



LEGAL AID
Commission of Tasmania

Annual Report

2016 – 2017

“Greater access
to justice for
Tasmanians”

Our Year at a Glance

- ✓ Duty lawyer services **up 6%**
- ✓ Family Dispute Resolution mediations **up 7%**
- ✓ Safe at Home (family violence) services **increased by 129%**
- ✓ Mental Health Tribunal services **up 33%**
- ✓ Community Legal Education sessions **up 27%**
- ✓ Website page views **up 33%**
- ✓ Total grants payments made to private lawyers **up 7%**
- ✓ **Established** the Family Advocacy and Support Service
- ✓ **Partnered** with the Tasmanian Elder Abuse Helpline
- ✓ **Restored** cash reserves to a level appropriate to cover our commitments and liabilities
- ✓ Skills-based Board **introduced**
- ✓ **Completed** a client satisfaction survey
- ✓ New corporate plan **introduced**
- ✓ Online quarterly reporting **introduced**



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About Us

The Legal Aid Commission of Tasmania ('LACT') is a statutory body set up under the *Legal Aid Commission Act 1990 (Tas)*. Legal Aid started in Tasmania on 2 May 1974 when the Australian Legal Aid Office ('ALAO') opened in Burnie. The LACT replaced the ALAO on 1 January 1991. The Legal Aid Commission of Tasmania operates at arm's length from Government but is accountable to the Minister for Justice.

We are the largest government-funded legal assistance service in Tasmania and we play a central role in providing access to justice for disadvantaged Tasmanians.

The Commission is governed by a Board of five. It has a staff of 70 full-time employees and a budget of \$12.9 million from the Commonwealth and State Governments.

The Legal Aid Commission of Tasmania has offices in Hobart, Launceston, Devonport and Burnie. The Commission provides outreach services to St Helens, St Marys, Queenstown and Huonville.

Our services

We provide a range of quality legal services across Tasmania through our offices. Our focus is on economically and socially disadvantaged Tasmanians.

We provide preventative services such as information about the law through our website and through community legal education sessions. We deliver early intervention services through our telephone helpline, face-to-face consultations, duty lawyer services, minor assistance and mediation services. We also provide legal representation delivered through grants of aid to private lawyers and to in-house lawyers.

Our community education and advice services are not means tested. Our more intensive services, such as grants of legal aid for representation in court, are means tested.

Our Vision

Greater access to justice for Tasmanians.

Our Mission

To deliver a range of high-quality client focused legal services to Tasmanians in need.

Our aim

The Legal Aid Commission of Tasmania seeks to deliver a range of high-quality legal services to needy Tasmanians. Our vision is for a safer and fairer Tasmania through enhanced access to justice. We strive to achieve this by:

- Ensuring that our priority clients can access legal services;
- Delivering high-quality legal services that provide value for money;
- Providing the right mix of information, advice and representation services;
- Supporting an effective and efficient court system; and
- Using taxpayers' funds appropriately.

Our values

The values that drive our choices are:

INTEGRITY: *We act ethically at all times.*

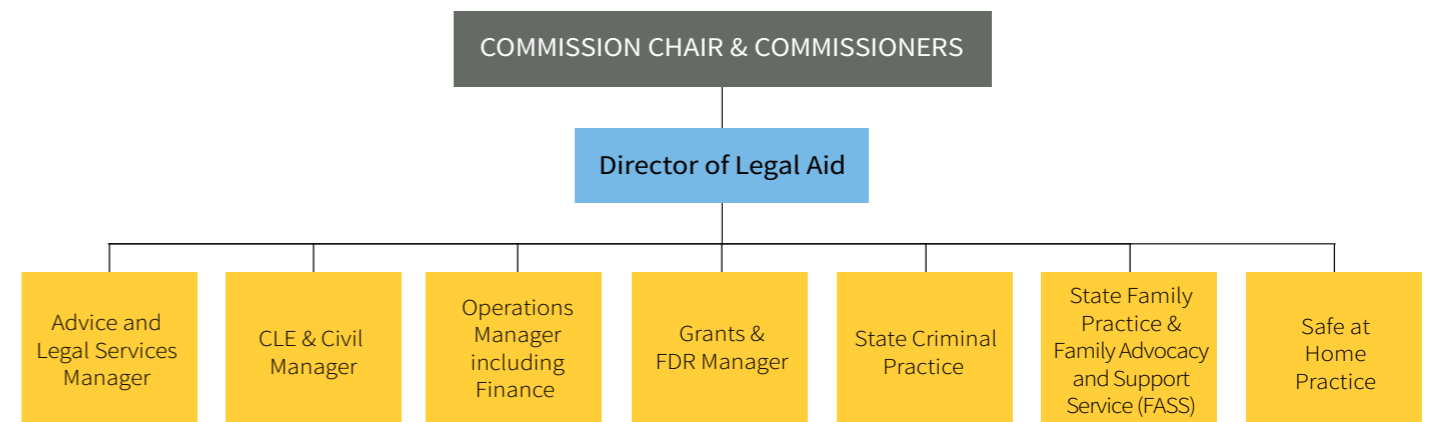
PROFESSIONALISM: *We provide high-quality services.*

EFFICIENCY: *We use taxpayers' resources responsibly and pursue continuous improvement.*

TRANSPARENCY: *We are an open and accountable organisation.*

RESPECT: *We care about our clients and the community in which we live.*

Our Organisational Structure



Our Organisational Overview

The Legal Aid Commission of Tasmania operates under the *Legal Aid Commission Act 1990 (Tas)*. The purpose of the Legal Aid Commission is to provide vulnerable and disadvantaged Tasmanians with access to justice. This is achieved by delivering a range of legal aid services.

CHAIRPERSON'S REPORT



Patrick Lunn

Chairperson – Legal Aid Commission of Tasmania



■ On behalf of the Board, I am pleased to provide the 2016-17 Annual Report.

Imagine 15,000 vulnerable Tasmanians, helped, protected, getting a better outcome than would otherwise be possible, and getting a second chance at life. Over the last year, the Legal Aid Commission of Tasmania provided a lawyer to fight for the rights of a number of people. When you add to that figure the numbers of people who are empowered by telephone advice, community legal education and the information and assistance provided through our website, the total service count exceeds 520,000. As I complete my third year as Chair of the Commission, I am more convinced than ever of the important role that Legal Aid plays in making Tasmania a safer, fairer, more efficient and more inclusive place.

This report showcases the innovative new services that Legal Aid Tasmania launched over the past year. It also details the restoration of our cash reserves, and the financial consolidation that we set out to achieve two years ago. In addition, the report highlights improvements in governance and better planning to meet legal need. As it always does, the Annual Report reminds us of the deep reach of Legal Aid services and the many Tasmanians who benefit from them.

Service delivery

The 2016-17 year saw Legal Aid Tasmania increase duty lawyer services by 6% and mediation services by 7%. Services to victims of family violence increased by an amazing 129% and our services at the Mental Health Tribunal were up by 33%. We held 27% more community legal education sessions than last year, and those sessions reached 9,175 Tasmanians. Interest in the legal information on our website resulted in 33% more page views than the previous year.

The Board of Legal Aid Tasmania has been involved in approving and monitoring all important initiatives within the organisation. In March 2017, Legal Aid Tasmania launched a new integrated duty lawyer and family violence support service. This is an innovative court-based service where Legal Aid duty lawyers team up with social workers to provide help to people affected by family violence. In March 2017 Legal Aid also partnered with the Tasmanian Elder Abuse Helpline to provide a 'joined-up service' to older Tasmanians and their families affected by elder abuse.

In May 2017 Legal Aid conducted a two-week client satisfaction survey. The purpose of the survey was to assess how appropriate our services were to the legal capability of users. Legal Aid surveyed 569 users of our services over a two week period. It is a credit to all at Legal Aid that 99% of those surveyed said that they would recommend Legal Aid to others.

Planning and governance

One of the Board's roles is to set the strategic direction of the Legal Aid Commission of Tasmania. To this end, the Board approved a corporate plan on 29 June 2017. This plan arose from a planning workshop conducted by the Board and the management team on 17 March 2017. With the needs of the community being so complex, diverse and multi-faceted, it is vital that Legal Aid plans for service delivery. The workshop mapped the needs of disadvantaged people for legal assistance services and objectively assessed those needs against the Legal Aid Commission of Tasmania's capabilities. The plan provides future directions for a three year period and includes an integrated set of actions to realise Legal Aid's desired future position.

In December 2016 the Board resolved that Legal Aid Tasmania would publish high-level expenditure and organisational performance data quarterly on our website. The advantage of quarterly reporting is that it gives governments, law firms and the legal assistance community advance warning if our financial position or service levels change. This change puts Legal Aid at the forefront of transparency, accountability and openness in Tasmania. Legal Aid published the first quarterly report in April 2017 covering the period January – March.



Financial

The Legal Aid Commission recognises that to fulfil its mission of serving our State's most needy it must also be financially strong. The financial management team of the Commission must be commended for the work that they have undertaken implementing the reforms and improvements that were required to successfully rebuild our cash reserves over the past two years to a level sufficient to cover our commitments and liabilities. Legal Aid finished the year with a significant surplus in accord with the Commission's financial strategy. Having now restored Legal Aid's financial position, the organisation will no longer need surpluses as large as were required, and will focus its resources on providing legal services to those who cannot afford a lawyer.

The Board

Membership of the Board changed significantly over the year. In October 2016, the Parliament amended our Act and changed the Commission from an eight person representative Board to a five person skills-based Board. The new Board brings significant skills and experience to its important task, and is well equipped and enthusiastic about its job of guiding Legal Aid Tasmania into the future.

The statutory reduction in the size of the Board resulted in the removal of positions held by Greg Barns, Tom Baxter and Natalie Everett. I thank them for their service, and for their long held commitment to improving access to justice for the most vulnerable members of our community.

In March 2017 Daniel Zeeman's term came to an end and I express the organisation's thanks to him for his insightful, dedicated and very effective service. In May 2017, the Attorney-General appointed Julia Higgins to the Board and she will make a significant contribution.

Legal Aid's Board met eleven times during the year. Six Board meetings were at our Hobart office and the Board met at Launceston in July, Devonport in October, and Burnie in March. These meetings were opportunities for the Board to visit our local offices, meet staff, hear about local issues, engage with other stakeholders including local representatives, those in health, justice and education, and also to meet and thank those members of the private profession who deliver legal aid. It is extremely gratifying to see the strong interest that the Board shows in Legal Aid's regional operations. The Board met at the Risdon Prison Complex in August and at the Hobart Women's Shelter in May 2017. It is important that Board members stay in touch with social issues that bear upon our resource allocation decisions.

Thank you

Our achievements this year wouldn't be possible without the dedicated and excellent work of Legal Aid Commission staff, the hard work of our management team both led by our Director Dr Graham Hill and the sound governance of the Board. Dr Hill works tirelessly to ensure that the Commission always functions at the highest level: he is a tremendous leader; a terrific supporter; a great engager; a powerful advocate for the Commission; well informed; a dedicated innovator and a committed social utilitarian. Many of the reforms that have been implemented to improve the operations of the Commission have been promoted by Dr Hill. I thank my Board colleagues, Dr Hill, all managers and all Legal Aid Commission staff for their excellent work in 2016-17. The Board commends their commitment and dedication to providing legal assistance services to the Tasmanian community. I also acknowledge the work of seventy law firms and barristers in delivering legal aid, at significantly discounted rates, to needy and vulnerable Tasmanians.

Finally I thank the two Ministers who have served as Attorney-General of Tasmania over the year, the Hon Dr Vanessa Goodwin MLC and the Hon Matthew Groom MP for their enthusiasm and ongoing commitment to Legal Aid. On behalf of Legal Aid Tasmania, I would also like to thank the Commonwealth Attorney-General, Senator the Hon George Brandis QC for his strong and successful support of Legal Aid, as well as our State Treasurer, the Hon Peter Gutwein MP.

The past year was one of major progress and accomplishment for the Legal Aid Commission of Tasmania. Following the restructuring of Legal Aid's finances and Board, we have emerged a much stronger institution with a renewed spirit and a commitment to the future. We look to the year ahead with great enthusiasm and dedication for what can be achieved.

DIRECTOR'S REPORT

The financial year ending 30 June 2017 has been an exciting year for Legal Aid Tasmania. We broke new ground by setting up the Family Advocacy and Support Service and by partnering with the Tasmanian Elder Abuse Helpline. We increased many of our traditional services. We looked to the future with restructured finances, a new Board, a corporate plan that sets a direction for the next three years and we successfully overcame many challenges including extra Supreme Court sittings, and managing a grants budget without the 'daily limit.'

Increased services

This year saw another increase in duty lawyer services – the third year in a row. We increased duty lawyer services by 6% over the previous year (3966 services). In an environment where we can't meet demand for our services, our duty lawyers provide an invaluable service to self-represented litigants and keep the wheels of justice turning at the Magistrates' and family law courts.

We also reinforced our services for victims of domestic violence. The financial year saw us increase services in the North and in regional and remote locations around the State. Over the year, our Safe at Home service provided 129% more services (360 clients helped) than in the previous year.

Our website continued on its upward trajectory as the authoritative source of legal information in Tasmania. Over the year ending 30 June 2017 our website had 33% more page views than the previous year (487,391). That's outstanding when you consider that the previous year was also 28% higher than the year before that. For the first time ever, most of our website page views were from hand-held devices rather than from personal computers. Our website is adaptable to any screen size, is highly intuitive, comes in 93 different languages and has literacy support. It features fact sheets, YouTube videos and animations all providing information to prevent or limit legal problems.

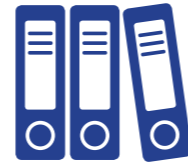
Our Family Dispute Resolution service provides mediation to settle high-conflict family law disputes about the living arrangements for children. Over the financial year we increased the number of mediations by 7% over the previous year (370 mediations). About 91% of these mediations resulted in a settlement. The advantage of these settlements is that the parties tailor their own agreement rather than having court orders imposed upon them. Mediation often improves strained relationships while court proceedings often damage relationships. These settlements also save thousands of hours of court time. Most importantly, each settlement represents a better outcome for a Tasmanian family.

New services

In March 2017 we launched the Family Advocacy and Support Service ('FASS'). This is an integrated duty lawyer and family violence support service based at the family law courts in Hobart, Launceston and Burnie when the court circuits there. This new service sees Legal Aid Tasmania co-ordinate duty lawyer and social worker support for victims of family violence at the family law court registries. The FASS provides a duty lawyer who delivers specialist family violence legal assistance and a social worker who undertakes risk assessments and safety planning. This is the first time that Legal Aid Tasmania has integrated legal and social worker support in the one service. It is providing significant assistance to families affected by family violence who cannot afford legal representation.

In May 2017 Legal Aid Tasmania launched new services to combat the emerging issue of elder abuse. Legal Aid appointed an elder abuse co-ordinator to bring together six lawyers dealing with elder abuse in different parts of the organisation. Legal Aid also entered an alliance with the Tasmanian Elder Abuse Helpline to provide a 'joined up service.' The Tasmanian Elder Abuse Helpline will now be able to provide legal advice through 'warm referrals' of callers to Legal Aid. In return, Legal Aid will be able to offer its callers information, support, advocacy and referral through 'warm referrals' to the Tasmanian Elder Abuse Helpline.

Legal Aid Tasmania removed, 'the daily limit' on grants from 1 July 2016. The daily limit was a budgetary measure that required our grants officers not to fund any further grants each day once they had exhausted the allocated daily budget. This was our first year without that measure in place. The financial year saw Legal Aid successfully manage the grants program without overspending the budget and without further changing the guidelines. The removal of the daily limit has provided the profession with more certainty about what matters will qualify for legal aid, and what matters won't. We no longer decline meritorious matters on the grounds that we ran out of money for that day and afforded priority to other matters. Our grants team have performed magnificently to successfully manage the grants program through the first year without a daily limit.



Graham Hill

Director – Legal Aid Commission of Tasmania

Future outlook

We're excited about the new financial year. It will bring innovative new services and increased services.

The 2017-18 financial year will see Legal Aid increase the funds available for grants to the private profession by \$798,000. This year we expect to grant aid to more Tasmanians and provide enhanced access to justice.

Over the coming year Legal Aid Tasmania will install video telephones in community centres in eleven regional and remote locations around Tasmania. This will enable people with legal problems in those eleven locations to be face to face (through the technology) with a Legal Aid lawyer. It increases our footprint beyond our four offices to eleven other locations throughout Tasmania and will provide us with strong community connections in those regional towns.

Legal Aid Tasmania remains concerned that half of all legal problems in Tasmania are managed without any legal advice. We will renew our focus on delivering services to those hard-to-reach people who are not currently accessing our services. Our aim will be to work closely with health professionals and GP's medical centres to provide easier access to Legal Aid services.

Legal Aid will increase civil law services over the coming year. All the surveys of legal need show that civil law problems affect more disadvantaged people than other types of legal problems. In its 2015 review, the Productivity Commission referred to civil law as 'the poor cousin of the legal assistance family.' Legal Aid Tasmania will start addressing this imbalance by expanding the types and numbers of civil law services available.

Another priority in 2017-18 will be the development of online legal chat. Research shows that many people would prefer to seek legal information online rather than having to telephone or drop in to a Legal Aid office. Online legal chat will enable people to engage with a legal aid lawyer online and have legal information e-mailed to them.

Legal Aid remains committed to better coordination of the legal assistance sector and favours a well-recognised single point of entry for the sector. We will work through the Tasmanian Legal Assistance Forum, the Tasmanian Legal Assistance Service Planning meetings, and the forthcoming evaluation of the legal assistance sector to further this goal.

2017-18 will also see Legal Aid provide duty lawyer services at Magistrates' Courts in the North to the highest standard. With duty lawyers stationed at the Burnie, Devonport and Launceston courts, we will be well placed to help self-represented litigants and assist magistrates.



Thank you

Legal Aid recipients and users of our services are often a source of inspiration to us. Frequently they show great strength and fortitude as they grapple with legal and other debilitating problems in the face of adversity and from positions of great disadvantage. It is our privilege to work with them and we thank them for their courage in coming forward to address their legal issues.

Legal Aid's success would not be possible without a strong and supportive Board, led by Patrick Lunn, and a dedicated and talented staff. I thank the women and men of the Legal Aid Commission, in legal, administrative and corporate roles, who make the impossible possible every day. I congratulate them for all they do for the Legal Aid Commission, its clients and the cause of equal justice.

We are also indebted to Secretary Overland and Deputy Secretaries Ginna Webster and Kerrie Crowder at the Department of Justice (Tasmania) for their enthusiasm for Legal Aid. I thank Kathleen Denman, Sara Samios, Esther Bogaart and Carolyne Howard at the Attorney-General's Department for their support of Legal Aid in Tasmania.

Legal Aid Tasmania is proud of its achievements in 2016-17 and looks forward to the exciting opportunities that lie ahead in the 2017-18 year. Legal Aid's work has broad societal consequences. We are an integral part of an inclusive and respectful Tasmanian community and our work upholds the freedom, safety and security of all Tasmanians.

Our Services – a Snapshot

- We provide a wide range of services to Tasmanians.

Because clients have different needs, the Legal Aid Commission provides a continuum of services that vary in their intensity and cost. Providing a range of services helps to ensure responses are proportionate, tailored and, where possible, that problems are identified and addressed early.

Preventative services for all Tasmanians

Community legal education

We conduct targeted community legal education sessions throughout Tasmania. Community legal education enhances the legal knowledge and capacity of targeted groups within the community. It improves legal literacy not only among those who are likely to experience legal problems but also among the broader community who may be asked for advice. Over the last year, we conducted 241 sessions reaching 9,175 people.

Website

Through our website we provide a range of fact sheets, self-help kits, YouTube videos on legal issues and referral list. Over the last year, our website registered 487,391 page views from people seeking information. See page 12 for more details.



Representation in court

Grants of legal aid

Where applicants satisfy our means test, we grant aid for a lawyer to act for clients and represent them. Most legal aid for representation is delivered by the private profession on our behalf. About a third of legal representation is delivered



by Legal Aid's outstanding in-house practice. Over the last year, we granted aid to over 4,556 new cases.

Civil disbursement fund

Legal Aid administers the civil disbursement fund. The fund will pay the out-of-pocket expenses for eligible applicants pursuing civil claims through private lawyers. In most cases, applicants are pursuing personal injury claims through private lawyers but cannot afford to pay for medical and other expert reports. In these circumstances, the fund covers the cost of expenses and recovers the funds when the claim is successful. Over the years, this service has enabled over 900 clients to have access to justice.

Resolving disputes early – timely intervention services

Telephone advice service

We provide legal advice and referral through our telephone helpline. Callers speak directly to a lawyer without any intermediary. With over 54 services per 1,000 head of population, the Legal Aid Commission of Tasmania helpline is the most called service in Australia. Over the last year, we assisted over 24,000 callers to our helpline, and we made 8,846 referrals to other service providers.



Face to face advice

We provide free legal advice daily to people attending our clinics at four offices around Tasmania. Over the last year, we saw 5,600 people face to face for legal advice.

Minor civil assistance

We provide more intensive services for people needing assistance in civil cases. Our lawyers help them write legal letters, draw pleadings and affidavits, and negotiate settlements.

Duty lawyer services

Legal Aid duty lawyers are available at the Magistrates Court, Family Court, and the Federal Circuit Court free of charge. They are available to assist unrepresented litigants at court and will give advice, adjourn matters, or appear for people to finalise the matter on the first appearance. They are available to everyone in custody. They play a significant role in contributing to the efficiency and effectiveness of the courts. Over the last year, duty lawyer services increased by 6% to 3,966 services.

Mediation services

The Legal Aid Commission conducts family dispute resolution mediation to settle high-conflict disputes concerning with whom children live and spend time. Over the last year, we conducted 370 mediations (7% more than the previous year) and were able to settle 91% of the time. This represents significant savings in court days.



Our Website

With 487,391 page views over the last year, our website has significantly improved capacity to provide legal information and education.

The Commission is recognised as an authoritative reliable source and the number of people accessing the site has continued to increase since the launch in August 2015.

The design has appealed to many and our web team have been contacted by several other Commonwealth and State agencies for consultation and advice.

legalaid.tas.gov.au

The website is responsive, adapting to any sized device or screen and the importance of this is supported by the statistics. In 2016-2017, mobile devices overtook the traditional computer desktop with 51% of page views coming from phones and tablets compared to 42% the previous year.

During the last financial year we have added:

- Ten new fact sheets
- Text only versions of our brochures
- Quarterly reports
- Client satisfaction survey
- Resources for Family Dispute Resolution Services
- Resources for Family Advocacy and Support Services

One of our most popular website resources is the Referral List which recorded over 110,000 page views in 2016-2017. The Referral List is an online database of 610 legal and non-legal organisations and support services. Individual listings contain contact information, a Google map and a link to the organisation's website.

We will continue to monitor use of the website and to improve ways of finding information as the site grows. Plans for new content include producing short videos with information about common legal problems and re-designing the self help kits to guide users through a step by step approach.

2016-2017 TOP REFERRAL LISTINGS	No. of page views
Emergency Accommodation and Housing Assistance (various)	14,215
Department of Immigration	12,489
Tasmanian Aboriginal Community Legal Service	4,904
Child Support Agency	1,696
Process Servers (various)	1,500
Tasmania Police Prosecution	1,355
Tasmanian Elder Abuse Help Line	1,277
Paternity Testing (various)	1,151

The screenshot shows the homepage of the Legal Aid Commission of Tasmania website. At the top, there is a navigation bar with the logo, the name 'Legal Aid Commission of Tasmania', a language selector, a search bar, and a 'Talk to a Lawyer' button with the phone number 1300 366 611. Below the navigation bar are several service categories: 'Talk with a lawyer', 'Going to court?', and 'Self help kits'. Each category has an icon and a 'Read more' button. The main content area is divided into three columns: 'Popular Topics', 'Resources for Lawyers', and 'Latest News'. Each column contains several articles with images and 'Read More' buttons. The 'Latest News' section includes a notice about the Launceston office closure and a 'Seniors Week Event' announcement.

Performance Highlights

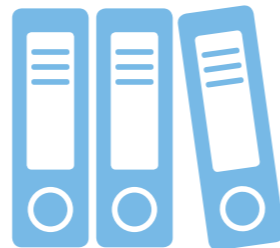
■ Achievements over the year

The achievements of the Legal Aid Commission over the last year are aligned with the five long term outcomes set out in the 2015 corporate plan.

Objective One

Ensure the right people get access to legal assistance.

- Increased Safe at Home services to victims of family violence by 129%
- Partnered with the Tasmanian Elder Abuse Helpline to provide wraparound services to people affected by elder abuse
- Services to patients before the Mental Health Tribunal increased 33%
- Review committees completed 40% more reviews of grants officers' decisions
- 100% of grants of legal aid delivered to financially disadvantaged clients



Objective Three

Deliver high quality legal services.

- Completed a client satisfaction survey of 569 legal aid recipients
- Raised the hourly rate payable to private practitioners to ensure the quality of services delivered
- Participated in a successful review of duty lawyer services
- Provided free training to 85% of all the State's Independent Children's Lawyers to improve the quality of representation for children
- Staff completed Aboriginal cultural awareness training

Objective Four

Contribute to the efficiency and effectiveness of the court system.

- Increased duty lawyer services by 6%
- Established an integrated duty lawyer and family violence support service at court registries
- Established court-ordered mediation
- Successfully managed grants without the 'daily limit' and eliminating the need for adjournments to re-apply for legal aid
- Determined all applications for legal aid within one day to avoid the need for adjournments



Objective Two

Strike an appropriate balance in allocating resources between a range of services.

- Website page views up 33%
- 27% more Community Legal Education sessions
- Framed a budget for 2017-18 that increases grants to the private profession
- Increased family dispute resolution mediations by 7%

Objective Five

Manage taxpayers' funds appropriately.

- Delivered a surplus to restore cash reserves to a level sufficient to cover Legal Aid's commitments and liabilities
- Introduced a skills-based Board for better governance
- Developed a new corporate plan to meet legal need 2017-20
- Introduced online quarterly reporting
- Restored the liquidity of the Civil Disbursement Fund

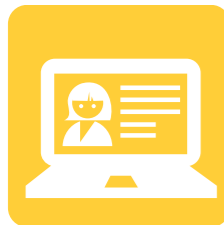
Performance Highlights

■ Top Information Services Topics 2016 – 2017



TOP 10 TELEPHONE HELPLINE ENQUIRIES

Matter Type	Number of Matters
1. Children's matters	2,379
2. Property settlement	1,020
3. Consumer issues	876
4. Boundary disputes	806
5. Wills and estates	795
6. Enquiries about legal aid services	773
7. Enquiries about executing documents	581
8. Driving offences	549
9. Leases	543
10. Contracts	437



TOP 10 MOST VISITED WEBSITE FACT SHEETS

Fact Sheet	Number of Views
1. Wills	21,802
2. Boundary fences	16,150
3. Estates	11,328
4. Age of consent	10,833
5. Family violence	8,124
6. Motor vehicle accidents – property damage	5,130
7. People affected by natural disasters	4,357
8. Under 18s	3,425
9. Neighbourhood issues	2,892
10. Magistrates court	2,686



TOP COMMUNITY LEGAL EDUCATION TOPICS

Topic
Legal Aid Services
Family Violence
Bullying and Cyber Safety
Social Media
Youth Issues

■ Our Reach for 2016-2017



Preventative Services

Website Page Visits	487,391
Telephone Advice Service - Number of Matters Dealt With	15,154
Legal Aid - Referrals Made	11,582
Community Legal Education Participants	9,175
Telephone Advice Service - Justice of the Peace Enquiries	571
Community Legal Education Sessions	241

Early Intervention Services

Legal Advice and Minor Assistance	6,090
Family Dispute Resolution Conferences	370

Duty Lawyer Services

Duty Lawyer Services	3,966
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Case Work Grants of Legal Assistance

Grants of Legal Assistance	4,556
Private Practitioner Grants	2,803
In-house Grants	1,753
Clients On Government Benefits - (grants of aid only)	83%

■ Financial Summary 2016 - 2017



Commonwealth Funding	\$6,377,000
State Funding	\$6,906,000
Other Funding	\$1,164,000
Surplus	\$1,279,000
TOTAL FUNDS	\$14,447,000
TOTAL EXPENDITURE	\$13,168,000

Our Clients

■ We helped thousands of clients in 2016-2017 through Lawyer Services.

<18

6% were under 18



3% required the assistance of an interpreter

24% were living in rural Tasmania



>65

5% were over 65



70%

were receiving some form of Government benefit

7%

were of Aboriginal or Torres Strait Islander background

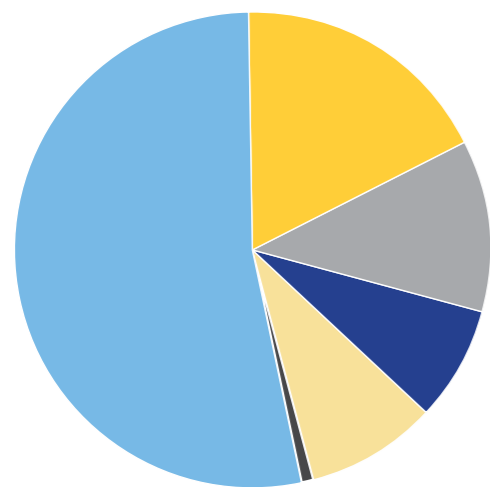
4%

were from culturally and linguistically diverse backgrounds*



10% were in custody

Total Client Services

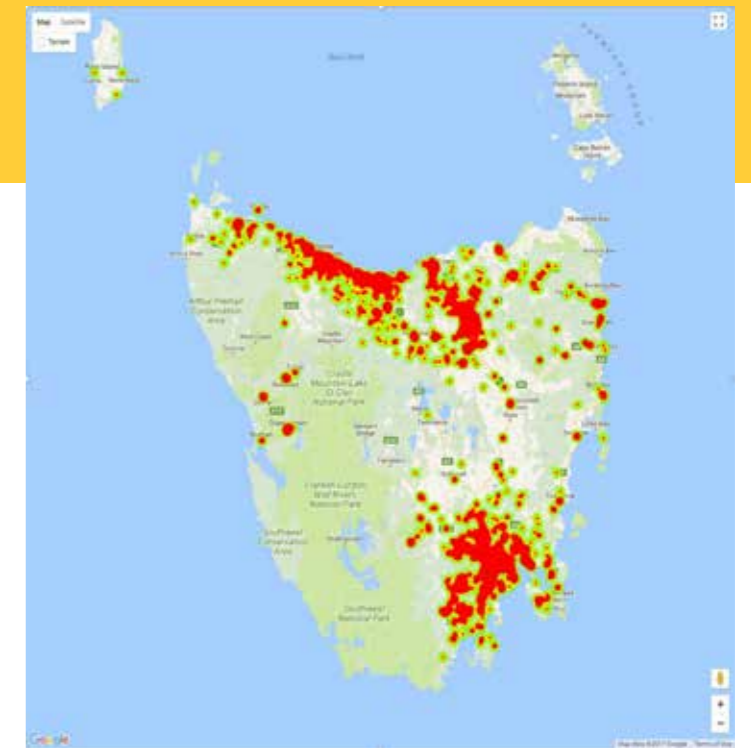


- Telephone Advice and Referrals **27,307**
- Community Legal Education **9,175**
- Advice and Minor Assistance **6,090**
- Duty Services **3,966**
- Legal Representation **4,556**
- Family Dispute Conferences **370**

* Includes People who were born overseas or speak a Language other than English at home.

Figures are based on the total number of unique clients many of which accessed more than one service during the year. This does not include Telephone Advice, Website, Community Legal Education and any other service where we do not create an individual client record.

■ Distribution of Clients accessing Legal Services In Tasmania 2016-2017



Client Satisfaction Survey

In May 2017, Legal Aid Tasmania surveyed 569 clients and users of our services over a two week period. It was the largest client satisfaction survey ever undertaken at Legal Aid.

The purpose of the survey was to check whether our clients were getting a quality service delivered appropriately to match their needs and levels of capability. The survey involved six questions and provided the following results:

96% of respondents agreed it was easy to contact us - **4%** disagreed that this was so;

99% of respondents agreed that we listened to their legal problem - **1%** disagreed;

99% of respondents agreed that we helped them with their legal problem - **1%** disagreed;

98% of respondents agreed that they knew where to get help if they had another legal problem in the future - **2%** disagreed;

15% of respondents had a personal or cultural need that we needed to consider - **85%** did not. Of the **15%** of respondents that did, **100%** of them agreed that we met those specific needs; and

99% of respondents stated that they would refer us to other people - **1%** said they wouldn't.

Legal Aid Tasmania is analysing the data to capture any lessons learned as part of its continuous improvement program.

Our History

- Legal Aid Tasmania started on 2 May 1974 when the Australian Legal Aid Office opened in Burnie.

1954

Legal Assistance Act 1954 (Tas) – the first formal Legal Aid scheme

1991

Legal Aid Commission Act 1990 (Tas)
– Tasmania’s Parliament sets up the Legal Aid Commission of Tasmania to start on 1 January 1991

2007

A significant expansion of preventative and early intervention services including telephone helplines, clinics, community legal education, and mediation

1974

“Shopfront Law Offices” appear with the Commonwealth setting up the Australian Legal Aid Office in Tasmania

2000

Legal Aid Tasmania becomes the first Legal Aid Commission to offer electronic applications for grants

2016

Tasmania’s Parliament introduces a professionalised skills-based Board



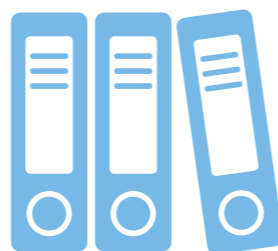
Our Partners

■ Collaborating with our partners

Legal Aid Tasmania collaborates with the private profession, the Department of Justice, the Attorney-General's Department, The Tasmanian Aboriginal Community Legal Service, Community Legal Centres and National Legal Aid to improve access to legal services for disadvantaged communities.

Private Lawyers

In Tasmania, private lawyers receive funding from Legal Aid to represent disadvantaged clients. See page 24.



Tasmanian Legal Assistance Forum

Chaired by the Department of Justice, this forum met on 5 October 2016 and 3 May 2017 and brought together legal and non-legal service providers to improve communication and co-ordination. It has broad representation that includes the Commonwealth Attorney-General's Department, the Law Society, the Pro Bono Clearing House and the Commonwealth Department of Health and Human Services.

Tasmanian Legal Assistance Service Planning Committee

Also chaired by the Department of Justice, this committee brings together all legal assistance service providers to map and plan the delivery of legal services and to target services according to funding agreement priorities. TASLASP undertakes collaborative service planning to meet legal need in Tasmania. It met on 2 August 2016, 5 October 2016, 15 February 2017 and 3 May 2017.

Tasmanian Aboriginal Community Legal Service

Legal Aid Tasmania and the Tasmanian Aboriginal Community Legal Service worked collaboratively according to a Memorandum of Understanding signed on 28 June 2016. The two organisations shared statistics, training opportunities, and maintained a dialogue about the needs of Tasmanian Aboriginals.

Community Legal Centres

Legal Aid Tasmania works closely with Community Legal Centres to deliver a co-ordinated service and to avoid duplication of services. In September 2016, Legal Aid Tasmania organised a sector-wide get together in Campbell Town attended by staff from Legal Aid and the CLCs. The meeting enabled each agency to hear about services provided by the others. This will improve referrals and avoid duplication.

Legal Aid Tasmania contracts with the Hobart CLC to provide weekend duty lawyer services at the Magistrates Court. The CEOs of Hobart, Launceston and North-West CLCs all serve on Legal Aid review committees reviewing the decisions of grants officers. Legal Aid lawyers also volunteer for CLC after hours legal advice services.

National Legal Aid

National Legal Aid is the peak body representing the eight Legal Aid Commissions in Australia. NLA engages nationally with the Commonwealth Government and benchmarks best practice across Australia. NLA is supported by working groups with representatives from each of the Legal Aid Commissions. NLA met in July, November and March during the financial year.

Department of Justice (Tasmania)

The Department of Justice and Legal Aid Tasmania work closely in Human Resources, Health and Safety, and in co-ordinating with other Justice agencies. All officers of Legal Aid Tasmania are employed by the Department of Justice.

Legal Aid Tasmania attends Justice Outputs managers meetings convened by the Secretary. These meetings help ensure the efficient operation of the justice system in Tasmania. They also work to improve standards in workplace health and safety; reporting; and people management.

The Department's Strategic Legislation and Policy Branch regularly consults with Legal Aid about proposed amendments to legislation in both criminal and civil law.



Attorney-General's Department (Commonwealth)

Legal Aid Tasmania maintains close working relationships with the Commonwealth Attorney-General's Department and participates in Commonwealth justice system advisory groups including the Family Law Consultative Committee and the Family Law Pathways Network. Legal Aid Tasmania participated in an online dispute resolution workshop organised by the Department on 7 December 2016.

Our Partners

THE PRIVATE PROFESSION

In terms of grants for representation, private lawyers deliver most of the legal aid in Tasmania. In 2016-17 private lawyers received 61% of all new grants of aid.

Seventy law firms and barristers devoted part of their legal practice to delivering legal aid at heavily discounted rates in 2016-17. These firms are located across the State and ensure local coverage wherever legal aid recipients are based. They also bring specialised skills that would not otherwise be available to the legal aid system. Legal Aid Tasmania could not maintain services to disadvantaged Tasmanians without the dedication and commitment of the private profession.

McVeity and Associates in Ulverstone is one of 58 firms that delivered family law and child protection law to legal aid recipients in 2016-17. McVeity and Associates lawyer Joanna Dean says that 'some of our most rewarding client experiences and outcomes have involved legal aid recipients, and although these moments can be few and far between, they happen often enough that it inspires us to continue to take on legal aid clients. Most of us became lawyers so that we could help people. Doing this with a grant of legal aid just means we have to often be more creative, efficient and realistic with how we do this. It can make it challenging but, we can genuinely say, it's never boring.'

In 2016-17 forty-nine firms or barristers undertook legal aid work in criminal law. Philippa Morgan's practice included acting for legal aid recipients in crime and in civil cases. Ms Morgan says that 'protection

of the most vulnerable members of our community is an essential part of the rule of law and a just society. Whether it is through the legal representation of a young person facing the Youth Justice Court or an older person before the Mental Health Tribunal, legal representation through the Legal Aid system is not only a source of significant empowerment and protection for those people but is also a reflection of our society's core values.'

“The private profession in Tasmania has always been deeply committed to access to justice and has decades of experience in providing legal assistance to those Tasmanians experiencing social or economic disadvantage.”

ROHAN FOON
Law Society President

Legal Aid Chairperson Patrick Lunn said 'on behalf of the Board, I thank members of the private profession for providing the means for low income Tasmanians to access justice. By the contributions that members of the private profession make as providers of legal aid, membership of our Board, membership of our review committees, and membership of the Civil Disbursement Fund committee, we are far better placed to achieve our goals than we would otherwise be.'



Joanna Dean



Philippa Morgan



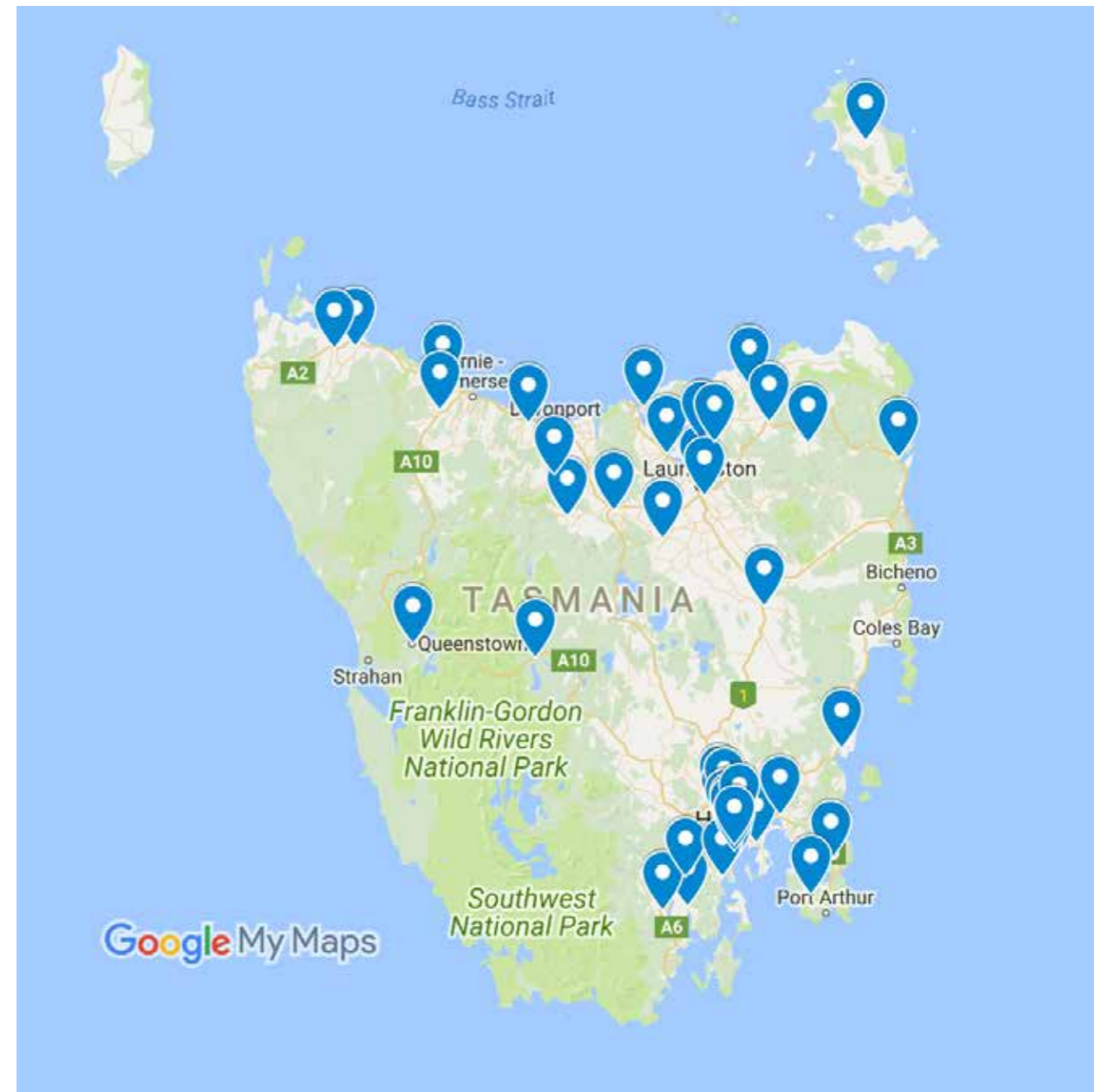
Rohan Foon

Outreach

■ Delivering services in locations that are accessible to our clients.

Every week our lawyers go out to meet clients where they are needed.

In 2016-17, Legal Aid Tasmania strengthened and expanded its outreach legal assistance services in regional and remote locations. Over the year our lawyers visited 43 outreach locations.



Over the year, our criminal lawyers provided duty lawyer services at the St Helens, Queenstown, Scottsdale and Smithton courts. Our family lawyers visited 15 locations. Our advice and community legal education lawyers provide services to 26 locations around the State. Our Safe at Home team ran clinics giving advice on family violence issues in 7 locations beyond our 4 offices.

Apart from Legal Aid staff 12 law firms delivered legal aid from regional areas outside of Hobart, Launceston, Devonport and Burnie.

Our Organisation - Commissioners

- The Legal Aid Commission of Tasmania is responsible to a Board of Commissioners, all of whom are appointed to the Commission by the Attorney-General

Patrick Lunn

Patrick graduated from the University of Tasmania with the combined degrees of a Bachelor of Arts and Bachelor of Laws, majoring in political science in 1995. He was admitted to practice in the Supreme Court of Tasmania in 1996, appointed a partner of Simmons Wolfhagen in 2004 and managing partner of Simmons Wolfhagen in 2011.

Patrick has practised in commercial litigation since 1995. His practice has included: debt recovery and securities enforcement, Testator's Family Maintenance Act applications, estate disputes, partnership and shareholder's disputes, bankruptcy and insolvency litigation, professional negligence claims, residential and commercial tenancy disputes and commercial disputes between vendors and purchasers of property and businesses and other contracting parties.

Patrick became a member of the board of management of Plane Tree Studio Inc. in 1997 and has been a chair of its board of management since 1998. On 4 November 2014, Patrick was appointed Chairperson of the Legal Aid Commission.



Graham Hill

Graham Hill became Director of the Legal Aid Commission of Tasmania on 28 January 2014.

Graham came from the Department of Justice in Victoria where he had spent three years in a Deputy Secretary role leading courts administration. Before then, Graham had been Director of the Legal Branch at the Victorian Department of Premier and Cabinet. Graham spent 14 years in private practice and was a partner at the Melbourne law firm of Ryan Carlisle Thomas. He was also an Associate to Justice Gray at the Federal Court of Australia.

Graham was admitted to practice as a Barrister and Solicitor of the Supreme Court of Victoria and the High Court of Australia in 1990. He has a Bachelor of Economics and a Master of Laws from Monash University. Graham has also completed a doctoral thesis at the University of Melbourne's law school.



Julia Higgins

Julia Higgins was appointed on 9 May 2017 for a term of three years. Julia graduated from the University of Tasmania with a combined degree of Bachelor Commerce and Bachelor of Laws in 2001. Julia has practised family law at the Launceston law firm of Bishops since August 2002. Julia specialises in all the areas of family law (Children and Financial matters) as well as appearing in the child protection jurisdiction.

Julia is a committee member of the Family Law Practitioners Association of Tasmania. She is currently vice chair of the Launceston Women's Shelter. In the past, she has been the Northern Representative on the Law Council of Tasmania, and was for many years President of the Northern Young Lawyers Committee.

Tom Baxter

Nominated by the Community Legal Centres in Tasmania - appointed on 18 June 2014.

Tom is a lecturer, and the Corporate Governance Course Co-ordinator at the Tasmanian School of Business and Economics, University of Tasmania, where he has worked since June 2003.

He previously worked as a lawyer for the Australian Government statutory authority managing the Great Barrier Reef (January 2000 - May 2003); and Dobson, Mitchell & Allport (September 1997 - December 1999).

Tom holds a PhD in Law (Tasmania), Master of Laws (Australian National University), and Bachelor of Economics and Law (Tasmania). He is a Fellow of the Governance Institute of Australia Ltd and of the Institute of Chartered Secretaries and Administrators. He was admitted as a Barrister and Solicitor of the Supreme Court of Tasmania and the High Court of Australia in 1998, but no longer maintains a legal practicing certificate now he works as an academic.

The statutory reduction in the size of the Board brought this role to an end in October 2016.



Natalie Everett

Natalie Everett was nominated by the staff and appointed on the 16th June 2016.

Natalie graduated from the University of New England with a combined Bachelor degree in Arts/Law. She holds a Graduate Diploma in Legal Practice from the Australian National University.

Natalie was admitted to practice in the Australian Capital Territory and Tasmania in 2003 and has been employed by the Legal Aid Commission since that time.

Natalie practices in the North-West of the State in the Criminal Practice, dealing with matters in the Magistrates Court, the Supreme Court and also Appeals. Since 2014 she has also undertaken the additional role of Grants Officer.

The statutory reduction in the size of the Board brought this role to an end in October 2016.



Stephen Morrison

Re-appointed on 2 May 2017 for a term of three years, Stephen has been an employee in the Tasmanian Public Service for a period of 19 years. He is currently the Director, Finance in the Department of Justice.

Stephen has previously been employed within the Tasmanian Audit Office, the Department of Treasury and Finance and the former Department of Economic Development in a variety of auditing and accounting roles. Stephen has a Degree in Commerce from the University of Tasmania (1992) and is an FCPA member of CPA Australia.

Our Organisation - Commissioners



Greg Barns

Nominated by the Law Society of Tasmania - appointed on 11 November 2013.

Greg graduated BA LLB from Monash University in 1984. He is a member of the Tasmanian Bar, and is also a member of the Victorian and Western Australian Bars. Greg practices from Salamanca Chambers in Hobart and Stawell Chambers in Melbourne. He is a spokesperson for the Australian Lawyers Alliance and was National President of the Alliance in 2011-12. Greg is a founder of the Prisoners Legal Advisory Service. He has experience as a non-executive director of ASX listed companies and is the author of 3 books on Australian politics. He writes a weekly column for the Hobart Mercury.

The statutory reduction in the size of the Board brought this role to an end in October 2016.

Daniel Zeeman

Nominated by the Law Society of Tasmania and appointed on 7 November 2014. Daniel is a graduate of the University of Tasmania in Law and Arts. He was admitted to the Supreme Court of Tasmania on 2 September 1992. His areas of practice are defamation, estate litigation and workers' compensation.



Daniel is a past Deputy Chairman of the Parole Board of Tasmania, President of the Law Society of Tasmania and is currently a member of the Andrew Inglis Law Library Management Committee. He is also a member of the Society of Trust in Estate Practitioners (Tasmania Branch). Daniel became a partner of the Hobart law firm Butler, McIntyre and Butler in May 1999.

In March 2017 Daniel's term came to an end.

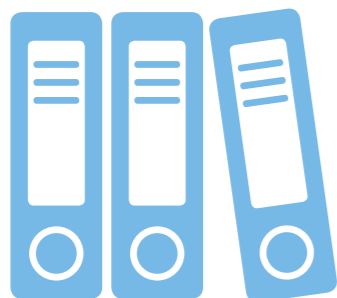
Yvette Cehtel

Reappointed on 24 February 2016.

Yvette is currently self employed as a consultant in Launceston. She graduated from the University of Tasmania with a Bachelor of Laws in 1995 and was admitted to the Supreme Court of Tasmania in 2000.

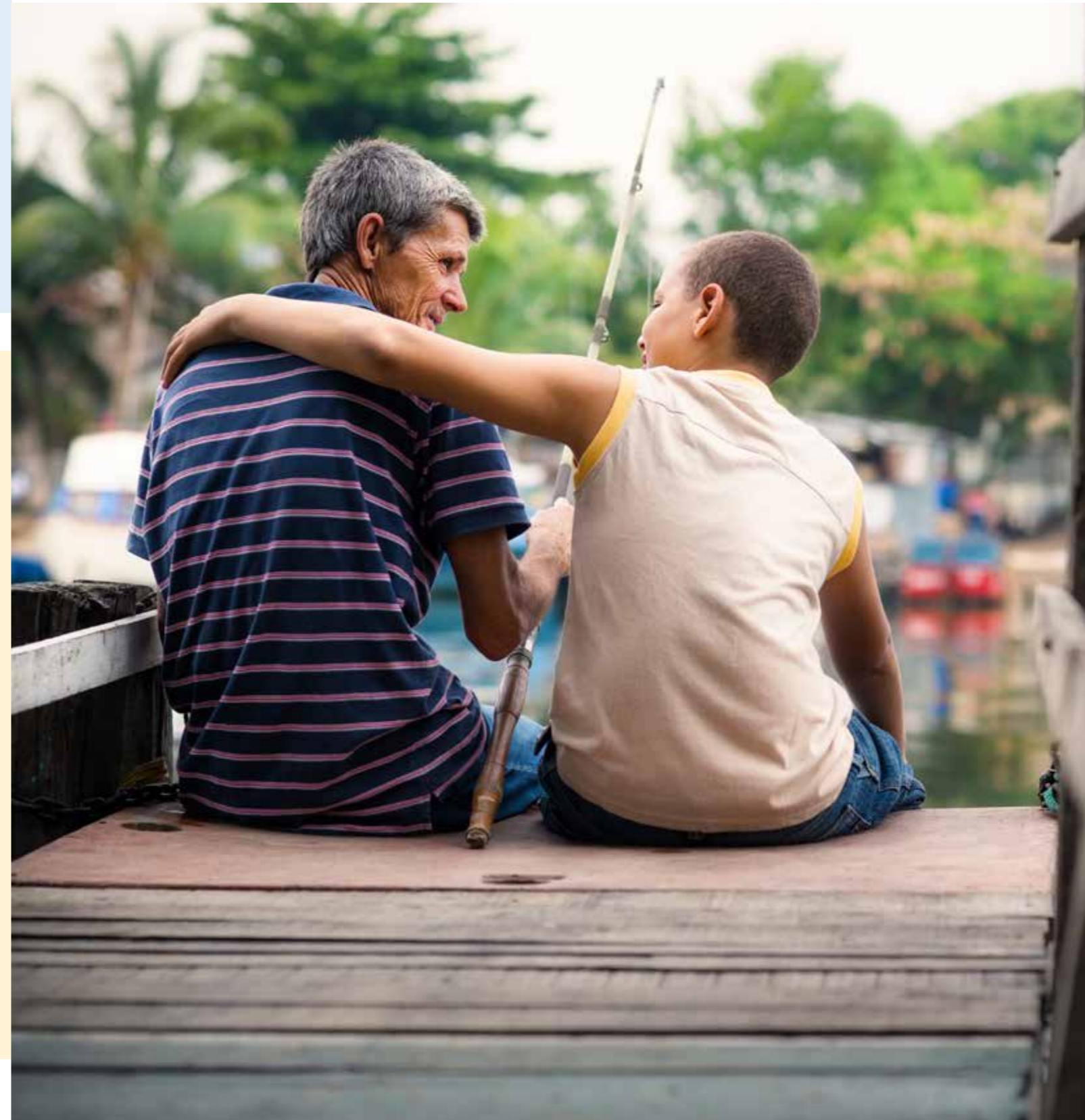
Yvette brings a diverse range of legal experience to the Commission, having worked as a private practitioner with Douglas & Collins Barristers & Solicitors, for the Crown Law Office in Wellington New Zealand and as Legal Adviser to the former Attorney-General, Judy Jackson.

Yvette's diverse background and experience in government law, private practice, international and treaty law, law reform activities, social justice and the rights of Aborigines led to her appointment to the Commission in September 2009.



The People We Help

- The following pages are an outline of the services that we provide to Tasmanians.



The People We Help

■ Youth Justice

Legal Aid's Youth Justice Service provides advice and representation to young people facing criminal charges in the Youth Justice Division of the Magistrates Court and appearing before the Supreme Court. Young offenders can seek the assistance of a Youth Justice lawyer for legal advice, bail applications, pleas of guilty and contested hearings.

Our Youth Justice lawyers recognise that there are many underlying issues that lead young people to commit offences. Young offenders within the criminal justice system are often vulnerable and lack guidance or strong parental support. Many have had chaotic lives without safe and stable accommodation, and suffer drug, alcohol and mental health issues. We recognise young people are different from adults and require specialist, therapeutic, welfare-based responses which focus on their rehabilitation and we ensure they are supported throughout the criminal justice process. In addition to the advice and representation provided by our Legal Aid Youth Justice lawyers we also assist by working with them to make contact with support services when appropriate including Save the Children, Housing Assistance services, Youth Justice case workers and flexible learning centres.

The Youth Justice system in Tasmania treats young people differently to the way in which adults are treated. The primary focus is rehabilitation. Often young offenders can be diverted away from the criminal justice system by participating in diversionary and restorative justice processes such as community conferences. Sentencing options available to the Magistrates support and encourage that rehabilitation.

Young people are inherently vulnerable within our society. Without the assistance of our Youth Justice lawyers, young offenders would be required to represent themselves during proceedings.



CASE STUDY

Harry is a sixteen year old who resides with his younger sister and his ageing grandfather. Harry has not had any contact with his father since he was a small child. Harry resided with his mother until he was eight years of age when Child Safety Services intervened.

Harry was exposed to neglect, drug use and family violence when he was in the care of his mother. Harry misses his mother and often feels she doesn't care about him at all. After being removed from his mother's care Harry and his sister lived in a number of foster homes. He is now pleased to be living with his grandfather with whom he has a good relationship, although he worries about his grandfather's age and health.

Harry has been diagnosed with depression and anxiety. He also has some learning difficulties and has not properly learnt to read or write. Harry's attendance at school is very poor because he is embarrassed about his learning difficulties and is bullied.

Harry has trouble making friends, partly because he had to move schools and suburbs frequently when he was younger. He is easily influenced and over the last year he has started using cannabis and committing shoplifting offences when in the company of a local group of youths.

The young people that Harry is spending time with are well known to the youth justice system and mostly have a significant history of prior offending. Harry feels pressure to go along with their ideas because he is pleased to finally have friends to spend time with and doesn't want them to say bad things about him. He is aware that they are causing him to get into trouble. He tries to separate himself from the group but finds it difficult to say no when they contact him. Harry's grandfather is very concerned about Harry spending time with this group particularly when he is using cannabis. Harry's behaviour at home is very poor when he has been using cannabis.

Harry has now been charged with a number of dishonesty and drug related offences. Harry and his grandfather seek the assistance of Legal Aid. It is clear that Harry really wants and needs support. He tells the lawyer that he thinks it is going to be difficult for him to stay away from the particular group of young people in the future. He says that except for his elderly grandfather, he feels like there is no one that is supporting him. He knows that his behaviour at home is bad when he has been using cannabis and he worries that he is damaging

the relationship with his grandfather and younger sister. Harry's anxiety and depression are not properly treated and he's very worried about not being able to read and write. He doesn't know how to go about re-engaging with his schooling.

Harry tells the lawyer he thinks that if he could find new friends and separate himself from the others, he would not have the need to commit offences again in the future. He says that what he would really like is to return to school and to find some casual after school work or join a sporting club where he could make new friends. He says that he doesn't know how to go about doing any of that, and his grandfather says that he doesn't know either. Harry says that without support he's very concerned that he'll be pressured into offending again in the future.

When Harry's matters were listed in the Youth Justice Court the Legal Aid lawyer was able to convince the Magistrate that she should do no more than impose a period of good behaviour on Harry, with a condition that Harry be subject to the supervision of an assigned Youth Justice worker for a period of twelve months.

Harry is no longer offending. He is being supervised by his Youth Justice worker and they have developed a good relationship. The Youth Justice worker has assisted Harry to return to school and attended meetings at the school with him. She has helped Harry to create a resume and Harry has been applying for some part time jobs. She arranged for Harry to participate in some hip hop dance classes and Harry has made new friends through those classes. He has also re-engaged with a general practitioner and is receiving treatment for his anxiety and depression. The relationship between Harry and his grandfather has improved significantly. Things are looking far more positive for Harry and he firmly believes that he will not be tempted to offend again in the future.

We have changed our client's name and some facts to protect our client's privacy.



The People We Help

■ Safe at Home - Assisting Victims of Family Violence

Safe at Home lawyers provide advice, assistance, representation and referrals for victims of family violence.

Our Safe at Home lawyers help victims get family violence orders and help them to fine-tune existing orders to ensure that they are sufficiently protective or allow safe contact.

Apart from getting an order, our team provides further information to clients and referral to other agencies for safety planning, counselling and support.

Our Safe at Home lawyers also provide Community Legal Education. It is available both for victims of family violence and workers in the non-legal support services who help victims.

Our Safe at Home lawyers share information about risk and safety with other agencies such as police, the Family Violence Counselling and Support Service, Child Safety Services and the Court Support & Liaison Service. Sharing information helps to ensure that significant risks are identified for a co-ordinated response.

Legal Aid's Safe at Home team works with other Legal Aid services, such as the Family Advocacy and Support Service, and is integrated with a broader network of agencies including Tasmania Police's Family Violence Units, the Court Support & Liaison Service, Family Violence Counselling & Support Service, Child Safety Services, the Department of Justice policy unit, and dedicated prosecutors. The idea of the integrated approach is to ensure that victims receive the services they need to be safe and all agencies share information to address safety issues.

This financial year our Safe at Home lawyers assisted 360 victims of family violence, with 83 requiring representation in court. Our Advice and Legal Services lawyers assisted a further 277 people with advice or representation in relation to Restraint Orders and Family Violence Orders.

CASE STUDY:

Extending Orders to keep children safe until Family Law arrangements can be made.

Mary had been in a relationship with her partner Dave for about 10 years before they had a child, Annabelle. Dave had always been a bit angry – yelling if he was upset, and so on.

Over time, the behaviour got worse, and Dave's yelling started getting scary, and the name-calling got really personal. At times, he would grab her arm or shove her.

Dave had always used cannabis, but started to suffer back pain and used more and more, every day. The problems with anger – especially when he couldn't get cannabis – got worse.

Dave didn't seem to notice that he was not only being abusive or violent in front of their child, but Annabelle was getting scared, too. After yet another incident in front of Annabelle, Annabelle started asking if they could leave. Mary decided that enough was enough.

Mary moved out, with Annabelle, and facilitated Annabelle spending time with her father every week. It wasn't easy – Dave was not reliable, changed things without telling her, still got angry sometimes and didn't seem to be really focusing on Annabelle. Annabelle seemed to be picking up on this, refusing to spend time with Dave unless Mary was there, too.

One time was disastrous – Dave got angry and hit Mary, and Annabelle knew what had happened (she heard the incident, and helped her mother leave afterwards). Police were called. Dave was charged with assault and Police issued an Order to protect Mary.

Annabelle decided she never wanted to see Dave again: she was scared for her mother, scared for herself, and knew from what she had been taught that hitting people is wrong. Mary also couldn't see much benefit for Annabelle in spending time with Dave while he continued to be angry, abusive and use drugs. After the assault, Mary stopped Dave's time with Annabelle.

Dave refused to believe that Annabelle knew about the assault herself – she had been in a different room – and blamed Mary for Annabelle not wanting to see him. He could not see that his relationship with Annabelle had been deteriorating for some time, even before separation. And in his view of the world, he didn't really assault Mary and it was all her fault. He brought an Application for time with Annabelle in the Federal Circuit Court.

At Legal Aid, Mary was given legal information about what would happen with the assault charge, referred for assistance to the Court Support & Liaison Service for support giving evidence, had the terms of the Police Family Violence Order explained to her, and she was given basic information about family law children's matters, and then referred to a family lawyer. She was eligible for Legal Aid funding, and was assisted to oppose Dave's Application for time with Annabelle.

After some time, various other issues and considerable problems (Dave pleaded not guilty to the assault but was found guilty), Dave, Mary and Annabelle eventually started family therapy to help Dave understand where Annabelle was coming from and to try to re-build a relationship between Annabelle and Dave. While things aren't perfect, Mary and Annabelle are no longer so scared of Dave, and there haven't been any more incidents of family violence.

We have changed our client's name and some facts to protect our client's privacy.

The People We Help

■ Mental Health and Disability

Our role is to empower clients to have access to justice. This includes advice regarding the law and rights, representation at hearings to test the evidence, and ensure that the orders represent the least restrictive intervention consistent with need, health and safety of the person and the public.

People with mental health issues and disabilities are among the most vulnerable and disadvantaged in our community. Sometimes they need decision makers appointed for them by Boards and Tribunals. In circumstances of disability, this might include appointing someone to make decisions about financial matters, where they live, medical treatment, where they work and with whom they associate. This can also include the authorisation of treatment for mental illness either in the community or in hospital.

Legal Aid's mental health and disability service provides advice and representation to people involved in Mental Health Tribunal and Guardianship & Administration Board hearings. These clients are facing legal restriction on their ability to make their own choices. Our role is to empower these clients to participate meaningfully in the justice system. Our clients are often the people within our community least able to understand and advocate for their rights and without Legal Aid's service, they would face these proceedings alone.

In 2016-17, Legal Aid delivered 3,383 client services to people living with mental health and disability issues in Tasmania.



CASE STUDY

Philip contacted Legal Aid as he had been admitted to the psychiatric ward in hospital and wanted legal advice regarding his rights. This was the first time he had been admitted to hospital, did not realise he was unwell and was unable to refuse admission and treatment himself.

He was homeless and had no other supports such as family, friends or community services.

Legal Aid was able to help him at a number of Mental Health Tribunal hearings. Philip stated he was scared and confused about why he was in hospital. He was facing the first Tribunal hearing to determine the doctor's application for a treatment order. Philip had not been to a hearing before and had no idea of what to expect. Legal Aid was able to support Philip to participate in the legal process by:

- Obtaining the papers from the Tribunal;
- Applying for a grant of aid to advise Philip with no cost to him;
- Attending with Philip at hospital;
- Explaining the reason the doctor had made the application;
- Outlining the evidence and clarifying his version of what had happened;
- Explaining the law in plain English;
- Explaining the hearing process;
- Advising on his rights and likely outcome of the hearing;
- Appearing and supporting him at the hearing by asking questions of the doctor, clarifying the issues in dispute and making legal submissions regarding the criteria;
- Advising Philip after the hearing about what the order meant and the way forward;
- Maintaining contact with Philip after the hearing to assist with discussions with the treating team about medication issues, leave, accommodation and other matters that arose during his hospital stay; and
- Providing advice and representation at subsequent review hearings once he was discharged from hospital.

After a period of treatment, Philip's mental health settled and he regained capacity to consent to treatment himself. His functioning had improved such that he was living independently and looking after himself. He had a case manager and support from other services. He was hoping to restart his TAFE course in the near future. The doctor discharged the treatment order and Philip became a voluntary patient. His legal matter was at an end.

Philip stated that he was very grateful to have had Legal Aid's assistance throughout the process. He felt supported during a stressful and difficult time of his life and felt he would have struggled to understand and cope with it on his own.

Tasmanian mental health legislation promotes voluntary treatment over involuntary treatment wherever possible. Also, treatment in the least restrictive setting is preferred, so ideally people are treated at home in their community rather than in hospital. Where a person can give informed consent to mental health treatment then they must be enabled to do so.

We have changed our client's name and some facts to protect our client's privacy.



The People We Help

■ Advice and Legal Services

The Advice and Legal Services unit of the Legal Aid Commission is the optimal starting point for many Tasmanians in need of legal advice and assistance.

This unit operates a free walk-in “clinic” where clients receive legal advice from one of our lawyers. This operates face-to-face in our Hobart and Launceston offices, and through video conferencing in our Devonport and Burnie offices. This service alone provided advice to over 5,600 Tasmanians last financial year. It is through this service that clients can discuss their options for applying for a grant of legal aid funding.

Our Advice and Legal Services unit also operates a free Telephone Advice line. This service operates Monday to Friday from 9am-5pm and connects clients directly with one of our lawyers. Over 30,000 calls were made to this service in the last financial year showing how vital and important this service is to Tasmanians in need of legal assistance.

Our qualified lawyers are able to identify the specific needs of clients, and through an exceptional referral process our lawyers link those clients to other practices within Legal Aid, as well as warmly referring to other non-legal service providers.

CASE STUDY

A Grandfather telephoned our 1300 Advice Line and was immediately connected with one of our lawyers. This Grandfather was the guardian of his 12 year old grandson, Tom.

Tom had found himself caught up with an older group of boys and had been influenced to engage in behaviour which had resulted in Tom now facing criminal charges.

The Grandfather was extremely upset and worried about what was happening. He was anxious about Tom needing to go to Court and said he was unfamiliar with the process and fearful of the outcome for Tom.

To make this situation more stressful, Tom was profoundly deaf.

Straight away our lawyer identified that Tom was a vulnerable youth with a disability who needed our assistance.

Our lawyer immediately made contact with our Criminal Law division and an appointment was made for Tom and his Grandfather to attend our office the following day.

Our lawyer arranged for an interpreter to be present at the appointment. This proved to be invaluable for the appointment.

Our lawyer also connected this Grandfather with a non-legal service provider who was going to assist Tom and his Grandfather moving forward with other social aspects of their lives.

The outcome was that Tom received a grant of legal aid funding and was represented by one of our criminal lawyers in the Magistrates Court.

The Grandfather contacted our office to thank the lawyer for their invaluable advice and assistance at what was a very stressful time in their lives.

We have changed our client's name and some facts to protect our client's privacy.



The People We Help

■ Family Dispute Resolution

The Commission's Family Dispute Resolution service has had an exciting year. During 2016-17 we mediated 370 family disputes, with a success rate of 91%, the highest in Australia.

Research clearly shows that decisions made through FDR are longer-lasting because the parties have vested time and effort in reaching an agreement that they have helped create. Most importantly, it keeps families out of court, which is better for children and families – financially, psychologically, emotionally and intellectually.

Helping Family Violence Cases

The Legal Aid Commission is the only service providing Family Dispute Resolution for victims of family violence in Tasmania. The Commission uses a 'co-operative' mediation model, where each party has a lawyer representing them at the mediation. This model ensures that the parties are supported throughout the process and have the benefit of legal advice throughout. This greatly assists in alleviating the power imbalance that inevitably exists between the perpetrator and victim. In addition, the Conference can be held in separate rooms, and sometimes separate buildings when necessary, using shuttle mediation, via telephone and video telephone conferencing.

Our Family Dispute Resolution Practitioners are independent, accredited mediators and legal practitioners. We have 8 practitioners employed part-time within the Commission and 5 private practitioners currently providing this service.

Child Inclusive Mediation

During the last year we have introduced Child Inclusive Practice throughout the State. This process allows children from four years old to be included in the mediation process, by meeting with a qualified Child Consultant (psychologist). The consultant engages with the children to gain an understanding of how the separation is affecting them. This information is then fed back to the parents by the consultant at an FDR conference, enabling the parents to hear the children's views and feelings, which can then be included and considered when they are deciding ongoing parenting arrangements. This process is proving most successful, with more than 30 such conferences conducted throughout the year.

Court Ordered Mediation

Our most recent innovation is the introduction of Court Ordered FDR. This form of FDR conferencing is conducted in matters that have already had applications filed in the Federal Circuit Court. The aim is to settle matters, rather than have them proceed to trial. If the matter does not fully settle, the parties can at least narrow the issues in dispute, shortening the length of the hearing and saving resources. The Conferences will commence in July 2017 and we look forward to settling matters that would otherwise have proceeded to a lengthy trial.

Family Dispute Resolution is given the highest priority when dealing with family law and family violence matters. Under our current grants guidelines, in line with the National Partnership Agreement, applications for a grant of legal aid for a lawyer to represent a parent in a Family Dispute Resolution Conference are approved in all matters that meet our guidelines.

The People We Help

Community Legal Education



Legal Aid's CLE Manager Sarah Piggott out in the community.

What is CLE?

Community Legal Education (CLE) is part of a 'tool kit' of legal assistance services offered by the Legal Aid Commission of Tasmania (LACT) to help people address legal problems both now and in the future. It comprises a broad range of legal assistance strategies - from face to face education or training sessions, to online information via social media, to legal assistance via fact sheets, brochures and self help materials on our website. It is about integrating legal education and information into the community.

Why is it important?

CLE raises awareness among individuals and those who support them that their problems may have a legal solution. It builds knowledge of and trust in LACT as a source of legal assistance. It equips individuals with the skills to identify a legal issue and to take steps towards self help, including connecting with available services and supports.

Who do we target?

On an annual basis, the CLE program identifies priority clients from vulnerable and disadvantaged groups within the community. Being involved in and contributing to community service provider networks assists us to channel our resources to where they are needed the most.

Improvements we've made

We invite feedback from all CLE strategies – face to face and online resources – and evaluate that data to be responsive to both need and change. In face to face we have engaged more interactively in smaller groups this past year to ensure improved legal comprehension. On the website and social media, we have responded to increased traffic and demand for legal information and materials by increasing our available content and making it relevant to our users. We try to use plain language in all our materials.

Numbers we reach

We conducted 241 sessions to a wide range of the community reaching 9,175 participants: young people in and out of school, older people, people with low literacy, people who are financially disadvantaged and people from culturally and linguistically diverse backgrounds.

Website/Social Media

Our website is designed to be accessible, both in language and medium. Each page has a Read Speaker button which allows the user to hear the content. There are animated videos which describe how to access our various services. There are Fact Sheets, self help kits and videos which explain an area of law.

Our brochures are not only available on our website but also in each of the Service Tasmania outlets throughout the State.

Since its redesign and launch in August 2014, the total number of website page hits have increased from 288,153 to 487,391. Our top five page hits have been Fact Sheets on: wills, boundary fences, estates, age of consent for sex and family violence.

Our social media presence has been low key, focusing on new website content, CLE events, LACT news and general legal issues. We post approximately 2-3 times per week and have a mix of individual and organisation followers of our page.



Legal Aid's CLE team out in the community.

Effective Preventative Service that is highly targeted

CLE provides a number of purposes. Firstly, it helps people identify the legal consequences and solutions to their problems. Secondly, it brings awareness of how people can access legal advice and assistance services provided by LACT and others in the legal assistance sector.

CLE is well recognised as a useful component of the legal assistance 'tool kit'. Legal rights are only meaningful if people are aware of them and how to use them.

Legal education and information delivered in a meaningful way is vital to help people understand and protect their rights. The CLE program targets disadvantaged and vulnerable groups, tailoring the information for different audiences and focuses on different stages when assistance might be required.

The aim is to equip the general public with sufficient knowledge to recognise their legal needs and to readily identify where to obtain appropriate legal advice and assistance.

Research supports the benefit of improving such 'legal literacy' as people don't necessarily recognise their problems as 'legal problems', especially in the early stages.

Legal information and education are key strategies for empowering people to take action for their legal problems. Getting to the problem early before it escalates or preventing the problem from occurring in the first place are key aims of the program.

The People We Help

■ Family Law

Legal Aid's family law practice provides legal advice, representation, contributes to community legal education and policy development.

With an average of 24 years of legal experience across each lawyer in the practice, our lawyers bring a wealth of experience to helping Tasmanians at the most critical points of their family law and child protection matters.

Representation of children in family and child protection matters is only undertaken by highly experienced lawyers with specific training in children's matters. Every member of the practice is an experienced Independent Children's Lawyer and Separate Representative. The practice advocates for the best interests for children and every file results in a better outcome for a Tasmanian child.

The practice offers annual training and mentoring to all the State's Independent Children's Lawyers. This year's program focused on the impact of ICE use on Tasmanian families and also training on Aboriginal cultural needs in the family law context. This year 90 percent of Tasmania's Independent Children's Lawyers attended training organised by Legal Aid.

2016-2017 saw increased community recognition of the need to meet the needs of families affected by family violence. With 79 percent of Legal Aid family law matters involving family violence, practice lawyers advocated for safe outcomes for children and parents, ensuring that family violence is taken into account in decisions made for children.

2016-17 saw a continued focus on expanding family law duty lawyer services across the State. From existing resources, the practice achieved a 48 percent increase in duty lawyer services. This followed a 35 percent increase in the previous financial year.

Over the year the practice delivered 1,500 services to Tasmanians. This included 595 duty lawyer advices and work on 819 representation files.

Members of the practice contributed to the formation of policy and law reform on a federal and state wide basis and made many contributions to policy to reduce violence against women and their children.

CASE STUDY

Amy turned to Legal Aid for help after she left a long term relationship with her abusive husband.

The couple had two children and the husband had been convicted of assaulting Amy a number of times. There had also been many assaults that had not been reported to police. The husband had also been convicted of assaulting their teenage son. Amy's husband thought he had done nothing wrong and could not acknowledge or understand how the family violence had affected Amy and their children. Having escaped the marriage, Amy found herself confronted with a barrage of Applications to the Court from her husband, who had chosen to represent himself. Legal Aid helped Amy obtain family violence orders to protect her and the children. Legal Aid also arranged for Family Violence Support Services to help Amy through the legal process. Legal Aid asked the family law courts to make orders preventing Amy's husband coming into contact with their children except in prescribed circumstances that guaranteed their safety. Amy was successful in her application. Legal Aid was able to shield Amy from the emotional impact of the multiple applications filed by her husband and obtained orders to keep Amy and the children safe.

We have changed our client's name and some facts to protect our client's privacy.



The People We Help

■ Combating Elder Abuse

Elder abuse is an act occurring within a relationship of trust that causes harm to an older person. It takes many forms – physical, emotional, financial and sexual abuse. Research indicates that about 4.6% of over 65s in Tasmania will experience elder abuse each year.

Elder abuse has been an emerging issue at Legal Aid Tasmania. Over the last three years, the numbers of people over 65 seeking family violence orders and restraint orders through Legal Aid has tripled. Similarly, over 65s using Legal Aid's duty lawyer service has doubled. About 5% of all Legal Aid clients are over 65 years of age.

Almost all practices and business units within Legal Aid Tasmania have been helping clients with elder abuse issues. To improve our services, we appointed Sarah Campbell to co-ordinate elder abuse services at Legal Aid.

On 15 May 2017, Legal Aid Tasmania entered a partnership with the Tasmanian Elder Abuse Helpline to provide a 'wraparound service' to combat elder abuse. Legal Aid Tasmania chair, Patrick Lunn, signed a Memorandum of Understanding with Meg Webb, the president of Advocacy Tasmania – the operator of the Tasmanian Elder Abuse Helpline. This alliance means that Legal Aid Tasmania and the Tasmanian Elder Abuse Helpline will collaborate to provide a seamless service to callers. The alliance provides for streamlined 'warm referrals' between the two services. Legal Aid Tasmania is now able to offer information, support, advocacy and referral to callers through the Tasmanian Elder Abuse Helpline. In return the Tasmanian Elder Abuse Helpline will be able to offer legal advice to its callers through Legal Aid Tasmania.



Legal Aid Chair, Patrick Lunn signing MOU with Meg Webb, President Advocacy Tas

The People We Help

■ Family Advocacy and Support Service (FASS)

On 30 March 2017 the Legal Aid Commission launched the Family Advocacy and Support Service (FASS). Funded as a three year project by the Australian Government, FASS offers an integrated duty lawyer and family violence support service to help families affected by family violence. The service is free and not means tested.

FASS operates out of the Family Law Court Registry in Hobart, the Family Law Court Registry and Legal Aid office in Launceston and at the Burnie Supreme Court during Federal Circuit Court sittings.

FASS offers Legal Aid an opportunity to deliver holistic and targeted services. It has increased the capacity of existing duty lawyer services and introduced integrated family violence support services. FASS helps families affected by family violence with matters before the Family Law Courts.

Legal Aid provides the duty lawyer services and has partnered with Anglicare Tasmania to provide specialised family violence support services.

Arising out of a third action plan under the National Plan to reduce violence against women and their children (2010-2022) this innovative project allows Legal Aid to:

- Provide assistance to families affected by family violence, both victims and perpetrators, helping them navigate the complexities of moving between State and Federal based Court systems;
- Work closely and co-operatively with the Family Law Courts and Court staff to support the safety of service users affected by family violence; and
- Work co-operatively with all stakeholders to support effective and efficient resolution of matters.

This is the first time the Commission has been able to provide a dedicated Family Violence legal assistance unit in the Family Law Courts. Duty lawyers focus on supporting clients and assisting the Court to make evidence based and safe decisions. Social Support Workers provide trauma information and high quality social support services by identifying non-legal issues and helping clients address these, alongside their legal issues. Support workers also conduct safe risk assessment and safety planning. Duty Lawyers and Social Support Workers collaborate to keep families safe.

The service was rolled out in Launceston on 30 March 2017, Hobart on 31 March 2017 and first circuited in Burnie on 3 April 2017. Two part time duty lawyers service the Hobart region. One full time duty lawyer services Launceston and the North West Coast. Anglicare social support workers are dedicated to the FASS project in Hobart, Launceston and Burnie.

FASS has a Co-ordinator as an intake point for the service via a dedicated 1800 number and an administrative support worker.

Following the rollout, FASS and the LACT Publications Unit produced a brochure, posters and published a FASS page on the Commission's website.

FASS then embarked on promoting the service to potential users. The FASS team approached the Family Law Pathways Network which focuses on information sharing, networking and cross sector training to family law professionals and services. FASS staff presented to meetings of the network around the State. FASS staff also engaged with Pathways in producing video content for the Network's website.

FASS staff have presented to and spoken with many organisations and groups who help people affected by family violence including Family Law and Magistrate's Courts, The Family Violence Counselling Service, Child Safety, Police, Women's Shelters, Community Legal Services, Housing Services, Counselling and Mediation services, The Court Support and Liaison Services, Safe Choices, Centrelink, Aboriginal Services, sexual assault services, family violence victim's services, family law professional associations and providers of therapeutic services.

FASS staff contribute to the Family Violence Consultative Committee of the Family Law Courts and has provided free family violence training for front line workers and community members.

FASS is funded to 30 June 2019.



CASE STUDY

Tessa and David had been in a de facto relationship for 18 months and separated when Tessa was pregnant. Hunter was born 6 months after they separated. Hunter always lived with Tessa.

During their relationship David had been violent to Tessa. David also abused alcohol in their relationship, and this often led to violence. David had lost his licence due to drink driving and at the time Tessa went to FASS, he had more drink driving charges pending.

After they separated David went to Tessa's house on two occasions, yelling and screaming. The second time, he tried to break her door down. Police were called.

Hunter wanted to see his Father but Tessa was worried about David's violent behaviour and his issues with alcohol. Tessa and David were able to agree that David would come to Hunter's swimming lessons twice a week and see Hunter there. Tessa believed that this was a good arrangement for Hunter, as she was always present to ensure his safety.

One day David came along as usual to see Hunter. Tessa went to the café at

the pool to order a coffee. In this time David grabbed Hunter and ran out of the Aquatic Centre. David jumped into a waiting car and the car drove away at speed.

Tessa was distraught and went to Police. Police referred Tessa to the Family Law Courts. The Family Law Courts identified Tessa matter as a FASS matter and urgent arrangements were made for Tessa to see the FASS duty lawyer.

Tessa did not know if she could afford a lawyer. Tessa had a job and some assets and therefore may not have been eligible for a grant of aid. Tessa did not know (even if she could afford a private lawyer) if she could get an appointment that day.

The FASS duty lawyer sent a letter to David demanding Hunter's return that evening. When Hunter was not returned the FASS duty lawyer prepared and filed an urgent application with the Court the

following morning seeking Orders that Hunter be returned to Tessa.

The Court listed the matter urgently. The FASS duty lawyer told David about the listing and emailed all the Court documents to him and notified him as to the Court date.

David came to Court and the Judge listened to both the FASS duty lawyer and to David.

The Court made an Order that Hunter be returned to Tessa immediately.

Tessa was thrilled with the outcome and extremely relieved that her child had been returned to her.

Tessa now has an appointment with the FASS social support worker for a risk assessment and safety plan.

We have changed our client's name and some facts to protect our client's privacy.

Grants of Legal Aid

We provide grants of legal aid for people who:

- Cannot afford a lawyer;
- Are eligible for a grant of aid under our means and assets test;
- Are experiencing a legal problem that falls within our guidelines (usually criminal law, family law or child protection matters); and
- Have a legal problem that we can help with.

A grant of legal aid enables a lawyer to act for a client. Usually lawyers represent clients in court or at mediations. About 61% of grants of legal aid are to private lawyers while the remainder are to in-house lawyers. In 2016-17 we granted \$3.95 million to the private profession for costs and disbursements to deliver legal aid.

The Legal Aid Commission has a team of three part-time grants officers, a grants manager and administrative support. The cost of administering grants is low – about 8.98% of the total value of the grants program. Grants officers determine applications for legal aid very quickly – usually within one day.

In the 2016-17 year, there were 5,224 new applications for legal aid. There were a further 15,515 applications to extend existing grants of legal aid. A grants officer processes about 84 applications for legal aid every working day.

In 2016-17, grants officers approved 89% of all criminal law applications for new grants of aid. Grants officers approved 83% of all family law applications for new grants of aid and approved 88% of all child protection applications for new grants of aid. In terms of total grants (new grants and extensions of existing grants) we increased by 1% over the previous year.



Reviewing the Decisions of Grants Officers

- *The Legal Aid Commission Act 1990 (Tas)* provides for independent review committees to review the decisions of grants officers.

An applicant for legal aid can request an independent review whenever a grants officer declines to grant aid. Review committees are made up of a private lawyer; a person with relevant qualifications and experience; and an officer of Legal Aid Tasmania. Review committees can affirm, vary, or set aside the decision of the grants officer.

In 2016-17, review committees reviewed 146 decisions of grants officers. This is an increase of 40% in the number of reviews compared to the previous year. Legal Aid's Board appointed more people to review committees to manage this increase in requests for review.

Review committees varied or set aside grant officer decisions in 39% of cases. Review committees have far more information available to them than do grants officers.

Over the year, the following people made up review committees under the Act:

Private lawyers

- Frances DiGiovanni
- Craig Mackie
- Phil McVeity
- Natalie Everett

People with relevant qualifications and experience

- Jane Hutchison
- Catherine Vickers
(until December 2016)
- Anne Matuszec
- Nicky Snare
- Chris Young
- Kym Goodes

Officers of Legal Aid Tasmania

- Patrick Fitzgerald
- Katie Edwards
- Baia Harradine
- Anthea d'Emden

Performance Analysis

- The Legal Aid Commission of Tasmania set objectives and priorities for the 2016-17 year

Here's how we fared against those objectives and priorities:

1. Provide high-quality legal representation to disadvantaged Tasmanians

The Legal Aid Commission made 4,556 new grants of legal aid during the year. When you add extensions to existing grants of legal aid, the total was 18,340 grants – that's 238 more than the previous year. Apart from grants, Legal Aid Tasmania also provided 3,966 duty lawyer services to help self-represented litigants at court. This was up 6% on the previous year. Duty lawyers give advice and appear for people on the day that their matter comes to court.

2. Target legal aid services to those with the greatest need

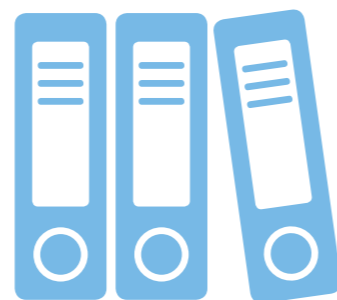
Our means test ensured that we delivered 100% of grants to people experiencing financial disadvantage. We also targeted people experiencing, or at risk of, family violence. Our Safe at Home service for victims of family violence gave minor assistance to 277 clients and representation in court to 83 clients – that's up 129% on the year before.

3. Take a holistic approach to addressing legal need through collaboration with others to provide joined-up services

Legal Aid Tasmania's approach is to treat the client rather than just the legal problem. For many clients the legal problem is a manifestation of an underlying non-legal problem. We want to help clients turn their lives around. In 2016-17 we referred 11,582 clients to non-legal service providers including financial counselling, emergency housing, anger management, positive lifestyle courses, drug and alcohol treatment and mental health services.

4. To take our services to where they are needed through improved outreach

In 2016-17 Legal Aid committed to taking our services to where they are accessible to our clients. Over the year Legal Aid Tasmania strengthened and expanded its outreach services to regional and remote locations. We provided legal assistance services at 32 locations outside of the Hobart, Launceston, Devonport and Burnie metropolitan areas. These services included duty lawyer services at regional Magistrates Courts, advice and community legal education, Safe at Home family violence services and family law services.



5. To empower and build resilience within the community to resolve legal problems

Legal Aid Tasmania has worked to empower people to understand and assert their legal rights and to address or prevent legal problems. The provision of high quality legal information is the key to raising the levels of personal legal capability. Over the year, Legal Aid Tasmania delivered 241 community legal information sessions that reached 9,175 Tasmanians. Our website carries fact sheets, YouTube videos and animations that provide authoritative legal information. In 2016-17 our website received 487,391 page views – more than half coming from hand-held devices.

6. To provide services that are appropriate, proportionate and tailored to people's legal needs and levels of capability

Legal problem solving varies according to people's circumstances and capability, as well as the nature of the problems. We want to ensure that individuals facing legal problems have the means to solve those problems quickly and fairly. Appropriate legal services are ones that match people's legal need and capability. For this reason Legal Aid Tasmania provides a range of services that vary in intensity and cost to match need and capability. Our range of services includes:

- Legal information through our website (487,391 page views) and community legal education (241 sessions reaching 9,175 people);
- Legal advice through our telephone helpline (15,154 calls) and face to face advice in clinic (5,600 people seen);
- Help at court through duty lawyer services (3,966 people helped); and
- Representation by a lawyer through grants of legal aid (4,555 new grants).



7. To identify and resolve problems in a timely manner before they escalate

Legal Aid Tasmania believes that a safety barrier at the top of the cliff is preferable to having an ambulance at the bottom. For a large proportion of the population 'the safety barrier' is sufficient to prevent the fall. We therefore provide services that 'catch' legal issues as they are forming. Legal advice by telephone and in person, minor assistance and duty lawyer services provide an opportunity to resolve legal problems in a timely way. They can also triage problems for referral to more intensive services. Our 241 community legal education sessions were targeted to specific issues and specific clients.

8. To save court days by settling high-conflict children's cases through mediation

Legal Aid conducted 370 mediations of high-conflict disputes concerning the living arrangements for children of separated couples. These mediations settled disputes 91% of the time. Legal Aid Tasmania was one of the early adopters of the highly successful 'child-inclusive mediation' where a child psychologist attends the mediation and explains to the parents how their behaviour and how the dispute is affecting the children. Over the year, Legal Aid initiated a new service – court ordered mediations. The courts now order parties to submit to Legal Aid's mediation before their cases go further in the family law system. Our mediation program has saved thousands of hours of court time over the year. It has also enabled the parties to tailor their own arrangements rather than have a court verdict imposed on them.

9. To deliver new services to combat elder abuse

In 2016-17 Legal Aid formed an alliance with the Tasmanian Elder Abuse Helpline. The two services are now joined up so that both Legal Aid and the Elder Abuse Helpline can offer a 'wraparound service' to callers. Legal Aid can provide legal advice but also offer information, support, referral and advocacy through a warm referral to the Elder Abuse Helpline. Legal Aid Tasmania also appointed an elder abuse co-ordinator to bring together lawyers in various business units that assist with elder abuse issues.

10. To set up an integrated duty lawyer and family violence support service at the family law courts

On 28 March 2017 Legal Aid Tasmania successfully launched an integrated duty lawyer and family violence support service operating from the family law courts in Hobart, Launceston and Burnie. This service provides a duty lawyer and a social worker to help people affected by family violence who are before the family law courts. The service co-ordinates legal and non-legal support for victims of family violence by providing:

- Specialist family violence legal assistance;
- Family violence support workers who can arrange social support services, undertake safety planning and identify non-legal issues; and
- Risk screening and assessment in family law disputes.

The service operates from the family law court registries in Hobart and Launceston and when the court circuits to Burnie. It is the first time that Legal Aid has provided a service that integrates lawyers and social workers into a combined service.

11. To improve access to justice for Tasmanian Aboriginals

Legal Aid Tasmania is one of the State's largest providers of legal assistance services to Tasmanian Aboriginals. Over the year, Legal Aid provided 344 advice services, 286 duty lawyer services and 423 grants of legal aid to

clients who identified as Aboriginal. To ensure that we are providing culturally appropriate services, Legal Aid staff also participated in cultural awareness training in March 2017.

12. To continue determining applications for legal aid within one day

Legal Aid Tasmania is one of Australia's fastest Commissions in determining applications for legal aid. Over the year we determined applications for legal aid within one day of being provided with all relevant information. This is much faster than the National Legal Aid target of determining applications within five working days. Determining applications in one day removes the need for unnecessary adjournments at court to establish whether legal aid is available. It also provides certainty to applicants and their lawyers.

13. To continue paying lawyers' bills within one working day

Over the year, 70 law firms delivered legal aid in Tasmania. Legal Aid Tasmania set itself the goal of paying bills within one working day. We achieved this goal in 2016-17 and the rapid payment of bills has helped keep experienced lawyers doing legal aid work. Our payment of lawyers' bills 'next working day' is much faster than the National Legal Aid target of fourteen days.

14. To re-build financial reserves to a prudent level

Legal Aid Tasmania needs to have reserves sufficient to cover its commitments and liabilities. Over the financial year, Legal Aid delivered a budget surplus that has rebuilt reserves to the required level.

15. To develop a new corporate plan that sets a strategic direction for the next three years

In June 2017 the Legal Aid Board approved a corporate plan that sets a strategic direction for the next three years. The plan arises from a planning workshop attended by the management team and the Board. It sets high level goals; strategies to achieve those goals; and specific actions to bring those strategies to fruition.

Performance Analysis

■ Reporting against the National Partnership Agreement

The National Partnership Agreement on Legal Assistance Services ('NPA') is the funding agreement between the Australian Government and Tasmania. The Agreement started on 1 July 2015 and will run for five years.

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

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

Selected NPA performance indicators and benchmarks.

Performance indicator	
Proportion of representation services to people experiencing financial disadvantage	100%
The proportion of clients receiving quality services that are delivered appropriately to match their needs and levels of capability as measured by client satisfaction surveys	99%
The number of facilitated dispute resolution conferences held	370
The percentage of dispute resolution processes resulting in full or partial settlement	91%

The number of legal assistance services delivered

Information and referrals	27,307
Legal advice	5,600
Representation	1,281
Duty lawyer services	605
Legal tasks	490
Community legal education	241



Financial Statements

**For the Year Ended
30 June 2017**

Independent Auditor's Report

To the Members of Parliament

Legal Aid Commission of Tasmania

Report on the Audit of the Financial Report

Opinion

I have audited the financial report of the Legal Aid Commission of Tasmania (the Commission), which comprises the statement of financial position as at 30 June 2017 and statements of comprehensive income, changes in equity and cash flows for the year then ended, notes to the financial statements, including a summary of significant accounting policies and the statement of compliance by the Commissioners.

In my opinion, the accompanying financial report:

- (a) presents fairly, in all material respects, the financial position of the Commission as at 30 June 2017 and of its financial performance and its cash flows for the year then ended
- (b) is in accordance with the *Audit Act 2008* and Australian Accounting Standards.

Basis for Opinion

I conducted the audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of the Commission in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

The *Audit Act 2008* further promotes the independence of the Auditor-General. The Auditor-General is the auditor of all Tasmanian public sector entities and can only be removed by Parliament. The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

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

Responsibilities of the Commissioners for the Financial Report

The Commissioners are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards, and the financial reporting requirements of the *Audit Act 2008* and for such internal control as they determine is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Commissioners are responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Commission is to be dissolved by an Act of Parliament, or the Commissioners intend to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

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

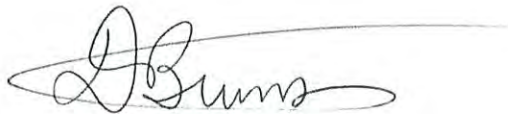
- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commissioners.
- Conclude on the appropriateness of the Commissioners' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusion is based

...2 of 3

on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

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



Derek S Burns
**Acting Group Leader Financial Audit
Delegate of the Auditor-General**

Tasmanian Audit Office

28 September 2017
Hobart

**LEGAL AID COMMISSION OF TASMANIA
STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2017**

	<i>Note</i>	2017 (\$000's)	2016 (\$000's)
Revenues			
Commonwealth Grants and Contributions	<i>1f,3</i>	6,377	6,012
State Government Grants and Contributions	<i>1f,4</i>	6,906	6,417
Other Revenue	<i>1f,5</i>	1,164	950
Total Revenues		14,447	13,379
Expenses			
Legal Services Expenses	<i>6</i>	4,016	3,749
Employee Benefits Expenses	<i>7</i>	6,969	6,716
Supplies and Services	<i>8</i>	630	542
Accommodation Expenses	<i>9</i>	618	662
Information and Technology	<i>10</i>	488	434
Other Expenses	<i>11</i>	254	293
Depreciation and Amortisation Expenses	<i>12</i>	133	140
Debts Written Off	<i>13</i>	60	122
Total Expenses		13,168	12,658
NET SURPLUS FOR THE YEAR		1,279	721
OTHER COMPREHENSIVE INCOME			
Revaluation of Land and Buildings		33	-
TOTAL COMPREHENSIVE RESULT	<i>30</i>	1,312	721

The accompanying notes form part of these financial statements.

**LEGAL AID COMMISSION OF TASMANIA
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2017**

	Note	2017 (\$000's)	2016 (\$000's)
ASSETS			
Current Assets			
Cash and Cash Equivalents	<i>1i, 14</i>	5,096	3,646
Receivables	<i>1m, 15</i>	551	819
Other Assets		161	161
Total Current Assets		5,808	4,626
NON-CURRENT ASSETS			
Property, Plant & Equipment			
Land and Buildings	<i>1g, 16</i>	377	354
Office Equipment	<i>1g, 16</i>	47	65
Furniture and Fittings	<i>1g, 16</i>	9	11
Leasehold Improvements	<i>1g, 16</i>	75	94
Intangible Assets	<i>1h, 16</i>	17	82
Total Non-Current Assets		525	606
Total Assets		6,333	5,232
LIABILITIES			
Current Liabilities			
Payables	<i>1o, 18</i>	977	1,153
Provisions	<i>1o, 19</i>	1,280	1,239
Total Current Liabilities		2,257	2,392
NON-CURRENT LIABILITIES			
Provisions	<i>1p, 19</i>	201	277
Total Non-Current Liabilities		201	277
Total Liabilities		2,458	2,669
Net Assets		3,875	2,563
EQUITY			
Contributed Equity		325	325
Asset Revaluation Reserve		236	203
Civil Law Disbursement Fund Loan Scheme Reserve		1,079	1,067
Accumulated Surplus		2,235	968
Total Equity		3,875	2,563

The accompanying notes form part of these financial statements.

**LEGAL AID COMMISSION OF TASMANIA
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2017**

	Note	2017 (\$000's) Inflows (Outflows)	2016 (\$000's) Inflows (Outflows)
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts			
Commonwealth Grants and Contributions		6,377	6,012
State Government Grants		6,806	6,517
Contributions and Recovered Costs from Clients		299	157
GST Receipts		600	858
Interest Income		83	76
Other		1,123	1,050
<i>Total Operating Receipts</i>		<u>15,288</u>	<u>14,670</u>
Payments			
Payments for Legal Services		(4,015)	(3,742)
Employee Benefits Expense		(7,210)	(6,553)
Administrative Expense		(1,991)	(1,946)
GST Payments on Purchases		(603)	(598)
<i>Total Operating Payments</i>		<u>(13,819)</u>	<u>(12,839)</u>
Net Cash Provided By/(Used In) Operating Activities	22	<u>1,469</u>	<u>1,831</u>
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of Non-Current Physical Assets		(19)	(42)
Purchase of Non-Current Intangible Assets		-	(8)
Net Cash Provided By/(Used In) Investing Activities		<u>(19)</u>	<u>(50)</u>
Net Increase/(Decrease) in Cash and Cash Equivalents Held		<u>1,450</u>	<u>1,781</u>
Cash Assets and Cash Equivalents at the Beginning of the Year		3,646	1,865
CASH AND CASH EQUIVALENTS AT THE END OF YEAR	14	<u>5,096</u>	<u>3,646</u>

The accompanying notes form part of these financial statements.

**LEGAL AID COMMISSION OF TASMANIA
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2017**

	Contributed Equity	Asset Revaluation Reserve	Civil Law Disbursement Fund Loan Scheme Reserve	Accumulated Surplus	Total Equity
	\$000's	\$000's	\$000's	\$000's	\$000's
Balance as at 1 July 2016	325	203	1,067	968	2,563
Total Comprehensive Result	-	33	-	1,279	1,312
Transfers to Reserves	-	-	12	(12)	-
Balance as at 30 June 2017	325	236	1,079	2,235	3,875

	Contributed Equity	Asset Revaluation Reserve	Civil Law Disbursement Fund Loan Scheme Reserve	Accumulated Surplus	Total Equity
	\$000's	\$000's	\$000's	\$000's	\$000's
Balance as at 1 July 2015	325	203	1,138	176	1,842
Total Comprehensive Result	-	-	-	721	721
Transfers to Reserves	-	-	(71)	71	-
Balance as at 30 June 2016	325	203	1,067	968	2,563

The accompanying notes form part of these financial statements.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

1 Summary of significant accounting policies

(a) General Information

The Legal Aid Commission of Tasmania was established under the Legal Aid Commission Act 1990, on the 1st of January 1991.

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 the existing Commonwealth/State agreements. These agreements commenced on the 1st of July 2015, and have a 5 year term.

(b) Basis of Preparation

The financial statements have been prepared in accordance with the requirements of the Audit Act 2008 and Australian Accounting Standards issued by the Australian Accounting Standards Board (AASB). The following accounting policies have been adopted, and unless otherwise stated are consistent with those adopted in the preceding year, and throughout all periods. The Legal Aid Commission of Tasmania is classified as a not-for-profit entity.

The Financial Statements were signed on the 28th of September 2017 by the Commission Chair and the Director of Legal Aid.

Compliance with the Australian Accounting Standards (AAS) may not result in compliance with International Financial Reporting Standards (IFRS), as the AAS include requirements and options available to not-for-profit organisations that are inconsistent with IFRS. The Commission is considered to be not-for-profit and has adopted some accounting policies under the AAS that do not comply with IFRS.

The financial statements have been prepared on the accrual basis of accounting using the historical cost convention, except for the revaluation of land and buildings which have been measured at fair value. The financial statements are presented in Australian dollars and all values are rounded to the nearest thousand dollars (\$'000) unless otherwise stated.

Judgements made by management in the application of Australian Accounting Standards that have significant effects on the financial statements are disclosed throughout the notes in the financial statements.

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

The following Australian Accounting Standards applicable to the Commission have recently been issued or amended but as they are not yet effective, management has chosen not to adopt them for the year ended 30th June 2017.

Affected Standard	AASB Amendment	Nature of Change to Accounting Policy	Reporting Periods Commencing On or After	Application Date for the Commission	Impact on Financial Report
AASB 9	Financial Instruments.	The Standard was revised to include a model for classification and measurement, a single, forward-looking 'expected loss' impairment model and a reformed approach to hedge accounting	1 January 2018	1 July 2018	Changes are not expected to materially affect the Commission.
AASB 15	Revenue from contracts with customers.	AASB 15 replaces AASB 118 and AASB 111 and specifies the accounting treatment arising from contracts with customers.	1 January 2019	1 July 2019	Changes are not expected to materially affect the Commission.
AASB 16	Leases	The key feature is to recognise all leases with a term of more than 12 months as assets and liabilities, unless the underlying value is low.	1 January 2019	1 July 2019	This will impact the assets and liability disclosures of the commission.
AASB 2016-2	AASB 107 Statement of Cash Flows	Amendments will require an entity to provide disclosures that enable users of financial statements to evaluate changes in liabilities arising from financing activities, including both changes arising from cash flows and non-cash changes.	1 January 2017	30 June 2018	Changes are not expected to materially affect the Commission.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

1 Summary of significant accounting policies (cont'd)

(c) Goods and services Tax (GST)

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

- i. where the amount of GST incurred is not recoverable from the taxation authority, it is recognised as part of the cost of acquisition of an asset or as part of an item of expense; or
- ii. for receivables and payables which are recognised inclusive of GST.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables.

Cash flows are included in the Statement of Cash Flows on a gross basis. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the taxation authority is classified as operating cash flows.

(d) Reporting Entity

The reporting entity comprises the Commission and there are no related bodies.

(e) Contributed Equity

Contributions made to Legal Aid by the Government (the owner) as contributions by owners are recognised as equity contributions and have been credited directly to Contributed Equity.

(f) Income

Revenue Recognition

Revenues are recognised at fair value of the consideration received, net of GST when applicable. Full details of the revenues received by the Commission are detailed within Notes 3, 4 and 5. The Commission's revenues consist predominantly of contributions by both Commonwealth and State Governments, contributions and recovered costs from legally aided clients and interest income from the investment of unutilised cash holdings.

State and Commonwealth Grants and Contributions

Grant Revenue and Contributions are recognised in the period in which the Commission gains control of the appropriate funds. Control is usually gained upon their receipt. Grant funds and contributions from Federal and State Governments are not required to be repaid if not fully expended within the financial year. Where there is a contract and an obligation to provide specific services, revenue is not recognised until those services have been provided.

Other Revenue

Civil Law Disbursement Fund Loans Contributions relate to a premium charged on repayment of civil law disbursement loans. This revenue is recognised on a cash received basis as it is dependent on the outcome of the legal proceedings.

Client Contributions and Cost Recoveries are recognised on an accrual basis when the work has been performed.

Interest Income is recognised as the interest accrues to the net carrying amount of the financial asset.

The Solicitors' Trust Distributions represent monies received under Section 361 of the Legal Profession Act 2007. Under the Act if the Guarantee Fund exceeds a predetermined threshold the Minister may invite the Commission to make application for a grant of monies from the Guarantee Fund.

Distributions from The Solicitors' Trust are grants for specific purposes. The monies are recognised as income when the Commission has fulfilled the terms and conditions of receiving the grant. The receipt of the grant is recognised in the statement of financial position as a liability until the grant conditions are met or services provided.

(g) Property, Plant and Equipment

Initial recognition and measurement

All items of property, plant and equipment are initially recognised at cost. Plant and equipment purchased for less than \$5,000 are charged to expense as incurred. Items with a cost of more than \$5,000 but considered to contribute economic benefits beyond one year are held as assets and recorded in the Commission's asset register.

The Commission has not acquired any items of property, plant and equipment at no cost or for nominal consideration, during the reporting period.

Subsequent measurement

After recognition of an asset, the revaluation model is used for the measurement of land and buildings and the cost model for all other plant and equipment, and leasehold improvements. Land and buildings are carried at fair value less accumulated depreciation on buildings and accumulated impairment losses. All other items of plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Revaluation increments, on a class of assets basis, are recognised in other comprehensive income and accumulated in the asset revaluation reserve. Revaluation decreases that offset previous increases of the same class of assets shall be recognised in other comprehensive income under the heading of revaluation surplus and the resultant decrease reflected in the asset revaluation reserve. All other decreases are recognised in profit and loss.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

1 Summary of significant accounting policies (cont'd)

Any accumulated depreciation at the date of the revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset.

The Commission has a library which has been progressively depreciated to zero value, with maintenance and additions expensed in the period in which those costs are incurred.

Depreciation and Amortisation

All non-current assets having a limited useful life are systematically depreciated over their estimated useful lives in a manner which reflects the consumption of their future economic benefits.

Land is not depreciated. Depreciation and amortisation on other assets is calculated using the straight line method, using rates which are reviewed annually. Estimated useful lives for each class of depreciable asset are:

Buildings on Freehold Land	25 Years
Office Equipment	4 Years
Furniture and Fixtures	4 Years
Leasehold Improvements	4 Years

(h) Intangible Assets

Software that is an integral part of the related hardware is treated as property, plant and equipment. Software that is not an integral part of the related hardware is treated as an intangible asset and amortised over 10 years. Software costing less than \$5,000 is expensed in the year of acquisition.

Key third party applications software is used under license and these costs are expensed in the period in which they are incurred.

The amortisation rate adopted reflects a useful life of 10 years, and this will be subject to annual impairment testing and review. The Case Management System is being amortised over 10 years, and this commenced on 1 July 2007.

(i) Impairment of Assets

Property, plant and equipment and intangible assets are tested for any indication of impairment at each reporting date. Where there is an indication of impairment, the recoverable amount is estimated. Where recoverable amount is less than the carrying amount, the asset is written down to the recoverable amount and an impairment loss is recognised. As the Commission is a not-for-profit entity, unless an asset has been identified as a surplus asset, the recoverable amount is the higher of an asset's fair value less costs to sell and depreciated replacement cost.

(j) Grants of Aid

Grants of aid are recognised as an expenditure commitment on the approval of the granting of aid and are based on a provisional cost estimate, and are detailed in Note 21 Legal Case Commitment. The provisional cost estimate reflects the estimated cost of the assignment based on the relevant scale of fees.

Legal costs in relation to the grants of aid are recognised as an expense and a liability on receipt of a claim for services provided.

Levies payable by the client towards the cost of aid are recognised as an asset, and as contributions on approval of the grant of aid. Provision for impairment is provided for in accordance with Note 16.

(k) Leases

Lease payments are expensed on a straight line basis over the lease term, and in the period in which they are incurred as this represents the pattern of benefits derived from the leased property.

Classification of leases as to whether they are operating leases or finance leases involves the interpretation of the lease arrangement to determine whether the lessors retain the risks and benefits incidental to ownership.

The Commission has not entered into any finance lease arrangements.

(l) Cash and Cash Equivalents

Cash and cash equivalent assets, comprise cash on hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

For the purposes of the Statement of Cash Flows, cash and cash equivalents consist of cash in the Commission's bank accounts and cash held at the Tasmanian Public Sector Finance Corporation (TASCORP).

(m) Receivables

Unsecured Debtors are recognised and carried at the amounts receivable. The carrying amount is equivalent to fair value. The vast majority of the Commission's unsecured debtors are for small contributions toward the client's legal costs. The collectability of these receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off. The provision for uncollectible amounts is reviewed regularly.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

1 Summary of significant accounting policies (cont'd)

(n) Employee Benefits Expenses

The related expense item includes salaries of Commission employees, superannuation contributions, leave entitlement adjustments, relocation, advertising, other direct related costs and the Commissioner's remuneration.

As at the 30th June 2017 the Commission employed 56.2 (2016: 54.9) full time equivalents.

(o) Payables

Payables are carried at amortised cost; due to their short term nature they are not discounted.

Legal Creditors are recognised upon certification of those amounts for payment. Grant of aid commitments are settled as the case progresses. Matters can be outstanding for between 3 months and several years.

Trade Creditors 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.

Accrued Salaries represent the amount due to staff but unpaid at the end of the financial year. The amount shown includes the employer funded superannuation contribution.

(p) Provisions

Annual Leave and Long Service Leave

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

Long service leave expected to be settled more than 12 months after the end of the reporting date is measured at the present value of amounts expected to be paid when the liabilities are settled. Leave liabilities are in respect of services provided by employees up to the reporting date.

When assessing the expected future payments, consideration is given to expect future wage and salary levels including non-salary components such as employer superannuation contributions.

Superannuation

The Commission is required to reimburse the Commonwealth Government 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.

Superannuation expenses relating to defined benefit schemes relate to payments into the Consolidated Fund. The amount of the payment is based on an agency contribution rate determined by the treasurer, on the advice of the State Actuary. The current agency contribution is 12.95 per cent (2016: 12.75 per cent) of salary.

Superannuation expenses relating to defined contribution schemes are paid directly to superannuation funds at a rate of 9.5 per cent (2016: 9.5 per cent) of salary. In addition, departments are also required to pay into the Consolidated Fund a "gap" payment equivalent to 3.45 per cent (2016: 3.25 per cent) of salary in respect of employees who are members of contribution schemes.

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.

The Commission does not operate an employer sponsored defined benefits fund.

Sick Leave

No amount is shown for non-vested sick leave as no present obligation to employees exists.

(q) Taxation

Legal Aid Commission is considered to be a public benevolent institution under the Income Tax Assessment Act and is therefore exempt from income tax and fringe benefits tax. The Commission is also exempt from State based taxation, including Payroll Tax, Stamp Duties and Financial Institution Duty.

(r) Investments and Other Financial Assets

Investments and financial assets in the scope of AASB 139 *Financial Instruments: Recognition and Measurement* are categorised as either financial assets at fair value through profit or loss, loans and receivables, held-to-maturity investments or available-for-sale assets. The classification depends on the purpose for which the investments were acquired. Designation is re-evaluated at each financial year end, but there are restrictions on reclassifying to other categories. The Commission only has *Loans and Receivables* financial assets.

Loans and Receivables are carried at cost. Gains and losses are recognised in the profit or loss when the loans and receivables are derecognised or impaired. These are included in current assets, except for those with maturities greater than 12 months after balance date, which are classified as non-current. In both financial years disclosed the Commission did not have any non-current financial assets.

(s) Comparative Figures

When required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

1 Summary of significant accounting policies (cont'd)

(t) Estimates and Judgement

Estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimates are revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

Judgements made by management that have significant effects on the financial statements and estimates with a significant risk of material adjustments in the next year are disclosed, where applicable, in the relevant notes to the financial statements. These include:

- Provisions – Employee Benefits
- Commitments for Expenditure

2 Financial Risk Management Objectives and Policies

The Commission's activities expose it to a variety of financial risks: credit risk, liquidity risk and interest rate risk.

The Commission reviews and agrees policies for managing each of these risks and they are summarised below:

Risk exposures and Responses

Credit Risk

Credit risk arises from the financial assets of the organisation which comprise cash and cash equivalents and receivables. The organisation's exposure to credit risk arises from the potential default of the counter party, with the maximum exposure equal to the carrying amount of these assets.

The Commission is open to credit risks particularly in respect of Contributions due from its clients. It has policies in place to ensure that where possible significant debts due are adequately secured by way of caveats over the properties of the debtor. It is not practicable to secure all contributions either because the amount of the debt is small or the client does not have adequate assets to offer as security. The Commission monitors the debts on an ongoing basis to ensure that they are collected promptly to minimise the amount of irrecoverable debts to be written off.

Civil Law Disbursement Fund Loans comprise loans made for out of pocket legal expenses for items such as medical reports, assessments, court filing fees and other up front civil law case costs. The loans are made after consideration by a panel, and the application of a premium recovery as a buffer against failed claims where the expense is unrecoverable.

Credit risk is minimised due to a majority of the transactions taking place with State and Australian Government entities.

Liquidity Risk

Prudent liquidity risk management implies maintaining a balance between sufficient cash to meet obligations as and when they fall due and maximising revenues from surplus funds by investing in interest bearing investments.

Investment decisions are based on cash flow forecasts subject to ongoing review in order to meet cash requirements in a timely manner. The selection of the term of the investments will be dependent upon the cash flow requirements and the rate of return available for different terms.

All financial assets and liabilities of the Commission have a maturity of 6 months or less, except for the receivables - *Civil Law Disbursement Fund Loans* which by their nature have an unknown maturity profile.

Interest Rate Risk

The Commission's exposure to market risk for changes in interest rates relates primarily to the investments of surplus operating funds and surplus funds pertaining to the *Civil Law Disbursements Fund Loans* scheme.

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. The Commission's policy is to manage interest income with reference to what rates are offered by Tascorp and other major banking institutions.

Interest Rates on Cash and Cash Equivalents

	2017 (\$000's)	2016 (\$000's)
At Call Cash Management Account No 1 – Operating Account	-	-
	On Call – Interest Rate of 1.5%	On Call – Interest Rate of 1.75%
At Call Cash Management Account No 2 – Civil Law Disbursements Fund	2	2
	On Call – Interest Rate of 1.5%	On Call – Interest Rate of 1.75%
Westpac Operating Account	5,094	3,644
	On Call – Interest Rate of 1.75%	On Call – Interest Rate of 2%
	5,096	3,646

A 1 percentile movement in the interest rate will create \$50,960 (2016: \$36,460) movement in interest income.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

2 Financial Risk Management Objectives and Policies (cont'd)

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 Statement of Comprehensive Income when earned. As the Commission's investments were held in the above instruments and held over relatively short periods it is considered that any interest rate exposure is minimal.

3 Commonwealth Grants and Contributions

	2017 (\$000's)	2016 (\$000's)
Base Grant	5,964	5,912
Community Legal Service Grant	47	-
Data Standardisation Grant	-	100
Family Advocacy and Support Service	366	-
	6,377	6,012

Base Grant

Government contributions are the result of a Commonwealth / State National Partnership Agreement which became effective from the 1st July 2015 for duration of 5 years. This agreement was expires on 30th June 2020.

Community Legal Service Grant

This program is to provide family law services to disadvantage people where domestic violence is involved.

Family Advocacy and Support Service

This funding has been recognised on receipt as there are no specific performance measures attached to the terms of the agreement.

4 State Government Grants and Contributions

	2017 (\$000's)	2016 (\$000's)
Base Grant	6,460	6,177
"Safe at Home" Domestic Violence Intervention Program	446	240
	6,906	6,417

Base Grant

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

"Safe at Home" Domestic Violence Early Intervention Program

This program provides early intervention and support against domestic violence.

5 Other Revenue

	2017 (\$000's)	2016 (\$000's)
Client Contributions and Cost Recoveries	93	119
Interest Income	83	76
Civil Law Disbursement Fund Loans Contributions	50	39
The Solicitors' Trust Distributions	497	362
Miscellaneous Income	441	354
	1,164	950

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 Commission. These payments are immaterial and hence have not been quantified for this report. Recovered costs consist of those costs awarded by the courts to the benefit of the Commission.

Interest Income

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

Civil Law Disbursement Fund Loans Contributions

Small premiums charged against each loan as a buffer against actions that may be unsuccessful and unrecoverable.

The Solicitors' Trust Distribution

This disbursement is as a result of a determination made in accordance with Section 361 of the Legal Profession Act 2007.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

Miscellaneous Income

Reimbursements from other state commissions for their share of National Legal Aid (NLA) expenses paid for by LACT on behalf of all states.

6 Legal Services Expenses

	2017 (\$000's)	2016 (\$000's)
Grants of Legal Aid	3,946	3,693
Duty Lawyer Services	70	56
	4,016	3,749

Grants of Legal Aid

Grants of Legal Aid comprise payments made to private sector business partners for legal work undertaken during the course of the year. In addition to payments for legal services this includes payments for expenditure for items such as medical reports and other specialist services.

Duty Lawyer Services

The Commission engages external service providers for Duty Lawyer services in the Magistrates Court to support its own internal services.

7 Employee Benefits Expenses

	2017 (\$000's)	2016 (\$000's)
Salaries, Superannuation and Related Costs	6,552	6,142
Temporary Staff and Agency Staff Engagements	404	401
Professional Development	47	49
Annual Leave Entitlements	(45)	99
Long Service Leave Entitlements	11	25
	6,969	6,716

Salaries, Superannuation and Related Costs

Includes salaries and employer funded superannuation and workers compensation insurance.

Temporary Staff and Agency Staff Engagements

Includes temporary and agency staffing costs, as well as agency fees and staff relocation costs.

Professional Development

Includes costs of courses and seminar fees.

Annual Leave and Long Service Leave Entitlements

These amounts are the net movements to the annual and long service leave provision accounts held on the Commission's Statement of Financial Position.

8 Supplies and Services

	2017 (\$000's)	2016 (\$000's)
Communications	261	211
Travel	168	133
Office Machines	38	37
Consumables	83	82
Motor Vehicle Expenses	80	79
	630	542

9 Accommodation Expenses

	2017 (\$000's)	2016 (\$000's)
Lease Rentals and Associated Costs	348	395
Cleaning	83	81
Storage	40	34
Rates and Taxes	56	59
Power	50	41
Maintenance	30	41
Security	1	3
Insurance	10	8
	618	662

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

10 Information Technology

	2017 (\$000's)	2016 (\$000's)
Systems Maintenance and Development	366	351
Online Library Resources	104	71
Consumables	18	12
	488	434

11 Other Expenses

	2017 (\$000's)	2016 (\$000's)
Department of Justice Administration Fees	116	79
Audit Fees	23	23
Other	115	191
	254	293

12 Depreciation and Amortisation Expenses

	2017 (\$000's)	2016 (\$000's)
Office Equipment	32	43
Furniture and Fittings	2	4
Leasehold Improvements	24	22
Buildings	10	7
Intangibles – In-house Software Development	65	64
	133	140

13 Debts Written Off

	2017 (\$000's)	2016 (\$000's)
Bad Debt Write Off - Case Management System	10	7
Civil Law Disbursement Fund Loans	50	115
	60	122

The amount of \$10,305 (2016: \$6,673) reported comprises the bad debt write off as reported by the Commissions Case Management System. Bad Debts written off, if later recovered are shown as a revenue item in the year in which they are recovered.

Civil Law Disbursement Fund Loans are written off when the loan is deemed unrecoverable.

14 Cash and Cash Equivalents

	2017 (\$000's)	2016 (\$000's)
Unrestricted Cash and Cash Equivalents		
Cash on Hand – Petty Cash	2	2
Bank Accounts	4,362	3,133
	4,364	3,135
Restricted Cash and Cash Equivalents		
Bank Account	730	509
Investments – TASCORP No. 2	2	2
	732	511
Total Cash and Cash Equivalents	5,096	3,646
Held as		
Operating Cash	4,364	3,135
State Civil Law Disbursements Fund Loans Scheme	732	511
Total and Balance as per Statement of Cash Flows	5,096	3,646

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

14 Cash and Cash Equivalents (cont'd)

Restricted Cash and Cash Equivalents - Civil Law Disbursements Fund Loans Scheme

The Civil Law Disbursements Fund Loans Scheme was established in June 2004. Over the following 3 year period the State Government provided funding of \$560,000 for the Scheme. In the June 2014 financial year monies obtained from the Solicitors Guarantee Fund were injected into the Scheme. The Scheme provides eligible applicants access to legal aid for disbursement costs, such as medical reports and court filing fees, in State Civil Law matters. The disbursements made are recovered upon successful completion of the matter. A small premium is applied as a buffer against actions that are unsuccessful, and disbursement loans deemed unrecoverable. Unrecoverable loans for 2017 are shown at Note 13.

15 Receivables

	2017 (\$000's)	2016 (\$000's)
Contributions Receivable	14	15
Less Provision for Impairment	(2)	(2)
Civil Law Disbursement Fund Loans	347	556
Trade Debtors	129	188
Good and Services Tax (GST) Recoveries Due	63	62
	551	819

Contributions Receivable

Contributions consist of small amounts owing by clients as a contribution toward the cost of their legal matter. At the conclusion of each financial year a provision for impairment is recalculated. This estimate is made after a review of the current debtor's portfolio and the likelihood of payments being made. The provision consists of small contributions unlikely to be paid for which recovery action is considered uneconomical.

Civil Law Disbursement Fund Loans

Civil Law Disbursement Fund Loans are those amounts recoverable from the proceeds of successful actions by civil law litigants supported by the State Government Civil Law Disbursement Fund Loans Scheme. The loans are recovered with the addition of a small premium which is reinvested into the fund, to offset any failed or unsuccessful actions which may be written off. Details of loans written off are detailed in Note 13.

Trade Debtors

Trade Debtors consist of amounts owing by other Legal Aid State Branches for reimbursement of National Legal Aid Secretariat (resident in LACT) expenditure incurred, as well as amounts owing from Attorney General's Department for other grant monies that are receivable.

All Contributions and Trade Debtors owing except those identified as impaired are considered receivable.

2017	Gross Amount	Past Due and Impaired	Due < 30 Days	Past Due but not Impaired 31 – 60 Days	Past Due but not Impaired 61 – 90 Days	Past Due but not Impaired > 90 Days
Contributions Owing	14	2	4	4	2	2
Trade Debtors	129	-	129	-	-	-
	143	2	133	4	2	2

2016	Gross Amount	Past Due and Impaired	Due < 30 Days	Past Due but not Impaired 31 – 60 Days	Past Due but not Impaired 61 – 90 Days	Past Due but not Impaired > 90 Days
Contributions Owing	15	2	4	2	2	5
Trade Debtors	188	-	188	-	-	-
	203	2	192	2	2	5

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

16 Non-Current Assets

Property, Plant & Equipment

	2017 (\$000's)	2016 (\$000's)
LAND & BUILDINGS		
Land at Fair Value	145	195
Buildings at Independent Valuation	240	250
Less: Accumulated Depreciation	(8)	(91)
Land and Buildings at Fair Value	377	354

The Commission owns its Burnie property unencumbered.

A formal independent valuation of the Commission's Freehold Property was obtained in August 2016 from Opteon (Tasmania) Pty Ltd. The valuation was based on Current Market Value on "an existing use" basis. The valuation received accorded with the buildings book value inclusive of improvements capitalised in the 2017 financial year. The property has been revalued in line with the prepared valuation. The Commission's policy is to review its freehold property every 4 years.

	2017 (\$000's)	2016 (\$000's)
OFFICE EQUIPMENT		
Historical cost	179	165
Less: Accumulated Depreciation	(132)	(100)
	47	65

	2017 (\$000's)	2016 (\$000's)
FURNITURE & FITTINGS		
Historical cost	20	20
Less: Accumulated Depreciation	(11)	(9)
	9	11

	2017 (\$000's)	2016 (\$000's)
LEASEHOLD IMPROVEMENTS		
Historical cost	183	177
Less: Accumulated Depreciation	(108)	(83)
	75	94

Intangibles

	2017 (\$000's)	2016 (\$000's)
INTANGIBLE ASSETS		
Historical cost	594	594
Less: Accumulated Amortisation	(577)	(512)
	17	82

The Commission developed a Case Management System with an "Off the Shelf" development application, which was deployed in July 2007. Costs represent software acquisition costs, installation and development.

Property, Plant & Equipment

Movement in the carrying amounts for each class of property, plant and equipment:

	2017 (\$000's)	2016 (\$000's)
LAND & BUILDINGS		
Opening Written Down Value	354	361
Revaluation	33	-
Depreciation Expense	(10)	(7)
Closing Written Down Value	377	354

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

16 Non-Current Assets (cont'd)

	2017 (\$000's)	2016 (\$000's)
OFFICE EQUIPMENT		
Opening Written Down Value	65	96
Additions	14	12
Depreciation Expense	(32)	(43)
Closing Written Down Value	47	65

	2017 (\$000's)	2016 (\$000's)
FURNITURE & FITTINGS		
Opening Written Down Value	11	13
Additions	-	2
Depreciation Expense	(2)	(4)
Closing Written Down Value	9	11

	2017 (\$000's)	2016 (\$000's)
LEASEHOLD IMPROVEMENTS		
Opening Written Down Value	94	88
Additions	5	28
Depreciation Expense	(24)	(22)
Closing Written Down Value	75	94

Intangibles

Movement in the carrying amount of intangibles:

	2017 (\$000's)	2016 (\$000's)
INTANGIBLES		
Computer Software		
Opening Written Down Value	82	138
Additions	-	8
Amortisation Expense	(65)	(64)
Closing Written Down Value	17	82

17 Impairment of Assets

There were no indications of impairment of property, plant and equipment and intangible assets at 30 June 2017.

18 Payables

	2017 (\$000's)	2016 (\$000's)
Accrued Salaries	51	23
Unexpended Grants	681	504
Other Operating Costs	245	626
	977	1,153

Other Operating Costs

Other Operating Costs include Legal Creditors, where the transaction cost or face value is deemed equivalent to fair value. The Commission facilitates prompt payment for legal services by the provision of an online invoicing facility, on its internet based business system.

Other Operating Costs also include Trade Creditors, where the carrying amount of trade creditors is equivalent to fair value, as they are generally settled within 30 days.

Unexpended Grants

The Unexpended Grant will be recognised as revenue as the service obligations within the grant are completed.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

19 Provisions

	2017 (\$000's)	2016 (\$000's)
Employee Related Provisions		
Current		
Annual Leave	432	478
Long Service Leave	848	761
	1,280	1,239
Non-Current		
Long Service Leave	201	277
	1,481	1,516

20 Contingent Liabilities

The organisation does not have any contingent liabilities or claims of a material nature which have not already been disclosed in these financial statements.

21 Commitments for expenditure

Legal Case Commitment

At 30th June 2017 the Commission's case management system disclosed a commitment of \$977,753 (2016 \$887,489) in respect of applications for legal assistance made and accepted by the Commission or its predecessors and which had not been paid or accrued as at the end of the financial year. 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.

Lease Commitments

The Commission has entered into standard commercial non-cancellable operating lease arrangements for its Hobart, Launceston and Devonport offices. The Burnie office is owned by the Commission. In addition the Commission leases multi-function document centres in all of its offices.

From 1st July 2014 a new lease arrangement was entered into for the Hobart office for 5 years with options for renewal for a further 5 years. Contingent rent provisions within the lease agreements variously require that the minimum lease payments shall be increased by the Consumer Price Index or a predetermined percentage per annum.

The aggregate of lease commitments for which no provisions are included in the financial statements can be classified as follows:

	2017 (\$000's)	2016 (\$000's)
Due within 1 year	343	333
Due within 1 - 5 years	577	532
	920	865

22 Reconciliation of Net Operating Surplus / Deficit to Net Cash Flows Provided by/(Used In) Operating Activities

	2017 (\$000's)	2016 (\$000's)
Operating Result – Surplus/(Deficit)	1,279	721
<u>Non-Cash Items</u>		
Depreciation & Amortisation Expense	133	140
<u>Change In Assets – (Increase) / Decrease</u>		
(Increase)/Decrease in Receivables	268	397
(Increase)/Decrease in Other Assets	-	(74)
<u>Change in Liabilities – Increase / (Decrease)</u>		
Increase/(Decrease) in Provisions	(35)	126
Increase/(Decrease) in Payables	(176)	521
Net Cash provided from Operating Activities	1,469	1,831

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

23 Financing Facilities Available

	2017 (\$000's)	2016 (\$000's)
Facility Limit	80	86
Less Used / Committed	(17)	(11)
	63	75

The nature of the credit facility is a corporate credit card facility, which is direct debited against the Commission's main operating bank account on a monthly basis. It is primarily used for travel and purchases of equipment and supplies.

24 Events Occurring after Balance Date

There were no events occurring after balance date which relate to any conditions existing at balance date or were material in relation to the financial statements.

25 Remuneration of Auditors

	2017 (\$000's)	2016 (\$000's)
Audit Fee	23	23
	23	23

The Tasmanian Audit Office audits the accounts of the Commission. The Audit comprises the annual financial statement audit.

26 Remuneration of Commissioners

	2017	2016
\$0 - \$10,000	1	2
\$10,001 - \$20,000	3	4
Commissioners Remuneration	45,296	63,618

There are five Commissioners and two of these are State Public Servants. Commissioners are remunerated on an annual basis and superannuation is also paid to these Commissioners in accordance with the superannuation guarantee legislation. One of the Commissioners has foregone remuneration from the commission.

27 Remuneration of Senior Officers

The number of Senior Officers, excluding Commissioners, whose total salaries, superannuation and other benefits for the financial year fall within the following bands are:

	2017	2016
\$0 - \$60,000	1	-
\$60,001 - \$80,000	-	1
\$80,001 - \$100,000	-	2
\$100,001 - \$120,000	2	1
\$120,001 - \$140,000	2	3
\$140,001 - \$160,000	3	-
\$160,001 - \$180,000	-	1
\$180,000 +	1	1
Total Remuneration of Senior Officers	1,221,782	1,182,612

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

28 Related Party Transactions

Some Commissioners are associates with private legal firms to which the Commission made grants payments.

Key Management Personnel are deemed to be any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity is considered a key management personnel.

All transactions with the private legal firms were conducted on an arm's length basis in the normal course of business and on standard terms and conditions.

Details of Commissioners and their associated entities, along with key personnel and their positions, are listed as follows:

Commissioners	Practise/Position
Patrick Lunn	Partner, Simmons Wolfhagen
Yvette Cehtel	Tasmania Aboriginal Centre, Launceston
Stephen Morrison	Direct of Finance, Department of Justice
Julia Higgins	Legal Practitioner, Bishops
Key Management Personnel	
Graham Hill	Director, Legal Aid Commission of Tasmania
Michael Dwyer	Operations Manager, Legal Aid Commission of Tasmania

29 Client Trust Funds

The following transactions of the Commission acting as trustee have not been included in the financial statements. The Commission holds client funds in a Trustee capacity pending final settlement of case files.

	2017 (\$000's)	2016 (\$000's)
Balance at WESTPAC Bank as at 1 July	-	9,000
Plus receipts	-	-
Less payments	-	(9,000)
Balance at Westpac Bank as at 30 June	-	-

30 Underlying Operating Result

The Commission receives the majority of funds from Federal and State Government grants. With these grants the Commission manages the legal aid service, provides in house legal advice, education and representation to those who meet the eligibility criteria, including availability of funding. The balance of the grant funds are granted to the private sector to provide representation to those that meet the eligibility criteria, including availability of funds.

Under the current Australian Accounting Standards the grants are deemed non-reciprocal, which means the Commission as a not-for-profit entity is not permitted to match the costs associated with the grants with grant revenue. Rather, all grant revenue is recognised on receipt. For profit entities can match the recognition of revenue with the related expenditure. Given there is a timing difference between the granting of legal aid and the payment of that aid, there is a disconnect between the recognition of revenue and the expenses associated with that revenue, which results in an overstatement of the operating result of the Commission.

In addition, taking up a liability on the granting of aid to the private sector, though over 94% of aid granted is subsequently paid, has not been deemed to meet the definition of a liability under AASB 137 *Provisions, Contingent Liabilities and Contingent Assets*. Larger Legal Aid jurisdictions are taking up a liability for work deemed completed by the private sector on aid granted and unpaid, based on actuarial calculations. The liability of granted but unpaid legal aid is identified in this financial report by way of a Commitment note 21.

The Commission for a number of years paid out additional aid based on accumulated surpluses that did not include a provision for legal aid granted and unpaid. The below table identifies the accumulated surplus/(deficit) position when granted but unpaid aid is factored into the financial statements.

	2017 (\$000's)	2016 (\$000's)
Accumulated Surplus	2,235	968
Granted but unpaid at 30 June	(978)	(887)
Accumulated Surplus/(Deficit) including granted but unpaid Aid	1,257	81

To reverse the underlying accumulated deficit representing the over allocating of legal aid in prior periods the Commission has maintained a surplus requirement for the 2017 year.

**LEGAL AID COMMISSION OF TASMANIA
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2017**

30 Underlying Operating Result (cont'd)

Given that the Commission manages its internal costs and the granting of legal aid through the private sector to the Commonwealth and State grants received for that financial year, the Commission would commend the following Underlying Operating Result detailed below to more accurately reflect the financial operations of the Commission in the 2017 and 2016 financial years.

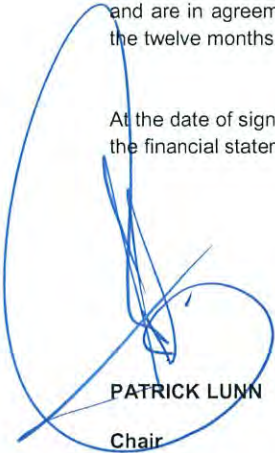
	2017	2016
	(\$000's)	(\$000's)
Revenues		
Commonwealth Grants and Contributions	6,377	6,012
State Government Grants and Contributions	6,906	6,417
Other Revenue	1,164	950
Total Revenues	14,447	13,379
Expenses		
Legal Services Expenses	4,107	3,735
Employee Benefits Expenses	6,969	6,716
Supplies and Services	630	542
Accommodation Expenses	618	662
Information and Technology	488	434
Other Expenses	254	293
Depreciation and Amortisation Expenses	133	140
Debts Written Off	60	122
Total Expenses	13,259	12,644
NET SURPLUS/(DEFICIT) FOR THE YEAR	1,188	735
OTHER COMPREHENSIVE INCOME		
Revaluation of Land and Buildings	33	-
TOTAL COMPREHENSIVE RESULT	1,221	735

LEGAL AID COMMISSION OF TASMANIA
FINANCE REPORT
FOR THE YEAR ENDED 30 JUNE 2017

CERTIFICATION OF FINANCIAL STATEMENTS

The accompanying financial statements of the Legal Aid Commission of Tasmania have been prepared in accordance with Australian Accounting Standards and Australian Interpretations and the Audit Act 2008, and are in agreement with the relevant accounts and records to present fairly the financial transactions for the twelve months ending 30th June 2017 and the financial position as at the 30th June 2017.

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



PATRICK LUNN
Chair



DR GRAHAM HILL
Director

Dated: 28 SEPTEMBER 2017 .