# Victoria Legal Aid 2018–19 quarter three report

This report provides a snapshot of our first three quarters of operations in the 2018–19 financial year from 1 July 2018 to 31 March 2019[[1]](#footnote-1)

## Snapshot of service delivery

We have seen a continued increase in demand for our services over the first three quarters of the year with more clients being assisted year to date than the same time in 2017–18. In particular, there has been a 23% increase in the number of legal advice services provided and an increase in the number of grants of legal assistance, with an 9% increase in criminal law related grants due to the changes to the bail legislation.

Clients snapshot

| **Clients** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Unique clients | 33,253 | 20,903 | 19,524 | 20,805 | 36,230 | 24,171 | 19,746 | 23,904 |
| Calls dealt with by our Legal Help telephone service | 31,685 | 30,466 | 37,347 | 35,673 | 35,572 | 38,679 | 33,427 | 33,105 |

Preventative and early intervention services snapshot

| **Preventative and early intervention services** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Calls to our Legal Help telephone service | 47,569 | 46,056 | 53,551 | 49,159 | 46,551 | 47,769 | 45,398 | 45,000 |
| Information and community legal education services | 29,929 | 27,945 | 33,960 | 33,486 | 32,601 | 33,240 | 30,205 | 30,320 |
| Sessions on our website | 555,777 | 533,267 | 591,347 | 587,865 | 589,660 | 598,649 | 692,211 | 633,063 |

Duty lawyer services snapshot

| **Duty lawyer services** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| In-house and private practitioners | 24,060 | 23,075 | 22,796 | 24,325 | 24,550 | 24,081 | 21,811 | 22,467 |

Grants of legal assistance snapshot

| **Grants of legal assistance** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| In-house, private practitioners and community legal centres | 10,757 | 10,263 | 10,768 | 11,307 | 11,284 | 10,928  | 11,469 | 12,179 |

## Outlook for remainder of 2018–19 and beyond

As expected, demand for our services has continued to increase with further growth predicted in the fourth quarter of the year. Internal savings measures enacted this financial year means we are on track to perform better than our year end operating deficit of $3 million. However, demand for legal aid and pressure in the justice system means we are forecasting significant operating deficits into the future. The Victoria Legal Aid (VLA) Board is committed to return to a balanced budget and work is occurring on identifying a series of savings proposals that aim to minimise the impact on clients and the justice system and be mindful of staff workload. These will be discussed with staff and stakeholders during May and June.

## Our clients

In quarter one we helped 36,230 unique clients, decreasing to 24,171 in quarter two and then to 19,746 in quarter three. The number of unique clients tends to drop as the year progresses as we only count unique clients once even though we might assist them multiple times throughout the year. Overall, year to date (YTD) we have seen a total of 80,147 unique clients, which is an increase of 9% on the same time last year. This increase can be seen in the increased number of legal advice services provided (discussed further below). We project the number of unique clients in quarter four will be 23,904, bringing our total number of unique clients for the year to 104,051, which is an increase of 10% compared to last year.

Unique clients to date

| **Unique clients as at** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Unique clients[[2]](#footnote-2) | 33,253 | 20,903 | 19,524 | 20,805 | 36,230 | 24,171 | 19,746 | 23,904 |
| **Year to date** | 33,253 | 54,156 | 73,680 | 94,485 | 36,230 | 60,401 | 80,147 | 104,051 |

## Services we provide

### Grants of legal assistance

We provide grants of legal assistance to people who cannot afford a lawyer, are experiencing a significant legal problem that we can assist with and who meet our eligibility criteria. A grant of legal assistance is an amount of money paid by VLA for a lawyer to represent a client.

The total number of grants of legal assistance year to date have seen an increase when compared to the same time last year, with a predicted end of year total of 45,858, 6 higher than last year. There has been an increase in grants of legal assistance for criminal matters, in particular in the summary crime area due to changes to the bail legislation. Ongoing increase in demand for child protection matters has also seen an increase in the total number of family law grants. This increase has been offset by the decrease in the number of civil law related grants over the first three quarters of the year largely due to a decrease in the number of infringement related matters. One of our internal savings measures this financial year was to temporarily reduce our capacity to process applications for grants of aid. We expect this to generate a small delay and remain committed to processing applications within four weeks (usually two weeks). We have enacted several actions to improve performance and will continue to monitor this closely.

Grants of legal assistance to date

| **Grants of legal assistance as at** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Crime | 6,567 | 6,246 | 6,447 | 6,862 | 7,188 | 6,630 | 7,162 | 7,633 |
| Family and Children | 3,884 | 3,754 | 4,093 | 4,222 | 3,905 | 4,112 | 4,120 | 4,321 |
| Civil | 306 | 263 | 228 | 223 | 191 | 185 | 186 | 225 |
| **Totals** | 10,757 | 10,263 | 10,768 | 11,307 | 11,284 | 10,927 | 11,468 | 12,179 |
| **Year to date** | 10,757 | 21,020 | 31,788 | 43,095 | 11,284 | 22,211 | 33,679 | 45,858 |

### Who delivers our grants?

Clients with a grant of legal assistance can be helped by a VLA lawyer or a lawyer on one of our panels, including private practitioners and lawyers from community legal centres.

Panel practitioners have continued to provide the majority of grants of legal assistance over the first three quarters of the year with 26,124 (78% of total grants). It is expected that this trend will continue in quarter four with 9,261 (76%) grants predicted to be provided by panel practitioners.

Grants of legal assistance to date

| **Grants of legal assistance as at** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| In-house | 2,485 (23%) | 2,532(25%) | 2,380(22%) | 2,742(24%) | 2,580(23%) | 2,432(22%) | 2,545(22%) | 2,918(24%) |
| Panel practitioner | 8,272(77%) | 7,731(75%) | 8,388(78%) | 8,565(76%) | 8,704(77%) | 8,495(78%) | 8,923(78%) | 9,261(76%) |
| **Totals** | 10,757 | 10,263 | 10,768 | 11,307 | 11,284 | 10,927 | 11,468 | 12,179 |

### Duty lawyer services

VLA lawyers and some private practitioners are on ‘duty’ at many courts and tribunals across Victoria to help people who are attending a hearing, but do not have their own lawyer.

Our duty lawyers provide free legal information, advice and representation to clients. Duty lawyers do not provide advice to or represent everyone. For example, in adult summary criminal matters, we prioritise serious cases, including people who are in custody or at risk of going into custody, and people needing intensive support. We also provide duty lawyer services relating to family violence intervention orders, child protection, and family law.

Duty Lawyer services have increased year to date when compared to the same time last year with a predicted year-end total of 94,909. The main growth areas have been in adult summary crime, due to changes to bail legislation and increasing demand in family violence matters.

Duty lawyer services to date

| **Duty lawyer services as at** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Duty lawyer services | 24,060 | 23,075 | 22,796 | 24,325 | 24,550 | 24,081 | 21,811 | 24,467 |
| **Year to date** | 24,060 | 47,135 | 69,931 | 94,256 | 24,550 | 48,631 | 70,442 | 94,909 |

### Legal advice and minor assistance

VLA lawyers provide legal advice and minor assistance to help people resolve their legal problems as early as possible and, in some circumstances, avoid the need to go to court. Our legal advice and minor assistance services are higher at the end of quarter three when compared to the same period last year and we have now delivered more than 11,000 services in each of last five quarters. This trend is expected to continue for quarter four, which will lead to a 16% service increase or more than 6,600 additional services for the year. This increase is largely due to an increase in advice relating to family violence, which has seen an increase of over 2,000 additional services when compared to the same time last year.

Legal advice and minor assistance to date

| **Legal advice and minor assistance as at** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Legal advice and minor assistance | 9,515 | 8,880 | 11,227 | 12,277 | 12,521 | 12,675 | 11,214 | 12,153 |
| **Year to date** | 9,515 | 18,395 | 29,622 | 41,899 | 12,524 | 25,196 | 36,410 | 48,563 |

### Legal Help telephone service

Our free Legal Help telephone service is a major access and triage point for legal aid services.

Quarter three saw a decline in the number of calls answered to 33,427, compared to the previous two quarters and the same quarter last year. However, strong performance in the first two quarters means we remain on track to answer more calls than last year. Average call duration has been consistently increasing caused by clients presenting with more complex legal issues and providing more legal advice (which typically takes 40%longer than legal information). VLA’s tightening financial circumstances mean that we are considering the optimum staffing arrangements for the service These factors have led to an increase in wait times and a decline in calls answered. This trend is expected to continue in quarter 4.

| **Legal Help telephone service as at** | **Q1****2018** | **Q2****2018** | **Q3****2018** | **Q4****2018** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4 2019 projection** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Calls to the service | 47,569 | 45,056 | 53,551 | 49,159 | 45,551 | 47,769 | 45,398 | 45,000 |
| **Year to date** | 47,569 | 92,625 | 146,176 | 195,335 | 45,551 | 93,320 | 138,718 | 185,000 |
| Calls answered | 31,685 | 30,466 | 37,347 | 35,673 | 35,572 | 38,679 | 33,427 | 33,105 |
| **Year to date** | 31,685 | 62,151 | 99,498 | 135,171 | 35,572 | 74,251 | 107,678 | 140,783 |
| Average call duration | 15:58 mins | 15:04 mins | 16:22 mins | 17:07 mins | 18:28 mins | 18:33 mins | 19:06 mins | 19:15 mins |
| Average wait time | 12 mins | 11 mins | 9.5 mins | 8.5 mins | 7.5 mins | 7.5 mins | 8.5 mins | 10 mins |

## Other Victoria Legal Aid headlines

* **February** – In conjunction with Legal Aid NSW we released the *Cross-border justice* report. The report outlines how the two commissions will improve access to legal assistance along the NSW/Victorian border.
* **February** – As part of the Gippsland Legal Assistance Forum we launched a new report, *Equal Justice for a strong healthy and resilient Latrobe Valley*, which makes 12 recommendations for change to address justice system and service gaps in the Latrobe Valley based on our collective practice experience, data and client stories.
* **March** – VLA announced the inaugural Steve Myall Graduate program for students completing legal studies in Melbourne’s west. The program will offer an opportunity to work at VLA’s Sunshine office for 9–12 months while students are completing their post-graduate studies.
* **March** – We joined with the Victorian Bar to launch the 2019 Trial Counsel Development Program. The program delivers unique training opportunities to seven junior counsel to help develop advocates at the Junior Bar and aims to ensure that legally aided clients can access skilled and experienced trail counsel.

## Financial summary

Our total revenue in quarter three was **$58.94 million**, mainly from state and Commonwealth grants. Revenue for the quarter was down from quarter two by $1.5 million as planned and is projected to be **$60.65 million** in quarter four. Our expenditure in quarter three of 2018–19 was **$55.98 million**, with case related payments continuing to be our main expenditure at $23.27 million. Case related payments are made to private practitioners, barristers, medical experts, interpreters and Family Dispute Resolution Service chairpersons (mediators) who conduct work on behalf of VLA. Total expenditure for the third quarter was lower than both the first and second quarters, however it is projected that expenditure in quarter four will increase to **$65.92 million**. Increased service growth in the areas of summary crime, indictable crime and child protection triggered a review of internal spending in quarter three. Internal savings measures mean that we will remain on track to keep our projected year end deficit below $3 million. VLA will continue its focus on reducing its operating deficits and returning to a balanced budget in future years.

Total revenue breakdown

| **Revenue** | **Q1** | **Q2** | **Q3** | **Q4 projection** |
| --- | --- | --- | --- | --- |
| Commonwealth – grants | 18.05 | 17.54 | 16.9 | 19.26 |
| State – grants | 31.10 | 33.72 | 32.45 | 32.35 |
| Public Purpose Fund | 8.38 | 7.69 | 8.03 | 7.04 |
| Case revenue | 1.46 | 1.19 | 1.28 | 0.89 |
| Other income | 0.27 | 0.27 | 0.28 | 0.12 |
| **Total revenue** | 59.27 | 60.41 | 58.94 | 60.65 |

Total expenditure breakdown

| **Expenditure** | **Q1** | **Q2** | **Q3** | **Q4 projection** |
| --- | --- | --- | --- | --- |
| Case expenditure | 26.84 | 26.99 | 23.27 | 31.35 |
| Community legal centre payments | 7.80 | 7.77 | 7.95 | 8.09 |
| Staff costs | 20.05 | 20.08 | 19.44 | 19.79 |
| Administration | 4.74 | 5.24 | 4.97 | 6.33 |
| Projects | 0.45 | 0.40 | 0.35 | 0.36 |
| **Total expenditure** | 59.88 | 60.48 | 55.98 | 65.92 |
| Other economic flows | 0 | (0.11) | (0.03) | 0.03 |
| Operating surplus/(deficit) | (0.61) | (0.18) | 2.93 | (5.24) |
| **Year to date** | (0.61) | (0.79) | 2.14 | (3.10) |

## Performance against Victorian Government service targets

Our results against quarterly targets for Victoria Legal Aid’s output measures under Budget Paper No. 3

| **Output measure** | **Q1 Target** | **Q1 Actual** | **Q2** **Target** | **Q2 Actual** | **Q3 Target** | **Q3** **Actual** | **% growth** | **Year-end target** | **Projected year end outcome** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Community legal education and information services (ex-family violence related services) | 34,039–35,289 | 26,712 | 64,444–66,944 | 53,884 | 93,338–97,088 | 76,128 | -18%[[3]](#footnote-3) | 123,500–128,500 | 110,000 |
| Community legal education and information services (family violence related services) | 3,003 | 5,889 | 5,933 | 11,957 | 8,886 | 19,918 | 124%[[4]](#footnote-4) | 11,700 | 27,000 |
| Duty lawyer services (ex-family violence related services) | 14,753–15,278 | 16,023 | 29,582–30,632 | 34,744 | 45,193–46,768 | 52,177 | 11.6% | 60,800–62,900 | 70,000 |
| Grants of legal assistance (ex-family violence related services) | 8,195 | 8,169 | 15,971 | 16,109 | 24,059 | 24,355 | 1.2% | 32,900 | 32,900 |
| Legal advice and minor assistance (ex-family violence related services) | 8,940 | 10,147 | 17,550 | 20,875 | 26,217 | 30,525 | 16.4% | 34,800 | 42,000 |
| Family violence legal services | 8,835 | 10,813 | 17,747 | 22,476 | 26,968 | 33,476 | 24.1% | 36,300 | 45,000 |
| Number of unique clients | 32,631 | 34,995 | 54,784 | 59,797 | 74,181 | 80,147 | 8% | 96,300 | 105,000 |
| Average call wait time to the Legal Help phone line | < 10 mins | 7.5 mins | <10 mins | 7.5 mins | <10 mins | 8.5 mins | -15% | <10 mins | 7.5 mins |

1. 2018 figures may differ from previously reported figures due to delayed data entry [↑](#footnote-ref-1)
2. A unique client is an individual who has accessed one or more of our legal services and a client lawyer relationship was formed. We count our unique clients the first time we see them in the year. This definition does not include those clients who received information over the phone (Legal Help), from our website, in person at a court counter or those who attended one of our community legal education sessions. [↑](#footnote-ref-2)
3. The YTD result is significantly below the YTD target, as the published 2018-19 Target, originally provided by VLA, inadvertently included some family violence related services. [↑](#footnote-ref-3)
4. The YTD result is significantly above the YTD target, as the published 2018-19 Target, originally provided by VLA, inadvertently excluded some family violence related services. [↑](#footnote-ref-4)