

**Legal Services Commission of South Australia**

21<sup>st</sup> Annual Report  
1998-99

**September 1999**

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1998-99

<b>Contents</b>	<b>Page</b>
Chair's report	2
Director's report	3
The Legal Services Commission	5
Key facts	7
Legal representation	11
Access services	15
Library	17
Information technology systems	17
Corporate services	18
Administration	20
Finance	22
Financial statements	25
Appendices	40
<i>Appendix 1 FREEDOM OF INFORMATION</i>	40
<i>Appendix 2 MEMBERS OF THE LEGAL SERVICES COMMISSION 1998-99</i>	41
<i>Appendix 3 ORGANISATIONAL STRUCTURE</i>	42
<i>Appendix 4 APPLICATIONS</i>	43
<i>Appendix 5 CRIMINAL LAW SERVICES</i>	48
<i>Appendix 6 ADVICE SERVICES</i>	52
<i>Appendix 7 COMMUNITY LEGAL EDUCATION</i>	55
<i>Appendix 8 POLICY AND RESEARCH</i>	57
<i>Appendix 9 CLIENT RELATIONS</i>	60
<i>Appendix 10 STAFF</i>	62
<i>Appendix 11 INFORMATION SYSTEMS</i>	65
<i>Appendix 12 FINANCE</i>	66

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## Chair's report

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29<sup>th</sup> September 1999

The Honourable K T Griffin LLM MLC  
Attorney-General  
Natwest Centre  
45 Pirie Street  
ADELAIDE SA 5000

Dear Mr Attorney,

I have pleasure in presenting the annual report of the Legal Services Commission of South Australia for the year to 30<sup>th</sup> June 1999.

During the year the Commission and its staff worked hard to maintain services to South Australians against a background of constrained funding and tight guidelines. The report indicates that with the support of the private profession those goals have largely been achieved.

The Commission throughout the year took various steps to modify its structures and processes to maximise its capacity to deliver legal advice and representation services. That is an ongoing process which should in time deliver significant savings in service delivery costs.

In October 1998 Mr. James Hartnett resigned as director after more than seven years service. I record the Commission's appreciation of his work and commitment during that period. Mr H. Gilmore was appointed in June 1999 as the new director. The Commission looks forward to his future contribution to legal aid in this State.

The Commission appreciates the commitment and hard work of its staff and the positive support of the private profession. It looks forward to continuing to make a positive contribution to the fair and effective operation of the justice system in this State.

Yours Sincerely,



B.E. Withers

Chairperson

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## Director's report

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This financial year was a momentous one for the Commission, in which there were significant changes in the Commission's membership, directorship, staff, organisational structure, enterprise bargaining framework, and core IT operating system.

### ***Director's position***

I became Director on 21 June 1999, following the resignation of the previous Director, Mr James Hartnett which took effect on 15 January 1999 after 7 ½ years in office. The Deputy Director, Mr Peter Haskett, acted as Director from 18 January 1999 until 18 June 1999. I would like to thank Mr Haskett for his significant efforts during that time.

### ***Members of the Commission***

During the year four Commissioners departed, three completing their appointments and one resigning. With their departure, the Commission has lost 18 years of Commissioner experience. The community is indebted to the efforts of Mr Peter O'Neill, Mr Christopher Kourakis QC, Ms Joan Jardine and Ms Rosie Cardone for their service to the Commission. I would like to welcome new Commissioners Mr Ray Bown, Mr David Bulloch, and Mr Gordon Barrett QC.

### ***Commission restructure***

Another significant change was the Commission's decision in August 1998 to restructure along program lines, a decision implemented on 1 December 1998. Some of the consequences of this were:

- the delivery of legal assistance through two separate programs, representation (which includes assignments and management of the private practice program) and access services (which includes advice, community legal education and publications).
- the abolition of all existing management positions reporting to the Director, and the creation of new management positions in line with the program structure

- the implementation of the restructure having regard to the separation of State law related and Commonwealth law related functions and services.

The re-organisation of management positions resulted in the following appointments and changes:

- Mr Peter Haskett appointed as Deputy Director and Manager, Representation Program
- Ms Janet Maughan appointed as Assistant Director and Manager, Access Services Program
- Ms Karen Lehmann appointed as Manager, Assignments Division, with all assignments work being conducted from the Adelaide office
- Mr Graham Russell appointed as Manager, Family Law Practice Division, with all family casework lawyers under his management
- Mr Greg Mead appointed as Manager, Criminal law Practice Division, with all duty solicitors becoming specialist positions at the LSC-1 level under his management, and all criminal casework lawyers reporting to him
- the managers of regional offices becoming senior casework lawyers

I wish to record the Commission's appreciation for the work performed by Mr Robert Winter, Ms Rosa Dichiera, Ms Karen Tydeman, Mr Paul Bennett, and Mr Peter Duffy as the managers respectively of the Elizabeth, Modbury, Noarlunga, Port Adelaide and Whyalla regional offices, and Mr Adrian Hunt and Mr Michael Lutt as the managers of the Assignments and Civil Law Practice Sections respectively.

### ***Conversion to LA Office***

Another significant change was the Commission's conversion of its computer applications systems (CLASS) to LA Office on 1 December 1998. Further work has to be done to advance the Commission's IT needs, as the potential of the new system has not yet been fully realised. Teething problems produced some initial

inconvenience to the private profession, whose forbearance and assistance in pointing out problems were much appreciated. The Commission's staff also worked long and hard to improve the functionality and accuracy of the system, and I thank them for their application to the task and their patience in responding to 'bugs' and system failures.

### ***Enterprise bargaining***

On 25 May 1999 the Industrial Relations Commission approved the Legal Services Commission of South Australia Enterprise Agreement 1999, which has a life extending to 24 May 2001, successfully concluding extensive negotiations between staff and management. It essentially provides Commission employees with parity of wages with their counterparts in the State Attorney-General's Department and parity of salaries with the Whole of State Government Wages Outcomes during the life of the agreement.

### ***Legal aid services***

The Commission received 16 603 applications (an increase of 6.4% from 1997-98) and provided 13 681 grants of aid (an increase of 7.5%), 9386 duty solicitor attendances (a decrease of 1.8%), and 80 657 advice services (a decrease of 5%).

### ***Finances***

On the financial front, the Commission's operating revenue was \$17.090m, a decrease of \$0.233m from 1997-98, which was in turn a decrease of \$0.930 from 1996-97. Total operating expenses were \$16.638m, \$0.101m higher than 1997-98. Payments to private practitioners were \$6 838 463. In the area of family law representation, payments were \$992 462 below the previous year. Further details are shown in the Commission's Financial Statements at pages 26-38 and in ***Appendix 12 Finance***. It should be noted that in its budget delivered in May 1999, the State Government allocated an additional \$1.7m in funding to the Commission for the 1999-2000 financial year. The bulk of this

will replace Commonwealth funds available to the Commission under 'transitional arrangements' and whole of government salary increases to be paid during 1999-2000.

### ***Challenges for 1999-2000***

Many challenges face the Commission in the coming year, including:

- a new Commonwealth funding agreement to commence on 1 July 2000
- cost effective enhancement and ongoing improvements to the Commission's IT operating systems
- improvements to the Commission's telephone systems and services
- 'bedding down' and ongoing implementation of the Commission's decision to restructure
- consideration of recommendations to change the family law scale after a review by senior Commission staff in the first half of 1999

### ***Special thanks***

Many people and organisations contributed to the achievement of the organisation's objectives, to whom thanks are again due. In particular, I wish to thank the State Attorney-General, his staff and departmental officers for their support and assistance over the year; the senior management and staff of the Family Law and Legal Assistance Division of the Commonwealth Attorney-General's Department; all Commissioners who served during the year for their dedication and hard work; the Commission's staff for their application to the task during a year of momentous and often difficult change; and the Law Society and members of the private legal profession for their continuing contribution to legal aid.

### ***Hamish Gilmore***

Director

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# The Legal Services Commission

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## Functions

The Legal Services Commission ('the Commission') was established under the *Legal Services Commission Act 1977* ('the Act'). Under section 10(1) of the Act, the Commission's functions are to

- a) establish an office to be called the 'Legal Services Office';
- b) provide, or arrange for the provision of, legal assistance in accordance with this Act;
- c) determine the criteria upon which legal assistance is to be granted in pursuance of this Act;
- d) conduct research with a view to ascertaining the needs of the community for legal assistance, and the most effective means of meeting those needs;
- e) establish such local offices and other facilities as the Commission considers necessary or desirable;
- f) initiate and carry out educational programs to promote an understanding by the public (and especially those sections of the public who may have special needs) of their rights, powers, privileges and duties under the laws of the Commonwealth or the State;
- g) inform the public by advertisement or other means of the services provided by the Commission, and the conditions upon which those services are provided;
- h) cooperate and make reciprocal arrangements with persons administering schemes of legal assistance in other States and Territories of the Commonwealth or elsewhere;
- ha) cooperate with any body established by the Commonwealth for the purpose of the administration of legal aid and provide it with such statistical and other information as it may reasonably require;
- hb) where it is practicable and appropriate to do so, make use of the services of interpreters, marriage guidance counsellors and social workers for the benefit of assisted persons;
- i) encourage and permit law students to participate, so far as the Commission considers practicable and proper to do so, on a voluntary basis and under professional supervision, in the provision of legal assistance by the Commission;
- j) make grants to any person or body of persons carrying out work that will in the opinion of the Commission advance the objects of this Act; and
- k) perform such other functions as the Attorney-General may direct.

## Eligibility for legal aid

Section 10(2) of the Act requires the Commission, in setting criteria for eligibility for legally aided representation, to have regard to the following principles:

- a) that legal assistance should be granted in pursuance of this Act where the public interest or the interests of justice so require; and
- b) that, subject to paragraph (a) of this subsection, legal assistance should not be granted where the applicant could afford to pay in full for that legal assistance without undue financial hardship.

## Special considerations

Section 11 of the Act requires the Commission in the exercise of its powers and functions to:

- a) seek to insure legal assistance is provided in the most efficient and economical manner;
- b) use its best endeavours to make legal assistance available to persons throughout the State;

- c) have regard to the recommendations of any body established by the Commonwealth for the purpose of advising on matters pertaining to the provision of legal assistance;
- d) have regard to the following factors:-
  - i) the need for legal assistance to be readily available and easily accessible to disadvantaged persons;
  - ii) the desirability of enabling all assisted persons to obtain the services of legal practitioners of their choice;
  - iii) the importance of maintaining the independence of the legal profession;
  - iv) the desirability of enabling legal practitioners employed by the Commission to utilise and develop their expertise and maintain their professional standards by conducting litigation and doing other kinds of professional legal work.

### What the Commission does

The Commission provides a range of legal services to members of the public:

- legal representation to people eligible under criteria set by the Commission in accordance with Section 10(2) of the Act
- free legal advice and minor legal assistance, either at a Commission office by appointment, in a gaol or over the telephone
- a free duty solicitor service to eligible people attending metropolitan and some country Magistrates and Youth Courts who have not yet consulted a legal practitioner
- a range of free publications explaining the law in simple terms, available from Commission offices and various community organisations

- the Law Handbook, published by the Commission, which can be purchased from Commission offices and some bookshops
- a range of legal education programs, some free and others fee-paying.

### Public participation in developing Commission policy

Under the Act, the Commission is responsible for developing policy as to how the Act is applied. One Commissioner is appointed by the Attorney-General to represent the interests of assisted persons in that process. In addition, the Commission consults regularly with the State and Commonwealth Governments, the Courts, representative bodies of the legal profession, community legal centres and other community organisations.

Members of the public are allowed access to Commission documents available under the *Freedom of Information Act 1991*. Information about access arrangements is set out in **Appendix 1 Freedom of Information**.

### Commission members

The membership of the Commission is prescribed in Section 6 of the Act. There are twelve members, eleven of whom are appointed by the Governor on the nomination of various bodies, the twelfth being the current Director. Members serving in 1998-99 are listed in **Appendix 2 Members of the Legal Services Commission 1998-99**.

### Organisational structure

A chart showing the organisational structure of the Commission is shown as **Appendix 3**.

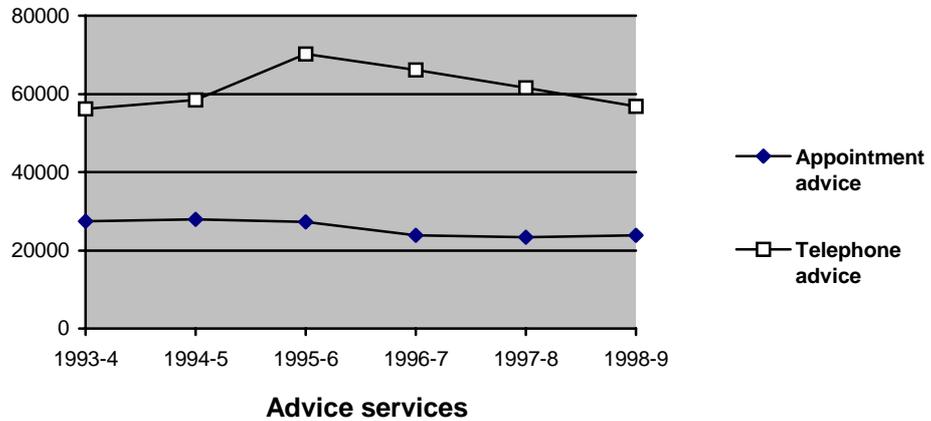
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## Key facts

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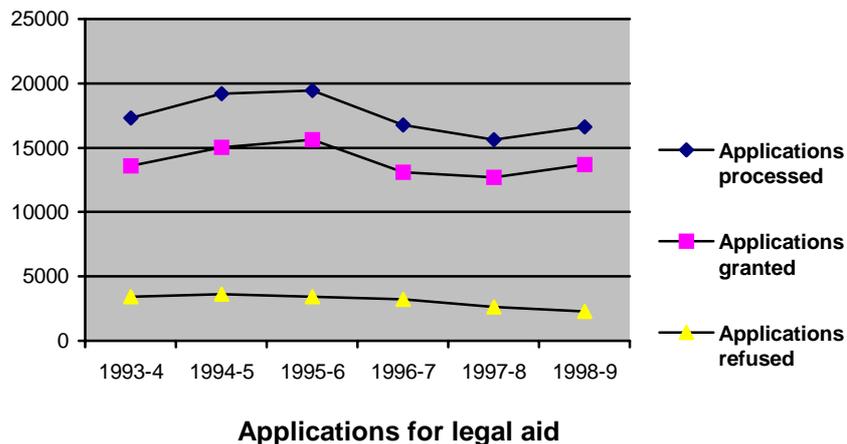
### Advice services

80 657 direct advice services were provided this year, a decrease of 4259 or 5% from 1997-98. Of these 23 895 were advice interviews (an increase of 605 or 3% over the 23 290 interviews provided in 1997-88), and 56 762 were telephone advice (a decrease of 4864 or 8% from the 61 626 telephone advices provided in 1997-98). These figures do not include advice given by other sections (ie the Family Law Practice Division (Child Support) and the Criminal Law Practice Division (Prison Advice)), statistics for which are given elsewhere in this report.



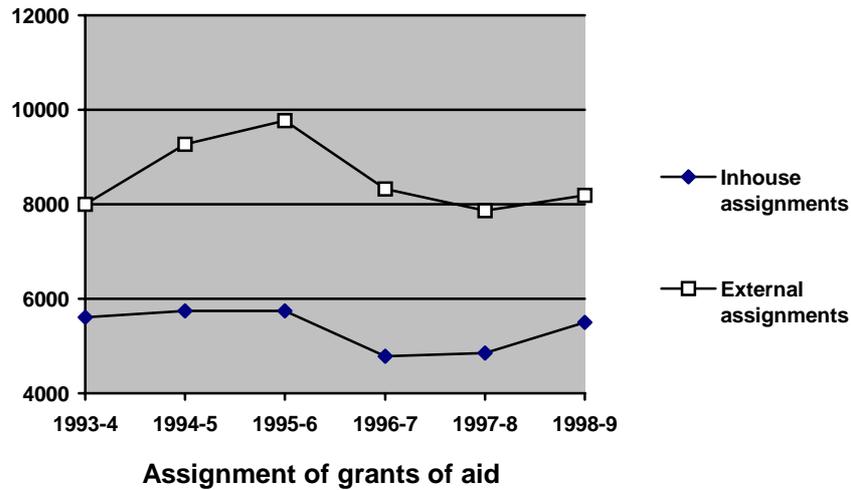
## Applications

16 603 applications were processed this year, an increase of 993 (6.4%) from the previous year. 13 681 or 82.4% of applications were approved, an increase of 958 or 7.5 % from the previous year. 2284 applications (13.8%) were refused. The remaining applications were unverified, pending or withdrawn at the time of reporting. The main reasons for refusal were guidelines (48%) and a combination of guidelines and means (36%), with means alone accounting for only 7% of refusals.



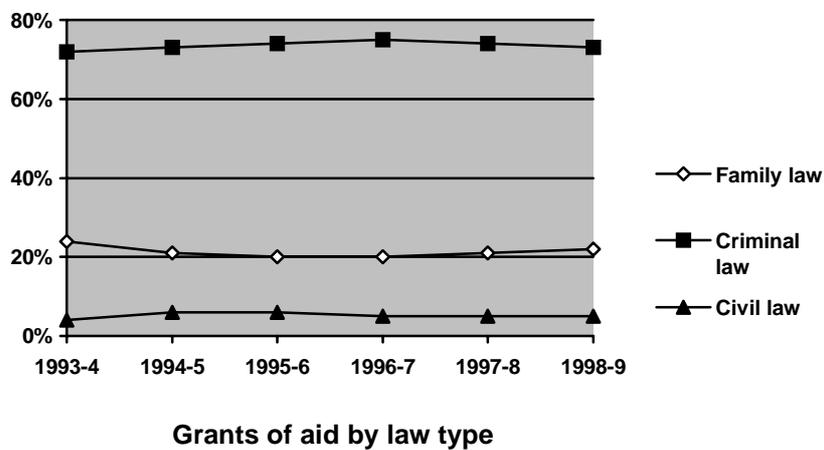
## Assignments of grants of legal aid

Of the 13 681 full grants of aid, 8183 (or 60%) were assigned to private lawyers and 5498 (or 40%) to staff lawyers. In relation to the previous year's assignments, this is an increase of 317 (or 4%) to private lawyers, and an increase of 641 or 13% to staff lawyers.



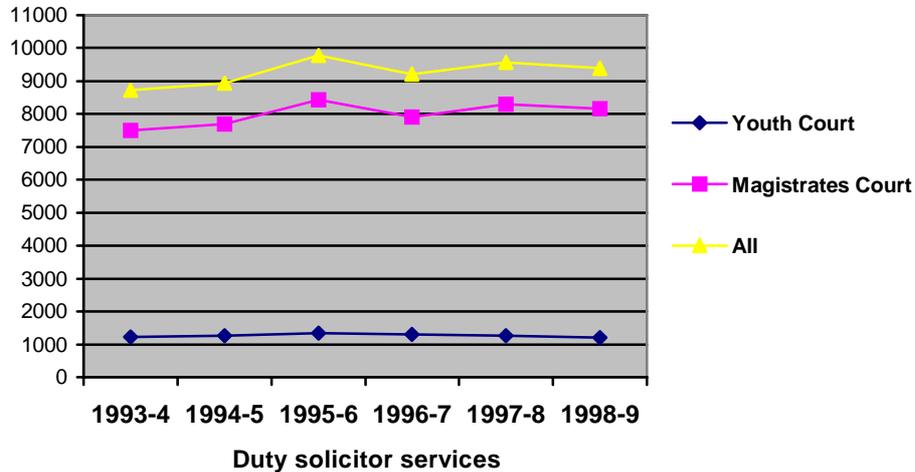
### Applications approved by law type

Of the 13 681 applications approved, 10 028 (or 73%) were in criminal law (up 672 or 7% from 1997-98), 3005 (or 22%) in family law (up 301 or 11% from 1997-98), and 648 (or 5%) in civil law (down 15 or 2% from 1997-98).



### Duty solicitor services

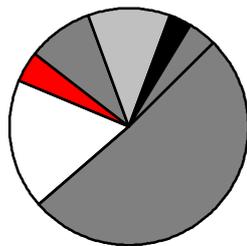
Duty solicitors provided services on 9386 occasions, a decrease of 169 (or 1.8%) from the previous year. Of these, 1199 were in the Youth Court and 8166 were in the Magistrates Court (with 21 services recorded without attribution to a particular court). Most of the services were provided at Adelaide and suburban courts as follows: Adelaide 46%, Elizabeth 16%, Holden Hill 14%, Christies Beach 10%, Port Adelaide 9%, and Whyalla 4%, with staff from the Whyalla office providing service to remote and rural courts (1%).



## Expenditure

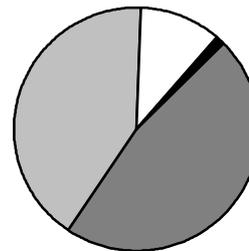
Total accrual operating expenditure was \$16.739m, \$653 000 (3.75%) less than in 1997-98.

### Cash expenditure per program (not including computer expenses)



- Private practitioners 51%
- Inhouse criminal law 18%
- Inhouse civil law 4%
- Inhouse family law 9%
- Inhouse access services 11%
- Child support 3%
- Corporate services 4%

### Cash expenditure per salary, administration, legal and computer expenses



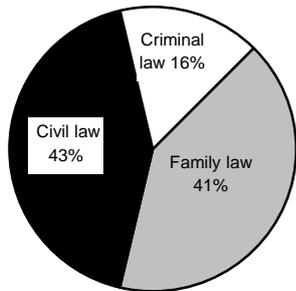
- Legal expenses 47%
- Salaries 41%
- Administration expenses 11%
- Computer expenses 1%

## Focus of legal aid services

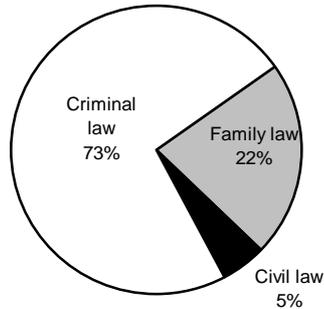
Advice and legal representation play complementary roles in the provision of legal aid services.

In 1998-99 73% of legal representation grants were for criminal law, 22% for family law, and 5% for civil law (a consistent pattern over the past 5 years). Conversely, the greatest number of legal advice appointments (45%) were in the area of the fewest grants (civil law), and the least (13%) in the area of the greatest number of grants (criminal law). 42% of legal advice appointments were in family law.

### Advice Services



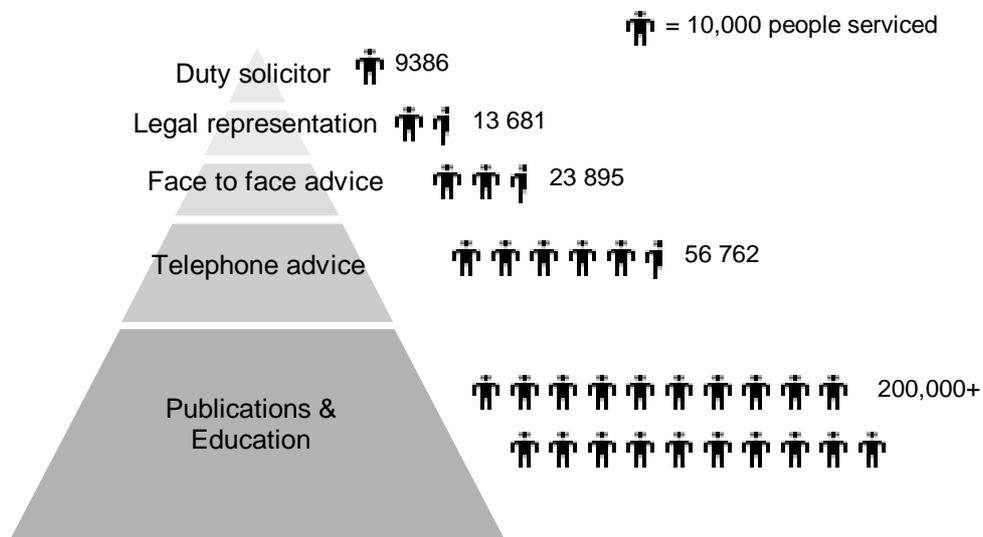
### Legal Representation



## Numbers of people reached by LSC services

The Commission provides 5 major services

- a free duty solicitor service
- eligibility tested legal representation
- free face to face interviews
- free telephone advice
- free and fee-paying community education and publications




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## Legal representation

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**Objective** *To arrange legal representation where required in the interests of justice for persons who are unable to pay the full cost of the legal services they require without undue hardship.*

Legal representation is provided by private legal practitioners, providing their services within legal aid fee scales at discounted rates, and by the Commission's inhouse practice.

## Applications

Applications for legal representation increased by 6.4% from 1997-98 (16 603 processed in 1998-99 compared to 15 610 processed in 1997-98).

13 681 or 82.4% of applications were approved, an increase of 958 or 7.5% from the previous year. 2284 applications (13.8%) were refused, as compared to the 16.5% refusal rate in 1997-98. In contrast to the last two years, the main reasons for refusal were guidelines (48%) and a combination of guidelines and means (36%), with means alone accounting for only 7% of refusals.

As in previous years, legal representation in criminal law matters exceeded representation in all other areas. 10 028 (or 73%) of grants of aid were in criminal law, 3005 (22%) in family law, and 648 (5%) in civil law. This represents an 11% increase in family law applications, and a 7% reduction in criminal law applications.

Of the applications approved, 3729 or 27% were by females, and 9697 or 71% by males, with the balance (255 or 2%) by applicants of unstated gender.

Of the grants to males, the greatest number (8262 or 85%) were in criminal law, with 1119 or 12% in family law and 316 or 3% in civil law.

Of the grants to females, the greatest number (1766 or 47%) were for criminal matters, with 1663 or 45% for family matters and 300 or 8% for civil matters.

There were 669 appeals against decisions to refuse, terminate or place conditions on grants of aid (163 or 32% more than in 1997-98). The original decision was confirmed in 630 cases (94% of appeals), compared to 468 or 93% confirmations in

1997-98. The majority of appeals were in family applications (45%), with 41% of appeals in criminal and 14% in civil applications.

For full details of applications, see **Appendix 4**.

## Changes to policy, grant guidelines and funding caps

Major changes to grant guidelines and funding caps occurred with the implementation of the Commonwealth State legal aid funding agreements on 1 July 1997. The Commonwealth Priorities and Guidelines which came into operation on 1 July 1998, placed major restrictions on eligibility for aid in civil law, and lowered the funding cap in all Commonwealth family law matters.

The Commission undertook measures to contain expenditure as a result of these changes in 1997-98 (see the Annual Report for that year) and on 1 July 1998 was able to cease interim 'rationing' measures to contain expenditure in family law matters.

## Recovery of legal costs by statutory charge

To secure repayment of legal costs by grant recipients having assets in the form of real estate, the Commission has since 1 July 1992 taken statutory charges over real estate where the costs of a matter exceed \$865.

1110 charges, securing a total of \$2 982 000, have been taken since then.

Of these, 114 were taken in the 1998-99 financial year, half the number taken in the previous year. This variation is not due to an increase in the number of grant recipients withdrawing from the grant before they reach the statutory charge threshold. One cause may be an increased preparedness by private lawyers to make payment arrangements for clients who have real estate, obviating the need for them to apply for legal aid at all. Another may be that the Commission's new computer system and associated procedures are not yet identifying all applications that indicate the imposition of a charge.

The Commission has recovered \$1 254 000 (42% of the total amount secured) from charges. The sum of \$1 730 000 (58% of the total amount secured), remains outstanding. At the date of this report an average amount of \$2686 is secured by each charge.

The Commission charges an administration fee of \$250 on statutory charges, and allows a rebate for early repayment of the charge. In 1998-99 the fee was levied on eleven files, netting a total payment of \$2750.

## **Representation by private practitioners**

The input of private lawyers in the legal aid system continues to be substantial. Of the 16 603 applications for aid received by the Commission in 1998-99, 8037 (49%) were lodged by private practitioners on behalf of their clients. These applications are known as 'claimed' applications because the client has nominated the solicitor of their choice. If approved, claimed applications in which a private practitioner is nominated are in most cases referred back to that solicitor, and those in which a solicitor from the Commission's inhouse practice is nominated are in most cases assigned to that inhouse solicitor.

Applications in which no solicitor is nominated ('unclaimed' applications) are, if approved, assigned to the inhouse practice or to a private practitioner (if there is conflict or other reasons for external assignment).

Of the 13 681 applications for aid that were approved in 1998-99, 8183 or 60% of legal aid grants were assigned to private lawyers, and 5498 or 40% to the inhouse practice.

### ***Private practitioner assignment costs***

Implementation of the new commitment certificate invoice process, introduced in May 1998 with new fee scales in family and criminal law, continued over the first quarter of the 1998-99 financial year. The system now applies not only to private practitioners but also to the inhouse practice. It aims to make it easier for practitioners to bill the

Commission and to have an accurate and up to date record of the funds committed to their matter.

### ***Consultation***

As in 1997-98, discussions with the Law Society regarding fee scales and legal aid application processes have been key items on the agenda throughout the year.

In December 1998 the Commission published and issued to all legal aid practitioners *The practitioner's guide to legal aid*, which set out for the new assignment procedures and fee scales introduced late in the 1997-98 financial year, and the new Commonwealth Priorities and Guidelines that came into force on 1 July 1998.

## **Criminal law inhouse practice**

The criminal law inhouse practice provides eligibility tested representation, free duty solicitor services in Adelaide, metropolitan and some country Magistrates Courts and the Youth Court, a free after hours custody advice service, a free prison advisory service, and an eligibility tested youth legal service. The inhouse practice also provides expert advice on criminal matters to the advice and assignments divisions and is a major contributor to the Commission's publications and community education programs.

### ***Representation***

The Commission's inhouse criminal practice, at its Adelaide and regional offices, acted for 40% of people who received legal aid for representation in the State's criminal courts, at all levels from the Youth Court to the Court of Criminal Appeal and the High Court. 4028 grants of aid were made to the inhouse practice in 1998-99. The service extends from representation at police interview (under the after hours custody answering service), to advice and representation through committal, trial, sentence and appeal, to appearances before the Parole Board.

### ***Duty solicitor service***

Inhouse practitioners provide free legal advice and minor initial representation (for remand, bail and simple pleas) to people

appearing in court on criminal charges. The service is provided in Magistrates Courts and Youth Courts by the Commission's Adelaide and regional offices.

In 1998-99 a total of 9386 people were assisted by the service, a decrease of 169 (or 1.8%) from the previous year.

Full details are set out in **Appendix 5 Criminal Law Services** and in summary in **Key Facts** at page 7.

#### **Prison advisory service**

Free advice services are provided to prisoners in metropolitan and country prisons by inhouse criminal solicitors from the Adelaide and Whyalla offices.

The service reached 697 prisoners (54 or 8.3% more people than the previous year). Full details are set out in **Appendix 5 Criminal Law Services**.

#### **After hours answering service**

This service offers free legal advice to people in police custody outside ordinary working hours. The after hours service is provided voluntarily by inhouse criminal solicitors and by solicitors from other divisions of the Commission.

#### **Youth legal service**

This service provides representation to children appearing on criminal charges or involved in children's protection applications in the Adelaide Youth Court. The Commission is the major provider of such services in the State, using its own specialist criminal lawyers for representation for criminal charges

The Commission also funds legal representation by private practitioners and its own counsel in children's protection applications. 532 children's protection applications were approved for funding by the Commission in 1998-99 (4 or 0.7% less than in 1997-98). 47% of applicants were represented by private practitioners and 53% by the inhouse practice. For full details, see **Appendix 5 Criminal Law Services**.

#### **Involvement with other agencies**

The inhouse practice liaises regularly with

- the court system through membership of the Adelaide Magistrates Court Users Group and the Criminal Court Committee
- the Intellectually Disabled Services Council to improve after hours services to the intellectually disabled by both organisations
- the Aboriginal Legal Rights Movement, providing a back up role in cases of conflict

The section also contributes to projects initiated by other agencies, such as the Courts Administration Authority's Criminal Jurisdiction (Summary Offences) Process Review which involved attendances at a series of workshops aimed at improving the efficiency of disposition of matters in the Magistrates Courts.

The Manager spoke about the role of legal aid and the Commission's guidelines to doctors and staff at James Nash House, the State's forensic mental health institution. Staff assisted the Women's Legal Service with a research project concerning the experience of women in the criminal justice system from arrest to sentencing.

#### **Training**

For a number of years the Commission has had a practice of offering short term contracts to newly admitted practitioners to work as duty solicitors. This involves initial intensive training and continuing supervision from staff of the section. This year the Commission has 6 first year practitioners acting as duty solicitors in the various city and suburban Magistrate's Courts.

As in previous years, the Criminal Law Practice Division at its Adelaide and regional offices has been a major supervisor of GCLP student placements during 1998-99. For further detail of this, see **Administration: Trainees** at page 21.

#### **Publications**

Inhouse criminal solicitors contributed to the second edition of the *Duty Solicitor Handbook*, funded by the Law Foundation, after a successful inhouse pilot during the previous year. The latest edition was issued either as part of a Kit with a second edition of the *Annotated Summary Offences Act*

(South Australia) by Mr Kelvyn Prescott, Supervising Magistrate, or as a single volume.

For full details, see **Appendix 5 Criminal Law Services**.

### **Family law inhouse practice**

The Commission's family lawyers, at the Adelaide and regional offices, provide advice and representation to people who qualify for legal aid in family law matters. As well, the practice provides specialist advice on child support through the Child Support Unit; child and family counselling; family mediation provided by inhouse staff; counselling by arrangement with the Family Court Counselling Service, and an early intervention counselling service conducted by Family Court counsellors at the Adelaide, Whyalla and Modbury offices.

#### **Issues**

The main issue has been continuing to provide a quality service to clients following the restructure of the Commission's operations.

The section has made submissions on various topics to the Family Law Council, the Regional Registrars' Advisory Panel (Child Support), the Australian Law Reform Commission, the Attorney-General's Department, and the Justice Research Centre.

#### **Case work**

Inhouse family lawyers were assigned 1132 grants of aid in family law in 1998-99 (38% of all family law grants). Of these, 32% related to parenting orders, 30% to child support, 23% to separate representation, and 13% to residence and contact.

#### **Child Support Unit**

The Commission's specialist Child Support Unit was restructured in April 1998 with increased staff. The Unit now provides assistance in all child support matters by telephone advice, community education, limited assistance and representation in Court, and outreach to suburban and country areas. There were 337 grants of aid in child support in 1998-99.

### **Separate representation**

410 orders for the appointment of a child representative were accepted by the Commission in 1998-99, compared with 438 in the previous financial year, a decrease of 28 or 6%.

In 27% of these appointments, both parties were legally aided; in 42% one party was legally aided; and in 31% of cases no party was legally aided.

62% of child representative appointments were performed on legal aid assignment by the private profession, with 38% performed by Commission lawyers.

### **Child and family counsellors**

The Commission employs two former Family Court counsellors on a part-time basis to provide counselling services, advise staff and to prepare reports in child representative matters for in-house and external family lawyers. This innovation has met with approval from all sections of the family law community.

### **Liaison**

Regular liaison is maintained

- between family law practice division lawyers and other parts of the Commission that deal with family law issues - for example with Access Services (in joint seminars, training programs, provision of speakers, general assistance), Assignments (through funding conferences, fee scale reviews and attendances at assignments meetings), and with regional office lawyers (through monthly meetings and training sessions).
- between family law practice division lawyers and other organisations - for example with community legal centres (regular six-weekly meetings with CLC family lawyers, involvement in training sessions), interstate legal aid commissions (the National Family Law Working Group), the Children's Access Centre (representation on the board), the Family Court (regular meetings with Judges and involvement in the Court's Compliance Committee and Future Directions Committee), the Child Support Issues Group (involving the Child

Support Agency, FAYS and CLCs), Family Court Counselling ( outreach services provided at Adelaide, Modbury and Whyalla offices and reciprocal training sessions) , the Law Society (through the Family Law Section memberships and through the supervision on placement of Law Society PLT students).

### **Staff training**

Inhouse training sessions at the Commission have involved speakers from the Child Support Agency, the Family Court, Centrelink, and in-house staff including the Client Relations Coordinator and the Child Support Unit. Staff have also attended training sessions on domestic violence, separate representation, new Family Court procedures, and the Commission's new information technology.

### **Community education**

In-house lawyers and members of the Child Support Unit have given lectures or information sessions to the Child Support Agency, the Family Court, the private profession and other community groups. Para-legal training has been provided by video link from Adelaide to most major country centres, and a country outreach

service (principally in child support) has been provided to a number of suburban and country areas.

### **Civil law inhouse practice**

The civil law inhouse practice has been affected substantially by the imposition of further restrictions on grants of aid for representation in immigration/refugee and administrative law matters by the revised Commonwealth Priorities and Guidelines implemented on 1 July 1998. In addition, the Commission's decision in 1997-98 to limit grants of aid in civil law to matters in non costs recovery jurisdictions further impacted on both inhouse and private practitioners acting in those jurisdictions. In the restructure of the Commission along program lines late in 1998, the inhouse civil practice ceased to operate as a casework section under its own manager. There has been a decline in civil law grants (651 or 5% of all grants made in 1998-99, with 52% of these being assigned inhouse, mostly for aid for representation in State Youth Court protection hearings). This has meant that a large component of the work performed by the Commission's civil law practice solicitors is the provision of advice and minor assistance in their areas of expertise from both the Adelaide and regional offices.

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## **Access services**

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**Objective** *To ensure access to justice through the provision of a comprehensive range of legal information, advice and education services, according to social justice principles.*

### **Advice**

The advice program complements the legal representation program in assisting people in the early resolution or clarification of their legal problems.

Free legal advice, information and referral are provided by legal and paralegal staff in appointment interviews of 20 to 30 minutes and/or in telephone advice services of (on average) 5 minutes duration. Minor assistance is also provided in appropriate cases where the client cannot access

alternative sources of help and has special needs.

In 1998-99, 80 657 direct advice services were provided by telephone or appointment interview, a decrease of 4259 or 5% from 1997-98. Of these, 23 895 (30%) were advice interviews (an increase of 605 or 3% over the 23 290 interviews provided in 1997-88), and 56 762 (70%) were telephone advice (a decrease of 4864 or 8% from the 61 626 telephone advice services provided in 1997-98).

### **Appointment advice services**

People seeking legal advice may arrange a free appointment for a 30 minute day time interview with an adviser at any Commission office.

Advisers also deliver outreach services to country districts, by advice appointments given during regular visits to country areas of greatest demand, by toll free access to the advice line, and by telephone advice appointments, using free facsimile services.

In interviews, advice staff provide general legal advice, as well as specialist advice in areas of high demand, where resources permit. Specialist advice is given in domestic violence, welfare law, disability discrimination and immigration matters.

Free family and financial counselling is also offered through outreach placements at the Commission by the Family Court and the Central and Wesley Mission.

45% of matters for which advice was given by appointment concerned civil law matters, 42% family law matters and 13% criminal law matters. This represents a slight increase in civil law queries and a corresponding decrease in criminal law queries.

49% of people advised were female, 49% male, and 2% of unspecified gender.

Compared to the previous two years, this is a slight increase in the percentage of females advised.

For further detail, see **Appendix 6 Advice services**.

### **Telephone advice services**

The free telephone advice line provided through the Adelaide office is designed to

provide brief simple advice. The service is toll free for country callers.

On average, 4 advisers are rostered to the advice line at any time. The telephone queue is limited to 3 callers, with a waiting time message facility, and priority to toll-free calls.

The Commission continues to provide structured work experience in telephone advice to final year law students undertaking the clinical component of the final year subject of Clinical Legal Education at the University of Adelaide law school (for details, see **Administration: Trainees** at page 21).

In 1998-99 telephone assistance was provided on 56 762 occasions, a decrease of 4864 or 8% from the previous year.

Full details of telephone advice services are set out in **Appendix 6 Advice services**.

### **Community education**

Community legal education is targeted at groups in need of particular legal education and information – for example people of a non-English speaking background, rural communities, young people, people with disabilities, women, and community workers working with disadvantaged groups. Programs include law courses and training, publications and other community projects.

Further details of community education projects and publications are set out in **Appendix 7 Community legal education**.

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## **Library**

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The library provides reference and research services to Commission staff and advises them of new developments in the law. It also provides a reference service to private lawyers working on legal aid assignments.

Technology now enables the latest materials to be downloaded from the Internet and e-

mailed to staff as they become available. Considerably more legal research information is now also being provided from electronic sources. The librarian continually monitors new legal sites on the World Wide Web to evaluate their usefulness as a resource.

Budget cuts have impacted heavily on the library collection, with almost half of the hard copy subscriptions being cancelled. CD-ROM subscriptions were maintained with the aim of networking these publications to all staff, including the regional offices. The

first of the CDs was successfully networked in June 1999 and training provided to staff in the effective use of the product. Access to the remainder of the CD collection will be provided during 1999-2000.

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## Information technology systems

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### LA Office and Finance One

The Commission implemented applications software known as LA Office and Finance One during the latter part of 1998 and 'went live' on 1 December 1998. LA Office is legal services management software developed initially for Legal Aid Queensland and now used by all Legal Aid Commissions in Australia and by the Legal Aid Management Board in New Zealand. LA Office interfaces with several financial packages, but most Commissions have chosen to interface it with Finance One, which is written in Ingres and shares the same database.

Initial problems in using this software were mostly reflected in the accounting integration and were the cause of early delays in getting payments out to private legal practitioners. Further customisation to overcome these problems, and greater familiarity with the system, should minimise problems and encourage increased efficiency.

### Human resources management system

The Finance Section began the implementation of CHRIS, a human resources management system, early in 1999, but limited disk space on the network meant that the software could not be put on the network without a disk upgrade. Final implementation is expected to occur in July 1999.

### The network

It was necessary again this year to upgrade the disk on the file servers. In March 1999 a 9.1Gb, plugable SCSI disk was added to each of the two network file servers.

### Personal computers

On implementation of LA Office and Finance One, it became apparent that only PCs running Windows NT were capable of sustaining the software reliably. A review determined that memory was not being released effectively by Windows 95, and recommended that the PC operating system be changed from Windows 95 to Windows NT.

As this outcome was already contemplated as a future IT direction, the change began earlier than planned, in March 1999. It is expected that by August 1999 the Commission's network will be entirely Windows NT with one Unix database server and another database server due to be changed to Windows NT after the old CLASS system has been de-commissioned.

### Internet home page

The Commission's Internet home page is held on the State Library's file server, and was initially developed by consultants at the library.

### Electronic mail and facsimile

The ability to send electronic facsimile messages was provided for SAGEMS this year. SAGEMS is the State Government messaging system that has facilitated communication between the Commission and other State Government agencies as well as Internet e-mail for external organisations.

### National statistics programs and Finance One

National statistics programs for National Legal Aid were installed in LA Office late in May 1999 and test statistics were produced for the month of December 1998.

### Year 2000 Compliance Report

The Commission has replaced its major software system CLASS with Year 2000 compliant LA OFFICE and FINANCE ONE, and its telephone system in the Adelaide Office with a Year 2000 compliant system. Implementation of a human resources management system to replace the non-compliant payroll system has been completed, but is still in the parallel running phase. It should be fully operational by August 1999. All other hardware and software was purchased as Year 2000 compliant and has also been tested for compliance.

Limited disk space delayed the replacement of the payroll system LATTICE with the human resources system CHRIS. New disks were purchased to avoid delay and meet the Government deadline of 30 June 1999, but pressures on staff resources of

end of financial year work have resulted in continuing parallel running for a further month.

The Commission will not be adversely affected by the non-compliance of third party suppliers to any great extent, other than for the major environmental requirement of electrical power and water for air conditioners.

The Commission is confident that its internal systems will continue to function on 1 January 2000 provided they are not affected by external influences. Contingency planning for non-critical systems, and for the effect of external influences, has been delayed until July 1999 because Commission resources were fully applied to system replacement projects for the business critical systems.

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## Corporate services

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### Planning

The Commission continued to review its own structure and service delivery programs, as noted in last year's Report. At a special meeting on 20 August 1998, the Commission resolved to make changes to its structure and service delivery mechanisms. Most of these resolutions were implemented on and from 1 December 1998, when the Commission went 'live' with LA Office and centralised its assignments processing.

Other planning agendas were deferred pending the appointment of a new Director, who would have the carriage of implementing any further changes.

### Policy and research

The policy and research officer provides policy advisory and project management services to the Director, and in consultation with other staff, develops and implements Commission policies and procedures; prepares submissions and responses on issues relevant to legal aid, including Bills introduced into State Parliament, submissions to parliamentary enquiries into legal aid, discussion papers from the

Australian Law Reform Commission; and papers from National Legal Aid, the Attorney-General's Departments (State and Commonwealth) and other Legal Aid Commissions. Part of the role is to represent the Commission on local and national working parties on legal aid issues, and to manage projects within the Commission.

The policy and research officer also writes and produces internal policy and procedure manuals, the Staff Handbook and the Annual Report; material for publication such as the Duty Solicitor Handbook, the Practitioner's Guide to Legal Aid, and, with Mr Kelvyn Prescott SM, the Annotated Summary Offences Act. The preparation and delivery of a range of legal training programs for staff, and clinical law training programs for law students is also part of the role.

A list of the main projects undertaken by the policy and research officer in the 1998-99 financial year appears at **Appendix 8 Policy and research**.

### Assignments benchmarking

National benchmarking of assignments practices commenced in 1994. In 1995-96

South Australia set the national benchmark at 16.77% as costing the lowest overhead while delivering the highest percentage of dollars to the private profession. In 1996-97 the South Australian figure was 15.75%. In 1997-98 the figure was 15.13%.

Because the annual national benchmarking meeting is not held until October 1999, the 1998-1999 results will not be known until this date. It is uncertain whether the Commission will be able to retain its leading position since conversion to LA Office.

### **Continuous improvement program**

The Commission's continuous improvement program (CIP) is a total quality management (TQM) program designed as a top to bottom institutionalised effort at continuous improvement in meeting and exceeding customer or client expectations regarding a product or service quality. The program aims to improve the level of service provided to Commission clients, including people who seek assistance from the Commission, external solicitors, other sections or offices within the Commission itself, the courts, government departments and Commission staff.

The major projects undertaken during the year were:

- re-engineering of the assignment process to take advantage of the new computer system
- re-engineering of records processing to take advantage of the new computer system
- review of the Commission's structure, and
- review of telephone communications.

### **Client relations**

#### ***The client relations role***

The primary role of the Client Relations Coordinator is to act as a conduit or interface between the client and the Commission, particularly in regard to the Commission's assignment function. In this role, the Client Relations Coordinator deals with enquiries about the conditions of legal aid, the process of application for aid, allocation of solicitors and appeal procedures, and, in particular assisting people to present information to the Commission in their appeals against refusals of aid.

The second aspect of the client relations service is the handling of complaints regarding any aspect of the Commission's service. This process involves liaison with private practitioners and other agencies such as the Ombudsman's office, Members of Parliament, Attorney-General's Department, and Equal Opportunity Commission. This function also includes investigating complaints about the continuing eligibility of recipients of grants of legal aid.

Thirdly, the Client Relations Coordinator provides a specialist service to assist those clients who may present particularly urgent demands or have special needs. Other ancillary functions include providing back-up for the Access Services Division and dealing with all Freedom of Information requests.

#### ***Complaints***

A full report and analysis of complaints received is contained in **Appendix 9 Client Relations**.

Complaints this year mainly reflected client dissatisfaction with the increased difficulty of getting and keeping a grant of legal aid. Most complaints can be attributed to funding issues rather than to Commission process or policy.

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## **Administration**

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### **Commission staff**

As at 30 June 1999 the Commission employed 147 staff, equating to 135.7 full

time equivalent staff members, including 4 trainees. Staff are based at the Commission's offices in Adelaide, (Head Office), Elizabeth, Modbury, Noarlunga, Port Adelaide and Whyalla and at the Commission's offices in the Youth Court and the Adelaide Magistrates Court.

### **Equal opportunity**

Of the 147 staff employed by the Commission on 30 June 1999, 59.86% were permanent employees, 36.73% were on contract, and 3.4% were casual. 70% of employees were female and 30% male (a 1% increase in female employees from the previous year). The ratio of non-executive to executive employees is 21:1. For further detail, see **Appendix 10 Staff**.

### **Secretarial support services**

During the 1998-99 financial year the Commission's secretarial staff supported the full time equivalent of 56.2 solicitors and 26.15 paralegal officers and administrative staff.

As at 30 June 1999, 22.53 full time equivalent secretaries were employed by the Commission.

On 25 November 1998 the Commission approved a draft Second Round Agreement, modelled on the State Attorney General's Department Second Enterprise Agreement (certified June 1998). In following months, management and staff negotiated a final agreement (the Legal Services Commission of South Australia Enterprise Agreement 1999) which, after approval by the Commission, was approved by the Industrial Relations Commission on 25 May 1999. The agreement came into force on and for

### **Leave management**

Leave management details are included in the Financial Statements and Notes at pages 27, 30, 34 and 36 of this report.

Over the 1998-99 financial year, a total of 159 people (148.83 full time equivalent staff) were eligible for sick leave. A total of 6285.75 hours (or 838.1 days) sick leave was taken, equating to an average of 5.63 days of sick leave taken per person.

### **Enterprise bargaining**

The Commission's first enterprise agreement (the Legal Services Commission of South Australia Enterprise Agreement – 1996) had a term of 18 months, dating from 4 February 1997 and expiring on 4 August 1998.

On 25 March 1998 the Commission issued a notice of intention to commence negotiations towards a second round Enterprise Agreement. Negotiations were conducted through a Single Bargaining Centre (SBC), made up of management and employee representatives of the Commission nominated under Chapter 3 Part 2 of the *Industrial and Employee Relations Act 1994 (SA)*.

the period from 25 May 1999 until 24 May 2001.

### **Trainees**

#### **Youth**

The two young people whom the Commission sponsored and trained under the Government Youth Training Scheme last year successfully applied for advertised vacant positions with the Commission this year. The Commission participated in the scheme again in April 1999, sponsoring an additional four young people, as National Training Wage Trainees, to train and work at the Commission for a twelve month contract.

In August 1998 another four young people were engaged for a maximum period of twelve months, through the Office for the Commissioner for Public Employment, as "entry level recruits," another Government sponsored initiative. Each recruit has since gained employment with the Commission,

after applying for advertised vacant positions.

### ***Law students, law graduates and newly admitted practitioners***

The Commission continued to provide workplace training for

- *law students*: the Commission was one of the placement hosts for the Adelaide Law School's final year subject of Clinical Legal Education, taking eight law students (four per semester) in 1998-99 and training them in telephone legal advice. Negotiations with the Law School in late 1998 resulted in the appointment by the Law School of a legal practitioner to supervise the students on site. Discussions are taking place with the Flinders University Law School concerning their participation in the program.
- *newly admitted practitioners*: in the second semester of 1998 the Commission trained and supervised seven newly admitted practitioners qualifying for Law Society Practical Legal Training Option 2 work experience, each attending the Commission two days per week during the semester, following a three day induction. Shortages of staff have prevented the continuation of this program in 1999.
- *law graduates undertaking 6 week full time placements*: the Commission continued to host placements from the University of South Australia GCLP course (in 1998), and the Law Society of South Australia (in 1999 and continuing). Six law graduates each undertook a six weeks continuous full time placement with the Commission in the 1998-99 financial year.

## **Occupational health welfare and safety**

The OHW&S Committee met quarterly in 1998-99. It arranged for ergonomic assessments of staff worksites at all offices, together with an ergonomic training program. The recommendations of the worksite assessment reports have been addressed in subsequent purchases of office equipment and in assisting individual staff at their work stations.

Training videos on office safety and the usage of screen based equipment continued to circulate through all offices of the Commission.

During the year, first aid officers attended courses to update their First Aid Training Certificates, and fire wardens attended a Fire Warden Training Course.

## **Accommodation**

During 1998-99 the Commission operated from the same premises as in the previous year, in Adelaide and at its five regional offices. An additional area of 550 square metres was leased in the Commission's Adelaide premises for use by the Criminal Law Practice Division, which moved there in late March 1999. A new lease was agreed for the Commission's Elizabeth office.

## **Records management**

Storage costs continued to be a significant issue in the efficient management of the Commission's records. Although a large number of old and inactive files stored off site were identified as ready for destruction or archiving, a complete culling of these was not completed prior to the introduction of LA Office. The extra bays added to the compactus in the Adelaide records area ensured that additional files could be accommodated on site following the restructure. Extra trainees were engaged after three staff members took early separation packages.

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## **Finance**

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### **Funding agreement**

A funding Agreement between the Commonwealth of Australia and the State of South Australia for the provision of legal

assistance became effective from 1 July 1997. The agreement fixed Commonwealth funding at \$8.962 million per year for the three years 1997/98 to 1999/2000.

The annual funding of \$8.962 million represents total Commonwealth revenue. Under previous arrangements the Commonwealth funded some programs in addition to core recurrent annual funding eg Veteran's Affairs, the Child Support Schemes etc. These are now funded within the Commonwealth funding umbrella of \$8.962 million.

Pursuant to the agreement Commonwealth funds are allocated to matters of priority arising under Commonwealth law. This is a change of policy for the Commonwealth Government, because previously funding was provided to Commonwealth persons. The Commonwealth provided for 14% and 12% respectively, of Commonwealth funding to be allocated to State Law matters in the 1997/98 and 1998/99 years.

The State Government continued to fund the Commission under the terms of the old agreement between the Commonwealth and State Governments, which fixed expenditure in the base year of 1987/88 and applied a weighted AWE/CPI indicia to this base in the following years. The State Government will provide additional funding of \$1.892 million in the 1999/2000 year in recognition of the end of the transitional period of funding provided by the Commonwealth for State matters.

### Financial accounts

The Commission produces its financial statements on an accrual basis. The Operating Statement sets out the Commission's financial activity during the financial year and the Statement of Financial positions provides details of the Commission's assets and liabilities at the end of each financial year. The Statement of Cash Flows provides details of the actual cash expenditure and income for the year. The Commission reported on a cash

accounting basis until 1992/93. The information contained in the Statement of Cash Flows enables comparison with historical cash financial reports.

### Capital expenditure

The LA Office, legal creditors operational and statistical, system was implemented in December 1998 coupled with Finance One general ledger and accounts payable system. The Commonwealth Government accepted responsibility for \$384 000 of the implementation expenses (from the \$450 000 LA Office reserve).

During 1998/99 the Commission also purchased a Year 2000 compliant payroll system. The balance of the LA Office computer system reserve and the Asset Replacement reserve were combined to reflect a balance of \$108 000 in the Asset Replacement reserve. (Refer Note 13 Reserves.) This reserve will be used for the LA Office licence, when issues related to the licence are resolved.

### Sources of Income

The Commission receives income in the form of funding from Commonwealth and State Governments. Details of sources of income are set out in the table below.

State Government funding includes *Legal Practitioners Act* 'income': statutory Interest, interest from Solicitors' Trust Account and Excess Solicitors Guarantee Funds.

The Commission self-generates income in the form of costs recovered on legal matters and contributions imposed on clients. Funding and other income is invested with the South Australian Financing Authority. Interest generated from these investments, sales of Commission publications and fee-paying courses comprise the majority of 'other income'. The table has been derived from cash reports to reflect the sources of Income in the 1998/99 financial year.

Sources of income – cash accounts	1998/99	1997/98
Commonwealth Government	52%	52%
State Government	36%	29%

Legal Practitioner Act 'Income' ①	7%	11%
Costs recovered and contributions	2%	2%
Interest on investments and other income ②	3%	6%
Notes: ① In 1997/98 <i>Excess Guarantee Fund</i> included \$883 067 special 'one off' funding, as detailed in Reserves.		
② Other Income includes		
\$250 210	Statutory charge income	
\$340 528	Interest on investments and miscellaneous income.	

## Expenditure

The Commission restricted all areas of its operations due to reduced funding.

During the 1998/99 financial year the Commission operated on-line with budget for two principle areas of expenditure, namely: -

- Salaries and related payments,
- Administrative expenses.

The third area – Payments to Private Practitioners was \$1.4 million below budget. This variance to budget was concentrated in the Family Law and Civil Law jurisdictions. The variance was due to amendment to Guidelines and cap reductions.

The Commission implemented Enterprise Bargaining Salary increases in the 1998/99 year, these increases will eventually establish wages parity with the Attorney-General's Department. The Commission received specific wages parity funding from the State Government to implement salary increases.

In addition to setting budgets for overall expenditure, budgets are set for seven separate programs. A comparison between

actual expenditure on these programs compared to the budget is set out in the table 'Program Budgets'. Expenditure on upgrading IT systems is not considered a recurrent part of the program operations and is depicted on a separate line in this table; similarly the non-cash item of depreciation is also separately recorded.

The Commission separately records all expenditure into programs as follows: -

- private practitioner representation including the assessment, monitoring and payment of private practitioners for all matters assigned externally.
- criminal law representation (inhouse) including the youth legal service and duty solicitor service.
- family law representation (inhouse).
- civil law representation (inhouse).
- child support scheme including practitioner payments for child support matters.
- access to law services including advice and community legal education.
- corporate services – these are not directly attributable to core programs and include functions such as policy and research, audit, preparation of reports for governments, corporate management, governance, and other compliance requirements.

<b>Program expenditure</b>	<b>1998-99</b>
	<b>%</b>
1. Private practitioner representation	44.41
2. Inhouse – criminal law	22.24
3. Inhouse – family law	10.05

4. Inhouse – civil law	2.49
5. Access to the law services	11.07
6. Child support scheme	3.12
7. Corporate services ①	6.62
(① includes depreciation)	

The Commission completed the program expenditure based on the consolidated operating statement for the year ended 30<sup>th</sup> June 1999. In previous years the expenditure was distributed on a cash expenditure basis. The accrual programs include the non-cash items of depreciation, depicted separately on the program budget report and long service leave and recreation leave provision for the year. The increase in long service leave and recreation leave provisions is recorded within the salary budget lines.

# **Legal Services Commission of South Australia**

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## **Financial statements**

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**21<sup>st</sup> Annual Report**

**1998-1999**

**OPERATING STATEMENT FOR THE YEAR ENDED 30 JUNE 1999**

	Note	1999 \$'000	1998 \$'000
<b>OPERATING REVENUES</b>			
Grants from Commonwealth Government	1.1	8 962	8 962
Grants from State Government	1.1	6 156	5 078
Legal Practitioners Act revenue	2	1 133	1 971
Costs recovered and contributions	3	294	395
Other revenue	4	<u>545</u>	<u>917</u>
<b>Total Operating Revenues</b>		<u>17 090</u>	<u>17 323</u>
<b>OPERATING EXPENSES</b>			
Employee entitlements	1.3	7 348	6 968
Administrative expenses	5	2 452	2 241
Legal expenses	6	<u>6 838</u>	<u>7 530</u>
<b>Total Operating Expenses</b>		<u>16 638</u>	<u>16 739</u>
<b>OPERATING SURPLUS</b>		452	584
<b>NET REVENUES FROM THE DISPOSAL OF NON-CURRENT ASSETS</b>	7	<u>7</u>	<u>8</u>
<b>OPERATING RESULT</b>		459	592
<b>ACCUMULATED FUNDS AT 1 JULY</b>		<u>2 088</u>	<u>2 694</u>
		2 547	3 286
Add: Transfer from Reserve	1.4, 13	463	135
Less: Transfer to Reserves	1.4, 13	<u>400</u>	<u>1 333</u>
<b>ACCUMULATED FUNDS AT 30 JUNE</b>		<u>2 610</u>	<u>2 088</u>

**STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 1999**

	Note	1999		1998	
		\$'000	\$'000	\$'000	\$'000
<b>CURRENT ASSETS</b>					
Cash at bank and on hand	8		3 048		2 572
Receivables and prepayments	9		<u>428</u>		<u>415</u>
<b>Total Current Assets</b>			<u>3 476</u>		<u>2 987</u>
<b>NON-CURRENT ASSETS</b>					
Library	10		212		212
Computers & other equipment at cost	1.2, 11	2 301		1 821	
less – Accumulated depreciation		<u>1 116</u>		<u>769</u>	
			1 185		1 052
Statutory charge debtors	1.5		<u>1 730</u>		<u>1 715</u>
<b>Total Non-Current Assets</b>			<u>3 127</u>		<u>2 979</u>
<b>TOTAL ASSETS</b>			<u>6 603</u>		<u>5 966</u>
<b>CURRENT LIABILITIES</b>					
Legal creditors	1.5		480		526
Employee entitlements	1.3, 12		438		486
Legal Assistance Scheme Fund	1.5		389		389
Creditors			<u>192</u>		<u>68</u>
<b>Total Current Liabilities</b>			<u>1 499</u>		<u>1 469</u>
<b>NON-CURRENT LIABILITIES</b>					
Employee entitlements	1.3, 12		<u>1 103</u>		<u>955</u>
<b>TOTAL LIABILITIES</b>			<u>2 602</u>		<u>2 424</u>
<b>NET ASSETS</b>			<u>4 001</u>		<u>3 542</u>
<b>EQUITY</b>					
Reserves	1.4, 13		1 391		1 454
Accumulated Funds			<u>2 610</u>		<u>2 088</u>
<b>TOTAL EQUITY</b>			<u>4 001</u>		<u>3 542</u>
<b>COMMITMENTS, CONTINGENT LIABILITIES</b>	14,19				

**STATEMENT OF CASH FLOWS FOR YEAR ENDED 30 JUNE 1999**

	Note	1999 INFLOWS (OUTFLOWS) \$'000	1998 INFLOWS (OUTFLOWS) \$'000
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
PAYMENTS:-			
Employee entitlements		(7 302)	(6 937)
Suppliers		(2 094)	(1 922)
Private practitioners		(6 869)	(7 750)
RECEIPTS:-			
Commonwealth Government:-			
Funding agreement		8 962	8 962
Other		-	379
State Government:-			
Funding agreement		5 856	5 078
Other		300	-
Legal Practitioners Act receipts		1 189	1 936
Costs recovered and contributions		269	367
Statutory charge receipts		250	244
Other		<u>305</u>	<u>315</u>
<b>Net Cash provided by Operating Activities</b>	15	<u>866</u>	<u>672</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES:-</b>			
Payments for purchase of equipment		(424)	(202)
Proceeds from equipment sales		<u>34</u>	<u>35</u>
<b>Net Cash used in Investing Activities</b>		<u>(390)</u>	<u>(167)</u>
<b>NET INCREASE IN CASH HELD</b>		476	505
<b>CASH AT 1 JULY</b>		<u>2 572</u>	<u>2 067</u>
<b>CASH AT 30 JUNE</b>	8	<u>3 048</u>	<u>2 572</u>

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### 1 Statement of Accounting Policies

The Commission has prepared the financial report on an accrual basis.

The financial report has been prepared in accordance with Statements of Accounting Concepts, Australian Accounting Standards, other mandatory professional reporting requirements (Urgent Issues Group Consensus Views), Department of Treasury and Finance Accounting Policy Statements and Treasurer's Instructions issued pursuant to the *Public Finance and Audit Act, 1987*. The financial report has also been prepared on the historical cost basis except for the valuation of the library, which is at an independent valuation.

#### 1.1 Funding Arrangements

##### Commonwealth Government

The Commonwealth Government negotiated a Provision of Legal Assistance Agreement with the State Government effective from 1 July 1997. Pursuant to that Agreement:

- The Commonwealth will contribute \$8 962 000 per annum for the next three years;
- The legal assistance is provided for matters arising under Commonwealth law, and being matters of priority to the Commonwealth. (Under the previous agreement legal assistance provided was not specifically for matters of priority to the Commonwealth);
- In recognition of the change to Commonwealth priorities, transitional arrangements provide for the application of 14% and 12% of the Commonwealth legal assistance in the first two years respectively, for State law matters. The transitional period ends on 30 June 1999.

##### State Government

The State Government has continued to provide legal assistance in accordance with the previous agreement, with additional funding to be provided in 1999-2000 in recognition of the end of the transitional period.

#### 1.2 Depreciation of Computers and other Equipment

All computers and other equipment that have a limited useful life are systematically depreciated over their useful lives, ranging from five to thirteen years in a manner which reflects the consumption of their service potential. Computers and other equipment are depreciated using the straight line method.

### 1.3 Employee Entitlements

Employee entitlements include entitlements to salaries and contract fees, long service leave, annual leave and superannuation benefits.

Long service and annual leave is recognised on a pro-rata basis in respect of services provided by employees up to the reporting date. Liabilities in respect of these entitlements have been calculated at nominal amounts based on current salary rates and include related on-costs. The Department of Treasury and Finance have advised that a benchmark of eight years can be used for a shorthand estimation of long service leave liability in accordance with the provisions of Australian Accounting Standard AAS30 "Accounting for Employee Entitlements". This advice has been adopted and the long service leave liability has been calculated on that basis.

Sick leave is not provided for as it is non-vesting, however, entitlements are accumulated.

The superannuation expense included in the Commission's financial report comprises Commonwealth and State components:-

- (1) The Commission paid an amount to the 'Collector of Public Monies' towards the accruing government liability in respect of currently employed contributors to the Commonwealth Superannuation Fund. Payments amounted to \$63 000 (\$64 000).
- (2) During 1998-99 the Commission paid \$595 000 (\$595 000) to the South Australian Department of Treasury and Finance towards the accruing government liability for superannuation in respect of all employees.

### 1.4 Reserves

The Commission has established the following reserves.

#### **Asset Replacement Reserve**

During 1997-98 the Commission agreed to use the balance of the Asset Replacement Reserve to replace the Payroll system. The system was replaced during 1998-99.

#### **LA Office Computer System and Asset Replacement Reserve**

During 1997-98 the Commission agreed to adopt the nationally mandated computer operating system LA Office and to establish a Reserve for the purchase and implementation of the system during 1998-99.

During 1998-99 the Commission agreed to transfer the balance remaining in the reserve to the Asset Replacement Reserve.

#### **State Law Matters Reserve**

As a result of the Commonwealth legal assistance arrangements, the Commission, during 1997-98, agreed to establish a Reserve, the State Law Matters Reserve, for the purpose of providing funds for future State Law matters.

#### **Commonwealth Expensive Case Reserve**

The Commission agreed during 1998-99 to establish a Commonwealth Expensive Case Reserve to fund specific Commonwealth matters that exceed the Commonwealth guideline cap.

## 1.5 Financial Instruments

The Commission's accounting policies, including the terms and conditions of each class of financial asset and financial liability recognised at 30 June 1999, are as follows:-

### Financial Assets

Cash at bank (Note 8) comprises deposits at call with the South Australian Government Financing Authority and are recorded at cost. Interest revenues are recognised as they accrue. Interest rates are at market rates and have fluctuated between 4.6% and 5.13% for the year ended 30 June 1999. (4.9% and 5.33% for the year ended 30 June 1998.)

Receivables (Note 9) include client debtors and other debtors and are reported at amounts due.

Statutory charge debtors are raised as a result of the Commission registering charges over property owned by some recipients of legal aid to secure legal costs owed on cases undertaken and are reported at amounts due. Debts are recovered when the property is refinanced or sold.

### Financial Liabilities

Legal creditors are raised for amounts billed from private practitioners for approved cases undertaken but unpaid. They are normally settled within 30 days.

Legal Assistance Scheme Fund comprises funds held by the Commission on behalf of the Law Society of South Australia which will be used for purposes approved by the Law Society.

Creditors are raised for amounts billed but unpaid and are normally settled within 30 days.

All financial instruments are valued at the carrying amount as per the Statement of Financial Position, which approximates net fair value.

## 2 Legal Practitioners Act Revenue

In accordance with the *Legal Practitioners Act, 1981* the Commission acquired revenue from funds administered by the Law Society of South Australia. Amounts related to the:-

	1999 \$'000	1998 \$'000
Statutory Interest Account	570	539
Interest on Legal Practitioners Trust Accounts	561	518
Legal Practitioners Guarantee Fund	<u>2</u>	<u>914</u>
	<u>1 133</u>	<u>1 971</u>

## 3 Costs Recovered and Contributions

Costs recovered	123	205
*Contributions	<u>171</u>	<u>190</u>
	<u>294</u>	<u>395</u>

\*In addition contributions of \$250 000 (\$216 000) in relation to referred cases were paid or are payable directly to private practitioners by clients.

## 4 Other Revenue

	<b>1999</b>	<b>1998</b>
	<b>\$'000</b>	<b>\$'000</b>
Commonwealth Government		
Child support scheme	-	138
Recovery of Veterans Affairs costs	-	6
Statutory charges	264	456
Interest	232	188
Other	<u>49</u>	<u>129</u>
	<u>545</u>	<u>917</u>
<b>5 Administrative Expenses</b>		
Accommodation	877	836
Depreciation of computers and other equipment	383	327
** Computer maintenance and processing, etc	271	234
Telephone & postage, etc	230	202
Office requisites	161	124
Travel	139	106
Library (refer Note 10)	113	153
* Other	<u>278</u>	<u>259</u>
	<u>2 452</u>	<u>2 241</u>

\* Includes:-

- Auditor's remuneration of \$34 000 (\$29 200), for auditing the accounts

- Bad Debts written off of \$4 000 (\$21 000)

\*\* Includes Consulting fees of \$22 000 (\$9 000)

## **6 Legal Expenses**

Comprise solicitor's fees, counsel fees and disbursements due to private practitioners for approved cases undertaken during the year.

## **7 Net Revenues from the Disposal of Non-Current Assets**

Proceeds from the disposal of non-current assets	34	35
Less: written down value of those assets	<u>27</u>	<u>27</u>
	<u>7</u>	<u>8</u>

## 8 Cash at Bank and On Hand

For the purposes of the Statement of Cash Flows, cash includes cash at bank and on hand and deposits at call with the South Australian Government Financing Authority (SAFA).

	<b>1999</b>	<b>1998</b>
	<b>\$'000</b>	<b>\$'000</b>
Deposits at call with SAFA	3 030	2 572
Cash held in trust on behalf of clients	11	4
Cash at bank and on hand	<u>18</u>	<u>-</u>
	3 059	2 576
Less: Cash held in trust on behalf of clients	<u>11</u>	<u>4</u>
	<u>3 048</u>	<u>2 572</u>

## 9 Receivables and Prepayments

Legal Practitioners Act	176	231
Prepayments	149	135
Client debtors and other debtors	<u>103</u>	<u>49</u>
	<u>428</u>	<u>415</u>

## 10 Library

In June 1996, the Commission obtained an independent revaluation of the market value of the library which comprises reports/major works, journals, loose-leaf services and a mix of dictionaries, encyclopaedias, statutes etc. The revaluation was undertaken by The Information Source, which valued the library at \$212 000.

The library is not depreciated as the cost of maintaining it is expensed during the year.

## 11 Computers and other Equipment

	<b>1999</b>		<b>1998</b>	
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
Computers and equipment at cost	2 044		1 581	
less:- Accumulated depreciation	<u>1 008</u>	1 036	<u>657</u>	924
Office machines at cost	181		173	
less:- Accumulated depreciation	<u>83</u>	98	<u>90</u>	83
Furniture and fittings at cost	41		33	
less:- Accumulated depreciation	<u>22</u>	19	<u>19</u>	14
Motor vehicles at cost	35		34	
less:- Accumulated depreciation	<u>3</u>	<u>32</u>	<u>3</u>	<u>31</u>
		<u>1 185</u>		<u>1 052</u>

## 12 Employee Entitlements

	1999 \$'000	1998 \$'000
Current Liabilities:-		
Annual leave	417	405
Long service leave	<u>21</u>	<u>81</u>
	<u>438</u>	<u>486</u>
Non-Current Liabilities:-		
Long service leave	<u>1 103</u>	<u>955</u>

## 13 Reserves

Movements during the year were:

Total Reserves:-		
Balance 1 July	1 454	256
Transfer to Accumulated Funds	463	135
Transfer from Accumulated Funds	<u>400</u>	<u>1 333</u>
<b>Balance at 30 June</b>	<u>1 391</u>	<u>1 454</u>
Asset Replacement Reserve:-		
Balance 1 July	121	256
Transfer to Accumulated Funds	23	135
Transfer from LA Office Computer Reserve	<u>10</u>	<u>-</u>
<b>Balance at 30 June</b>	<u>108</u>	<u>121</u>
LA Office Computer and Asset Replacement Reserve:-		
Balance 1 July	450	-
Transfer to Accumulated Funds	440	450
Transfer to Asset Replacement Reserve	<u>10</u>	<u>-</u>
<b>Balance at 30 June</b>	<u>-</u>	<u>450</u>
State Law Matters Reserve:-		
Balance 1 July	883	-
Transfer from Accumulated Funds	<u>-</u>	<u>883</u>
<b>Balance at 30 June</b>	<u>883</u>	<u>883</u>
Commonwealth Expensive Case Reserve:-		
Transfer from Accumulated Funds	<u>400</u>	<u>-</u>
<b>Balance at 30 June</b>	<u>400</u>	<u>-</u>

## 14 Commitments

Legal cases referred:-

As at 30 June 1999, the Commission recognises a commitment of \$3 483 000 (\$3 160 000) on legal cases referred to private practitioners which are still to be finalised.

In the normal course of business, further commitment will be required for some of these cases. It is not possible to quantify that amount.

	1999 \$'000	1998 \$'000
Operating leases:-		
Commitments payable :-		
Not later than one year	53	276
Later than one year but not later than two years	<u>2</u>	<u>30</u>
	<u>55</u>	<u>306</u>

## 15 Reconciliation of Operating Result to Net Cash provided by Operating Activities

Operating result	459	592
Increase in statutory charge debtors	(15)	(213)
(Increase)Decrease in receivables (net of bad debts written off)	(16)	95
Bad debts written off	4	21
Decrease in legal creditors	(46)	(213)
Increase (Decrease) in creditors	124	(197)
Depreciation	383	327
Increase in employee entitlements	100	268
Increase in creditors for equipment purchases	(120)	-
Profit on disposal of equipment	<u>(7)</u>	<u>(8)</u>
Net cash provided by Operating Activities	<u>866</u>	<u>672</u>

## 16 Related Party Disclosures

The members of the Commission who have held office during the financial year are:-

Mr Brian Withers	(Chairman)
Mr David Bulloch	(commenced 27/08/98)
Mr Ray Bown	(commenced 27/08/98)
Mr Gordon Barrett	(commenced 24/12/98)
Mr Hugh Gilmore	(commenced 21/06/99)
Mr James Hartnett	(resigned 15/01/99)
Mr Chris Kourakis	(resigned 24/09/98)
Dr Margaret Browne	
Mr Michael Burgess	
Ms Rosemary Cardone	
Ms Joan Jardine	
Mr Julian Kelly	
Ms Deborah McCulloch	
Mr David Meyer	

The members of the Commission are appointed by the Governor in accordance with the provisions of the *Legal Services Commission Act, 1977* and include partners of legal firms. In the ordinary course of business the Commission enters into transactions with legal firms, some of which are associated with members of the Commission. Payments made to these firms are in accordance with the Commission's scale of fees and are payments that apply to practitioners generally.

The number of members whose remuneration received or receivable fell within the following bands was:-

	<b>Number of Members</b>	
	<b>1999</b>	<b>1998</b>
\$0	4	4
\$1 - \$10 000	9	8
\$10 001 - \$20 000	1	1

The total remuneration received or due and receivable by these members was \$63 000 (\$67 000).

### **17 Remuneration of Employees**

Amounts received or receivable by employees of the Commission whose remuneration is greater than \$100 000. The amounts include salaries and related payments, superannuation benefits and motor vehicle benefits.

The number of employees whose remuneration received or receivable fell within the following bands was:-

	<b>Number of Employees</b>	
	<b>1999</b>	<b>1998</b>
\$100 001 - \$110 000	3	2
\$120 001 - \$130 000	1	-
\$140 001 - \$150 000	-	1
\$150 001 - \$160 000	-	2
\$160 001 - \$170 000	3	-

The total remuneration received or due and receivable by these employees was \$935 000 (\$658 000).

### **18 Separation Packages**

In accordance with government policy to reduce the public sector workforce, 9 (1) employee(s) of the Commission were paid separation packages during 1998-99.

Payments amounted to \$185 000 (\$25 000) and \$182 000 (\$25 000) has been recovered from the Department of the Premier and Cabinet.

In addition, accrued annual leave and long service leave entitlements amounting to \$73 000 (\$2000) were paid to those employees who received a separation package. These payments are included in employee entitlements.

## **19 Contingent Liabilities**

At balance date and at the date of the certification of this financial report by the Commission there were no known contingent liabilities of a material nature.

## **20 Year 2000**

The Commission has investigated to what extent the date change from 1999 to 2000 will affect its business. The Commission has established a program to ensure that the impact of the change on the Commission's operations is minimised.

The Commission's program of Year 2000 readiness has involved preparation of an inventory of affected items, an analysis of risk, development of an action plan, regular progress reporting to Executive Management, and forwarding of monthly progress reports to the South Australian Government Office of Year 2000 Compliance with regard to meeting certain Cabinet approved timeframes.

The Commission has worked to meet the Cabinet approved timeframes that envisaged completion and testing of business critical systems and a contingency plan in place by the end of June 1999. All business critical systems have been tested and contingency plans are being developed. Some Year 2000 risk is also present in reliance on third parties dealing with the Commission, and this is being addressed.

While the Commission is making every effort to mitigate risks, there can be no absolute assurance that the Commission Year 2000 readiness program will be completely successful.

## CERTIFICATE

To the best of our knowledge and belief: -

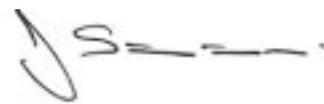
- the foregoing financial report presents fairly, in accordance with Statements of Accounting Concepts, Australian Accounting Standards, other mandatory professional reporting requirements (Urgent Issues Group Consensus Views), Department of Treasury and Finance Accounting Policy Statements and Treasurer's Instructions issued pursuant to the *Public Finance and Audit Act, 1987* the financial position of the Legal Services Commission of South Australia as at the 30th June 1999 and the result of its operations and cash flows for the year ended 30th June 1999; and
- internal controls over financial reporting have been effective throughout the reporting period.

9<sup>th</sup> September 1999



Brian Withers

CHAIR



Josie Safralidis

FINANCE MANAGER



# Auditor ~ General's Department

## INDEPENDENT AUDIT REPORT

### TO THE CHAIRMAN LEGAL SERVICES COMMISSION OF SOUTH AUSTRALIA

#### SCOPE

As required by section 31 of the *Public Finance and Audit Act 1987*, and section 25 of the *Legal Services Commission Act 1977*, I have audited the financial report of the Legal Services Commission of South Australia for the year ended 30 June 1999. The financial report comprises:

- An Operating Statement;
- A Statement of Financial Position;
- A Statement of Cash Flows;
- Notes to and forming part of the Financial Statements;
- Certificate by the Chairman and the Finance Manager.

The members of the Legal Services Commission of South Australia are responsible for the financial report. I have conducted an independent audit of the financial report in order to express an opinion on it to the Chairman.

The audit has been conducted in accordance with the requirements of the *Public Finance and Audit Act 1987* and Australian Auditing Standards to provide reasonable assurance that the financial report is free of material misstatement.

Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of accounting policies and significant accounting estimates. These procedures were undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, Australian Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) so as to present a view which is consistent with my understanding of the Legal Services Commission of South Australia's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

#### AUDIT OPINION

In my opinion, the financial report presents fairly in accordance with the Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, applicable Australian Accounting Standards and other mandatory professional reporting requirements, the financial position of the Legal Services Commission of South Australia as at 30 June 1999, the results of its operations and its cash flows for the year then ended.

#### EMPHASIS OF MATTER

Note 20 to the financial statements describes the progress in respect of ensuring that significant/core computer hardware, software and/or systems are Year 2000 compliant.

As explained in the note, while the Legal Services Commission of South Australia is taking action to mitigate its risks in relation to the date change from 1999 to 2000, there can be and is no audit assurance that the date changeover will not affect its ongoing operations, including financial results.

20 September 1999

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K I MacPHERSON  
AUDITOR-GENERAL

9th Floor, State Administration Centre, 200 Victoria Square, Adelaide. South Australia 5000  
Telephone +61 +8 8226 9640 Facsimile +61 +8 8226 9688 DX 56208 Victoria Square

## *Appendix 1 FREEDOM OF INFORMATION*

### **Access to Commission documents**

#### ***Policy documents***

The following Commission policy documents may be inspected free of charge:

- Assignments Policy Manual
- Agreement between the Commonwealth of Australia and the State of South Australia in relation to the Provision of Legal Assistance 1997
- The Practitioner's Guide to Legal Aid.

#### ***Other documents***

The Commission has a computerised records management system and databases which record certain details of accounts, clients, legal aid cases, legal aid files, legal advice and duty solicitor attendances. Hard copy files are maintained for each grant of aid and the location of these files is recorded in the computerised records management system. Management and administrative files are also maintained, with their location being recorded on a manual system.

Arrangements can be made to inspect documents available under the *Freedom of Information Act* at 82-98 Wakefield Street, Adelaide between 9.00 am and 5.00 pm on ordinary working days. Copies may be purchased at a fee of 50 cents per page, which may be waived in appropriate cases.

By prior arrangement with the Freedom of Information Officer, these documents may also be inspected and copies purchased at any of the Legal Services Commission's offices:

#### ***Commission Offices***

Adelaide	82-98 Wakefield Street, Adelaide 5000
Elizabeth	Windsor Building, Elizabeth Centre, Elizabeth 5112
Modbury	4 Smart Road, Modbury 5092
Noarlunga	Noarlunga House, Colonnades Shopping Centre, Noarlunga Centre 5168
Port Adelaide	2 Marryatt Street, Port Adelaide 5015
Whyalla	1st Floor RAA House, 25 Forsyth Street, Whyalla 5600

(See back cover for telephone, facsimile, and DX details)

## **Appendix 2 MEMBERS OF THE LEGAL SERVICES COMMISSION 1998-99**

The Chair, nominated by the South Australian Attorney-General:-

**Mr Brian Withers** LLB Appointed Chairman on 1.5.97; re-appointed 10.7.97. Mr Withers has been a Commissioner since 7.7.88 and is a legal practitioner in private practice.

Two nominees of the Attorney-General for the Commonwealth:-

**Dr Margaret Browne** Appointed 19.11.92. (First Assistant Secretary, Family Law and Legal Assistance Division, Attorney-General's Department, Canberra).

**Ms Joan Jardine** Appointed 16.4.98. (Director, Data Collection and Analysis Section, Family Law and Legal Assistance Division, Attorney-General's Department, Canberra).

(Deputy to Ms Jardine) **Mr Garry Burlingham** Appointed 16.4.98. (Director, Legal Aid Commissions Section, Family Law and Legal Assistance Division, Attorney-General's Department, Canberra).

One person to represent the interests of assisted persons, nominated by the South Australian Attorney-General after consultation with the South Australian Council of Social Service Incorporated:-

**Dr Deborah McCulloch** BA (Hons), Dip Ed. Appointed 15.7.93. (Trainer and coordinator of the Women's Electoral Lobby).

Three nominees of the South Australian Attorney-General:-

**Mr Peter O'Neill** Appointed 25.6.92. Retired 30.7.98. (Assistant Under-Treasurer, Budget, with the South Australian Department of Treasury and Finance)

**Mr Michael Burgess** B Ec FCA Appointed 20.11.97. (Chartered accountant and partner of KPMG Adelaide)

**Mr Raymond Bown** B Ec Appointed 27.8.98. (Manager, Budget, SA Department of Treasury and Finance).

**Mr David Bulloch** LLB Appointed 27.8.98. (Coordinator, Parks Community Legal Centre).

Three nominees of the Law Society of South Australia:-

**Mr Christopher Kourakis** LLB QC Appointed 26.3.93. Resigned 24.9.98. (Queen's Counsel at the independent Bar)

**Ms Rosemary Cardone** LLB Appointed 20.10.93. (A legal practitioner in private practice)

**Mr David Meyer** LLB Appointed 21.8.97. (A legal practitioner in private practice).

**Mr Gordon Barrett** LLB QC Appointed 24.12.98. (Queen's Counsel at the independent bar).

One nominee of the employees of the Legal Services Commission:-

**Mr Julian Kelly** LLB Appointed 10.7.98. (Barrister and solicitor, Criminal Law Practice Section).

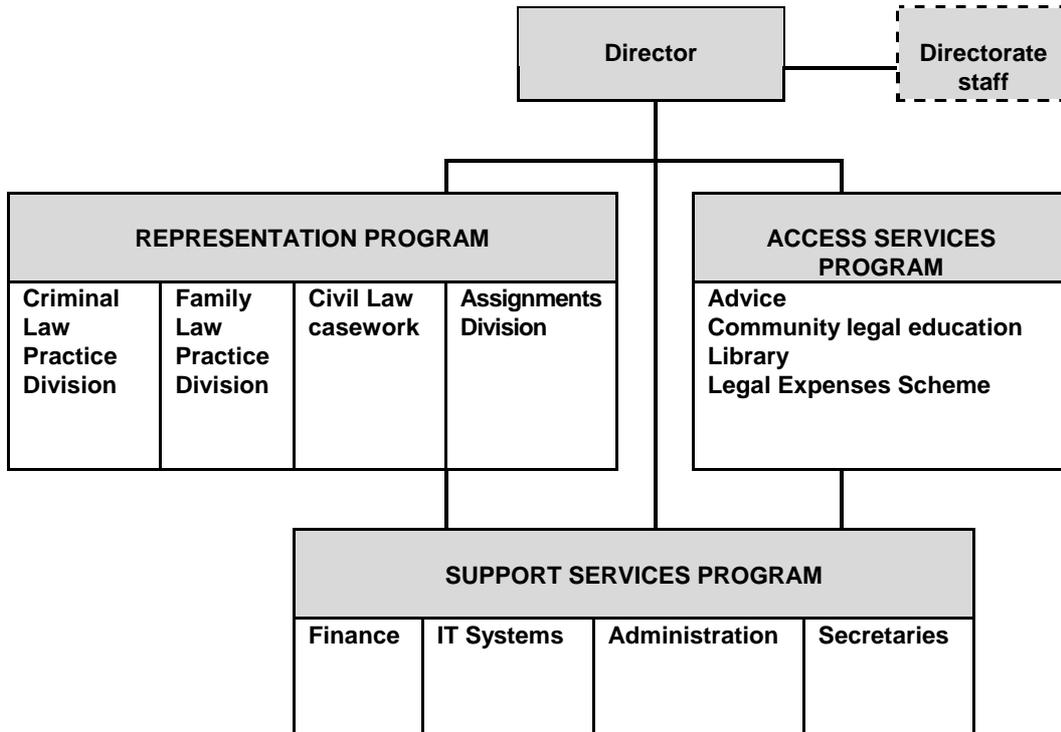
The Director of the Legal Services Commission:-

**Mr Hamish Gilmore** B Ec Appointed Director 17.6.99.

**Mr James Hartnett** B Juris LLB Appointed Director 1.7.91. Resigned 15.1.99.

Organisational structure of the Legal Services Commission

30 June 1999



Appendix 4 APPLICATIONS

Applications for aid received by source		1 July 1998 - 30 June 1999	
Source	TOTAL	%	
Community Law Centre	4	0%	
Child Support Forum	2	0%	
Child Support Unit	163	1%	
Direct from client	4556	28%	
Family Court	247	2%	
Duty lawyer	1551	10%	
Inhouse interview	809	5%	
Other agency	482	3%	
Prison	163	1%	
Private practitioner	8037	49%	
Reciprocity	20	0%	
Unknown	4	0%	
<b>TOTAL</b>	<b>16038</b>		

**Note:** The total number of applications received is less than the total number of applications processed, as the latter includes applications received in the previous year.

Applications for aid processed					1 July 1998 - 30 June 1999			
Application Status	Family		Criminal		Civil		TOTAL	
	No	% Family	No	% Criminal	No	% Civil	No	% all law types
Pending	212	5%	375	3%	34	3%	621	4%
External	1873	45%	6000	53%	310	32%	8183	49%
In-house	1132	27%	4028	35%	338	35%	5498	33%
Refused	957	23%	1030	9%	294	30%	2284	14%
Withdrawn	8	0%	9	0%	0	0%	17	0%
<b>TOTAL</b>	<b>4182</b>	<b>100%</b>	<b>11 442</b>	<b>100%</b>	<b>976</b>	<b>100%</b>	<b>16 603</b>	<b>100%</b>

*Appendix 4 APPLICATIONS (continued)*

<b>Case matters approved by category</b>		<b>1 July 1998 - 30 June 1999</b>		
<b>Type/Matter*</b>	<b>IN-HOUSE % of all approved matters in this category</b>	<b>EXTERNAL % of all approved matters in this category</b>	<b>TOTAL Total number approved matters</b>	<b>% of all approved matters</b>
<b>FAMILY</b>				
Child support scheme – carer	97%	3%	179	1.31%
Child support scheme – liable parent	99%	1%	164	1.20%
Children	22%	78%	1622	11.85%
Contempt	6%	94%	17	0.12%
Residence/contact	28%	72%	540	3.95%
Dissolution	61%	39%	18	0.13%
Injunctions (family)	25%	75%	12	0.09%
Property settlement	28%	72%	32	0.23%
Separate representative	63%	37%	410	3.00%
<b>Total Family</b>			<b>2994</b>	<b>21.88%</b>
<b>CRIMINAL</b>				
Assaults (excluding sexual assaults)	43%	57%	1941	14.19%
Burglary, break and enter	40%	60%	1215	8.88%
Criminal code – matters coded under categories now obsolete	20%	80%	74	0.54%
Drugs Commonwealth offences	11%	89%	8	0.06%
Drugs conspiracy offence	33%	67%	3	0.02%
Drugs dealing and trafficking	26%	74%	168	1.23%
Drugs possess/use	33%	67%	184	1.34%
Environmental	44%	56%	205	1.50%
Extortion	13%	87%	8	0.06%
Fraud, misappropriation & deception	40%	60%	640	4.68%
Handling, receiving & unlawful possession of stolen goods	30%	70%	746	5.45%
Homicide	44%	56%	115	0.84%
Manufacturing drugs	26%	74%	53	0.39%
Motor vehicle driving offences	45%	55%	927	6.77%
Motor vehicle, other and related offences	42%	58%	345	2.52%
Offences against good order	38%	62%	201	1.47%
Offences against government security	0%	100%	1	0.01%

*table continued over page*

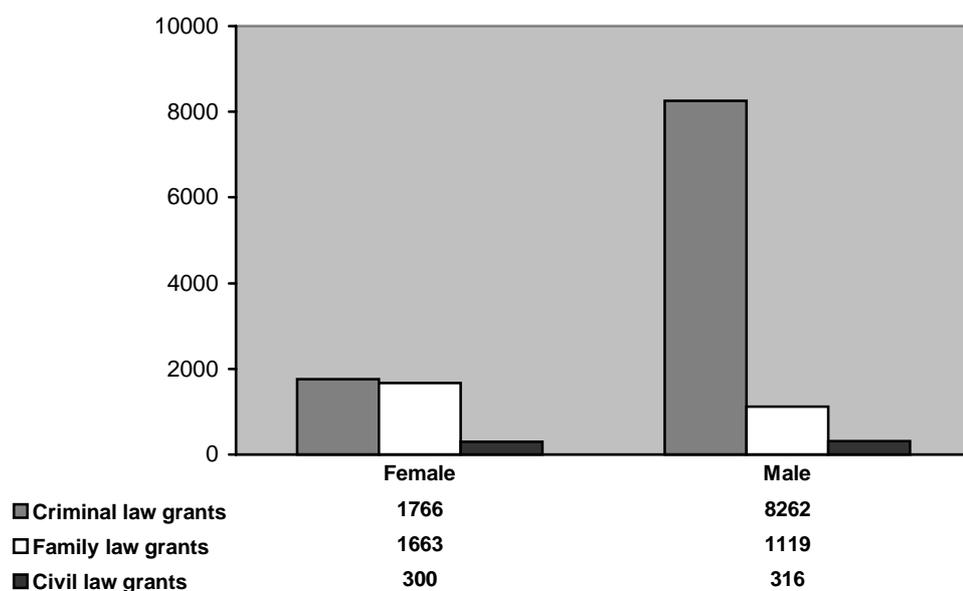
<b>Case matters approved by category</b>		<b>1 July 1998 – 30 June 1999</b>		
<i>(continued from previous page)</i>				
<b>Type/Matter*</b>	<b>IN-HOUSE % of all approved matters in this category</b>	<b>EXTERNAL % of all approved matters in this category</b>	<b>TOTAL Total number approved matters</b>	<b>% of all approved matters</b>
Offences against justice procedure	43%	57%	1147	8.38%
Offences against person	33%	67%	102	0.75%
Offensive behaviour offences	47%	53%	169	1.24%
Other criminal law matters/offences	22%	78%	149	1.09%
Property damage (criminal)	46%	54%	216	1.58%
Prostitution and related offences	0%	100%	3	0.02%
Rape and sexual offences	45%	55%	227	1.66%
Robbery	43%	57%	378	2.76%
Theft and other dishonesty offences	39%	61%	652	4.77%
Unlawful possession of other weapons	41%	59%	161	1.18%
<b>Total Criminal</b>			<b>10 038</b>	<b>73.38%</b>
<b>CIVIL</b>				
Administrative law	58%	42%	364	2.66%
Care and protection applications	45%	55%	278	2.03%
Civil – matters coded under categories now obsolete	0%	100%	1	0.01%
Contracts	100%	0%	1	0.01%
Matters arising out of criminal act	0%	100%	1	0.01%
Miscellaneous (civil)	50%	50%	4	0.03%
Personal injury	100%	0%	1	0.01%
Property (civil law)	100%	0%	1	0.01%
<b>Total Civil</b>			<b>651</b>	<b>4.79%</b>
<b>TOTAL CASE MATTERS APPROVED</b>			<b>13 683</b>	<b>100%</b>
<b>Note:</b> In 1998-99 the Commission converted to a new IT system (LA Office) replacing the CLASS system. This means that				
<ul style="list-style-type: none"> <li>• matter types are now classified in a different way from previous years. Some of the former categories are now obsolete, and there are some new categories. These are uniform to all Commissions using LA Office.</li> <li>• for this table, only information about the <i>primary</i> matter of the file can be extracted, not, as in previous years, about <i>all</i> matters.</li> </ul>				

Appendix 4 APPLICATIONS (continued)

FAMILY			CRIMINAL		CIVIL		TOTAL		
Reason refused	No.	% family app's refused	No.	% criminal app's refused	No.	% civil app's refused	No.	% all app's refused	% all applications processed *
Means	70	7%	71	7%	38	13%	179	7%	1%
Merit	125	12%	62	6%	15	5%	202	8%	1%
Means & merit	13	1%	1	0%	0	0%	14	1%	0%
Means, merit & guidelines	2	0%	0	0%	1	0%	3	0%	0%
Guidelines	523	51%	433	39%	205	68%	1161	48%	7%
Guidelines & means	250	24%	512	46%	31	11%	793	33%	5%
Merit & guidelines	32	3%	4	0%	9	3%	45	2%	0%
No jurisdiction	10	1%	1	0%	1	0%	12	0%	0%
Other	6	1%	22	2%	0	0%	28	1%	0%
<b>TOTAL</b>	<b>1031</b>	<b>100%</b>	<b>1106</b>	<b>100%</b>	<b>300</b>	<b>100%</b>	<b>2437</b>	<b>100%</b>	<b>14%</b>

\* There were 16 603 applications received to process in this period.

Grants of aid by law type and gender  
1 July 1998- 30 June 1999



Appendix 4 APPLICATIONS (continued)

Appeal applications		1 July 1998 - 30 June 1999			
Ground of appeal	Decision	Family	Criminal	Civil	TOTAL
<b>CONTRIBUTION</b>					
	Appeal allowed	0	3	0	3
	Appeal rejected	8	6	0	14
<b>Total appeals re contribution</b>					<b>17</b>
<b>SOLICITOR'S ACCOUNT</b>					
	Appeal allowed	0	1	0	1
	Appeal rejected	18	9	2	29
	Decision pending	1	0	0	1
<b>Total appeals re solicitor's account</b>		<b>19</b>	<b>10</b>	<b>2</b>	<b>31</b>
<b>REFUSAL TO GRANT AID</b>					
	Advise and report	1	0	0	1
	Appeal allowed	6	14	1	21
	Appeal rejected	212	223	86	521
<b>Total appeals re refusal to grant aid</b>		<b>219</b>	<b>237</b>	<b>87</b>	<b>543</b>
<b>REFUSAL TO GRANT EXTENSION</b>					
	Appeal allowed	0	1	0	1
	Appeal rejected	24	7	0	31
	Decision pending	1	1	0	2
<b>Total appeals re refusal to grant extn.</b>		<b>25</b>	<b>9</b>	<b>0</b>	<b>34</b>
<b>TERMINATION OF AID</b>					
	Appeal allowed	4	0	0	4
	Appeal rejected	7	2	0	9
<b>Total appeals re termination of aid</b>		<b>11</b>	<b>2</b>	<b>0</b>	<b>13</b>
<b>OTHER</b>					
	Appeal allowed	2	1	1	4
	Appeal rejected	18	6	2	26
	Decision pending	1	0	0	1
<b>Total other</b>		<b>21</b>	<b>7</b>	<b>3</b>	<b>31</b>
<b>TOTAL APPEALS</b>		<b>303</b>	<b>274</b>	<b>92</b>	<b>669</b>
<b>Percentage appeals per law type</b>		<b>45%</b>	<b>41%</b>	<b>14%</b>	<b>100%</b>

<b>Percentage all appeals rejected</b>	<b>94%</b>
<b>Percentage all appeals allowed</b>	<b>5%</b>
<b>Percentage all appeals pending or awaiting advice and report</b>	<b>1%</b>

**Appendix 5 CRIMINAL LAW SERVICES**

<b>Duty solicitor services by court and work type 1 July 1998 - 30 June 1999</b>								
<b>Court location</b>	<b>Advise only</b>	<b>Advise and represent</b>	<b>Contested bail</b>	<b>Mention</b>	<b>Plea</b>	<b>Hearing</b>	<b>Other</b>	<b>TOTAL</b>
Adelaide	1886	6	206	1175	126	0	857	<b>4256</b>
Amata	0	0	0	0	6	0	1	<b>7</b>
Christies Beach	241	253	71	225	57	0	2	<b>849</b>
Cooper Pedy	3	0	0	2	6	0	1	<b>12</b>
Elizabeth	178	757	172	287	122	1	3	<b>1520</b>
Ernabella	0	0	0	0	1	0	0	<b>1</b>
Fregon	0	0	0	3	7	0	0	<b>10</b>
Holden Hill	538	361	20	33	9	0	350	<b>1311</b>
Indulkana	0	1	0	3	6	0	0	<b>10</b>
Manna Hill	3	0	0	0	10	0	0	<b>13</b>
Mimilli	0	0	0	5	4	0	0	<b>9</b>
Modbury	1	0	0	0	0	0	0	<b>1</b>
No ct location given	8	0	0	0	0	0	3	<b>11</b>
Noarlunga	31	0	13	39	7	0	1	<b>91</b>
Port Adelaide	102	231	184	277	24	0	51	<b>869</b>
Port Augusta	12	1	5	42	12	1	0	<b>73</b>
Whyalla	39	9	4	228	55	3	5	<b>343</b>
<b>TOTAL</b>	<b>3042</b>	<b>1619</b>	<b>675</b>	<b>2319</b>	<b>452</b>	<b>5</b>	<b>1274</b>	<b>9386</b>

<b>Duty solicitor services by youth or adult court and work type 1 July 1998- 30 June 1999</b>				
<b>Work Type</b>	<b>Youth Court</b>	<b>Magistrates Court</b>	<b>No court type given</b>	<b>Total</b>
Advice only	313	2716	13	<b>3042</b>
Advise and represent	34	1584	1	<b>1619</b>
Contested bail	114	561	0	<b>675</b>
Mention	186	2132	1	<b>2319</b>
Plea	42	399	1	<b>442</b>
Hearing	0	5	0	<b>5</b>
Other	510	769	5	<b>1284</b>
<b>TOTAL</b>	<b>1199</b>	<b>8166</b>	<b>21</b>	<b>9386</b>

**Appendix 5 CRIMINAL LAW SERVICES (continued)**

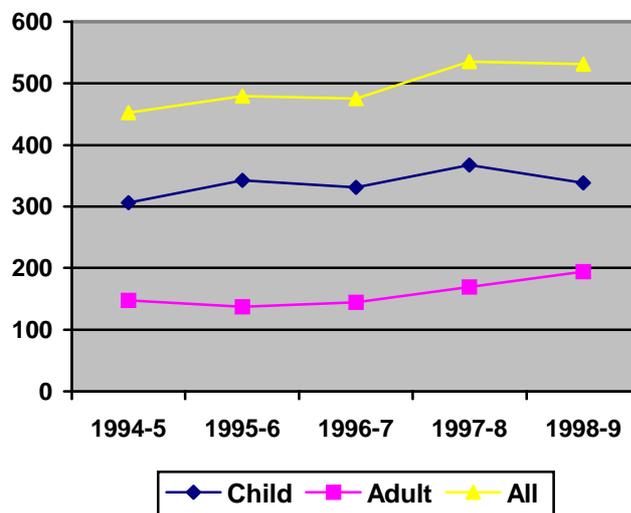
<b>Duty solicitor services by work type</b>		<b>1993-94 to 1998-99</b>				
<b>Work type</b>	<b>1993-94</b>	<b>1994-95</b>	<b>1995-96</b>	<b>1996-97</b>	<b>1997-98</b>	<b>1998-99</b>
Homicide/Assault (inc sexual)	1257 (14%)	1344 (15%)	1273 (12%)	1287 (10%)	1628 (12%)	<b>1612 (17%)</b>
Robbery/Extortion	393 (4%)	392 (4%)	393 (4%)	395 (3%)	574 (4%)	<b>339 (4%)</b>
Break & enter	877 (10%)	754 (8%)	787 (7%)	773 (6%)	981 (7%)	<b>691 (7%)</b>
Theft/Fraud	2003 (23%)	1679 (19%)	2225 (20%)	2434 (20%)	2707 (20%)	<b>1037 (11%)</b>
Other property offences	357 (4%)	318 (4%)	398 (4%)	486 (4%)	589 (4%)	<b>570 (6%)</b>
Offences against good order	1572 (18%)	1737 (19%)	2640 (24%)	3617 (29%)	3028 (22%)	<b>1371 (15%)</b>
Drugs	201 (2%)	166 (2%)	231 (2%)	292 (2%)	305 (2%)	<b>180 (2%)</b>
Motor vehicle	1195 (14%)	1322 (15%)	1566 (14%)	1747 (14%)	2442 (18%)	<b>2104 (22%)</b>
Other	1006 (11%)	1230 (14%)	1418 (13%)	1326 (11%)	1524 (11%)	<b>1482 (16%)</b>
<b>TOTAL</b>	<b>8861</b>	<b>8942</b>	<b>10 931</b>	<b>12 357</b>	<b>13 778</b>	<b>9386</b>

**Note:** The comparatively low number of matters shown in 1993-4, 1994-95 and 1998-9 reflect changes in data recording facilities as well as variations in levels of service. Until 1995-6, only one matter could be recorded per service. In 1995-96 the facility to record all matters dealt with per client service was introduced. Upon conversion to LA Office in 1998, the system again only allows one matter (the primary matter) to be recorded per service. This means that only the figures for the years 1993-4, 1994-5, and 1998-9 are truly comparable.

*Appendix 5 CRIMINAL LAW SERVICES (continued)*

<b>Children's protection applications assessed</b>				<b>1994-95 to 1998-99</b>	
	External assignment	Inhouse assignment	Refused	<b>TOTAL ASSESSMENTS</b>	
<b>CHILD</b>					
1994-5	60	245	1	306	
1995-6	36	307	0	343	
1996-7	58	272	1	331	
1997-8	60	306	1	367	
<b>1998-9</b>	<b>71</b>	<b>267</b>	<b>0</b>	<b>338</b>	
<b>ADULT</b>					
1994-5	114	3	30	147	
1995-6	125	1	11	137	
1996-7	127	2	15	144	
1997-8	159	0	10	169	
<b>1998-9</b>	<b>171</b>	<b>7</b>	<b>16</b>	<b>194</b>	

**Children's Protection Applications**

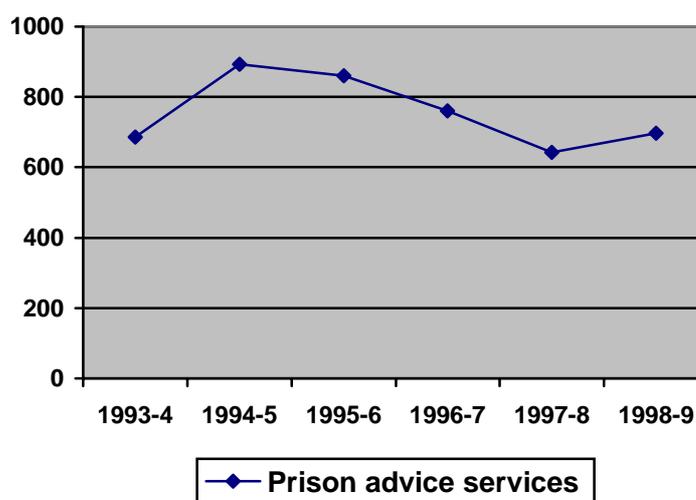


**Appendix 5 CRIMINAL LAW SERVICES (continued)**

<b>Prison advice</b>		<b>1993-94 to 1998-99</b>				
<b>Prison location</b>	<b>Services</b>					
	<b>1993-4</b>	<b>1994-5</b>	<b>1995-6</b>	<b>1996-7</b>	<b>1997-8</b>	<b>1998-9</b>
Adelaide Remand Centre	178	265	287	225	220	299
Cavan Training Centre*	1	1	N/A	N/A	N/A	N/A
City Watchhouse*	N/A	N/A	N/A	N/A	N/A	1
Hillcrest Hospital*	1	4	1	N/A	N/A	N/A
Mobilong Prison	39	39	15	12	23	8
Northfield Prison Cottages	15	31	40	12	4	9
Port Augusta	54	127	153	127	119	63
Port Lincoln*	N/A	N/A	1	N/A	N/A	N/A
Women's Rehabilitation Centre	2	10	8	9	8	21
Yatala Labour Prison	396	416	356	376	269	285
Location not specified	0	0	0	0	0	9
<b>TOTAL</b>	<b>686</b>	<b>893</b>	<b>861</b>	<b>761</b>	<b>643</b>	<b>697</b>

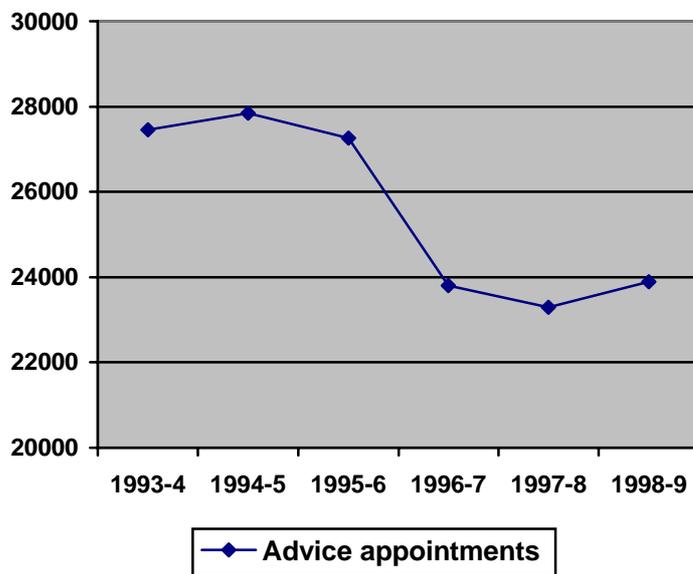
**Note:** \*These locations, other than the City Watchhouse, are not visited by the prison advisory service. The few services noted at these locations were given to other inmates during visits to clients by casework solicitors. The one service recorded in this table for the City Watchhouse was one of these. Normally services to inmates of the Watchhouse are provided by the Commission's Adelaide Magistrates Court duty solicitor service and included in the tables on page .....

**Prison Advice**

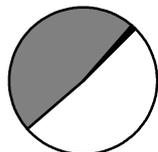


Appointment advice

Advice appointments			1993-94 to 1998-99		
1993-4	1994-5	1995-6	1996-7	1997-8	1998-9
27455	27845	27265	23800	23290	23895

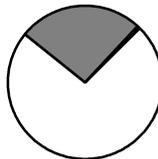


Civil law appointment advice



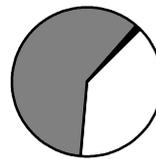
□ Male 51%  
 ■ Female 48%  
 ■ Other 1%

Criminal law appointment advice



□ Male 73%  
 ■ Female 26%  
 ■ Other 1%

Family law appointment advice



□ Male 39%  
 ■ Female 60%  
 ■ Other 1%



**Appendix 6 ADVICE SERVICES (continued)**

<b>Appointment advice matters by law type and gender</b>				
<b>1 July 1998- 30 June 1999</b>				
	<b>CIVIL</b>	<b>CRIMINAL</b>	<b>FAMILY</b>	<b>TOTAL/% of all advice</b>
<b>Female</b>				
Number	5108	829	6041	<b>11 978</b>
% of all advice given to females	43%	7%	50%	<b>100%</b>
% of all advice given in this law area	48%	26%	60%	<b>N/A</b>
% of all advice given	21%	3%	25%	<b>49%</b>
<b>Male</b>				
Number	5440	2325	3922	<b>11 687</b>
% of all advice given to males	46%	20%	34%	<b>100%</b>
% of all advice given in this law area	51%	73%	39%	<b>N/A</b>
% of all advice given	23%	10%	16%	<b>49%</b>
<b>Other</b>				
Number	129	20	81	<b>230</b>
% of all advice given to other	56%	9%	35%	<b>100%</b>
% of all advice given in this law area	1%	0%	1%	<b>N/A</b>
% of all advice given	0.54%	0.08%	0.34%	<b>0.96%</b>
<b>TOTAL ADVICE MATTERS</b>	<b>10 677</b>	<b>3174</b>	<b>10 044</b>	<b>23 895</b>
<b>% ADVICE MATTERS</b>	<b>45%</b>	<b>13%</b>	<b>42%</b>	<b>100%</b>
<b>Note:</b> 'Other' indicates where the gender of the advice client has not been recorded.				

## Telephone advice

### Annual statistics 1998-99

**Callers' waiting time** was on average 2 minutes 40 seconds, a 28% greater average wait than in 1997-98 (2 minutes 5 seconds waiting time).

**Calls received** 66 996 calls were received in 1998-99, a decrease of 8933 or 12% from 1997-98.

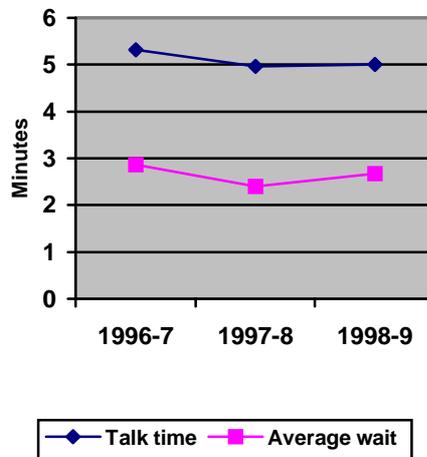
**Calls answered** 56 762 calls (an average of 225 per day) were answered (85% of calls received), as compared to the 81% of calls answered in 1997-98. This is a decrease of 4864 or 8% in the number of calls answered as compared with 1997-98.

**Calls answered per day** The number fell from 245 to 225 (a decrease of 20 or 8%), reflecting reduced numbers of staff.

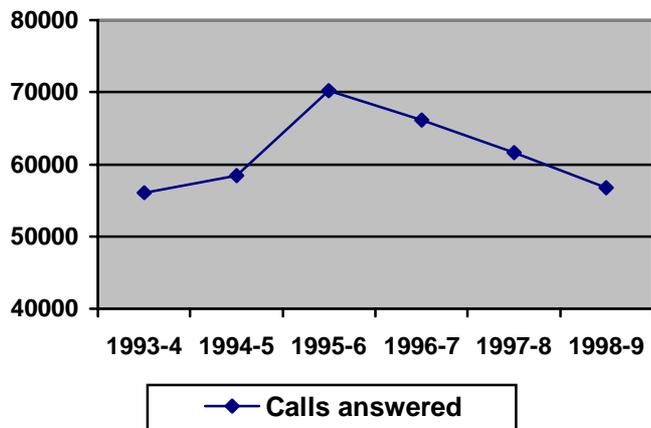
**Average talk time per call** Average call length was 5 minutes, or 2 seconds more than the average call length in 1997-98.

**Abandoned calls** 10 234 or 15% of calls received (averaging 41 per day) were abandoned by the caller (approximately the same rate as in 1997-98), despite the telephone queue being limited to 3 callers and there being a waiting time message facility.

Call and Waiting Times



Telephone Advice Services



## Community projects 1998-99

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### **Law Week activities**

*Wills for Charity:* the telephone advice line was the primary point of contact for this promotion, raising over \$20 000 for the Channel 7 Appeal.

*Powers of attorney and powers of guardianship in Greek and Italian*

*Video conference advice and child support pilot at Berri*

### **Guilty plea video**

The Commission continues to work with the Adelaide Institute of TAFE to produce

a guilty plea video to assist unrepresented defendants charged with minor offences

### **Rural Women's Legal Outreach Initiative**

With Bowden Brompton Community Legal Service and the Women's Legal Service, the Commission was a member of the steering group for this Iron Triangle project, funded by the Commonwealth Attorney-General's Justice Statement Initiative.

## Publicity and promotion 1998-99

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Section staff help promote the Commission's activities through the media, promotional materials and advertising, and talks to community groups, and provide

copy, design of advertisements, and desktop publishing services to the rest of the Commission.

## Public law courses 1998-99

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Revenue from these fee paying courses on general law topics cross-subsidises the Commission's free and low cost courses. Fees are waived or reduced for poorly funded community groups, and courses are available free to Commission staff.

A total of 2035 people attended Commission courses and information sessions in 1998-99 (courses 131 people, information sessions 1877, other classes 27). Courses include:

### **Law Handbook Live**

This is a 2 day course on topics such as family law, criminal law, employment law, workers compensation law, negligence & liability, health law, and consumer law are which are held on demand.

### **Paralegal training course**

An accredited component of the TAFE Certificate in Justice Studies, this course is conducted at Adelaide TAFE in weekly 2

hour sessions over two semesters in a calendar year, using the video conference mode to reach country students in Coober Pedy, Port Lincoln, Ceduna, Berri and Kingston in 1999.

### **Free information and training sessions**

Provided to interest groups on request, the staff sessions are open to Community Legal Centre and Aboriginal Legal Rights Movement staff. Monthly family law information sessions using the TAFE video conference facility are conducted and are relayed to up to 19 different rural and remote sites around South Australia.

### **Consultancy services**

Consultancy services in legal training tailored to the specific needs of the organisation are provided on request. BreakEven gambling counsellors and Aged Rights Advocacy Service were clients in 1998-99.

## Appendix 7 COMMUNITY LEGAL EDUCATION (continued)

### Publications 1998-99

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A list of the Commission's publications is set out below. Many of the free publications are now available on the Internet under SA Government Agencies on the Homepage [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au)

#### **The Law Handbook**

A comprehensive guide to the law in South Australia, with contribution from over 70 experts.

3<sup>rd</sup> edition, 1995 (\$49.95 including supplement published 1996)

4<sup>th</sup> edition, 1999 (\$60)

#### **The Duty Solicitor Handbook**

A practical guide for the duty solicitor

2<sup>nd</sup> edition \$60

#### **The Annotated Summary Offences Act**

Written by Mr Kelvyn Prescott SM, the second edition was edited and produced by the Commission in 1998.

2<sup>nd</sup> edition \$60

#### **The Practitioner's Guide to Legal Aid**

A guide to Commission assignment practice for legal aid lawyers

**Kits** (co-produced with the Lands Titles Office and Information SA)

Enduring Power of Attorney (\$10)

Enduring Power of Guardianship (\$10)

(Free guides are also available in Greek and Italian)

#### **Free pamphlets**

Need legal help?

Power of attorney

De facto relationships

Motor vehicle accidents

Wills

Debts

Carer parents and child support

Liable parents and child support

Going to court

You and the police

You and your neighbours

Bankruptcy

Restraining orders

The law and your dog

#### **Free booklets**

Cycling and the law

Family law and you

Fences and the law

Strata titles and the law

Unfair dismissal

Workers' rights

#### **Free posters**

Everyone counts with legal aid

More people than you think qualify for legal aid

Legal resources guide

#### **Free pocket cards**

- free legal advice

*A laminated legal contact card with instructions on accessing our telephone advice line through the Translating and Interpreting Service. Available in Greek, Italian, Vietnamese, Chinese, Serbian, Bosnian, Croatian, Polish, Russian, Khmer, Turkish and Spanish*

- free legal advice for country people

*A contact card for country callers with a 1800 number*

- free telephone advice

*A contact card about the telephone advice service and regional offices*

- tele/typewriter card

*For the deaf and hearing impaired*

#### **Information sheets and flyers**

Child Support Unit

Legal aid and how to get it

Pleading guilty in the Magistrates Court

Drink driving penalties

Domestic violence unit

Family mediation

Youth legal service

Civil mediation

Changing your name

Unclaimed goods

Dissolving a partnership

**StartRights** (co-produced with the Centre for Applied Linguistics, University of South Australia)

8 kits on social security, consumer rights, taxation, motor vehicle accidents, worker's rights, neighbours, family law, and child support.

<b>Policy and Research Projects</b>		<b>1 July 1998 - 30 June 1999</b>
<b>Requested by</b>	<b>Project</b>	
<b>South Australian Government, Government departments, authorities</b>		
SA Attorney-General	<p>“A Fabric For the Future”, the report of the Community Legal Centre Review Implementation Group</p> <p><b>Criminal Law (Intoxication) Amendment Bill 1997</b></p> <p><b>Criminal Law (Legal Representation) Bill 1998</b></p> <p><b>Criminal Law Consolidation (Appeals) Amendment Bill 1998</b></p> <p><b>Criminal Law Consolidation (Contamination of Goods) Amendment Bill 1998</b></p> <p><b>Criminal Law Consolidation (Intoxication) Amendment Bill 1998</b></p> <p><b>Criminal Law Consolidation (Juries) Amendment Bill 1998</b></p> <p>Discussion paper on Intoxication and Criminal Responsibility</p> <p><b>Evidence (Confidential Communications) Amendment Bill 1998</b></p> <p><b>Evidence (Confidential Communications) Amendment Bill 1998</b></p> <p><b>Evidence (Miscellaneous) Amendment Bill 1998</b></p> <p><b>Legal Services Commission (Legal Representation) Amendment Bill</b></p> <p><b>Listening Devices (Miscellaneous) Amendment Bill 1998</b></p> <p><b>Review of Bail Regulations 1987</b></p> <p><b>Review of Community Based Offender Programs</b></p> <p><b>Review of Criminal Law (Sentencing) Regulations 1988</b></p> <p><b>Second Hand Vehicle Dealers (Compensation Fund) Amendment Bill 1998</b></p> <p><b>Statutes Amendment (Fine Enforcement) Bill 1998</b></p> <p><b>Statutes Amendment (Restraining Orders) Bill 1998</b></p> <p><b>Statutes Amendment (Sentencing-Miscellaneous) Bill 1998</b></p> <p><b>Statutes Amendment And Repeal (Justice Portfolio) Bill 1999</b></p> <p><b>Summary Offences (Offensive and Other Weapons) Amendment Bill 1998</b></p> <p>Briefing notes for the Attorney for each parliamentary sitting</p> <p>Briefing notes for the Attorney for the Estimates Committee</p> <p>Draft Responses to Questions on Notice to the Attorney</p>	
<b>Commonwealth Government and Government departments</b>		
Senate Legal and Constitutional References Committee	<p><b>Inquiry into the Terms and Provisions of the</b></p> <ul style="list-style-type: none"> <li>• <b>Migration Legislation Amendment Bill (No 2) 1998</b></li> <li>• <b>Migration (Visa Application) Charge Amendment Bill 1998</b></li> <li>• <b>Migration Legislation Amendment (Judicial Review) Bill 1998</b></li> </ul>	
Department of Immigration and Multicultural Affairs	<b>Review of statutory self-regulation of the migration advice industry</b>	

**Appendix 8 POLICY AND RESEARCH (continued)**

Commonwealth Attorney-General	<p><b>Discussion Paper - Property And Family Law</b></p> <p><b>International Jurisdiction and the Recognition and Enforcement of Foreign Judgments in Civil Matters: Draft Hague Convention: Issues Paper</b></p>
Legal Aid and Family Services (Commonwealth Attorney-General's Department)	<p><b>Delivery of Primary Dispute Resolution Services in Family Law</b></p> <p><b>Justice Research Centre – Legal Aid Services in Family Law</b></p> <p><b>Legal Aid Commissions - PDR Questionnaire</b></p> <p><b>Legal Assistance Needs Study – Preliminary Analysis</b></p>
<b>Other national/interstate organisations</b>	
Australian Law Reform Commission	<p><b>Report of the review of scales of fees in federal jurisdictions</b></p> <p><b>Technology – what it means for Federal dispute resolution</b></p>
Victorian Law Reform Committee	<b>Parliamentary Inquiry into Criminal Liability for Self-Induced Intoxication</b>
CCH	<b>Legal Aid in Family Law</b>
Criminal Law Committee, Law Society of SA	<b>DNA testing for legally aided cases</b>
Office of the NSW Crown Advocate	<b>The Proper Application of the <i>Dietrich</i> Principle</b>
University of Canberra	<b>LBC Laws of Australia Series : Criminal Legal Aid</b>
<b>Legal Services Commission of SA</b>	
Legal Services Commission	<p><b>Annual Report</b></p> <p><b>Changes to the Criminal and Family Law Cost Scales</b></p> <p><b>Commission agendas and minutes of meetings</b></p> <p><b>Duty Solicitor Handbook</b></p> <p><b>Duty Solicitor Training Program</b></p> <p><b>Editing of Annotated Summary Offences Act (2<sup>nd</sup> Edition)</b></p> <p><b>Family Law Fee Scale Calculations</b></p> <p><b>GCLP/PLT Placement Coordination</b></p> <p><b>LA Office Clause Coding</b></p> <p><b>LA Office Procedures</b></p> <p><b>LA Office Project Team</b></p> <p><b>LA Office Tour Report</b></p> <p><b>LSC Family Mediation Program</b></p> <p><b>Practitioners' Guide to Legal Aid</b></p> <p><b>Report on LA Office in the Legal Aid Commission Of Tasmania</b></p> <p><b>Staff Handbook</b></p> <p><b>Statistics on Legal Aid Commission per capita funding</b></p> <p><b>Telephone Advice Work Experience Program (CLE and PLT)</b></p>

*Appendix 8 POLICY AND RESEARCH (continued)*

<b>Other legal aid organisations</b>	
National Legal Aid	<b>Family Law Project Discussion Paper (24 March 1999)</b> <b>Legal Aid Reciprocity Agreement</b> <b>National Legal Aid Statistics Questionnaire</b> <b>National Statistics Working Party Report</b> <b>Quarterly State Director's Reports</b> <b>Report on Data Provided By Legal Aid Commissions To The Commonwealth (December 1998)</b> <b>Research into the Impact of the Dietrich Case</b> <b>Sentencing of domestic violence perpetrators</b>
National Legal Aid Chairs	<b>Convene and minute National Legal Aid Chairs Conference, June 1999</b>
Legal Aid Western Australia	<b>National Criminal Law Costs Comparison</b>

**Appendix 9 CLIENT RELATIONS**

<b>Complaints</b>		<b>1 July 1998 - 30 June 1999</b>				
<b>Basis of complaint</b>	<b>Family</b>	<b>Criminal</b>	<b>Civil</b>	<b>General</b>	<b>Total</b>	<b>% of all complaints</b>
Refusal of aid	76 (50%)	50 (33%)	23 (16%)	1 (1%)	150	42.4%
Entitlement to legal aid	61 (71%)	14 (16%)	11 (13%)	Nil	86	24.3%
Child representation	26 (96%)	1 (4%)	Nil	Nil	27	7.6%
Commission service	19 (59%)	5 (16%)	6 (19%)	2 (6%)	32	9.0%
Commission process	1 (100%)	Nil	Nil	Nil	1	0.3%
Statutory charge	10 (67%)	3 (22%)	2 (13%)	Nil	15	4.2%
Private practitioner service	9 (64%)	3 (22%)	2 (14%)	Nil	14	4.0%
Discrimination	Nil	Nil	Nil	Nil	0	0.0%
Conditions of aid (other than statutory charge)	4 (50%)	4 (50%)	Nil	Nil	8	2.3%
Other	5 (24%)	2 (10%)	11 (52%)	3 (14%)	21	5.9%
<b>TOTAL</b>	<b>211 (60%)</b>	<b>82 (23%)</b>	<b>55 (15%)</b>	<b>6 (2%)</b>	<b>354</b>	<b>100%</b>

**CATEGORIES OF COMPLAINT**

**Refusal of aid**

In 1998-99, complaints about refusals of aid remained high, and continued to be the largest category of complaint. While family law remains the chief source of these complaints (50% this year, as compared with 51% last year), the proportion of complaints in criminal matters has remained at the high level reached last year (33% this year and 32% last year as compared with 23% in the previous year). This may be a reflection of the increased difficulty in getting legal aid in criminal law matters as a result of restricted guidelines. By contrast complaints about aid refusal or termination in civil law matters has dropped (16 complaints in 1998/99 as compared with 29 complaints in 1997/98), possibly reflecting the longer duration of the guidelines restricting access to aid in civil law.

Of the family law aid refusal complaints, 24 (32%) were on means, 8 (10%) were on merits and 44 (58%) were on guidelines, including the funding cap.

Of the civil law aid refusals, 16 (70%) related to guidelines, 3 (13%) related to merits and 4 (17%) to means.

Of the criminal law aid refusal complaints, 32 (64%) related to means, 2 (4%) related to merits, and 16 (32%) related to guidelines.

**Entitlement to legal aid**

As in the previous year, the great majority of complaints were in family law matters (71%), with 16% relating to criminal law matters and 13% to civil law matters. The process of investigating complaints about entitlements to legal aid is set out in Appendix 9 of the Commission's 1996-97 annual report.

**Child representation**

Child representation complaints have increased since last year from 15 to 26 complaints (by 73%). A large number of clients also make appointments to obtain further information about the role of the child representative.

**Commission service and process**

In-house complaints about Commission service or Commission process declined from 36 to 33 in number, representing 9.5% of all complaints received. In view of the substantial number of client contacts occurring over a year in case work and advice services, the complaint rate is low and reflects a generally good level of service.

**Statutory charge**

Statutory charge complaints have increased since last year, from 9 to 15 (by 67%). Complaints have been about the decision to impose a statutory charge in a particular client's matter. In some cases unusual circumstances have seen the Appeals Committee decide to uphold a client's appeal against the imposition of the charge.

**Private practitioner services**

A small number of complaints (14) continue to be received about private practitioner services, which would mostly be more appropriately directed to the private practitioner in question or to the Legal Practitioners Conduct Board, perhaps reflecting a lack of public understanding of the respective roles of the Commission, the Law Society and the Board.

**Discrimination**

No complaints of discrimination were received this year.

**Other**

Some complaints were inappropriately brought to the Commission, such as complaints against the Family Court, interstate Legal Aid Commissions or community legal centres. Many matters initially presenting as complaints turned out to be advice enquiries.

Appendix 10 STAFF

Legal Services Commission Act employees by stream, level, appointment type and gender														
30 June 1999														
STREAM	Ongoing			Contract			Contract			Casual		Total		
	M	F	Total	Longer Term		Shorter Term		M	F	Total	M	F	Total	
<b>ADMINISTRATIVE</b>														
Admin. Services Officers														
ASO1		3	3			1	5	6		1	1	1	9	10
ASO2	1	20	21			1	7	8				2	27	29
ASO3	1	7	8				3	3	1	1	2	2	11	13
ASO4	4	18	22				1	1				4	19	23
ASO5		1	1										1	1
ASO6	1	1	2									1	1	2
ASO7		2	2										2	2
ASO8														
<i>Total Admin. Services Officers</i>	7	52	59			2	16	18	1	2	3	10	70	80
<b>Total ADMINISTRATIVE</b>	<b>7</b>	<b>52</b>	<b>59</b>			<b>2</b>	<b>16</b>	<b>18</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>10</b>	<b>70</b>	<b>80</b>
<b>PROFESSIONAL</b>														
Prof. Services Officers														
PSO2		1	1										1	1
PSO3									1	1	2	1	1	2
<i>Total Prof. Services Officers</i>	0	1	1						1	1	2	1	2	3
<b>Total PROFESSIONAL</b>	<b>0</b>	<b>1</b>	<b>1</b>						<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>3</b>
<b>LEGAL</b>														
Legal officers														
LSC1						4	6	10				4	6	10
LSC2	2		2			1	7	8				3	7	10
LSC3	7	2	9			2	3	5				9	5	14
LSC4	4	3	7			1	1	2				5	4	9
LSC 5	4	1	5									4	1	5
<i>Total legal officers</i>	17	6	23			8	17	25				25	23	48

table continued over page

Appendix 10 Staff (continued)

<b>Legal Services Commission Act employees by stream, level, appointment type and gender</b>															
<b>30 June 1999</b>															
<i>(continued from previous page)</i>															
STREAM	Ongoing			Contract Longer Term		Contract Shorter Term		Casual		Total					
	M	F	Total	M	F Total	M	F Total	M	F Total	M	F	Total			
<b>Managers legal services</b>															
LSM 1	1	2	3							1	2	3			
LSM 2	2		2							2		2			
<i>Total managers legal services</i>	3	2	5							3	2	5			
<b>Total LEGAL</b>	<b>20</b>	<b>8</b>	<b>28</b>			<b>8</b>	<b>17</b>	<b>25</b>		<b>28</b>	<b>25</b>	<b>53</b>			
<b>EXECUTIVE</b>															
Manager Criminal				1		1				1		1			
Manager Assignments					1	1					1	1			
Chief Counsel				1		1				1		1			
Assistant Director					1	1					1	1			
Deputy Director				1		1				1		1			
CEO				1		1				1		1			
<b>Total EXECUTIVE</b>				<b>4</b>	<b>2</b>	<b>6</b>				<b>4</b>	<b>2</b>	<b>6</b>			
<b>OTHER EMPLOYEES</b>															
Other				1		1	4	4		1	4	5			
<b>Total OTHER</b>				<b>1</b>		<b>1</b>	<b>4</b>	<b>4</b>		<b>1</b>	<b>4</b>	<b>5</b>			
<b>TOTAL ALL STREAMS</b>	<b>27</b>	<b>61</b>	<b>88</b>	<b>5</b>	<b>2</b>	<b>7</b>	<b>10</b>	<b>37</b>	<b>47</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>44</b>	<b>103</b>	<b>147</b>
<b>Total all streams full time equivalent (FTE) = 135.7</b>															

<b>Equal opportunity</b>		<b>1994-95 to 1998-1999</b>									
Classification band	1994-95		1995-96		1996-97		1997-98		1998-99		
	M	F	M	F	M	F	M	F	M	F	
Administrative staff	17%	83%	16%	84%	13%	87%	17%	83%	13%	87%	
Professional officers	-	100%	-	100%	50%	50%	33%	67%	33%	67%	
Legal staff	50%	50%	51%	49%	47%	53%	47%	53%	53%	47%	
Executive	69%	31%	75%	25%	73%	27%	73%	27%	67%	33%	

<b>Total</b>	<b>32%</b>	<b>68%</b>	<b>32%</b>	<b>68%</b>	<b>29%</b>	<b>71%</b>	<b>31%</b>	<b>69%</b>	<b>30%</b>	<b>70%</b>
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**Appendix 10 STAFF (continued)**

<b>Occupational health and safety</b>	<b>1995-96 to 1998-99</b>			
	<b>1995-96</b>	<b>1996-97</b>	<b>1997-98</b>	<b>1998-99</b>
(a) The average number of actual employees employed during the period (as at 30/6/96)	166	151	159	<b>147</b>
(b) The total number of hours worked by employees (000) (FTE)	298	275	276	<b>257</b>
(c) The total number of work injuries	7	7	5	<b>5</b>
(d) The agency's actual expenditure on occupational health and safety programs - as a percentage of total expenditure	0	0	0	<b>0</b>
(e) The agency's budget allocation for worker's compensation	\$36 000	\$37 300	\$29 300	<b>\$28 000</b>
(f) The total number of claims	11	1	3	<b>4</b>
(g) The total cost of worker's compensation claims charged against an insurance fund	\$31 960	\$31 295	\$31 000	<b>\$30 440</b>
(h) The total cost of worker's compensation claims by agency	\$1 368	0	\$1 114	<b>\$1187</b>
(i) The total number of common law claims	0	0	0	<b>0</b>
(j) The total cost of common law claims	0	0	0	<b>0</b>
(k) The total number of employees who participated in the Agency's rehabilitation program	1	0	0	<b>0</b>
(l) The total number of employees rehabilitated back to their original work task	1	0	0	<b>1</b>
(m) The total number of employees rehabilitated and redeployed onto other suitable work tasks	0	0	0	<b>0</b>
(n) The total number of employees still on suitable alternative duties	0	1	2	<b>0</b>
(o) The total number of employees who have left, declared medically unfit	0	0	0	<b>0</b>
(p) The agency's budget allocation for property damage accidents	0	0	0	<b>0</b>
(q) The total number of property damage accidents	0	0	0	<b>0</b>
(r) The total costs of property damage accidents	0	0	0	<b>0</b>
(s) The number of hours of training in OH& S	50	50	50	<b>50</b>
(t) the number of Health and Safety Representatives	11	11	11	<b>11</b>
(u) The number of Health and Safety Committees	1	1	1	<b>1</b>
(v) The number of default notices issued pursuant to s.35 of the OHS&W Act	0	0	0	<b>0</b>
(w) The number of times work was stopped pursuant to s.36 of the OHS&W Act	0	0	0	<b>0</b>
(x) The number of Improvement Notices issued pursuant to s.39 of the OHS&W Act	0	0	0	<b>0</b>

(y) The number of Prohibition Notices issued pursuant to s.40 of the OHS&W Act	0	0	0	0
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Year 2000 compliance			1 July 1998 – 30 June 1999			
<b>Table A</b>						
	Inventory status %	Assessment %	Compliance Plan %	Correction %	Testing %	Contingency %
IT	100	100	100	100	98	0
Non IT	100	100	100	100	100	0
Building	100	100	100	100	100	0
External	100	100	100	100	100	0
<b>Table B</b>						
Name of business unit/ agency (business unit level)	Description of year 2000 major risks**	Date remediated/to be remediated	Contingency plan completed/to be completed			
<b>Legal Services Commission of SA .</b>						
<b>(a) LA Office/Finance One</b> (software which manages the Commission's legal services and finance)	Inability to process legal aid applications could delay representation in court and leave prisoners in custody for longer period	December 1998	To be completed September 1999			
<b>(b) Telephone System</b> (SA Government telephone system)	Inability to communicate quickly could delay court proceedings	April 1999	To be completed September 1999			
<b>(c) CHRIS</b> (human resources payroll system)	Inability to pay staff	July 1999	September 1999			

<b>Case related payments and costs recovered 1 July 1998 – 30 June 1999</b>					
	<b>Family (including Child Support)</b>	<b>Criminal</b>	<b>Civil</b>	<b>Advice (Interpreter fees)</b>	<b>TOTAL</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b><u>EXTERNAL CASES</u></b>					
<b>Solicitor, Counsel and Disbursements</b>	2 206 776	3 637 779	253 414	0	<b>6 097 969</b>
<b><u>INHOUSE CASES</u></b>					
<b>Solicitor, Counsel and Disbursements</b>	368 692	310 340	25 839	35 623	<b>740 494</b>
<b><u>TOTAL CASE</u></b>					
<b><u>RELATED PAYMENTS</u></b>	2 575 468	3 948 119	279 253	35 623	<b>6 838 463</b>
<b>Total Costs Recovered</b>	28 494	62 206	31 722	0	<b>122 422</b>
<b>Costs Recovered as a % of payments</b>	1.11	1.58	11.36	0.00	<b>1.79</b>

Total Case Related Payments and Costs Recovered amounts reconcile with amounts recorded in the Operating Statement and accompanying notes. In previous years this table recorded payments into separate Solicitor, Counsel and Disbursements allocations. The Commission is unable to provide this allocation in the 1998-99 year due to the implementation of a new computer system during the course of the year.

## Account payment performance

Particulars	Number of accounts paid	Percentage of accounts paid (by number)	Value in \$A of accounts paid	Percentage of accounts paid (by value)
Paid by the due date*	24 092	96.77%	10 582 734	96.19%
Paid within 30 days or less from due date	665	2.67%	342 534	3.12%
Paid more than 30 days from due date	140	.56%	76 314	.69%

*\*Note: The due date is defined as per section 11.2 of Treasurer's Instruction 11 Payment of Accounts. Unless there is a discount or a written agreement between the public authority and the creditor, payment should be within thirty days of the date of the invoice or claim.*

The Commission has a policy of paying all accounts within 30 days; any delays are the result of an unanswered query on the account.

The Commission implemented a new computer system during the 1998/99 financial year due to the change of computer programs in December 1998 there may be slight inaccuracies in these figures.

**Program Budgets - all offices**

**1 July 1998 - 30 June 1999**

	PRIVATE PRACTITIONERS		ACCESS SERVICES		CIVIL LAW		FAMILY LAW		CRIMINAL LAW		CHILD SUPPORT		CORPORATE SERVICES		TOTAL	
	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's	\$000's
	\$ Budget	\$ Actual	\$ Budget	\$ Actual	\$ Budget	\$ Actual	\$ Budget	\$ Actual	\$ Budget	\$ Actual	\$ Budget	\$ Actual	\$ Budget	\$ Actual	\$ Budget	\$ Actual
<b>SALARIES</b>																
ADELAIDE	694	756	941	1048	432	322	791	773	1466	1488	285	391	585	542	5194	5320
ELIZABETH	105	41	129	107	28	3	64	37	288	393	0	0	0	0	614	581
WHYALLA	20	19	49	29	2	0	79	67	138	285	0	19	0	0	288	419
NOARLUNGA	79	65	72	63	0	0	41	62	112	119	0	0	0	0	304	309
MODBURY	99	60	84	75	0	0	76	92	93	190	0	0	0	0	352	417
PORT ADELAIDE	100	53	86	62	9	0	13	6	121	181	0	0	0	0	329	302
<b>TOTAL SALARIES</b>	<b>1097</b>	<b>994</b>	<b>1361</b>	<b>1384</b>	<b>471</b>	<b>325</b>	<b>1064</b>	<b>1037</b>	<b>2218</b>	<b>2656</b>	<b>285</b>	<b>410</b>	<b>585</b>	<b>542</b>	<b>7081</b>	<b>7348</b>
<b>ADMIN EXPENSES</b>																
ADELAIDE	215	218	296	313	92	61	183	184	366	362	59	103	173	176	1384	1417
ELIZABETH	28	13	35	33	8	1	17	11	78	121	0	0	0	0	166	179
WHYALLA	9	6	22	8	1	0	36	20	62	84	0	5	0	0	130	123
NOARLUNGA	30	21	27	21	0	0	16	20	42	40	0	0	0	0	115	102
MODBURY	43	20	36	26	0	0	33	31	40	64	0	0	0	0	152	141
PORT ADELAIDE	37	19	32	22	3	0	4	2	45	64	0	0	0	0	121	107
<b>ADMIN EXPENSES</b>	<b>362</b>	<b>297</b>	<b>448</b>	<b>423</b>	<b>104</b>	<b>62</b>	<b>289</b>	<b>268</b>	<b>633</b>	<b>735</b>	<b>59</b>	<b>108</b>	<b>173</b>	<b>176</b>	<b>2068</b>	<b>2069</b>
DEPRECIATION	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	383
<b>TOTAL ADMIN EXPENSES</b>	<b>362</b>	<b>297</b>	<b>448</b>	<b>423</b>	<b>104</b>	<b>62</b>	<b>289</b>	<b>268</b>	<b>633</b>	<b>735</b>	<b>59</b>	<b>108</b>	<b>173</b>	<b>176</b>	<b>2068</b>	<b>2452</b>
LEGAL EXPENSES	7517	6098	0	0	40	27	284	366	286	310	167	0	0	0	8294	6801
INTERPRETER FEES	0	0	36	35	0	0	0	1	0	0	0	1	0	0	36	37
<b>TOTAL LEGAL EXPENSES</b>	<b>7517</b>	<b>6098</b>	<b>36</b>	<b>35</b>	<b>40</b>	<b>27</b>	<b>284</b>	<b>367</b>	<b>286</b>	<b>310</b>	<b>167</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>8330</b>	<b>6838</b>
<b>TOTAL PROGRAM EXPENSES</b>	<b>8976</b>	<b>7389</b>	<b>1845</b>	<b>1842</b>	<b>615</b>	<b>414</b>	<b>1637</b>	<b>1672</b>	<b>3137</b>	<b>3701</b>	<b>511</b>	<b>519</b>	<b>758</b>	<b>718</b>	<b>17479</b>	<b>16638</b>
<b>OTHER EXPENSES</b>																
COMPUTER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	450	463
<b>TOTAL EXPENSES</b>	<b>8976</b>	<b>7389</b>	<b>1845</b>	<b>1842</b>	<b>615</b>	<b>414</b>	<b>1637</b>	<b>1672</b>	<b>3137</b>	<b>3701</b>	<b>511</b>	<b>519</b>	<b>758</b>	<b>718</b>	<b>17929</b>	<b>17101</b>

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