



# The Legal Aid Commission of Tasmania Annual Report 2002



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# CHAIR'S STATEMENT

I was appointed Chair of the Legal Aid Commission of Tasmania on 15 November 2002. It is that timing which sees me making the Chair's Statement for the Commission's Report on its activities for 2001/2002. Because of the need for the Report to include audited annual statements of its finances, it is rarely possible for the Report to be finalised before the end of the calendar year.



I would like to start by thanking my predecessor, Mr David Gunson SC, for his long period of service to the Commission. David was one of the original Commissioners when the Commission began on 1 January 1991. He was made Chair in May 1991, and served a succession of reappointments until 8 November 2002. This made him the second longest serving Chair of a Legal Aid Commission in Australasia. He oversaw the development and growth of the Commission, the particular financial struggles of the last five to six years, and the Commission's consolidation as an important part of the Tasmanian legal system. On behalf of the Commission, I would like to thank him for his work and for his contribution to the Tasmanian community.

It has been the practice in statements made by the Chair to list the more serious achievements of the Commission or issues which will impact upon its future. The other parts of this Report have set out the details of the work performed by the Commission in the course of the year, and it is not necessary for me to repeat those statistics. But I would like to draw attention to the Report on the first years operation of the new Primary Dispute Resolution scheme in family law matters. This is a scheme which has been generously supported by the Commonwealth government and our thanks go to the Commonwealth Attorney-General, Daryl Williams AM QC, for his faith in this Commission's ability to devise and run a serious PDR program for family law issues. The results of the first year of its operation show that it has been successful. It is achieving results in resolving issues between disputing parties which are consistent with the best results achieved in other dispute resolution processes across Australia. On a per capita basis, it has greater reach and range than any similar Legal Aid Commission program anywhere in Australia. And it has markedly improved our ability to offer representational assistance to those of our clients whose cases are of a kind that need to go before a Court.

The Commonwealth provided us with sufficient funds to keep this program running for about two years. On current indications, we can probably keep it running about five or six months longer than we originally anticipated. We have kept the Commonwealth informed of what we regard as our considerable success with this program, and we have a bid with them for additional funds to keep the program going for another three to four years.

When I did my initial assessment of the major issues facing the Commission at the beginning of my time as Chair, I identified three. The first, which is always the same with any organisation assisting the less fortunate in our community, is the amount of money available for our

work. The Commission is financed by the State and Commonwealth governments, and it is part of our responsibility to keep them both advised of not only what we are doing with the money provided to us, but also what we could do with additional funding. The Commission is aware of the demands made on government and the priorities that have to be made from time to time. But we regard it as part of our function to regularly discuss issues of funding with government, and we do so.

The second issue is the level of fees paid to private legal practitioners for undertaking legally aided work. These fees have not changed since they were set in 1996. I know this issue has come up before in previous Reports, but the time is fast approaching when the Commission will have no option but to take some action on this issue. The Commission by virtue of its investment in IT has been able to offer the profession simple application processes, quick decision making, lack of bureaucracy, and rapid bill payment in an effort to compensate in other ways for the very low level of fees and it is a mark of the commitment of the Tasmanian private legal profession that so much legal aid work is done by so many. But the fees paid in Tasmania are now so far out of line with legal aid fees in the rest of Australia that if something is not done soon, we face the risk of large scale withdrawal of members of the private profession from legal aid work.

The third issue is the Hobart accommodation for officers and staff of the Commission. I know that one of the reasons why people work for Legal Aid Commissions is because of their dedication to the idea of providing a service to their community. But that is no reason why they should not have at least normal standards in their offices and work places. The accommodation presently occupied by the Commission in Hobart is cramped and over crowded. It has reached the stage where it is starting to effect the overall efficiency of the organisation and new accommodation must be found in the not too distant future.

All these issues are challenging. None of them are insurmountable.

I would like to thank the Director Norman Reaburn and all his staff for their dedicated service and contribution to the organisation over the past year. I also wish to express my thanks to my fellow commission members for their service during the past year. The Legal Aid Commission of Tasmania is fortunate to have such committed people working for the organisation.

I look forward to my time as Chair of the Commission with great enthusiasm.

**AUDREY MILLS**  
**CHAIR**

# DIRECTOR'S REPORT

My report this year will have some similarities to the [curate's egg](#). The year has been a mixture of good and hard, but fortunately, has not been as difficult as last year.

In my last report, I described the introduction of the guideline allowing applications for legal assistance to be refused because of lack of funds, and set out the detail of how it worked. We had to do that because of a significant overhang of financial commitment and a need to bring a large part of our budget under control. We finished that year in line with our budget, and we have achieved the same result this year. Again, in order to do it, we had to limit the assistance we were able to provide in family law matters handled by private practitioners to a level significantly below the demand.

The guideline declining assistance because of lack of funds only operates on applications that have passed all the other tests laid down by the Commonwealth guidelines applicable to family law matters. So every time we had to refuse an application under that guideline, we were refusing to provide assistance in a situation where, if we had the money, we would have been acting in accordance with the expectations of the Commonwealth by giving assistance.

But we had one factor working for us this year that we did not have last year. In my last report, I announced that we had received significant funding from the Commonwealth to set up a Primary Dispute Resolution program. That program allowed us to offer PDR conferences to people who might not otherwise have been able to obtain our representation assistance. That program has exceeded all our expectations. We were able to offer nearly 400 conferences in the course of the year. There is a [separate report of the PDR program](#) in this report, which gives details of the numbers, and our success rate. Our success rate is high, but not inconsistent with the rates achieved by similar programs in other parts of Australia. What is impressive is our per capita rate, when compared to similar programs run by other LACs or similar organisations in other parts of the country. Our clients, and our private legal practitioner partners have taken to the program with considerable enthusiasm. We have achieved a rate which, on a population basis, far outstrips the rate achieved anywhere else in the country.

The success of this program has meant that our need to refuse representation assistance has steadily shrunk throughout the year. Toward the end of the year, our use of the lack of funds guideline was very small indeed.

The PDR program has other benefits. It enables us to actively engage the participants in a family law dispute in working out the solution to that dispute in its early stages. Once agreement has been reached, the terms of it are lodged with the Family Court and endorsed by it as a consent order. Each time we do this, we take away the potential for a lengthy and



damaging Court action, and all the social consequences that any bitterly fought dispute involves. So not only does the program allow us to offer an additional service to those who seek our assistance, it allows us to achieve results which are beneficial not just to the parties but also to society at large, involves a more financially efficient use of resources available to us, and reduces the pressure on the Family Court and the Federal Magistrates Service. Eve Murray is our in house program co-ordinator, and Glen Hay, Tonia Kohl, Michael Brett, Christine Arnott, and Bill Friend are our other PDR Chairs. We owe them all a great debt of gratitude for the way they have ensured the success of the program. And we will be watching its second year of operation!

Electronic lodgement for applications for assistance has worked so well and been accepted so widely that it sometimes seems we have had it for far longer than we really have. My colleagues in other legal aid commissions can get quite desperate when I start in extolling its virtues. We are still the benchmark for Australasia.

Electronic lodgement is just the most visible sign of our approach to IT. We are committed to providing the best possible service to those members of the Tasmanian community who are eligible for it. We are committed to providing the most extensive service that we possibly can, and that involves insuring that as great a proportion of our resources as possible is dedicated to direct service delivery. Leveraging off IT helps us with both these commitments. So wherever possible, we use IT to help our lawyers do a better job. We can use our state-wide system to ensure that the information and legal knowledge needed by lawyers is available on every desk. We use our system to ensure that our telephone advice lawyers have available to them a database that covers just about any question they are likely to be asked. We use our system to support our more senior lawyers as they move about the state handling our more complex matters. And we use our system to keep driving down our administrative costs. That is why we have invested in a state-wide network, that is why all our staff have access to our system, and that is why the key components of our library are now all on line. Each year we devote some resources to investment in this area, expanding our system and ensuring that it has the continuing capacity we need.

Perhaps that is why my colleagues in other Australasian legal aid commissions have turned to Tasmania when a major national project involves IT. I have been asked by them to Chair the project boards, and be responsible for two major IT projects covering nearly all Australasian legal aid commissions. The first relates to the continuing support for the IT system used by all commissions at the moment, and the second is for a National system to replace it. All Australasian LACs use Legal Aid Office, a set of software for performing legal aid grants business and information recording functions which was developed and is owned by Queensland LAC. The small company that used to support this software was winding up and we needed to find a national service provider to replace it. A national tender (covering all Australasian LACs except Queensland, which was making its own arrangements) had been issued, and a support company had been chosen. As the year ended, we had just begun negotiations on a national template contract with that company.

The second project will be larger. All the LACs recognise that LAO needs either significant redevelopment or replacement. During the year, the project went to the market seeking information on the extent to which LAO functionality could be replaced with software applications already

"on the shelf". We received sufficient information and response to satisfy us that we did not necessarily face the prospect of a large "green fields" development. We have begun organising for the preparation of a tender.

Toward the end of the year, my colleagues asked me to take on the Chair of National Legal Aid. I have agreed to do that, so that for the next year Tasmania is going to loom large across the national elements of our legal aid business.

**NORMAN S REABURN**  
**DIRECTOR**

## **Curate's Egg**

The expression curate's egg goes back to the (sadly) defunct English humour magazine *Punch* of November 9, 1895, which featured a cartoon drawn by George du Maurier. This showed a timid curate (that is, a junior clergyman) having breakfast in his Bishop's home. The Bishop says: "I'm afraid you've got a bad egg there, Mr Jones", to which the curate replies, "Oh, no, my Lord, I assure you that parts of it are excellent!" Thus the phrase a curate's egg is often used to mean something that is partly bad and partly good and not wholly satisfactory. So today, if someone is asked if the news is bad or good they might reply, "A bit of a curate's egg actually" – meaning a mixture of good and bad. Of course, it can't really mean that. Any egg that is bad in parts is a bad egg. So, correctly used, a curate's egg is a tactful way of saying that something is thoroughly bad by saying that bits of it are quite okay. (Mind you, the misuse has gone on for so long now, there is no hope of reversing it!)

# LEGAL AID COMMISSION OF TASMANIA

## PDR PROGRAM – ANNUAL REPORT

The Legal Aid Commission was successful in tendering to the Commonwealth Attorney-General's Department for a one off payment of \$630,000.00 to establish a Primary Dispute Resolution Program. The Commission has been running a conferencing program for a number of years but traditionally conferences are convened at the pre-trial stage in order to assess merit and attempt a last minute settlement. The importance of early intervention has been recognised for some time, and conferencing at this stage can be extremely beneficial, before the parties became too entrenched in their respective positions.

At the time the funds were allocated, the Commission had, due to financial restraints, imposed a daily financial limit on family law matters. The introduction of the PDR Program meant that **funding was available to applicants who might otherwise have been refused legal aid.**

The funds were received in April 2001 but the first conference did not commence until the first week in August. The Commission approached six legal practitioners who agreed to become Conference Chairs. All but one had a family law background together with experience in conferencing. All Chairs were required to complete a five day mediation course prior to participating in the program. This training was completed in July.

The expectation was that in the first twelve months, approximately 250 conferences would be completed, followed by 400 the following year. In fact 358 conferences were completed during the eleven months prior to the end of this financial year.

The success rate has been very encouraging. Figures show that 53% of the conferences were fully successful, with all issues resolved, 34% were partially successful and only 11% failed to achieve a result. The flow on from this is that **the program is keeping a lot of applicants out of the Court system.** Where there is a full resolution of all issues, consent orders are drafted and filed in the Family Court. So far there is little or no indication that these agreements are falling over.

The Commission is committed to an intake and screening procedure whereby all applications directed to the PDR process are assessed for suitability. e.g in cases where serious child abuse or high level domestic violence is alleged, a conference would not be conducted.

The program also has the flexibility to allow telephone or shuttle conferencing where there is a degree of conflict between the parties.

The feedback from the legal profession since this program commenced has been very positive. Not only are clients now receiving a grant of aid for less complex matters, but a large number of them are settling at the conference stage. The clients are also happy with the process as they are encouraged to participate.

The Commission looks forward to continuing this PDR program in the future.

### **BUDGET 2001/2002**

OPENING RESERVES	\$415,000
<b>INCOME</b>	
Commonwealth grant	220,000
Interest	22,538
<b>TOTAL INCOME</b>	<b>\$657,538</b>
<b>ACCRUED COSTS/EXPENDITURE</b>	
Assigned Grants	\$131,238
Salaries	89,690
Operating Costs	38,353
Disbursements(including Chairperson payments)	43,897
<b>TOTAL ACCRUED COSTS</b>	<b>\$303,178</b>
<b>BALANCE OF FUND</b>	<b>\$354,360</b>

## OUR WORK

The Legal Aid Commission provides legal services to the Tasmanian community through grants of legal aid, free legal advice and minor assistance, duty solicitor services, and community education and information.

During the year the Commission received 7,902 applications for legal assistance. Of those, 4,772 were for criminal matters and 3,052 were for family matters - 863 and 534 more respectively than the previous year. There was slightly more difference across the two years for applications approved. For criminal law matters we approved 4,230 - 969 more than the previous year, but for family law matters, we approved 2,244 - 752 more than the previous year. Proportions of approvals to applications received were higher this year than last year.

The family law matters figures reflect the introduction of our Primary Dispute Resolution program, as well as the fact that we have been able to begin to bring back a level of family law representation activity more in keeping with normal patterns. The criminal law matters figures are very welcome - they display a level of activity close to the highest levels ever achieved by the Commission, in times of a larger budget!

In applications for civil matters, reflecting the decision the Commission had previously taken to not take on any new state civil cases, we received only 78 applications, of which 58 were approved. This compares with the previous year when 91 applications were received and 56 were approved.

For criminal matters, 58.5% (2,473) were assigned to members of the private profession and 41.5% (1,757) to the in house practice. A slightly lower proportion of family law matters, 37% (827), went to the in house practice, with 63% (1,417) going to the private profession.

These figures cover our representation activity, based on grants of aid.

Our duty lawyer service operates in the Magistrates Courts. In house practitioners attend the Court, and are available to give legal advice to people before they appear in Court, or to handle simple representation. Each instance is recorded as a duty lawyer session, and during the year our duty lawyers provided 2,926 sessions. This is a nice increase over last year, when we did 2,581 sessions.

In addition to representation and Court based duty lawyer sessions, our in house lawyers provide free face to face legal advice to people who attend our clinic sessions. Clinics are held at least several times a week at each of our four offices. All legal advice is provided by professional legal staff who, in the course of giving advice, are able to look at any document the client produces, advise on the appropriate course of action, including how to make an application for legal aid and provide minor assistance such as writing a letter. In addition to general advice services, our officers also offer expert advice in child support. During the year we saw 6,709 people and gave them face to face advice.

We aim to ensure that all Tasmanians, no matter where they live and regardless of means, have ready access to legal information and advice through our state wide program of telephone advice.

For the cost of a local call any Tasmanian can access our service and obtain prompt legal advice or information from a lawyer. There were 25,436 calls dealt with by the



service during 2000/2001 compared to 26,635 the previous year. The telephone service consistently achieves figures of this size.

The presentation of seminars and workshops continues to be one of our most important activities in increasing community awareness about the law. Our outreach seminars and workshops have been delivered to a range of audiences such as students, migrant groups, workers, and retirees, on varied topics such as employment law, negligence and family law. As part of an ongoing program our community awareness activities have also been supplemented by specialised Child Support presentations. During the year the Commission provided 149 workshops and seminars.

During the past year we have produced a range of publications (information cards, pamphlets, posters and newsletters) to increase public access to services. These publications have been distributed among legal services state wide, and have been favourably received by the public and service providers alike.

## OUR PEOPLE

We started the year with a couple of important vacancies. As reported last year, both our Head of Practice and our Head of Family Law Practice had left. This provided an opportunity to think again about the practice structure. With the approval and encouragement of the Commission, the Director has formally become the Head of Practice, and the Practice reporting lines go straight to that position. This gave us the opportunity to introduce a slightly flatter structure into the state-wide practice. Visit our new [organisational chart](#).

Pat Fitzgerald is now our most senior family law practitioner. Because of his extensive advocacy skills, he now occupies an "in-house counsel" role. He handles the most difficult trials and Court appearances, no matter where they occur in the state. He has a special responsibility for mentoring the other family lawyers who regularly conduct trials, and makes frequent contributions to the policy comment activities we are regularly asked to provide. To free him up for this role, we appointed a Southern Family Law Practice Leader, Kristen Wylie, who joined us early in the year. She and Sally Rofe, our Northern Family Law Practice Leader, handle the managerial and administrative side of that part of our practice, and report to the Director.

We continued to strengthen our Northern Criminal Practice. We turned one of our Launceston based Level 1 Criminal Lawyer positions into a Level 2 position. The successful applicant was Evan Hughes, who seized upon the opportunity to unleash his voracious appetite for criminal law work on the Courts which sat in Launceston. Evan had just begun to build up a Supreme Court practice from his base in Devonport, and we were delighted to move him to Launceston and to a more extensive range of work. We were pleased to give Philippa Grace the opportunity to return to Tasmania, and take the criminal law position in Devonport.

We had fewer staff movements this year than last year. Early in the year, Joan Manton retired. She was one of the original happy band, and had been with the Commission all its life. She came to us from the ALAO, so her links with legal aid are long and extensive. She worked on reception and in assignments - we miss her deep knowledge about our clients and their dealings with us over time. Our ability to hold yachting discussions suffered a blow when Gaye Doyle left.

Three of our staff had renewed contracts, and we took on extra secretarial assistance to support the practice.



[Members of the Commission](#)

# THE COMMISSION

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The Commission is an independent statutory body established by the Legal Aid Commission Act 1990. It is principally funded by the State and Commonwealth Governments with other sources of income derived from the recovery of legal costs in successful cases, contributions from legally assisted clients and interest on invested moneys.

Legal services in the areas of criminal law, Commonwealth civil law and family law are provided by the Commission from its head office in Hobart and regional offices in Launceston, Devonport and Burnie. As at 30 June, the Commission employed 22 lawyers in the Commission practice and it utilises the services of private legal practitioners to ensure that within the limits of funds available, no person is denied access to the law by reason of financial or social disadvantage.

Under Section 6 of the Legal Aid Commission Act 1990, the Commission's principal function is to provide legal aid in accordance with the Act. In the performance of this function, the Commission may:-

Determine the matters in respect of which legal aid may be granted;

Specify the criteria, including the imposition of a means test, to be applied in determining applications for legal aid;

Establish and operate such local offices as are considered necessary;

Publicise the services of the Commission;

Determine the conditions subject to which legal aid may be granted and contributions paid;

Liase with professional bodies representing private practitioners;

Provide agencies of the Commonwealth with statistical or other information;

Make reports and recommendations to the Minister in relation to any reforms of the law considered desirable.

The Commission consists of 7 Commissioners appointed by the Minister in accordance with Section 5(1) of the Legal Aid Commission Act 1990. During the 2001/2002 year, the Commission met on 9 occasions. Meetings of the Commission are usually held about every six weeks.

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## Members of the Commission

**David Gunson** - Chairman, private legal practitioner.

**Norman Reaburn** - Director, Legal Aid Commission of Tasmania.

**Brian Holloway** - Nominee of the State Attorney-General.

**Simon Brown** - Nominee of the Law Society of Tasmania, private legal practitioner.

**Chris Webster** - Nominee of the Law Society of Tasmania, private legal practitioner.

**Gina Sidhu** - Nominee of the Community Legal Centres of Tasmania, legal practitioner.

**Eve Murray** - Staff Representative.

**Christine Arnott** - Nominee of the State Attorney-General, private legal practitioner.

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## Our Services

We can help you ...

**Over the phone legal advice** service allows you to speak directly to a Legal Aid lawyer over the phone each weekday from 9am to 5pm. You pay only the cost of a local call wherever you ring from within Tasmania.

**Call 1300 366 611**

**Face to face legal advice** sessions allow you to speak to a Legal Aid lawyer face to face in a private consultation at any of our four offices, if you have a health care card or pension card. Your session will be limited to approximately 10 minutes. You do not need to make an appointment and will be seen as quickly as possible. The hours for this service are:

### **Hobart**

Monday to Friday - 12:45 to 1:30 pm.

### **Launceston**

Monday, Wednesday and Friday - 12:00 to 1:30 pm.

### **Devonport**

Tuesday and Thursday - 1:00 to 2:00 pm.

### **Burnie**

Tuesday and Thursday - 12:30 to 1:30 pm.

**Legal help at all Magistrates Courts** in Tasmania is provided by a Legal Aid lawyer called a Duty Solicitor. The Duty Solicitor can help you with information about Court procedures, bail applications, pleas and penalties. The Duty Solicitor will appear for you if you have been arrested and wish to apply for bail or if you are eligible for a grant of legal aid.

**Child Support free information & advice.** By using our child support service you can access free information and advice about paying and receiving child support and maintenance.

The lawyer that you will see at your appointment specialises in child support and maintenance problems. This service is available at all of our offices. Our child support service offers a free appointment, of up to one hour, to anyone needing information, advice and/or assistance with a child support or maintenance matter.

**Community Legal Information** via seminars for community groups on various legal topics are held by our lawyers who will visit your community organisation, school or other educational institution. The seminars are state-wide, free of charge and can be tailored to suit the needs or interests of your particular group. For more information or to make a booking please call 1300 366 611.

**Legal Representation** by our lawyers or a private lawyer is available to you if you are granted legal aid. Applying for legal aid will involve you making an application with your own solicitor or at your nearest Legal Aid office.

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## Our Locations

### **Hobart**

123 Collins Street Hobart  
GPO Box 9898 Hobart 7001 - DX 123  
Phone: 6233 8383 Fax: 6233 8555

### **Launceston**

64 Cameron Street Launceston  
PO Box 810 Launceston 7250 - DX 70126  
Phone: 6336 2050 Fax: 6336 2074

### **Devonport**

8 Griffith Street Devonport  
PO Box 87 Devonport 7310 - DX 70354  
Phone: 6421 7870 Fax: 6421 7871

### **Burnie**

50 Alexander Street Burnie  
PO Box 550 Burnie 7320 - DX 70209  
Phone: 6434 6444 Fax: 6434 6440

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## Freedom of Information

The *Freedom of Information Act 1991* commenced on 1 January 1993. As an "agency" under the *Freedom of Information Act 1991*, the Commission is required to determine requests for access to, or amendment of, information held by the Commission. In the period ended 30 June 2002, 1 application was received.

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[Duty Lawyer  
Services](#)

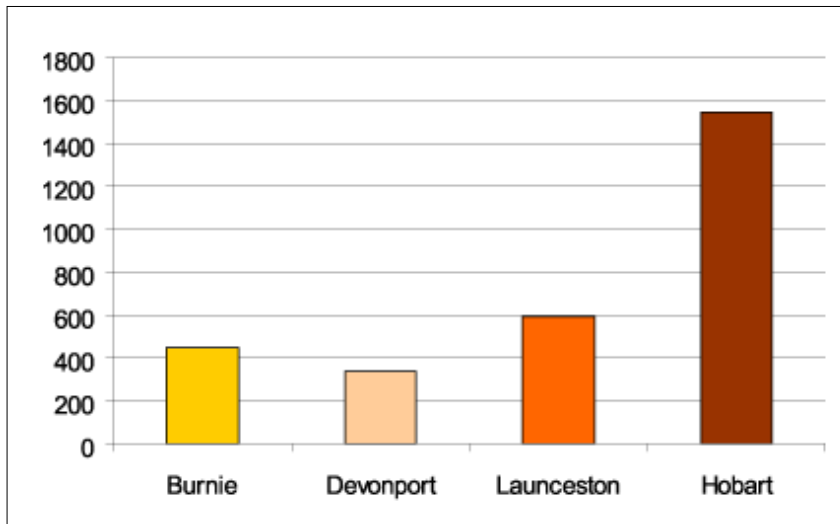
[Legal Advice by  
Office](#)

[Applications  
Received,  
Approved, Refused](#)

[Applications  
Approved,  
In-house  
/Assigned](#)

## STATISTICAL PROFILE

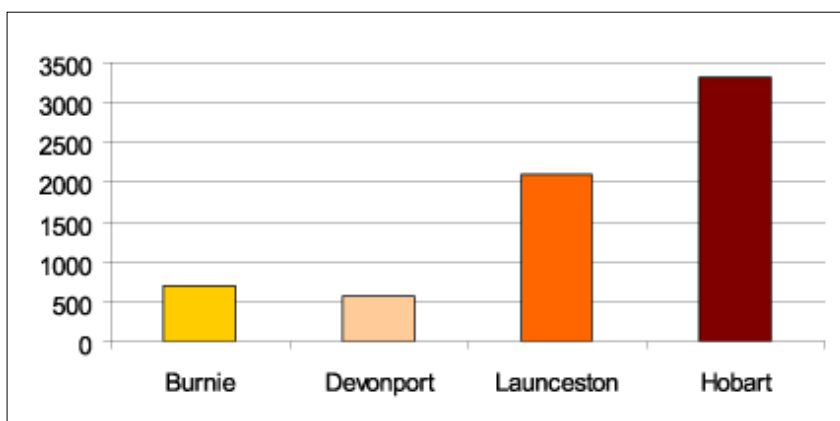
### Duty Lawyer Services 2001 - 2002



Burnie	449
Devonport	337
Launceston	592
Hobart	1548

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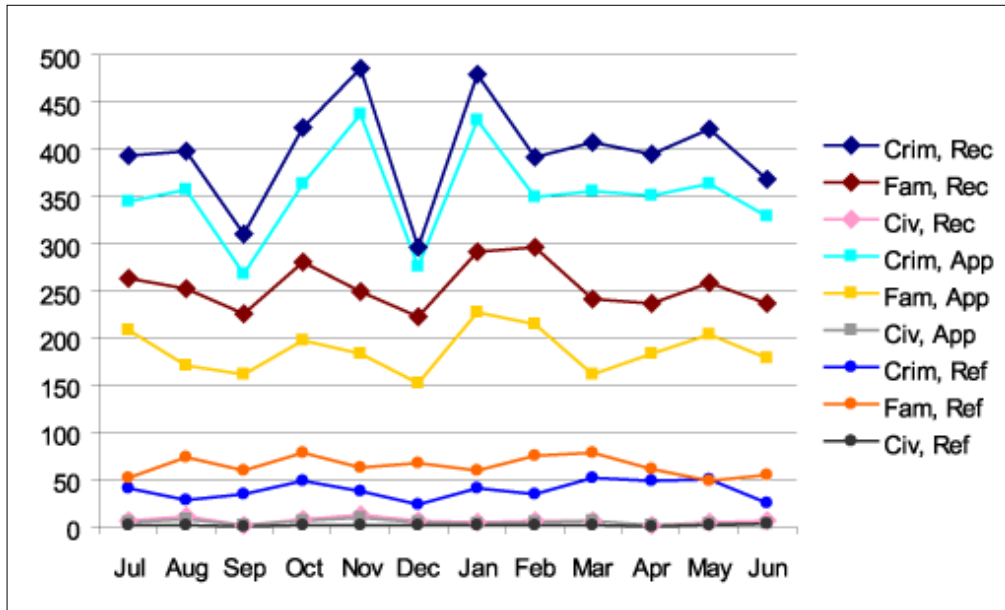
### Legal Advice by Office 2001 - 2002



Burnie	709
Devonport	579
Launceston	2101
Hobart	3320

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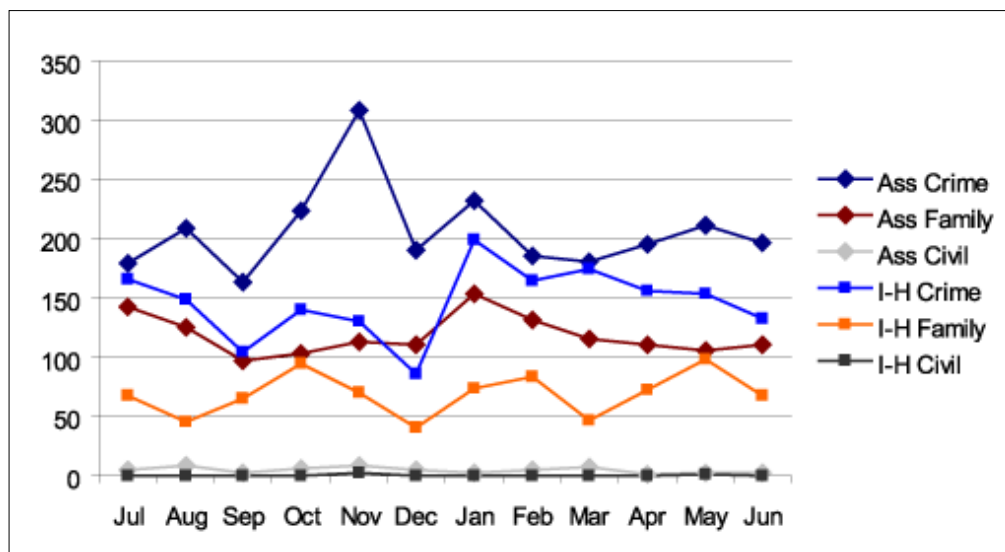
# Applications Received, Approved, Refused 2001 - 2002



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
<b>Crim, Rec</b>	393	398	311	423	486	297	480	392	408	395	421	368	<b>4772</b>
<b>Fam, Rec</b>	264	252	225	280	249	222	291	296	242	237	258	236	<b>3052</b>
<b>Civi, Rec</b>	7	11	2	8	12	7	4	7	7	1	5	7	<b>78</b>
<b>Crim, App</b>	345	358	268	364	438	276	431	350	356	351	364	329	<b>4230</b>
<b>Fam, App</b>	209	171	162	198	183	152	227	215	162	183	204	178	<b>2244</b>
<b>Civi, App</b>	5	8	2	6	10	5	3	5	7	1	3	3	<b>58</b>
<b>Crim, Ref</b>	40	28	35	49	37	24	41	34	51	49	50	25	<b>463</b>
<b>Fam, Ref</b>	52	73	60	78	63	67	59	76	78	61	48	55	<b>770</b>
<b>Civi, Ref</b>	2	2	0	2	2	2	1	1	1	0	2	3	<b>18</b>

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## Applications Approved In-house/Assigned 2001 - 2002



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
<b>Ass Crime</b>	179	209	163	224	308	190	232	185	181	195	211	196	<b>2473</b>
<b>Ass Family</b>	142	125	97	103	113	111	153	131	115	110	106	111	<b>1417</b>
<b>Ass Civil</b>	5	8	2	6	8	5	3	5	7	1	2	3	<b>55</b>
<b>I-H Crime</b>	166	149	105	140	130	86	199	165	175	156	153	133	<b>1757</b>
<b>I-H Family</b>	67	46	65	95	70	41	74	84	47	73	98	67	<b>827</b>
<b>I-H Civil</b>	0	0	0	0	2	0	0	0	0	0	1	0	<b>3</b>
													<b>6532</b>

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**The Honourable Judy Jackson**  
**Attorney General for the State of Tasmania**

**ANNUAL REPORT FOR 2001- 2002**

In accordance with Section 48 of the *Legal Aid Commission Act 1990*, we hereby submit the Annual Report of the Legal Aid Commission of Tasmania for the period 1 July 2001 to 30 June 2002.

**AUDREY MILLS**  
**CHAIR**

**NORMAN S REABURN**  
**DIRECTOR**

# FINANCIAL REPORTS

[Certification of Financial Statements](#)

[Independent Audit Report](#)

[Statement of Financial Performance](#)

[Statement of Financial Position](#)

[Statement of Cash Flows](#)

[Financial Notes](#)

The financials for the year 2001/2002 are provided as PDF documents (Portable Document Format). A PDF requires a viewer - Adobe Acrobat Reader, which can be down loaded at no cost from the Adobe website.



**FINANCE REPORT**

**CERTIFICATION OF FINANCIAL STATEMENTS**

The accompanying financial statements of the Legal Aid Commission of Tasmania have been prepared in compliance with the provisions of the Financial Management and Audit Act 1990 and are in agreement with the relevant accounts and records to present fairly the financial transactions for the twelve months ending 30<sup>th</sup> June 2002 and the financial position as at the 30<sup>th</sup> June 2002.

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

**AUDREY MILLS**  
**Chair**

**NORMAN REABURN**  
**Director**

29<sup>th</sup> November 2002



## **Tasmanian Audit Office**

### **INDEPENDENT AUDIT REPORT**

#### **To the Commissioners of the Legal Aid Commission of Tasmania**

##### **Scope**

I have audited the financial report of the Legal Aid Commission of Tasmania comprising a Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and notes thereto, for the year ended 30 June 2002. The Commissioners of the Legal Aid Commission of Tasmania 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 Commissioners.

The audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. My 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 have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia so as to present a view which is consistent with my understanding of the financial position of the Legal Aid Commission of Tasmania, 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 Accounting Standards and other mandatory professional reporting requirements in Australia and applicable legislation, the financial position of the Legal Aid Commission of Tasmania as at 30 June 2002, and the results of its operations and its cash flows for the year then ended.

D.S Burns  
Director - Financial Audit  
**TASMANIAN AUDIT OFFICE**

**Delegate of the Auditor-General**

13 December 2002  
**HOBART**

# LEGAL AID COMMISSION OF TASMANIA

## Statement of Financial Performance

For the 12 Months Ended 30th June 2002

		<b>Consolidated</b>	
		<b>2002</b>	<b>2001</b>
		(\$'000's)	(\$'000's)
	<b>Notes</b>	<b>Actual</b>	<b>Actual</b>
<b>Revenues from Ordinary Activities</b>			
Commonwealth Grant	3	5,319	4,239
Commonwealth Community Legal Centre Disbursements		979	488
State Government Grant	3	2,852	3,086
Other Income	4	310	373
		<b>9,459</b>	<b>8,185</b>
<b>Expenses from Ordinary Activities</b>			
Salaries & Related Payments	5	2,827	2,807
Commission Administrative Running Costs		1,105	1,134
Debts Written Off	6	21	26
Staff Entitlements		30	0
Depreciation	7	134	99
Payments to Private Practitioners Legal Services Providers		3,002	2,771
Disbursements to Community Legal Centres	8	980	480
	<b>Total</b>	<b>8,100</b>	<b>7,318</b>
<b>Surplus / ( Deficit ) Result</b>		<b>1,359</b>	<b>868</b>

# LEGAL AID COMMISSION OF TASMANIA

## Statement of Financial Position as at the 30th June 2002

		2002	2001
	Notes	(\$'000's)	(\$'000's)
<b>Current Assets</b>			
Cash Assets	9	2,697	1,230
Receivables	10	129	183
Other Assets		5	12
		<b>2,831</b>	<b>1,425</b>
<b>Non Current Assets</b>			
Land & Buildings	11	244	251
Office Equipment		113	96
Furniture & Equipment		0	4
Library		91	115
Leasehold Improvements		5	10
		<b>453</b>	<b>477</b>
<b>Total Assets</b>		<b>3,284</b>	<b>1,901</b>
<b>Current Liabilities</b>			
Payables	12	119	109
Provision for LS Leave		137	130
Provision for Rec Leave		198	185
		<b>454</b>	<b>424</b>
<b>Non Current Liabilities</b>			
Provision for LSL		12	19
		<b>12</b>	<b>19</b>
<b>Total Liabilities</b>		<b>465</b>	<b>442</b>
<b>NET ASSETS</b>		<b>2,818</b>	<b>1,459</b>
<b>EQUITY</b>			
Capital Contribution		325	325
Accumulated Surplus		2,493	1,134
<b>Total Equity</b>		<b>2,818</b>	<b>1,459</b>

# LEGAL AID COMMISSION OF TASMANIA

## Statement of Cash Flows

For the 12 Months Ended 30th June 2002

	Notes	2002 (\$'000's)	2001 (\$'000's)
<b>Operating Activities</b>			
<b>Receipts</b>			
<b>Cash Flows from Government</b>			
Commonwealth Grants to the Legal Aid Commission of Tasmania		5,319	4,239
Commonwealth Grants for Disbursement to Community Legal Centres		979	488
State Government Grants		2,916	3,022
		<b>9,214</b>	<b>7,749</b>
<b>Other Receipts</b>			
Contributions and Costs Recovered from Clients		175	301
Interest Received		99	52
Other Revenue		8	8
		<b>282</b>	<b>361</b>
		<b>9,496</b>	<b>8,110</b>
<b>Total Operating Receipts</b>			
<b>Operating Payments</b>			
Payments to Private Legal Practitioners and Other Business Partners		(3,002)	(2,771)
Wages and Salaries		(2,819)	(2,804)
Suppliers		(1,120)	(1,100)
Payments to Community Legal Centres		(980)	(480)
		<b>(7,921)</b>	<b>(7,155)</b>
		<b>(7,921)</b>	<b>(7,155)</b>
		<b>(7,921)</b>	<b>(7,155)</b>
<b>Net Cash Surplus (Used) in Operating Activities</b>	17	<b>1,575</b>	<b>955</b>
<b>CashFlows from Investing Activities</b>			
Asset Acquisition		(110)	(78)
		<b>(110)</b>	<b>(78)</b>
		<b>(110)</b>	<b>(78)</b>
		<b>(110)</b>	<b>(78)</b>
<b>Net Increase (Decrease) in Cash Held</b>		<b>1,465</b>	<b>877</b>
<b>Cash at Beginning of Period</b>		<b>1,232</b>	<b>353</b>
<b>Cash at End of Period</b>	9	<b>2,696</b>	<b>1,232</b>

# LEGAL AID COMMISSION OF TASMANIA

## NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

### NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES.

The Legal Aid Commission of Tasmania was established under the Legal Aid Commission Act 1990 on 1st January 1991 and the financial statements of the Commission have been prepared in accordance with the requirements of the Financial Management and Audit Act 1990. The Financial Statements have been prepared in accordance with the requirements pertaining to General Purpose Financial Reports (GPFR's), including Australian Accounting Standards and Urgent Issues Group (UIG) consensus views.

#### (a) Basis of Accounting

The financial statements are prepared on an accrual accounting basis using historical costs and, except where stated, do not take into account current valuations of non-current assets. Policies have been consistently applied except as otherwise indicated.

In accordance with the transitional provisions outlined in paragraph 8.7 of AASB 1041 "Revaluation of Non-Current Assets", the Legal Aid Commission of Tasmania is yet to disclose its Non Current Assets on a fair value basis.

Due to the nature of assets held by the Commission, the written down value of the non current assets is considered to be representative of the market value of these assets. Most assets are information technology equipment that is being fully depreciated over 4 years. As a result of this, no external revaluation of these assets has been conducted over the 4 years period.

The recoverable amount test has not been applied, as the Commission is a not-for-profit entity whose service potential is not related to the ability to generate cashflows.

During 1997/98 formal valuations of Freehold Property Assets and Library Assets were obtained. Detailed disclosures are contained at the notes to these items.

#### (b) Plant and Equipment

Plant and equipment are carried at historical cost less accumulated depreciation. Plant and equipment purchased for less than \$1,000 is charged to expense as incurred.

#### (c) Depreciation

Assets are depreciated over their expected useful economic lives using the straight line method. The useful life calculation for each asset group is as follows

<b>Asset Group</b>	<b>Useful Life (years)</b>
Furniture and Fittings	4
Office Equipment	4
Alterations to Accommodation	4
Freehold Property	25
Libraries	3

#### (d) Depreciation of Libraries – Change of Accounting Policy.

In July-2001, the Commission agreed to alter the depreciation rate from a useful life basis of 10 years to a useful life basis of 3 years on the libraries maintained in each office. This policy election is in line with the increased useage of electronic and online resources across the commission, and a reduced usage of traditional bound material.

Over a relatively short period it is considered that these emerging technologies will have a dramatic impact on the valuation of bound volume law libraries.

#### (e) Leases

Operating lease payments are charged to expense in the period in which they are incurred.

**(f) Provision for Long Service Leave.**

Employee entitlements are recognised in accordance with Australian Accounting Standard AAS30. A current liability is provided for all employees with 10 years service or more based on their current annual salary. A Non current liability is calculated for all other employees based on their number of effective years of service and the probability of them attaining the required 10 years of service effective service. The non current liability is the total of the net present value cost for 0 - 9 years inclusive taking into account an estimated inflation factor of 3.53% and discounting the entitlement using interest rates attaching to Commonwealth Government guaranteed securities as at the reporting date.

**(g) Provision for Recreational Leave.**

The liability for accrued recreation leave represents the expected cost of employees pro-rata entitlements using current salary rates.

**(h) Sick Leave.**

No amount is shown for non-vested sick leave. On the basis of previous experience, namely sick leave of 4 days per annum, per employee, the estimated liability of \$43,492 is not material in comparison with total liabilities.

**(i) Financial Instruments**

**Cash**

Cash is measured at nominal amounts. Cash includes, cash on hand, all cash held in the operating account and short term investments. Interest rate risk is considered minimal.

**Receivables**

Trade receivables and other receivables are recorded at nominal value due less any provision for doubtful debts.

Client contributions owing are predominantly small contributions from clients and as such exposure to credit risk is considered to be minimal.

**Payables**

Legal creditor accounts payable are recognised upon certification of those accounts for payment. There were no outstanding amounts as at June 30 2002

Trade creditor payables are recognised when the economic entity becomes obliged to make future payments resulting from the purchase of goods and services. Measurement is based on the agreed purchase/contract cost. The amounts are unsecured and normally settled within 30 days.

**Investments**

The Commission is authorised under its act to invest surplus funds in any of the ways referred to in Section 5 of the Trustee Act 1898. During the reporting period investments were held in an at call cash management facility.

Interest revenue is recognised in the operating statement when earned. As the Commissions investments were held in the above instruments and held over relatively short periods it is considered that any interest rate exposure is minimal.

As at the 30th June 2002 the following investments were held

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000s</b>
At Call Cash Management Account	<b>1,290</b>	<b>517</b>
No 1 – Operating Account	On Call at an interest rate of 4.86%	On Call at an interest rate of 5.05%
At Call Cash Management Account	<b>419</b>	<b>415</b>
No 2 – PDR Program 2001/2002	On Call at an interest rate of 4.86%	On Call at an interest rate of 5.05%
<hr/>		
Operating Account	<b>975</b>	<b>317</b>
	On Call at an interest rate of 4.26%	On Call at an interest rate of 4.46%

The At Call Cash Management Account No.2 holds the surplus balance of the Commissions Primary Dispute Resolution Program with is a special purpose program funded by the Commonwealth Government which commenced in July 2001.

**NOTE 2: GOING CONCERN.**

These statements have been prepared on a going concern basis in the expectation that the Commission will continue to function and be funded in the future on the basis as set out in a new Commonwealth / State Agreement which became effective from the 1st July 2000 covering a four year period.

### NOTE 3 – GOVERNMENT CONTRIBUTIONS

	2001/02 \$'000s	2000/01 \$'000s
Commonwealth Base Grant	3,827	3,773
Community Legal Centre Administration Payment	52	51
Law by Telecommunications Program	50	0
Primary Dispute Resolution Project	220	415
Commonwealth Expensive Case Provision	200	0
Commonwealth Receipts in Advance	970	0
	<b>5,319</b>	<b>4,239</b>
Commonwealth Disbursements to Community Legal Centres	<b>979</b>	<b>488</b>
State Government Base Grant	2,916	2,846
State Grant Revenue Adjustment	(64)	0
State Expensive Case Provision	0	160
Young People and the Law	0	80
	<b>2,852</b>	<b>3,086</b>
	<b>9,150</b>	<b>7,398</b>

#### Government Contributions

Government contributions are as a result of a new Commonwealth / State agreement which became effective from the 1st July 2000 for a duration of 4 years.

#### Commonwealth

##### Commonwealth Base Grant

The Base Grant provides for the Service Delivery program agreed to between the Commission and the Commonwealth

##### Community Legal Centre Administration Payment

This payment is an agency payment to cover the costs of support for the Commonwealth Community Legal Centre program

##### Law by Telecommunications Program

This is an agency payment for costs associated with the Commonwealth National Family Law Call Centre referral service.

##### Primary Dispute Resolution Project

This is specific purpose funding for a Primary Dispute Resolution program, using mediation as an alternative to Courts based outcomes. The Program has a total funding package of \$635,000 which has now been fully receipted.

##### Commonwealth Expensive Case Provision

These funds have been provided by the Commonwealth, and held, to provide for expensive cases in the Commonwealth Law jurisdiction.

##### Commonwealth Receipts in Advance

These funds are an advance payment toward the 2002-2003 Base Program.

##### Commonwealth Disbursements to Community Legal Centres

The Commission disburses Community Legal Centre funding on behalf of the Commonwealth Government. This item shows the Revenue component, with the corresponding outlay shown at Note 8.

In 2000-2001 the Commission as a result of administrative arrangements surrounding the introduction of the Goods and services Tax (GST) administered only the 3rd and 4th quarters funding.

**State****State Government Base Grant**

The Base Grant provides for the Service Delivery program agreed to between the Commission and the State Government.

**State Grant Revenue Adjustment**

The amount reported relates to the correction of reported revenue from the State Government in the 2000-2001 financial year during the 2001-2002 financial year in accordance with the requirements of AAS1030 Statement of Financial Performance.

The accounting treatment is in accordance with section 6.1 of the accounting standard.

**State Expensive Case Provision**

This payment was received to fund an expensive case provision for representation of serious crime.

The amount has been expended during the course of the 2001-2002 financial year.

**Young People and the Law**

These funds were provided to cater for the introduction of the Youth Justices Act.

**NOTE 4 – OTHER REVENUE**

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000s</b>
Client Contributions and Cost Recoveries	208	310
Interest Income	94	55
Proceeds of Asset Sales	0	1
Miscellaneous	8	7
	<b>310</b>	<b>373</b>

**Client Contributions and Cost Recoveries**

Contributions consist of amounts levied on clients by in-house practitioners and recovered costs. Not included are amounts collected by private legal practitioners and deducted from their accounts for services rendered to the Commission, prior to payment by the Legal Aid Commission. Recovered costs consist of those costs awarded by the courts to the benefit of the Commission.

**Interest Income**

Derived from cashflow surpluses from monies held on call, or in short term cash management accounts.

**NOTE 5 – SALARIES****Salaries and Related Payments**

Includes Salaries of Commission employees, Superannuation contributions and Commissioner's remuneration..

**Employer Superannuation Contributions.**

The Legal Aid Commission is required to reimburse the Commonwealth for the employer share of the cost of Superannuation benefits paid in respect of staff transferred to the Commission and who remained members of the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme. The Commission discharges this liability by periodic payments to the Retirement Benefits Office of amounts, expressed as a percentage of the salaries of eligible employees, estimated by the Retirement Benefits Office to be sufficient to meet the Commission's share of the full accruing cost of the pensions granted on the retirement or death of such employees.

For employees who are contributors under the Retirement Benefits Fund Act, the liability for the scheme is accepted by the Crown and administered by the Retirement Benefits Fund Board. During 1996/97 an 11% employer contribution to contributing members and 8% for non contributing members was paid to the Department of Treasury and Finance in full satisfaction of the Legal Aid Commission's employer liability.

**NOTE 6: DEBTS WRITTEN OFF**

The amount reported comprises the bad debt write off as reported by the Commissions Case Management System (LA OFFICE).

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000's</b>
Bad debt write off LA OFFICE	21	26

**NOTE 7 – DEPRECIATION**

	2001/02 \$'000s	2000/01 \$'000's
Office Equipment	58	61
Furniture and Fittings	4	9
Library	60	16
Leasehold Improvements	5	6
Buildings	7	7
	<b>134</b>	<b>99</b>

**NOTE 8: GRANTS TO COMMUNITY LEGAL CENTRES- 2001/2002.**

	2001/02 \$'000s	2000/01 \$'000s
North West Community Legal Centre Inc.	85	42
Environmental Defender's Office (Tas) Inc.	77	38
Hobart Community Legal Service Inc.	323	160
Launceston Community Legal Centre Inc.	228	112
Tenants Union of Tasmania Inc.	51	25
Women's Legal Services (Tas) Inc.	207	102
Transfer to Trust Account – Information Systems Upgrade	8	0
	<b>980</b>	<b>480</b>

**NOTE 9: INVESTMENTS, CASH AT BANK AND ON HAND 2001/2002.**

The Commission maintains an operating account with WESTPAC Banking Corporation, and an at Call Cash Management Account with TASCORP), and a trust account in accordance with Section 37 of the Legal Aid Commission Act 1990.

Transactions pertaining to the Trust Account are shown at Note 13.

	2001/02 \$'000s	2000/01 \$'000,s
Operating Account – WESTPAC Bank Account	980	290
Office Advances	8	8
11-00am On Call Cash Management Account	1,708	932
	<b>2,696</b>	<b>1,230</b>

**Held as**

Commonwealth Grant in advance 2002-2003	970
Balance of Special Purposes Primary Dispute Resolution Program	354
Commonwealth Expensive Case Provision	200
	<u>1,524</u>
General Reserves	1,172
	<u><b>2,696</b></u>

**NOTE 10 - RECEIVABLES.**

x	2001/02 \$'000s	2000/01 \$'000s
Contributions owing by the State Government	54	118
Goods and Services Tax (GST) Recoveries Due	34	30
Contributions owing by clients	42	36
	<b>130</b>	<b>185</b>
Less: provision for doubtful debts	2	2
	<b>128</b>	<b>183</b>

A provision for Doubtful Debts has been estimated for the 2001/2002. This estimate has been made after a review of current debtors portfolio and the likelihood of payments being made. The doubtful debts consist of small contributions unlikely to be paid for which recovery action is considered uneconomical.

Case Management debtors are held as Case Revenue. As a consequence an amount of \$24,136 was outstanding which related to debtors of the Commissions in-house practice at the 30th June 2002. The balance of \$18,748 were debtors which were recoverable by private legal practitioners. The total of \$42,884 are reported as commission debtors, as a function of the accounting method used by the case management software LA OFFICE.

The contribution owed by the State Government has remained at 54,239 for both 2000-2001 and 2002-2002.

The revenue adjustment of \$64,051 as shown in Note 3 reduces the amount reported in 2000-2001 down from \$118,290 to \$54,239. This amount is still outstanding and is currently in dispute between the Commission and the State Department of Justice and Industrial Relations who administer the State Government payments to the Commission.

**NOTE 11 - NON CURRENT ASSETS**

During 1995/96 a property was purchased to accommodate the Burnie regional office.

Alteration and additions were undertaken during 1996/97. The property was shown at acquisition and development cost for the 1996/97 reporting period. A formal independent valuation based on Current Market Value on "an existing use" basis was obtained in June 1998 from Eastaugh Hearps, registered real estate valuers from Burnie as follows,

	2001/02 \$'000s	2000/01 \$'000s
<b>FREEHOLD PROPERTY</b>		
Land at Independent 1995/96 Valuation	100	100
Buildings at 1995/96 Valuation	172	172
Less Accumulated Depreciation	28	21
	<b>244</b>	<b>251</b>
<b>OFFICE EQUIPMENT AT WRITTEN DOWN VALUE.</b>		
Historical cost	1,324	1,249
Less: accumulated depreciation	1,211	1,153
	<b>113</b>	<b>96</b>
<b>FURNITURE AND FITTINGS AT WRITTEN DOWN VALUE.</b>		
Historical cost	267	267
Less: accumulated depreciation	267	263
	<b>0</b>	<b>4</b>
<b>LIBRARY.</b>		
At independent valuation	136	136
Additions at cost	55	20
Less: accumulated depreciation	100	41
	<b>91</b>	<b>115</b>

During 1997/98 an independent valuer, MR A NICHOLAS of Sandy Bay, revalued the Commissions Library.

The depreciation rate charged on the Commission libraries was altered from 10-year straight-line method to 3-year straight-line method in July 2001. The Commission is accelerating its use of desktop digital media and online digital media to supplement, and quite possibly replace traditional library resources. This is undoubtedly going to have impacts for the valuations of libraries in the future, across numerous organisations that maintain traditional bound books as libraries.

**ALTERATIONS TO ACCOMMODATION.**

Historical cost	242	242
Less: accumulated depreciation	237	232
	<hr/>	<hr/>
	<b>5</b>	<b>10</b>

**RECONCILIATION OF ASSET CLASSES**
**2001/2002**
**FREEHOLD PROPERTY**

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000s</b>
Opening Written Down Value	251	258
Additions		
Disposals		
Asset Revaluation		
Depreciation Expense	7	7
Closing Written Down Value	<u>244</u>	<u>251</u>

**OFFICE EQUIPMENT**

Opening Written Down Value	96	98
Additions	75	58
Disposals		
Asset Revaluation		
Depreciation Expense	58	60
Closing written Down Value	<u>113</u>	<u>96</u>

**FURNITURE AND FITTING**

Opening Written Down Value	4	12
Additions		
Disposals		
Asset Revaluation		
Depreciation Expense	4	8
Closing written Down Value	<u>0</u>	<u>4</u>

**LIBRARY**

Opening Written Down Value	115	111
Additions	35	20
Disposals		
Asset Revaluation		
Depreciation Expense	59	16
Closing written Down Value	<u>91</u>	<u>115</u>

**ALTERATIONS TO ACCOMMODATION**

Opening Written Down Value	10	17
Additions		
Disposals		
Asset Revaluation		
Depreciation Expense	5	7
Closing written Down Value	<u>5</u>	<u>10</u>

**NOTE 12: PAYABLES**

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000,s</b>
Salaries	75	66
Other Operating Costs	43	42
	<u>118</u>	<u>108</u>

**NOTE 13: TRUST ACCOUNT TRANSACTIONS.**

The following transactions of the Commission acting as trustee have not been included in the financial statement:

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000s</b>
Balance at Commonwealth Bank as at 1 July 2001	10	1
Plus receipts	408	354
Less payments	341	345
<b>Balance at Westpac Bank as at 30 June 2001</b>	<u>77</u>	<u>10</u>

**NOTE 14: COMMITMENTS.**

At 30th June 2002 the Commission's case management system (LA OFFICE) disclosed a commitment of \$982,282 (\$1,263,700 for 2000/2001) in respect of applications for legal assistance made, and accepted by, the Commission or its predecessors and which had not been finalised at that date. The commitment was estimated on the basis of scale fees and/or hourly rates, depending on the nature of the action concerned and includes possible future recoveries.

**NOTE 15: LEASES.**

Operating Leases exist for office accommodation for the Legal Aid Commission at Hobart, Launceston, and Devonport. Vehicles are leased for each regional office. The aggregate of lease commitments for which no provisions are included in the financial statements can be classified as follows:

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000</b>
Due within 1 year	251	232
Due within 1 - 2 years	115	104
Due within 2 - 5 years	26	193
	<b>392</b>	<b>529</b>

**NOTE 16: RECONCILIATION OF CASH.**

For the purposes of the statement of cash flows, the entity considers cash to include cash on hand and in banks and investments readily convertible to cash. Cash at the end of the reporting period as shown in the statement of cash flows is the same as the related items in the statement of financial position.

**NOTE 17: RECONCILIATION OF NET CASH USED IN OPERATING ACTIVITIES TO OPERATING RESULT.**

	<b>2001/02</b>	<b>2000/01</b>
	<b>\$'000s</b>	<b>\$'000's</b>
Operating Result	1,359	868
<u>Non Cash Items</u>		
Depreciation	134	99
<u>Change In Operating Assets / Liabilities</u>		
Increase in Accrued Revenue	5	(3)
Increase in Receivables	53	(47)
Increase in Provision for recreational leave	12	2
Increase in Payables	10	5
Decrease in Provision for long service leave	0	(2)
Decrease in Prepayments	3	33
	<b>1,577</b>	<b>955</b>

# PAYMENTS TO PRIVATE PRACTITIONERS

[List of payments made](#)

The payments to private practitioners for the year 2001/2002 are provided as PDF documents (Portable Document Format). A PDF requires a viewer - Adobe Acrobat Reader, which can be down loaded at no cost from the Adobe website.



<b>Firm</b>	<b>Law Type</b>	<b>Applications</b>	<b>Paid \$</b>
A D PEARCE & COMPANY	Family	3	596
AP HODGSON & ASSOCIATES	Family	8	1,310
AT LEGALS	Criminal	147	24,166
	Family	148	18,549
ABETZ CURTIS & WORSLEY	Criminal	6	850
ANDERSONS	Family	4	1,030
ANN CUNNINGHAM	Family	21	1,923
ANTONIA KOHL	Family	45	7,100
ARCHER BUSHBY LAUNCESTON	Criminal	107	12,165
	Family	7	1,311
AVERY KEAL LAWYERS	Criminal	28	6,574
	Family	11	1,531
AVERY PARTNERS	Criminal	241	48,827
	Family	365	44,454
AYLIFFE & AYLIFFE	Family	2	400
BAKER TIERNEY & WILSON	Criminal	47	6,505
	Family	180	17,448
	Civil	6	3,038
BARTLETTS	Criminal	11	1,206
	Family	183	17,517
BEN LILLAS	Criminal	23	3,029
BENNETT HOWROYD	Criminal	2	260
	Family	61	7,741
	Civil	4	860
BIRCH ROSS & BARLOW	Family	10	2,011
BISHOPS	Criminal	21	4,736
	Family	122	19,068
	Civil	5	950
BOYD WOOL & OLSEN	Family	5	1,602
BRADFIELDS	Family	9	787
BUTLER MCINTYRE & BUTLER	Criminal	900	110,911
	Family	915	103,036
	Civil	3	344
C N DOCKRAY	Civil	1	400
CAPSTONE LEGAL CHAMBERS	Criminal	4	800
CHRIS BOLAND	Criminal	8	1,722
	Family	45	5,073
	Civil	1	457
CHRIS NEVILLE	Criminal	2	344
CLARKE & GEE	Criminal	21	2,413
	Family	72	8,587
CLERK WALKER & STOPS	Criminal	168	21,237
	Family	743	72,013
	Civil	4	473
COURT & ASSOCIATES	Criminal	4	516
	Family	38	7,689
CRAWFORD & CRAWFORD	Family	25	4,203
CREESE CRISP & FAY	Family	4	647
CRISP HUDSON AND MANN	Criminal	225	22,211
	Family	596	61,814
DAVIS NORMAN	Family	2	630
DOBSON MITCHELL & ALLPORT	Criminal	9	862
	Family	24	2,787
DOOLAN & BROTHERS	Family	76	9,747
DOUGLAS & COLLINS	Criminal	61	13,186

EUGENE ALEXANDER & ASSOCIATES	Criminal	2	258
FAULDS & ASSOCIATES	Criminal	10	1,174
	Family	4	750
FINLAY WATCHORN	Family	4	877
FIONA MCGREGOR	Family	4	1,060
FITZGERALD & BROWNE	Criminal	147	39,690
	Family	369	64,940
	Civil	21	2,184
FOLEYS LIST PTY LTD	Criminal	1	909
FRIEND & JONES	Criminal	57	3,650
	Family	165	18,042
G A RICHARDSON	Criminal	986	120,885
	Family	28	4,761
G J NEVIN	Family	59	14,154
G R STEPHENSON	Criminal	162	19,641
G COUPER	Family	4	755
GLADE-WRIGHT & MAHINDROO	Family	29	3,673
GLENN HAY	Family	133	27,730
GRANT TUCKER	Criminal	141	24,296
	Family	63	10,144
GUNSON WILLIAMS	Criminal	20	2,316
HAND OGILVIE & BREHENY	Criminal	17	2,924
	Family	185	21,622
HENRY WHERRETT & BENJAMIN	Criminal	242	34,397
HOGG AND REID	Family	1	454
HUGH MURRAY	Family	34	3,969
IAN GUEST & ASSOCIATES	Criminal	4	864
	Family	63	12,721
IIERINO & ASSOCIATES	Criminal	268	26,698
	Family	83	9,952
JAMES CROTTY	Criminal	96	14,620
	Family	94	15,814
JAMES KITO	Criminal	6	518
JENNINGS ELLIOTT	Criminal	19	1,609
	Civil	4	985
JOHN SNODGRASS & ASSOCIATES	Family	8	1,913
JOHN GREEN	Criminal	51	7,514
	Family	13	1,076
KIM PATERSON	Family	15	2,947
KIM PATERSON & ASSOCIATE	Criminal	11	2,931
	Family	417	61,167
LEGAL AID COMMISSION OF VICTORIA	Family	1	0
LEGALCO	Family	1	17
LEVIS STACE & COOPER	Criminal	61	7,742
	Family	225	27,445
LOWRIE BLISSENDEN HOWARTH & TAU	Family	1	0
MCLEAN PHILLIPS & BARTLETT	Criminal	35	4,487
	Family	115	14,343
	Civil	5	1,032
MCVEITY & ASSOCIATES	Criminal	43	3,009
	Family	864	78,855
	Civil	2	2,490
MICHAEL BOWMAN	Criminal	12	0
	Family	8	0
MICHAEL BRETT SOLICITOR	Criminal	23	4,502
	Family	111	20,281

MILTON & MEYER	Criminal	535	78,819
	Family	5	580
MURDOCH CLARKE	Criminal	48	6,479
	Family	375	57,932
	Civil	2	860
MURRAY & ASSOCIATES	Criminal	34	3,548
	Family	345	58,839
O'ROURKE & KELLY	Family	5	528
OGILVIE JENNINGS	Criminal	46	7,829
	Family	444	68,139
OGILVIE MCKENNA	Criminal	78	7,919
	Family	652	62,441
P L CORBY & COMPANY	Criminal	229	29,496
	Family	291	41,384
PETER WILLEY & ASSOCIATES	Family	5	691
PHILIP WELCH	Family	140	33,369
PIGGOTT WOOD & BAKER	Criminal	566	98,049
	Family	272	48,514
	Civil	2	1,030
R M WEBSTER	Civil	214	81,025
RAE & PARTNERS	Criminal	31	10,718
	Civil	9	6,070
ROBERT MENZIE	Criminal	16	1,897
	Family	13	1,011
ROCKLIFFS	Civil	6	2,935
RUTTER MORGAN	Family	9	3,911
SARAH BEVAN AND ASSOCIATES	Family	3	344
SHIELDS HERITAGE	Criminal	10	6,300
SIMMONS WOLFHAGEN	Criminal	5	710
SIMON BROWN	Criminal	53	15,900
SMITH & GLOVER	Criminal	4	308
	Family	22	3,738
	Civil	2	860
STEDMAN CAMERON	Family	2	1,614
STEPHENSON & MURRAY	Criminal	4	172
	Family	17	2,985
STEVEN CHOPPING	Criminal	264	40,342
	Family	61	10,375
T L MCDERMOTT	Criminal	21	5,570
TEMPLE-SMITH BARCLAY	Criminal	166	36,666
	Family	271	46,400
TREZISE LAWYERS	Family	87	20,042
TREZISE PARTNERS (SOUTH)	Criminal	16	1,236
	Family	333	40,895
TREZISE PARTNERS (NORTH)	Criminal	224	27,582
	Family	234	39,432
WALLACE WILKINSON & WEBSTER	Criminal	1,611	207,086
	Family	389	56,825
WALSH DAY WILLIAMS PTY	Criminal	254	19,105
	Family	103	9,216
WILSON DOWD	Criminal	895	80,875
	Family	107	8,181
ZEEMAN KABLE & PAGE	Criminal	67	10,515
	Family	2	2,000
	Civil	2	1,941
<b>TOTAL</b>			<b>2,871,702</b>

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