitments to be equivalent to the net fair value as the effect of discounting would be immaterial.

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

5.4 Contract liabilities

	2023 \$	2022 \$
Reconciliation of changes in contract liabilities		
Opening balance at the beginning of the period	2,237,513	2,125,644
Additions	1,412,380	1,148,266
Income recognised in the reporting period	(1,133,356)	(1,036,397)
Total contract liabilities Closing balance at the end of period	2,516,537	2,237,513

	2023 \$	2022 \$
Current	1,277,213	1,090,940
Non-current	1,239,324	1,146,573
	2,516,537	2,237,513

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

NOTE 6. FINANCING

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

	Notes	2023 \$	2022 \$
Lease liabilities	6.1	59,071,815	60,987,059
Finance costs	6.2	1,923,462	2,476,576
Cash and cash equivalents	6.3	60,229,855	56,710,292

6.1 Lease liabilities

	2023 \$	2022 \$
Not Later than one year	4,370,910	3,956,221

	2023	2022
	\$	\$
Later than one year and not later than five years	19,252,583	17,361,425
later than five years	35,448,322	39,669,413
	59,071,815	60,987,059
Current	4,370,910	3,956,221
Non-current	54,700,905	57,030,838
Total lease liabilities	59,071,815	60,987,059

Initial measurement

The Commission measures a lease liability, at the commencement date, at the present value of the lease payments that to be paid over the lease term. The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, the Commission uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

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

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

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

Variable lease payments, not included in the measurement of lease liability, that are dependent on sales, an index or a rate are recognised by the Commission in profit or loss in the period in which the condition that triggers those payment occurs.

Subsequent Measurement

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

This section should be read in conjunction with note 4.3.

	2023	2022
	\$	\$
Lease Expense recognised in the Statement of Comprehensive income		
Lease interest expense	1,884,290	1,904,576
Short-term lease	232,673	220,400
Total lease expense	2,116,963	2,124,976

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

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

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

6.2 Finance costs

	2023	2022
	\$	\$
Interest expense		
Interest expense on lease liabilities	1,884,290	1,904,576
Trust Account interest	-	80,776
Implicit interest write back on debtors	39,172	491,224
Total finance costs expensed	1,923,462	2,476,576

Finance cost includes the interest component of lease liability repayments.

6.3 Cash and cash equivalents

	2023	2022
	\$	\$
Cash and cash equivalents	28,336,527	28,656,048
Restricted cash and cash equivalents	1,393,328	1,054,244

	2023	2022
	\$	\$
Financial assets held at amortised cost - Other term deposits	30,500,000	27,000,000
	60,229,855	56,710,292
	2023	2022
	\$	\$
Current		
Restricted cash and cash equivalents ^(a)	-	-
Non-current		
Restricted cash and cash equivalents ^(a)	1,393,328	1,054,244

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

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

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

6.4 Capital commitments

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

	2023 \$	2022 \$
Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:		
Within 1 year	145,860	-
Later than 1 year and not later than 5 years	-	-
Later than 5 years	-	-
	145,860	-

NOTE 7. FINANCIAL INSTRUMENTS AND CONTINGENCIES

	Notes
This note sets out the key risk management policies and measurement techniques of the Commission.	
Financial instruments	7.1
Contingent assets and liabilities	7.2

7.1 Financial instruments

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

	2023 \$	2022 \$
<u>Financial Assets</u>		
Cash and cash equivalents ^(a)	29,729,855	29,710,292
Financial assets at amortised cost ^{(b) (c)}	41,725,252	36,852,824
Total financial assets	71,455,107	66,563,116
<u>Financial Liabilities</u>		
Financial liabilities at amortised cost ^(d)	94,850,634	95,456,677
Total financial liabilities	94,850,634	95,456,677

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

(b) The amount of receivables/financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).

(c) The amount of financial assets at amortised cost include term deposit.

(d) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable)

Measurement

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

7.2 Contingent assets and liabilities

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

NOTE 8. OTHER DISCLOSURES

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

8.1 Events occurring after the end of the reporting period

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

8.2 Key management personnel

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

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

Compensation of members of the Commission

	2023	2022
Compensation Band (\$)		
0 - 50,000	6	5
460,001 - 470,000	1	1
	7	6
	\$	\$
Total compensation of members of the Commission	514,430	520,184

Compensation of senior officers

	2023	2022
Compensation Band (\$)		
90,001 - 100,000	1	-
140,001 - 150,000	1	-
150,001 - 160,000	-	2
170,001 - 180,000	-	2
180,001 - 190,000	2	-
200,001 - 210,000	-	1
210,001 - 220,000	-	1
220,001 - 230,000	1	1
230,001 - 240,000	1	2
240,001 - 250,000	1	1
250,001 - 260,000	3	-
260,001 - 270,000	1	1
270,000 - 280,000	-	1
280,001 - 290,000	1	-
	12	12
	\$	\$
Total compensation of senior officers	2,636,501	2,563,682
	\$	\$
Total compensation of key management personnel	3,150,931	3,083,866

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

No senior officers employed in the Commission at the end of the reporting period are members of the Pension Scheme.

8.3 Related party transactions

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

Related parties of the Commission include:

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

Material transactions with other related parties

In 2022/23, there were no related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.

8.4 Related bodies

The Commission had no related bodies during the financial year.

8.5 Affiliated bodies

The Commission had no affiliated bodies during the financial year.

8.6 Special purpose accounts

Client Trust Fund

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

	2023	2022
	\$	\$
Balance at start of period	74,600	4,644
Receipts	347,734	918,926
Payments	(219,318)	(848,970)
Balance at end of period	203,016	74,600

In addition to the above, individual WA Solicitor Statutory trust accounts in the name of the Director of Legal Aid in trust for “clients” administered by the Legal Aid Commission. These accounts are used when substantial amounts of money are involved or as the court so directs.

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

8.7 Remuneration of auditors

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

	2023	2022
	\$	\$
Auditing the accounts, financial statements and key performance indicators	80,000	89,300

The remuneration of the auditor is included at Note 2.4 ‘Supplies and services’. The remuneration to 30 June 2023 was not accrued as work was not substantially completed. This amount excludes GST.

8.8 Supplementary financial information

(a) Write-Offs

During the financial year, \$53,235 (2022: \$52,440) was written off the Commission’s asset register under the authority of:

	2023	2022
	\$	\$
The Commission members	53,235	52,440
Total	53,235	52,440

(b) Losses through theft, defaults and other causes

	2023	2022
	\$	\$
Losses of public money and public and other property through theft or default	140	-
Amount recovered	-	-
	140	-

(c) Forgiveness of debts

	2023	2022
	\$	\$
Forgiveness (or waiver) of debts by the Commission	19,191	66,109
	19,191	66,109

(d) Gifts of public property

There were nil (2022:nil) gift of public property during the period.

8.9 Special category funding

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

(i) Indian Ocean Territories

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

	2023	2022
	\$	\$
Balance at start of period	20,362	26,739
Receipt from Commonwealth	402,380	325,269
User charges and fees	22,834	2,630
Expenditure	(339,498)	(334,276)
Balance at end of period	106,078	20,362

(ii) State Expensive Cases

Arrangements exist with the State Government for additional funding to be provided to ensure expensive criminal trials involving serious charges are not delayed through lack of legal representation. Expensive cases are categorised as matters where the cost of legal representation is expected to exceed \$27,300 in comparison with \$27,300 in 2021/22.

	2023	2022
	\$	\$
Balance at start of period	306,499	702,091
Funding	3,317,000	3,091,000
Client Contributions	365,475	265,648
Assigned expenditure	(3,366,156)	(3,471,063)
Expenditure for IHP disbursements	(100,808)	(77,206)
In-House legal services expenditure	(117,936)	(203,971)
Balance at end of period	404,074	306,499

NOTE 9. EXPLANATORY STATEMENTS

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

9.1 Explanatory statement for controlled operations

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

All variances between annual estimates (original budget) and actual results for 2023, and between the actual results for 2023 and 2022 are shown below. Narratives are provided for key major variances which vary more than 10% from their comparative and that the variation is more than 1% of the dollar aggregate of:

- Total Cost of Services for the Statements of comprehensive income and Statement of cash flows (i.e. 1% of \$108,152,856); and
- Total Assets for the Statement of financial position (i.e. 1% of \$128,198,642).

9.1.1 Statement of Comprehensive Income variances

	Variance Note	2023 Estimate \$	2023 Actual Actual \$	2022 Actual Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2022 and 2023 \$
Expenses						
Employee benefit expense	a	48,280,000	50,039,656	41,850,871	1,759,656	8,188,785
Supplies and services	1, b	6,404,000	11,269,535	7,772,665	4,865,535	3,496,870
Depreciation and amortisation expense		6,488,000	6,166,857	6,046,549	(321,143)	120,308
Finance costs		1,987,000	1,923,462	2,476,576	(63,538)	(553,114)
Accommodation expenses		1,825,000	1,810,682	1,676,564	(14,318)	134,118
Legal services expenses	2	26,237,000	34,867,387	35,350,404	8,630,387	(483,017)
Other expenses		1,886,000	2,109,776	1,744,515	223,776	365,261
Total Cost of Services		93,107,000	108,187,355	96,918,144	15,080,355	11,269,211
Income						
User charges and fees	3, c	2,774,000	4,992,575	3,904,661	2,218,575	1,087,914
Commonwealth grants and contributions	4	30,908,000	35,281,262	38,385,604	4,373,262	(3,104,342)
Interest revenue	5, d	356,000	1,951,496	339,355	1,595,496	1,612,141
Other revenue		355,000	263,454	241,366	(91,546)	22,088
Total Revenue		34,393,000	42,488,787	42,870,986	8,095,787	(382,199)
Net Cost of Services		58,714,000	65,698,568	54,047,158	6,984,568	11,651,410
Income from State Government						
Income from other public sector entities	6, e	56,663,000	65,754,773	57,258,000	9,091,773	8,496,773
Services received free of charge		-	35,599	89,119	35,599	(53,520)

	Variance Note	2023 Estimate	2023 Actual Actual	2022 Actual Actual	Variance between Estimate and Actual	Variance between Actual for 2022 and 2023
		\$	\$	\$	\$	\$
Royalties for Regions Fund		88,000	74,604	102,564	(13,396)	(27,960)
Total income from State Government		56,751,000	65,864,976	57,449,683	9,113,976	8,415,293
Surplus / (Deficit) for the period		(1,963,000)	166,408	3,402,525	2,129,408	(3,236,117)
Other Comprehensive Income						
Changes in asset revaluation surplus		-	80,267	68,708	(80,267)	11,559
Total other comprehensive income		-	80,267	68,708	(80,267)	11,559
Total comprehensive income for the period		(1,963,000)	246,675	3,471,233	2,049,141	(3,224,558)

Major Variance Narratives

Variances between estimate and actual

1. Supplies and services are higher than the estimates largely due to the budgeted expenses to support the digital transformation program and Microsoft 365 Cloud transition program which are included in the estimates as intangible asset. There were also other project carry overs from 2021-22 due to underspends.

2. Legal services expense are higher than the estimates largely due to higher than budgeted costs for State indictable criminal matters (\$5.10 million), State expensive cases (\$1.10 million), and Commonwealth Family violence and cross-examination scheme (\$1.96 million) and other case works.

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

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

- (i) Commonwealth Grants under the National Legal Assistance Partnership (NLAP) Agreement which includes, Vulnerable Women Support (\$1.03 million) and Mental Health Condition funding (\$0.15 million);
- (ii) Commonwealth other funding include, National Disability Insurance Appeals (\$0.55 million), Family Violence and Cross Examination (\$1.71 million), Disability Royal Commission (\$0.19 million) and Family Law Services Property Mediation Scheme (\$0.67 million).

5. Interest revenue is higher than the estimates mainly due to unexpected interest rate raised Reserve Bank Australia.

6. Income from other public sector entities is higher than the estimates largely due to the additional funding received from State Government. This includes New wages policy (\$2.70 million), supplementary funding (\$5.95 million) and Centralised duty lawyer (\$0.39 million).

Variances between actual results for 2023 and 2022

a. Employee benefits expense are higher than the previous year largely from the following areas:

- (i) Salaries expense increased by \$6.14 million;
- (ii) Superannuation increased by \$0.81 million;
- (iii) Leave provision increased by \$1.28 million.

These increase are due to the FTE increased by 53 FTE in 2022-23 and the \$1.18 million pay rise due to \$3,000 lumpsum pay rise from State Government. The increased leave provision has grown as existing staff are having to try and manage the pressure to ensure services are maintained and projects supported.

b. Supplies and services are higher than the previous year largely due to the expenditure increase for a number of projects including the digital transformation program (\$0.94 million), Cloud transaction project (\$0.95 million) and Cyber security program (\$0.38 million). There has been higher travelling costs (\$0.39 million) and increased IT based subscriptions (\$0.44 million).

c. The increase of User fees and charges is due to the cost recovery increase for State of \$0.68 million and Commonwealth of \$0.40 million in comparison with 2021-22.

d. Interest revenue increased by \$1.61 million due to the growth in interest rates experienced in 2022-23 as RBA hiked rates.

e. Income from other public sector entities is higher than the previous year largely due to the additional funding from the State Government:

- (i) Increase in demand model funding \$4.04 million;
- (ii) Additional Justice pipeline funding \$0.39 million;
- (iii) Additional Wages Policy \$2.70 million;
- (iv) Higher Supplementary funding \$1.08 million;
- (vi) New Therapeutic Court \$0.18 million;
- (vii) Increased Centralised Duty lawyer service \$0.3 million.

9.1.2 Statement of financial position variances

	Variance Note	2023 Estimate \$	2023 Actual \$	2022 Actual \$	Variance between Estimate and Actual \$	Variance between Actual for 2022 and 2023 \$
ASSETS						
Current Assets						
Cash and cash equivalents	1, a	18,619,000	28,336,527	28,656,048	9,717,527	(319,521)
Receivables	2, b	3,202,000	6,347,733	4,840,475	3,145,733	1,507,258
Other financial assets	1, a	21,000,000	30,500,000	27,000,000	9,500,000	3,500,000
Other current assets		979,000	1,611,443	1,507,582	632,443	103,861
Total Current Assets		43,800,000	66,795,703	62,004,105	22,995,703	4,791,598
Non-Current Assets						
Restricted cash and cash equivalents	1, a	740,000	1,393,328	1,054,244	653,328	339,084
Receivables	2, b	5,159,000	5,531,900	5,546,182	372,900	(14,282)
Property plant & equipment		2,799,000	2,477,471	2,501,655	(321,529)	(24,184)
Intangible assets	3	4,146,000	394,718	579,006	(3,751,282)	(184,288)
Right-of-use asset		54,644,000	51,605,522	54,934,645	(3,038,478)	(3,329,123)
Total Non-Current Assets		67,488,000	61,402,939	64,615,732	(6,085,061)	(3,212,793)
TOTAL ASSETS		111,288,000	128,198,642	126,619,837	16,910,642	1,578,805
LIABILITIES						
Current Liabilities						
Payables	4	29,756,000	35,778,819	34,469,618	6,022,819	1,309,201

	Variance Note	2023 Estimate	2023 Actual	2022 Actual	Variance between Estimate and Actual	Variance between Actual for 2022 and 2023
		\$	\$	\$	\$	\$
Lease liabilities	5, c	4,416,000	4,370,910	3,956,221	(45,090)	414,689
Employee related provisions		6,280,000	7,695,277	6,580,005	1,415,277	1,115,272
Contract liabilities		1,437,000	1,277,213	1,090,940	(159,787)	186,273
Total Current Liabilities		41,889,000	49,122,219	46,096,784	7,233,219	3,025,435
Non-Current Liabilities						
Lease liabilities	5, c	58,022,000	54,700,905	57,030,838	(3,321,095)	(2,329,933)
Employee related provisions		1,817,000	2,318,517	1,774,640	501,517	543,877
Contract liabilities		689,000	1,239,324	1,146,573	550,324	92,751
Total Non-Current Liabilities		60,528,000	58,258,746	59,952,051	(2,269,254)	(1,693,305)
TOTAL LIABILITIES		102,417,000	107,380,965	106,048,835	4,963,965	1,332,130
NET ASSETS		8,871,000	20,817,677	20,571,002	11,946,677	246,675
EQUITY						
Contributed equity	6	596,000	595,669	595,669	(331)	-
Reserves		519,000	668,392	588,125	149,392	80,267
Accumulated surplus		7,756,000	19,553,616	19,387,208	11,797,616	166,408
TOTAL EQUITY		8,871,000	20,817,677	20,571,002	11,946,677	246,675

Major Variance Narratives

Variances between estimate and actual

1. The combined variances for Cash and cash equivalents and other financial assets (term deposits held at period end) between actual and estimates is higher than expected by \$19.22 million mainly due to the beginning balance in the original estimate is \$13.41 million than 2021-22 actual. The higher than expected funding received from both State (\$9.09 million) and Commonwealth (\$4.37 million), together with higher than expected user charges and fees (\$1.97 million) and interest (\$0.80 million) received are offset by \$8.53 million higher payment than the estimated legal services. Refer to variance explanation for Statement for Cash Flows for further details.
2. The Receivables is \$3.52 million higher than the estimate due to an increase in case related receivables (\$1.55 million) higher than expected due to lower payments receipts than estimated, GST receivable from ATO is (\$0.24 million) higher than expected, and interest receivable (\$0.88 million) higher than estimated, and the GST asset from accrued expenses (\$0.45 million) was higher than expected.
3. Intangible assets is (\$3.75 million) lower resulting from the budgeted asset purchases under the digital transformation program are expensed as supplies and services.
4. The payable is (\$6.02 million) higher than estimated mainly due to the higher grant of aid commitments for case work recognised as liabilities to be paid than was estimated.
5. The combined employee related provisions is \$1.92 million higher than estimated due to the employee leave entitlements increasing throughout the year.

6. The accumulated surplus is \$11.80 million higher than the estimates mainly due to the difference in the beginning balance in the original estimate. In 2022-23, there was a turn-around in accumulated surplus from an estimated deficit of \$1.96 million to a small surplus of \$0.16 million. The surplus of 2022-23 was mainly due to higher revenue from cost recovery for State casework and interest revenue than expected.

Variances between actual results for 2023 and 2022

- a. The combined increase in Cash and cash equivalent, restricted cash and equivalents and other financial assets between 2022-23 and 2021-22 is \$3.52 million. This is mainly a result of an increase in unpaid Employee benefits (\$1.13 million), higher State and Commonwealth funding carry overs (\$3.39 million) along with increased revenue from interest revenue (\$1.40 million) set aside for future project commitments. This is offset by a reduction program funded carry overs (\$2.04 million) and reduced funding for Strategic Asset Plan activities (\$0.53 million).
- b. The receivable are \$1.49 million higher than 2021-22 mainly due to higher interest revenue receivable (\$0.79 million) from increased interest rates, higher GST receivable (\$0.09 million) due to increased GST accrued expenses, higher case related receivables (\$0.37 million) as increased cost recovery, and higher in contributions receivables (\$0.18 million) than in 2021-22.
- c. The combined employee provisions increased by \$1.66 million mainly due to the increase in annual leave provision \$0.59 million and long service leave provision \$0.91 million.

9.1.3 Statement of cash flows variances

	Variance Note	2023 Estimate	2023 Actual	2022 Actual	Variance between Estimate and Actual	Variance between Actual for 2022 and 2023
CASH FLOWS FROM STATE GOVERNMENT						
Funds from other public sector entities	1, a	56,663,000	65,754,773	57,258,000	9,091,773	8,496,773
Royalties for Regions Fund		88,000	74,604	102,564	(13,396)	(27,960)
Net cash provided by State Government		56,751,000	65,829,377	57,360,564	9,078,377	8,468,813
Utilised as follows:						
CASH FLOWS FROM OPERATING ACTIVITIES						
Payments						
Employee benefits	b	(48,284,000)	(47,771,936)	(41,450,315)	512,064	(6,321,621)
Supplies and services	2, c	(6,740,000)	(10,784,916)	(8,431,332)	(4,044,916)	(2,353,584)
Accommodation		(1,823,000)	(1,788,126)	(1,676,190)	34,874	(111,936)
Legal services	3, d	(26,237,000)	(34,766,968)	(30,617,398)	(8,529,968)	(4,149,570)
Finance costs		(1,987,000)	(1,968,439)	(1,923,126)	18,561	(45,313)
GST payments on purchases	4	(3,092,000)	(5,539,802)	(4,960,459)	(2,447,802)	(579,343)
Other payments		(1,394,000)	(1,906,159)	(2,117,797)	(512,159)	211,638
Receipts						
User charges and fees	5	2,922,000	4,888,060	4,221,397	1,966,060	666,663
Commonwealth grants and contributions	6	30,908,000	35,281,262	38,385,604	4,373,262	(3,104,342)
Interest received		356,000	1,160,502	255,228	804,502	905,274

	Variance Note	2023 Estimate	2023 Actual	2022 Actual	Variance between Estimate and Actual	Variance between Actual for 2022 and 2023
GST receipts on sales		34,000	170,428	166,906	136,428	3,522
GST receipts from taxation authority	7	3,058,000	4,922,959	4,390,290	1,864,959	532,669
Other receipts		935,000	263,454	230,294	(671,546)	33,160
Net cash provided by/(used in) operating activities		(51,344,000)	(57,839,681)	(43,526,898)	(6,495,681)	(14,312,783)
Purchase of non-current physical assets	8	(4,192,000)	(228,181)	(690,611)	3,963,819	462,430
Net cash provided by/(used in) investing activities		(4,192,000)	(228,181)	(690,611)	3,963,819	462,430
CASH FLOWS FROM FINANCING ACTIVITIES						
Payments						
Principal elements of lease payments		(4,256,000)	(4,241,952)	(3,897,832)	14,048	(344,120)
Net cash provided by/(used in) financing activities		(4,256,000)	(4,241,952)	(3,897,832)	14,048	(344,120)
Net increase/(decrease) in cash and cash equivalents	9, e	(3,041,000)	3,519,563	9,245,223	6,560,563	(5,725,660)
Cash and cash equivalents at the beginning of period	f	43,400,000	56,710,292	47,465,069	13,310,292	9,245,223
CASH AND CASH EQUIVALENTS AT THE END OF PERIOD		40,359,000	60,229,855	56,710,292	19,870,855	3,519,563

Major Variance Narratives

Variances between estimate and actual

1. Fund received from other public sector entities are higher than the estimates largely due to the additional funding received from State Government. This includes a new wages policy (\$2.70 million), supplementary funding \$5.95 million and centralised duty lawyer (\$0.39 million).
2. Supplies and services are higher than the estimates largely due to the budgeted expenses to support the digital transformation program and Microsoft 365 Cloud transition program which are included in the estimates as intangible asset.
3. Legal services payments are higher than the estimates largely due to higher than budgeted payments for State indictable criminal matters, State expensive cases, and Commonwealth Family violence and Cross-Examination Scheme.
4. GST payment on purchases are higher than estimates due to the higher payments on legal services than estimated.
5. User charges and fees received are higher than the estimates largely due to the increased cost recoveries and contributions received in cash.
6. Commonwealth grants and contributions are higher than the estimate mainly due to the following additional funding:
 - (i) Commonwealth Grants under the National Legal Assistance Partnership (NLAP) Agreement which includes, Vulnerable Women Support (\$1.03 million) and Mental Health Condition funding (\$0.15 million);
 - (ii) Commonwealth other funding include, National Disability Insurance Appeals (\$0.55 million), Family Violence and Cross Examination (\$1.71 million), Disability Royal Commission (\$0.19 million) and Family Law Services Property Mediation Scheme (\$0.67 million).
7. GST receipts from taxation authority were (\$1.86 million) higher than estimated due to higher GST payments on legal services than expected.
8. Purchase of non-current physical assets is lower than estimate due to the purchases of consultants fee's for digital transformation program which were classified as supplies and services and not capitalised.
9. The net increase in cash and cash equivalents is higher than estimated is mainly due to higher than expected funding from both State (\$9.10 million) and Commonwealth (\$4.37 million) and higher user fees and charges (\$1.97 million). These were offset by higher than estimated payments for Legal services (\$8.53 million).

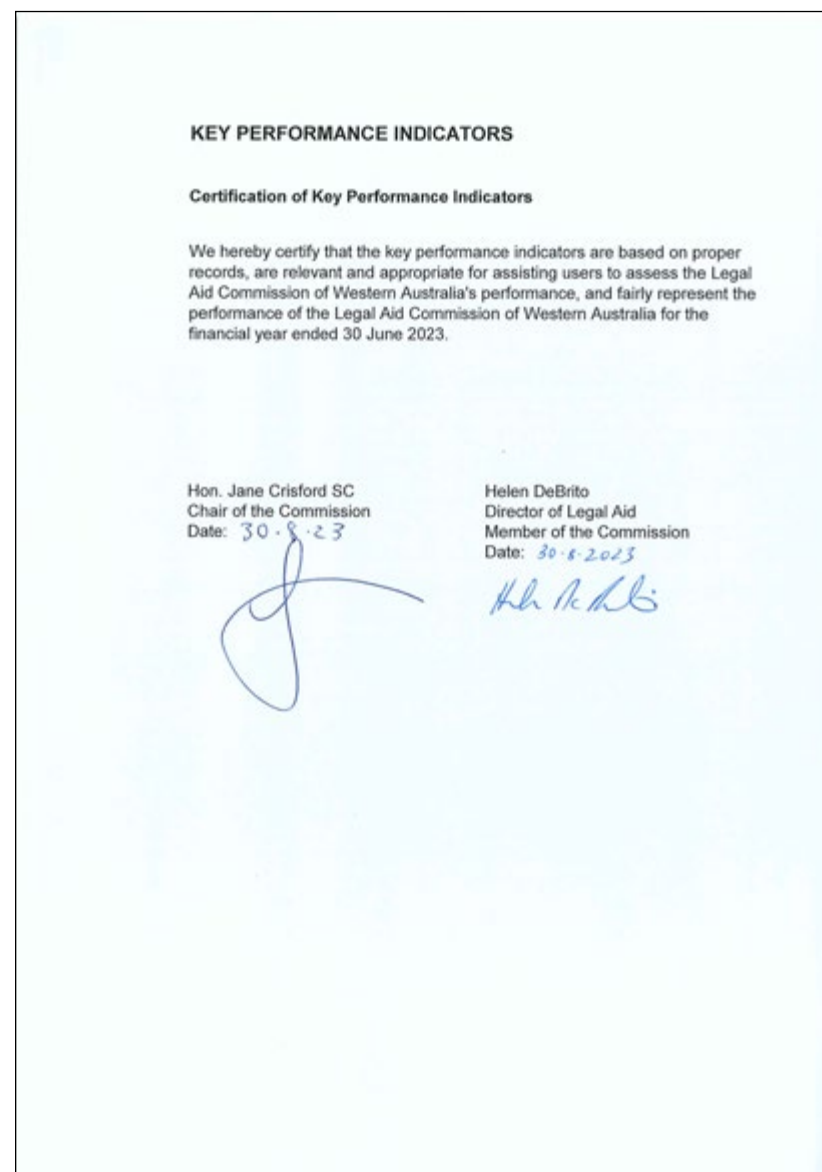
Variances between actual results for 2023 and 2022

- a. Income from other public sector entities are higher than prior year mainly due to increased funding from the State Government:
 - (i) Increase in demand model funding \$4.04 million;
 - (ii) Additional Justice pipeline funding \$0.39 million;
 - (iii) Additional Wages Policy \$2.70 million;

- (iv) Higher Supplementary funding \$1.08 million;
 - (vi) New Therapeutic Court \$0.18 million;
 - (vii) Increased Centralised Duty lawyer service \$0.3 million.
-
- b. The increase in payments for employee benefits is mainly due to higher salary payments for legal staff (\$3.88 million) and administration staff (\$1.93 million) along with increased superannuation (\$0.754 million) resulting from additional funding for services received from State and Commonwealth Government.
 - c. The increase in supplies and services is mainly due increased consulting costs (\$2.07 million) due to the Digital Transformation project and the Cloud Infrastructure project.
 - d. The increase in payments for legal services is mainly due to higher payments for both State funded casework (\$0.88 million) and Commonwealth funded casework (\$3.43 million).
 - e. The net decrease in cash and cash equivalents of \$5.72 million is mainly due to higher cash payment in employee benefits (\$6.32 million), legal service (\$4.15 million), supplies and services (\$2.35 million) and reduced funding from the Commonwealth (\$3.01 million). This increase in payments were offset by increased revenue (\$1.65 million) and additional funding received from State Government (\$8.50 million).
 - f. The increase in the cash and cash equivalents at the beginning of the period is due to increased cash balance from 2020-21 to 2021-22. Refer to 2021-22 financial statement notes for future detail.

3.2 ADDITIONAL KEY PERFORMANCE INDICATOR INFORMATION

3.2.1 CERTIFICATION OF KEY PERFORMANCE INDICATORS



3.2.2 KEY PERFORMANCE INDICATORS REPORT

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

Safe, Strong and Fair Communities: Supporting our local and regional communities to thrive.

AGENCY LEVEL GOVERNMENT DESIRED OUTCOME

Equitable access to legal services and information.

AGENCY SERVICES DELIVERED

The community and target groups require access to and the provision of quality legal services. This is achieved through the provision of eligibility and merit tests to enable legal representation to be

provided to legally aided clients by grants of aid and assignment of cases to in-house or private practitioners. Legal advice and legal task, social support service and the dedicated First Nations community liaison and community education services are delivered to target groups in the community. Information and advice, duty lawyer services and community legal education activities are provided to assist the wider community to access fair solutions to legal problems at the earliest opportunity.

OUR SERVICES

Legal assistance services are delivered in accordance with Part V of the *Legal Aid Commission Act 1976* (WA).

For the community		
Information and advice	Duty lawyer service	Community legal education
To assist members of the public to identify legal problems, understand the alternatives for resolution and the resources available to them in pursuing a legal solution. Includes referral to other agencies and is delivered through public counters in all offices and by 1300 INFOLINE.	To ensure that members of the public brought before the courts have access to legal advice so that they understand the options available for responding to legal proceedings in which they are involved. Available at all Magistrate Court sittings throughout WA, the Family Court of WA and the Children's Court.	To provide education sessions for legal professionals, stakeholders and the general community to enhance awareness and understanding about the law and how to identify, prevent and deal with legal problems, or about the help available from legal and support services.

For target groups

Legal advice and legal task	Legal representation	Social support service	Community liaison service	Community education service
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 provide safety planning, case management, co-ordination and advocacy, that address non legal issues such as family violence, substance abuse, mental health, disability (cognitive and physical), and homelessness that are linked to legal issues.	To communicate and share information with stakeholder agencies in relation to the delivery of services for the indigenous community by a dedicated liaison officer. This may relate to organising a visit to a remote community, making arrangements for an upcoming Community Legal Education activity, managing relationships or making sure cultural protocols are followed.	To provide education sessions for the indigenous community to address non-legal problems that impact on the ability of individuals to access or participate in the justice system, or aim to prevent legal problems arising or escalating. For example, sessions about safety planning, managing finances, or cyber safety.

EFFECTIVENESS INDICATORS

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

Effectiveness indicator percentage of eligible applicants who received a grant of aid measures the proportion of eligible applicants who receive a grant of aid. An eligible applicant for a grant of aid is an applicant who satisfies Legal Aid WA's means and merits tests for legal representation. The indicator represents how equity of access is achieved by measuring the extent to which legal representation can be provided, to those eligible applicants who seek it.

Effectiveness indicator percentage of people who are provided with a duty lawyer service represents the extent to which duty lawyer services are available to ensure that all members of the public brought before the courts have access to legal advice, so that they understand the options available for responding to legal proceedings in which they are involved. Duty lawyer services are available at the Magistrate Court criminal sittings throughout Western Australia, the Family Court of Western Australia and the Children's Court of Western Australia.

Effectiveness indicator percentage of people receiving an outcome from Infoline services represents the extent to which members of the public receive an outcome to their legal enquiry via Legal Aid WA's Infoline and/or Infochat services. An outcome includes legal information, immediate legal advice, assessment for grant of aid, booking of legal advice appointments and referrals. By expanding from the traditional Infoline services to include an Infochat services, the accessibility to the services are improved as people can access the service on-line.

Desired Outcomes and Key Effectiveness/Efficiency Indicators

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

Key Effectiveness Indicators	2019-20 Actual %	2020-21 Actual %	2021-22 Actual %	2022-23 Target %	2022-23 Actual %	Reasons For Significant Variance ⁽¹⁾ Between Current Actual and Target and Prior Year Comparative
Percentage of eligible applicants who receive a grant of legal aid	89%	89%	89%	86%	90%	There is no significant variation
Percentage of people who are provided with a duty lawyer service	20%	20%	21%	20%	23%	The 2022-23 actual is higher than the 2022-23 budget and the prior year actual results due to the demand for duty lawyer services increasing in the Magistrates court. Also, the scope of service is extended to include matter types such as traffic matters when staffing levels allow.
Percentage of people receiving an outcome from Infoline services	68%	75%	78%	77%	71%	There is no significant variation

Service: Legal Aid Assistance

Key Efficiency Indicators	2019-20 Actual \$	2020-21 Actual \$	2021-22 Actual \$	2022-23 Target \$	2022-23 Actual \$	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Average cost per legal representation	4,178	4,116	4,420	3,926	4,183	There is no significant variation
Average cost per legal information service	73	78	51	50	60	<p>The 2022-23 actual is higher than the 2022-23 target and the 2021-22 actual due to a number of factors, including higher than anticipated recruitment and associated training, the development and implementation of Legal Yarn which commenced operation in June 2023, and the wage increase under the Public Sector CSA Agreement 2022. The “Legal Yarn” service is a new and culturally safe telephone information service for Aboriginal and Torres Strait Islander People.</p> <p>The 2022-23 actual is lower than the 2019-20 and 2020-21 actual mainly due to the inclusion of referral services count from 2021-22.</p>

Key Efficiency Indicators	2019-20 Actual \$	2020-21 Actual \$	2021-22 Actual \$	2022-23 Target \$	2022-23 Actual \$	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Average cost per legal advice	289	332	404	378	402	<p>The 2022-23 actual variance against target is less than 10%.</p> <p>The 2022-23 actual is higher than the 2019-20 and 2020-21 actual results due to increased time needed to deliver services for new programs launched during 2022-23. These new programs include services to elder people to combat abuse, National Disability Insurance appeals, and services to vulnerable women, which are more complex and took longer to provide.</p> <p>Further, due to the unavailability of the private practitioners to do grants of aid work, particularly in family law matters, more complex matters that might otherwise have been dealt with on grants of aid, are now being done on these service types.</p> <p>The 2022-23 actual also includes the wage increase under the Public Sector CSA Agreement 2022.</p>
Average cost per application for a grant of legal aid processed	374	426	478	452	504	<p>The 2022-23 actual cost of processing an application is higher than the 2019-20 and 2020-21 actual results due to the higher wages costs resulting from the recent increase under the Public Sector CSA Agreement 2022.</p> <p>The increase reflects the additional resource allocation from the specially funded programmes started in 2021-22.</p>

Key Efficiency Indicators	2019-20 Actual \$	2020-21 Actual \$	2021-22 Actual \$	2022-23 Target \$	2022-23 Actual \$	Reasons For Significant Variance ⁽¹⁾ Between Current Actuals and Target and Prior Year Comparative
Weighted average cost per wrap-around support service ⁽²⁾	n/a	n/a	n/a	1,251	1,204	There is no significant variation.

Notes:

- (1) Significant variances are considered to be those greater than 10%.
- (2) This is the new indicator approved by the Under Treasurer on 1 August 2022, with effect from the 2022-23 reporting year. Wrap-around support services have four distinct schemes of services. These are social support services to the targeted priority groups, community legal education activities to the community at large, and the dedicated indigenous community liaison and community education services.

3.3 MINISTERIAL DIRECTIONS

No Ministerial directions were received during the 2022-23 financial year.

3.4 OTHER FINANCIAL DISCLOSURES

3.4.1 PRICING POLICIES OF SERVICES PROVIDED

The Legal Aid Commission of Western Australia charges for goods and services rendered on a full or partial cost recovery basis. These fees and charges are determined in accordance with *Costing and Pricing Government Services: Guidelines for Use by Agencies in the Western Australian Public Sector* published by Treasury.

3.4.2 CAPITAL WORKS

In accordance with Treasurer's Instruction 903 (13) (ii) Legal Aid Commission of WA identifies capital works projects that remain ongoing at the end of the financial year (Table 1) and the projects completed during the year (Table 2). Explanations have been provided for variations in actual expenditure that differ from the estimated total cost.

Table 1: Capital projects incomplete

Project Name	Expected Year of Completion	Estimated Cost to Complete	Estimated Total Cost of Project	Variance from previous financial year	Explanation
Partial refit of Broome Office The partial refit is part of Legal Aid WA's ongoing investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.	2023-24	\$637,748	\$669,000	N/A	N/A
Partial refit of Perth Office The partial refit is part of LegalAid WA's ongoing investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.	2023-24	\$335,000	\$361,029	N/A	N/A
Partial refit of Kununurra Office The partial refit is part of Legal Aid WA's ongoing investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.	2023-24	\$128,181	\$152,136	N/A	N/A

Table 2: Capital projects completed

Project Name	Total Cost of Project	Variance from previous financial year	Explanation
Partial refit of Perth Office The partial refit is part of Legal Aid WA's on-going investment to ensure office accommodations are maintained to adequately support the delivery of services across Western Australia.	\$188,499	\$88,499	Expanded the scope of works to include the fitting of four hub doors across four floors.

3.4.3 EMPLOYMENT AND INDUSTRIAL RELATIONS

In accordance with Treasurer's Instruction 903(13)(iii) Legal Aid WA provides a summary of the number of its employees by category, in comparison with the immediately preceding period, along with information on staffing policies, industrial relations and workers compensation claims.

Industrial relations

At 30 June 2023, Legal Aid WA's FTE was 408 and headcount was 465. Legal Aid WA's employees are engaged under the *Legal Aid Commission Act 1976*. Remuneration and working conditions are

subject to the Government Officers Salaries Allowance and Conditions Award 1989, the Legal Aid WA Agency Specific Agreement 2005 and the Public Sector CSA Agreement 2022. The Director of Legal Aid WA is appointed under the *Legal Aid Commission Act 1976* with the remuneration and terms and conditions set by the Commission.

Employee profile

	2022	2023
Employment type		
Full-time permanent	256	297
Full-time contract	84	94
Part-time measured on a FTE basis	59	75
On secondment	5	1
	404	467

Employee Training

To support professional development and organisational objectives, Legal Aid WA delivers specific programs of training:

Wellbeing

In accordance with the strategies identified in the Wellness Strategic Plan, Legal Aid WA provided training in a range of topics.

A snapshot of Training and events:

- Safe Professional Boundaries
- Wellness Mentor Training
- Foundations for Building Trauma Awareness workshop
- Managing Wellbeing and Recognising Vicarious Trauma workshops
- Resilience training to graduate lawyers and introduction to a mentor
- An organisational Workplace Health and Safety (WHS) risk register to ensure all psychosocial risks were adequately captured
- Aboriginal Mental Health First Aid training
- Wellness online presentations for private practitioners

Regional Graduate Program

Legal Aid WA operates a regional graduate program. The program provides comprehensive on the job training and support in all areas of the law and a structured placement in a regional location.

Continuing Professional Development for Lawyers

Legal Aid WA provides accredited continuing professional development for lawyers. Training is delivered online and in-person via our learning management system, Train-N-Track. Train-N-Track has

1745 active users (1370 lawyers), houses 157 online modules (131 legal, 26 admin) and operates a booking manager for major in-person training events. In 2022-23, 6664 CPD points were awarded to Western Australian Lawyers.

Training for the private profession:

- Representing Mentally Impaired Accused & Negotiations with the Prosecution
- Client Psychology for Managing Clients
- Client Psychology for Lawyers
- Resilience for Life
- Workload & Energy Balance
- Burnout
- National Independent Children's Lawyer Training
- Separate Representative Training

Staffing Policies

Regional Housing

In 2022, Legal Aid WA implemented a new Government Regional Officers Housing (GROH) Policy and Procedure. The policy sets out circumstances where subsidised housing can be offered to staff. Availability of suitable housing contributes to our ability to attract, retain and support staff in specified regional locations.

COVID-19 Protocols

In 2022-23, Legal Aid WA maintained a range of measures to help keep our staff safe and to continue to deliver as many services as possible while living with COVID-19. Flexible work practices, including remote service delivery and working from home options are in place to help prevent the spread of COVID-19 and other illness.

3.5 GOVERNANCE DISCLOSURES

3.5.1 INSURANCE PREMIUMS

An insurance premium of \$22 889.90 (including GST) was paid to Marsh Pty Ltd for Directors and Officers Liability Insurance in 2022-23.

3.6 OTHER LEGAL REQUIREMENTS

3.6.1 ACT OF GRACE PAYMENTS

As at 30 June 2023, there were no act of grace payments recorded, as per the Treasurers Instruction 319.

3.6.2 CREDIT CARDS

Unauthorised Use of Credit Cards

Officers of Legal Aid WA hold corporate credit cards where their

functions warrant usage of this facility. Despite each cardholder being aware of their obligations under Legal Aid WA's credit card policy, 13 employees inadvertently utilised the corporate credit card for take-away meals, groceries, parking, travel expenses and petrol. The matters were not referred for disciplinary action as the Chief Finance Officer noted prompt advice and settlement of the personal use amount and the nature of the expenditure was immaterial and characteristic of an honest mistake.

	Amount (\$)
Aggregate amount of personal use expenditure for 2022-23	\$ 1243.81
Aggregate amount of personal use expenditure settled by the due date (within 5 working days)	\$ 748.70
Aggregate amount of personal use expenditure settled after the period (after 5 working days)	\$ 495.11
Aggregate amount of personal use expenditure outstanding at balance date	\$ 0.00

3.6.3 OTHER INFORMATION REQUIRED BY LEGISLATION

3.6.3.1 ANNUAL ESTIMATES

(Treasurer's instructions 945 and 953)

The Attorney General, Hon. John Quigley MLA, approved the following Annual Estimates for the 2023/2024 Financial year on 2 June 2023 under section 40 of the *Financial Management Act 2006*.

Statement of Comprehensive Income

For the year ended 30 June 2024

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
Cost of services			
Expenses			
Employee benefits expenses	41,851	55,908	55,093
Supplies and services	7,773	11,153	8,699
Depreciation and amortisation expenses	6,046	6,359	6,388

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
Finance costs	2,477	1,861	1,774
Accommodation expenses	1,676	1,824	1,975
Legal services expenses	35,350	31,939	28,960
Other expenses	1,745	3,033	2,043
Total cost of services	96,918	112,077	104,932
Income			
User charges and fees	3,905	3,054	2,774
Commonwealth grants and contributions	38,386	35,239	32,290
Interest income	339	1,759	1,759
Other income	241	331	352
Total income	42,871	40,383	37,175
Net cost of services	54,047	71,694	67,757
Income from State Government			
Income from other public sector entities	57,258	59,808	64,566
Resources received	89	-	-
Royalties for Regions Fund	103	103	103

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
Total income from State Government	57,450	59,911	64,669
Surplus/(deficit) for the period	3,403	(11,783)	(3,088)

Statement of Financial Position

As at 30 June 2024

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
Assets			
Current Assets			
Cash and cash equivalents	28,656	18,918	15,120
Receivables	4,840	4,506	5,544
Other financial assets	27,000	27,000	27,000
Other current assets	1,508	1,508	1,508
Total Current Assets	62,004	51,932	49,172

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
Non-Current Assets			
Restricted cash and cash equivalents	1,054	1,054	1,054
Receivables	5,546	4,997	4,997
Property plant & equipment	2,592	2,943	3,343
Right-of-use assets	54,935	46,382	41,384
Intangible assets	489	397	1,742
Total Non-Current Assets	64,616	55,773	52,520
Total assets	126,620	107,705	101,692
Liabilities			
Current Liabilities			
Payables	34,470	34,748	35,690
Lease liabilities	3,956	4,073	4,493
Employee related provisions	6,580	6,580	6,580
Contract liabilities	1,091	1,091	1,091
Total Current Liabilities	46,097	46,492	47,854
Non-Current Liabilities			
Lease liabilities	57,031	49,502	45,215
Employee related provisions	1,775	1,775	1,775
Contract liabilities	1,146	1,147	1,147

	2021-22	2022-23	2023-24
		Estimated	Section 40
	Actual	Actual	Estimates
	\$000	\$000	\$000
Total Non-Current Liabilities	59,952	52,424	48,137
Total liabilities	106,049	98,916	95,991
Net assets	20,571	8,789	5,701
Equity			
Contributed equity	596	596	596
Reserves	588	588	588
Accumulated surplus/(deficit)	19,387	7,605	4,517
Total equity	20,571	8,789	5,701

Statement of cash flows

For the year ended 30 June 2024

	2021-22	2022-23	2023-24
		Estimated	Section 40
	Actual	Actual	Estimates
	\$000	\$000	\$000
Cash flows from the State Government			

	2021-22	2022-23	2023-24
		Estimated	Section 40
	Actual	Actual	Estimates
	\$000	\$000	\$000
Funds from other public sector entities	57,258	59,808	64,566
Royalties for Regions Fund	103	103	103
Net cash provided by the State Government	57,361	59,911	64,669
Utilised as follows:			
Cash flows from operating activities			
Payments			
Employee benefits	(41,451)	(55,910)	(55,095)
Supplies and services	(8,431)	(10,999)	(8,335)
Accommodation	(1,676)	(1,824)	(1,974)
Legal services	(30,617)	(31,938)	(28,959)
Finance costs	(1,923)	(1,861)	(1,774)
GST payments on purchases	(4,960)	(3,092)	(3,092)
Other payments	(2,118)	(3,031)	(2,252)
Receipts			
User charges and fees	4,221	3,202	2,922
Commonwealth grants and contributions	38,386	35,239	32,290
Interest received	255	1,759	1,759

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
GST receipts on sales	167	34	34
GST receipts from taxation authority	4,390	3,058	3,058
Other receipts	230	911	932
Net cash provided by/(used in) operating activities	(43,527)	(64,452)	(60,486)
Cash flows from investing activities			
Payments			
Purchase of non-current physical assets	(691)	(958)	(3,422)
Net cash provided by/(used in) investing activities	(691)	(958)	(3,422)
Cash flows from financing activities			
Principal elements of lease payments	(3,898)	(4,239)	(4,559)
Net cash provided by/(used in) financing activities	(3,898)	(4,239)	(4,559)
Net increase/(decrease) in cash and cash equivalents	9,245	(9,738)	(3,798)

	2021-22	2022-23 Estimated	2023-24 Section 40
	Actual \$000	Actual \$000	Estimates \$000
Cash and cash equivalents at the beginning of the period	47,465	56,710	46,972
Cash and cash equivalents at the end of the period	56,710	46,972	43,174

3.6.3.2 LEGAL AID TRUST STATEMENT

 Government of Western Australia
Department of Treasury

Our ref : 00874172
Enquiries : Marie Fung
Telephone : 6551 2542

Mr Graham Hill
Director
Legal Aid Commission of WA
32 St Georges Terrace
PERTH WA 6000

Dear Mr Hill

ESTABLISHMENT OF A SPECIAL PURPOSE ACCOUNT TITLED 'CLIENT TRUST FUND' AND THE ASSOCIATED TRUST STATEMENT

I am pleased to advise that, acting under delegated authority from the Treasurer, I have approved pursuant to:

- section 16(1)(c) of the *Financial Management Act 2006* (FMA) the establishment of the Client Trust Fund as an agency special purpose account for other money to be administered by the Legal Aid Commission of WA (the Commission); and
- section 17 of the FMA, the associated trust statement.

The original trust statement is enclosed for your records. You are required to send a copy of the approved trust statement to the Auditor General under section 17(4) of the FMA. Further, under Treasurer's instruction (TI) 950 'Publication of Special Purpose Statements and Trust Statements' you are required to publish the approved statement in your 2021-22 annual report.

It is noted that the Client Trust Fund is disclosed in notes to the annual financial statements and should continue as required by paragraph (15)(ii) of TI 1103 'Statements of Financial Position'.

Yours sincerely



Audrey Formentin
DIRECTOR, FINANCIAL POLICY AND OPERATIONS
INFRASTRUCTURE AND FINANCE


Attach: LAWA Trust Statement

Level 23, David Malcolm Justice Centre, 28 Barrack Street, Perth, Western Australia 6000
Locked Bag 11, Cloisters Square, Western Australia 6850
Telephone (08) 6551 2777
www.wa.gov.au/treasury

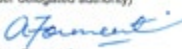
Legal Aid Commission of Western Australia
Trust Statement - Client Trust Fund

Name	An account titled the Legal Aid Commission of Western Australia - Client Trust Fund (the Account) shall be established and maintained as a special purpose account pursuant to section 16(1)(c) of the <i>Financial Management Act 2006</i> by the Legal Aid Commission of Western Australia (the Commission).
Purpose	To hold funds in trust for persons who are or have been assisted persons in accordance with section 17 of <i>Legal Aid Commission Act 1976</i> .
Receipts	There shall be credited to the Account funds for the persons who are or have been assisted (e.g., cost recoveries for criminal injury compensation) and investment income.
Payments	Moneys standing to the credit of the Account may be used for contribution imposed as a condition of a grant of legal aid in accordance with section 39 of <i>Legal Aid Commission Act 1976</i> . Any unused funds shall be returned to the person entitled to them. Investment income is to be dealt with in accordance with Part 12 Division 4 of the <i>Legal Profession Act 2008</i> and regulation 109 of the <i>Legal Profession Regulation 2009</i> .
Accountability and Governance	The Account shall be administered, accounted for and reported on by the Commission in accordance with the <i>Financial Management Act 2006</i> , <i>Financial Management Regulation 2007</i> , <i>Legal Aid Commission Act 1976</i> , <i>Legal Profession Act 2008</i> , <i>Legal Profession Regulation 2009</i> and Treasurer's instructions.
Review	A detailed review of the Account is to be undertaken on an annual basis. This is to include an assessment of the payments and receipts to ensure compliance with the purpose outlined above.
Disposal of funds on cessation	Upon closure of the Account, any balance standing to the credit of the Account shall be returned to the person entitled to them in accordance with section 17 of <i>Legal Aid Commission Act 1976</i> or credited to the Legal Aid Fund of Western Australia established by section 52 of <i>Legal Aid Commission Act 1976</i> .

I have examined and agree to the provision of this trust statement


Graham Hill
Director
Legal Aid Commission of WA
Date: 23.05.2022

Approved (under delegated authority)


Audrey Formentin
Director, Financial Policy & Operations
Department of Treasury
Date: 29/6/22

3.6.3.3 EXPENDITURE ON ADVERTISING, MARKET RESEARCH

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

Total expenditure for 2022-2023 was \$109,801.60 (GST INC)

Expenditure was incurred in the following areas:

Expenditure	Supplier	Amount
Advertising Agencies	Nil	Nil
Polling organisations	Advantage Communications and Marketing	\$19,100.00
Direct Mail organisations	Nil	Nil
Media advertising organisations	CGM Communications	\$90,701.60

3.6.3.4 DISABILITY ACCESS AND INCLUSION PLAN OUTCOMES

Legal Aid WA is committed to ensuring that everyone has equal access to its services. *The Disability Services Act (1993)* requires Legal Aid WA to have a Disability Access and Inclusion Plan (DAIP). In December 2022, Legal Aid WA launched its Disability Access and Inclusion Plan 2022 - 2027 for the next five years and a Disability Action Plan (DAP). The DAP is updated annually and provides detailed activities and measurements to track our performance against the DAIP. Our former Director Dr Graham Hill endorsed the plans during our celebration of the International Day of People with Disability 2022.

DAIP Outcome 1: People with disability have the same opportunities as other people to access the services of , and any events organised by, a public authority.

Legal Aid WA recognises that 29% of our clients have a disability and people living with disability are overrepresented in the criminal justice system. Legal Aid WA provides the largest proportion of services to people living disability in the community legal sector. Legal Aid WA is developing a new service – Disability Legal WA (DLWA). The aim of this service is to provide a single point of entry for any client with a disability wanting to access Legal Aid WA services. With centralised triaging, case management and information sharing across relevant programs, and the introduction of new services, DLWA will provide a holistic and streamlined approach to service delivery for people with disabilities.

DAIP Outcome 3: People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Legal Aid WA recognises the need to apply relevant accessibility standards to the legal resources it creates and publishes, which will enable people with disability to access the information as readily as other are able to access it. Legal Aid WA is revising all Word templates used for the publication of legal resources to ensure these resources meet the WCAG 2.1 AA standards and PDF and PDF/UA standards. Legal Aid WA is also revising the Corporate Style Guide and Resources Style Guide to incorporate the WCAG 2.1 AA standards and PDF and PDF/UA standards, as well as key aspects of the Australian Government Digital Standard criteria and Australian Government Style Manual.

Legal Aid WA will ensure the Corporate Style Guide and Resources Style Guide work together to help achieve a consistent approach to accessibility and inclusivity across a broad range of information and communications provided internally and externally by Legal Aid WA. In April 2023 Legal Aid WA received approval for funding from the Digital Capability Fund to build a new website to properly address digital user needs and to ensure accessibility of all content. This project will commence in the 2023-24 financial year.

LEGAL RESOURCES ONLINE

Legal Aid WA continues to develop a range of legal and self-help resources online. These resources provide accessible and easy to understand answers on a range of legal issues in the areas of Criminal Law, Family Law and Civil Law. Subtitles are available for clients who

are hearing impaired. A range of fact sheets are available for all legal topics. Important legal areas covered include elder abuse, financial hardship, mortgage hardship, and family violence.

3.6.3.5 COMPLIANCE WITH PUBLIC SECTOR STANDARDS AND ETHICAL CODES

Legal Aid WA complies with the Public Sector Standards in Human Resource Management and the Public Sector Code of Ethics.

Legal Aid WA publishes policies and procedures on the intranet to inform employees of the requirements. Guidance support is available through the Human Resources team. Employees are required to acknowledge their understanding of and commitment to the requirements of the Code of Conduct and Public Sector Code of Ethics annually and through the onboarding process. Lawyers and other professional groups also follow the relevant professional standards and ethical requirements.

To ensure compliance with recruitment and selection activities, Legal Aid WA provides training to selection committee members and all processes are reviewed by an independent person. Information about the Standards is made available to prospective applicants and applicants.

No breach claims against the Public Sector Standards were received in 2022-23.

3.6.3.5 RECORD KEEPING PLAN

Legal Aid WA's Recordkeeping Plan was approved by the State Records Commission on 24 October 2017 and is currently undergoing a review with an updated plan to be approved by December 2023. In accordance with the State Records Commission Standard 2 and Principle 6 the following information demonstrates Legal Aid WA's compliance.

Efficiency and effectiveness of the organisation's recordkeeping systems

Legal Aid WA is committed to efficiently and effectively implementing and maintaining recordkeeping systems and practices that meet business and operational needs, compliance requirements and stakeholder/client expectations. Legal Aid WA's corporate content management system helps ensure all corporate records are managed in accordance with Legal Aid WA's Recordkeeping Plan. All client content is in the process of being migrated to the new corporate content management system. The efficiency and effectiveness of recordkeeping systems is reviewed as part of Legal Aid WA's internal audit process.

The nature and extent of the recordkeeping training program

Legal Aid WA conducts online training programs for recordkeeping. The Recordkeeping Awareness Training and Recordkeeping System Training is incorporated into the induction package provided to all new staff. A Recordkeeping Awareness refresher training program is

delivered to all staff every two years after they have completed the initial program. These online courses are amended to reflect any new legislative and/or State Records requirements.

Efficiency and effectiveness of the recordkeeping training

The completion of recordkeeping training at induction followed by regular ongoing recordkeeping refresher training is a mandatory requirement for all Legal Aid WA staff and is measured through the annual staff performance appraisal process.

Organisation's induction program addressing employee roles and responsibilities in regard to their compliance with the Recordkeeping Plan

Legal Aid WA's Recordkeeping Awareness Training is incorporated in the induction program. The content covers employee roles and responsibilities with regard to their compliance with the Recordkeeping Plan.

3.7 GOVERNMENT POLICY REQUIREMENTS

3.7.1 OCCUPATIONAL SAFETY, HEALTH, AND INJURY MANAGEMENT

Our commitment

The health, safety and wellbeing of our staff is of paramount importance. We recognise that Workplace Health and Safety risk is inherent in our work and that the effective management of risk is essential to delivering our strategic objectives and our ongoing success.

Our goal is to be a workplace that is without risk to health and safety, as far as reasonably practicable. We also recognise the importance of safety leadership in identifying and managing risk and aim to create an environment where all staff promote and contribute to a safe work culture.

The Executive Management Team (EMT) set and review WHS performance indicators as part of the annual WHS Action Plan. These are endorsed and monitored on a quarterly basis.

Work Health and Safety Action Plan

The WHS Plan provides a clear pathway of continuous improvement to achieve our safety objectives. It is developed in consultation with the Work Health and Safety Working Group and is endorsed and monitored by the EMT.

The Work Health and Safety Action Plan is developed to assist Legal Aid WA to meet the obligations of the *Work Health and Safety Act 2020* and the criteria of the WorkSafe Plan.

Management Commitment

- Annual review, endorsement, and communication of the WHS and Wellbeing Policy Statement
- Strengthening safety leadership through the delivery of WHS and Risk Management Training to Executive and line management staff
- Review of Train-N-Track Module WHS for Managers and Supervisors
- Introduction of Safety Shares as the first agenda item for all EMT meetings
- Quarterly EMT Work Health and Safety Review Meeting, for the purpose of WHS planning and monitoring of WHS performance indicators and WHS Action Plan objectives.
- Safety Management System Audit

Planning

- Legal Aid WA maintains a WHS Operational Risk Register. This outlines the WHS and wellbeing risks that impact our workers, the management of these risk and improvement initiatives. The Risk

Register is reviewed the by the Work Health and Safety Working Group and the Executive, on a minimum of an annual basis. This risk register informs the WHS Action Plan.

- Contractor Management Policy and Procedure development and implementation.
- Review of Emergency Procedures across all Legal Aid WA offices.

Consultation & Reporting

- Quarterly WHS Team meetings are conducted across the agency, where specific WHS and Wellness agenda items are discussed in consultation with workers.
- The Work Health and Safety Working Group meet bi-monthly with representatives from all Divisions and Regions of the agency to assist in developing and implementing WHS policy and procedure and monitoring WHS performance.
- Legal Aid WA will be undertaking a WHS and Wellbeing survey as a means to seek feedback from workers in relation to consultation methods, WHS and Wellbeing, across the agency.
- External Workplace Hazard Reporting process to be formalised

Hazard Management

- Ongoing implementation of External Workplace Inspections as per inspection schedule
- Ongoing conduct of internal workplace inspections at all Legal Aid WA workplaces
- Ongoing consultation to identify the need for the development of procedures, instructions and other resources.
- Ongoing analysis and review of reported hazards, incidents and injuries.

- Incident Reporting, Investigation and Injury Management Training to be undertaken.

Training & Supervision

- Review of Division/Regional Induction materials
- Review of Train-N-Track Module, HR Induction Occupational Health and Safety (OHS) module.

Workers compensation and injury management

Legal Aid WA follows the injury management compliance requirements of the *Workers Compensation and Injury Management Act 1981* (the Act) and provides support to managers and employees who are managing workplace injuries. Injury Management Plans are implemented to support employees to return to work in accordance with the Act.

No new compensation claims were recorded in the financial years, 2021-22 or 2022-23.

Assessment of the occupational safety and health management system

Legal Aid WA continues to implement the safety management system implemented in 2020-21.

Legal Aid WA developed the safety management system in accordance with the framework of the WorkSafe Plan. A formal assessment of the system by an external accredited auditor was conducted in October 2022.

The auditor observed, “Legal Aid WA has made evident improvements in the way in which work, health and safety is managed within the

organisation, especially over the past two years and there is clear evidence that with the present attitudes and commitment to safety at the workplace, continual improvement in their system will be attained.

“It is clear that senior management and the WHS personnel of Legal Aid WA are passionate about WHS and are implementing systems to achieve their own WHS Policy driven targets.”

Legal Aid WA achieved an average score of 89% across the five elements of the WorkSafe Plan. Management Commitment, Planning, Consultation and Reporting, Hazard Management, Training and Supervision.

Legal Aid WA continues to implement and review the safety management to drive continuous improvement.

Report

Measure	Actual results			Results against target/ comments	
	2020-21	2021-22	2022-23		
Number of fatalities	0	0	0	Zero	Remains zero
Lost time injury and/or disease incidence rate	0.92	0.28	0	Zero or 10% improvement on the previous 3 yrs	Target met
Lost time injury and/or disease severity rate	66.6	0	0	Zero or 10% improvement on the previous 3 yrs	Target met
% of injured workers returned to work: i) within 13 weeks ii) within 26 weeks				Greater than or equal to 80%	Target met
	100	100	100		
	100	100	100		
% of managers trained in OSH management responsibilities	98	100	80	Greater than or equal to 80%	Target met

Data Definitions

Fatalities	The number of work-related fatalities.
Lost time injury or disease	The number of lost time injury/disease claims where one day/shift or more was estimated to be lost on claims lodged in the financial year
Severe claims	The number of severe claims (estimated 60 days or more lost from work). An injury resulting in death is considered to have accounted for 60 days or more lost.
Severity rate	The number of severe claims divided by the number of lost time injury/disease claims multiplied by 100.
Invalid claims	Cancelled and declined claims are excluded, however claims with actual lost time are recorded even though a substantial approval may have been declined.

3.7.2 Board and Committee Remuneration

Position	Name	Type of Remuneration	Period of Membership	Gross/Actual remuneration for the Financial Year
Chair of Commission	Hon Jane Crisford SC	Annual	1 July 2022 - 30 June 2023	\$18,600.00
Member of Commission	Steve Toutountzis	Annual	1 July 2022 - 30 June 2023	\$7,400.00
Member of Internal Audit Committee	Steve Toutountzis	Per Meeting	1 July 2022 - 30 June 2023	\$2,000.00
Member of Commission	Elsbeth Hensler	Annual	1 July 2022 - 30 June 2023	\$7,400.00

Position	Name	Type of Remuneration	Period of Membership	Gross/Actual remuneration for the Financial Year
Member of Internal Audit Committee	Elspeth Hensler	Per Meeting	1 July 2022 - 30 June 2023	\$900.00
Member of Commission	Dion Smith	Annual	1 July 2022 - 24 November 2022	\$2,955.98
Member of Commission	Lanie Chopping	Annual	1 July 2022 - 24 November 2022	\$0.00
Member of Commission	Kristin Berger	Annual	15 June 2023 - 30 June 2023	\$0.00
Member of Commission	Curtis Ward	Annual	1 July 2022 - 30 June 2023	\$7,400.00

Position	Name	Type of Remuneration	Period of Membership	Gross/Actual remuneration for the Financial Year
Member of Internal Audit Committee	Curtis Ward	Per Meeting	1 July 2022 - 30 June 2023	\$1,200.00
Member of Commission	Graham Hill	Annual	1 July 2020 - 26 May 2023	\$0.00
Member of Audit Committee	Graham Hill	Per Meeting	1 July 2022 - 26 May 2023	\$0.00
Member of Commission	Helen De Brito	Annual	29 May 2023 - 30 June 2023	\$0.00

STATEMENT OF COMPLIANCE

For the year ended 30 June 2023

HON. JOHN QUIGLEY MLA

ATTORNEY GENERAL

In accordance with section 63 of the Financial Management Act 2006, we hereby submit for your information and presentation to Parliament, the Annual Report of the Legal Aid Commission of Western Australia for the financial year ended 30 June 2023.

The Annual Report has been prepared in accordance with the provisions of the Financial Management Act 2006, the Legal Aid Commission Act 1976 and the Australian Charities and Not-for-profits Commission Act 2012.

The financial statements comply with Australian Accounting Standards - Simplified Disclosures issued by the Australian Account Standards Board.



Hon. Jane Crisford SC
Chair of the Commission
Date: 5/9/23



Helen De Brito
Director of Legal Aid WA
Member of the Commission
Date: 5/9/23



