

## This report provides a snapshot of our first six months of operations in 2016–17.

### Snapshot of service delivery

Between 1 July 2016 and 31 December 2016, we assisted more clients primarily through grants of legal assistance, duty lawyer services and our Legal Help telephone service.

Clients as at	31 December 2015	31 December 2016	Variance
Unique clients	50,390	51,798	↑ 3%
Calls dealt with by our Legal Help telephone service	55,911	59,655	↑ 7%
<b>Preventative services</b>			
Calls to our Legal Help telephone service	89,797	89,592	0%
Information and community legal education services	65,125	64,948	0%
Sessions on our website	800,127	962,881	↑ 20%
<b>Duty lawyer services</b>			
In-house and private practitioners	42,708	44,871	↑ 5%
<b>Grants of legal assistance</b>			
In-house, private practitioners and community legal centres	18,260	20,295	↑ 11%

### Outlook for 2016–17 and beyond

We expect to end the year assisting more clients and delivering more services than last year. We are forecasting an 11 per cent increase in grants of legal assistance (just over 4,000 grants) and a 4 per cent increase in duty lawyer services (just over 3,000 services) together with a modest increase in calls to our Legal Help telephone service.

Demand for our services is growing faster than anticipated. These increases highlight that the gap between community need and Victoria Legal Aid's capacity to respond continues to grow. This gap is due to a range of community safety initiatives – additional police and child protection workers, increases in the reporting of family violence, and changes in law that increase the consequences of breaches of orders (eg more people are facing the prospect of going to jail). These changes are combined with policies that encourage more intervention from police, correctional staff and child protection officers, especially around family violence and youth justice consistent with community expectations.

The downstream impact on the delivery of legal assistance is significant and as additional police are recruited in future years, further pressure will be added.

The recent Victorian Access to Justice Review, released in October 2016, found that publicly funded legal assistance services are 'a crucial "safety net" for the most disadvantaged members of the community'<sup>1</sup> and that resources are currently stretched, with the need for more investment.

With this increased demand for our services, we are spending more money than we are receiving and we expect total expenditure to grow by \$17 million. We are forecasting a deficit in the order of \$8 million however, many external factors beyond Victoria Legal Aid's control will influence the final result. We continue to monitor service levels and expenditure closely.

While Victoria Legal Aid has sufficient cash reserves to manage the forecast deficit this year, greater deficits are forecast in the future. Additional government revenue is needed to preserve existing policy settings and to avoid future tightening of eligibility guidelines and a reduction in services.

Additional funding is only part of the answer. We must also work with a number of our stakeholders to coordinate system reform. We will release a major evaluation of our Summary Crime program later this year, along with the results of an extensive child protection service review. Both will assist in improving the delivery of high quality and sustainable services and the efficient operation of the justice system. We look forward to advancing this work with our many stakeholders in the justice system.

### Our clients

In the six months prior to 31 December 2016, **Victoria Legal Aid assisted 51,798 unique clients<sup>2</sup>**.

Unique clients as at	31 December 2013	31 December 2014	31 December 2015	31 December 2016
Unique clients	48,531	50,727	50,390	51,798
<b>Growth</b>		5%	-1%	3%

Although the number of unique clients being helped by Victoria Legal Aid is only slightly increasing, our clients are presenting with a growing number of complex legal and non-legal issues.

A greater number of clients are receiving grants of legal assistance and there has been an overall reduction in clients receiving our less intensive services, such as legal advice and minor assistance.

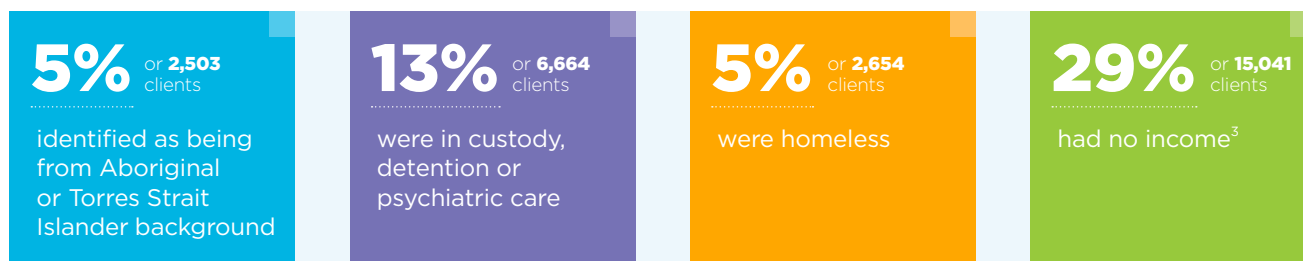
### Disadvantage and vulnerability are increasing

Our clients are among the most disadvantaged and vulnerable in Victoria. We help young people, people from culturally and linguistically diverse backgrounds and clients with a disability, while many of our clients receive some form of government assistance or have no income at all.

Over the last six months there has been a growth in the level of disadvantage amongst our clients. We are seeing increases in:

- **clients with no income** ↑ 2%
- **clients who are homeless** ↑ 1%
- **clients in custody, detention or psychiatric care** ↑ 3%, and
- **Aboriginal or Torres Strait Islander clients** ↑ 1%

Of the clients that Victoria Legal Aid has helped:



<sup>1</sup> Department of Justice and Regulation, Access to Justice Review (2016), 4.

<sup>2</sup> A unique client is an individual who accessed one or more of our legal services. This does not include people for whom a client-lawyer relationship was not formed, who received information via the telephone, website or in-person at court or at a public counter, who participated in community legal education sessions, or clients from community legal centres.

<sup>3</sup> Clients with no income are defined as young people, people in custody, detention or psychiatric care, and people not receiving a form of government benefit at the time the legal service was delivered.

## Services we provide

### Grants of legal assistance

We provide grants of legal assistance – Victoria Legal Aid’s most intensive form of assistance – to people who cannot afford a lawyer, who are experiencing a legal problem that we can help with and who meet our eligibility criteria. Clients with a grant of legal assistance can be helped by a Victoria Legal Aid lawyer or a lawyer on one of our panels, including private practitioners and lawyers from community legal centres.

We have seen an 11 per cent increase in grants compared to the same time last year, predominantly in the areas of summary crime and child protection. This is due to the government investment in additional front line police and child protection workers and changes in government policy. Over the last six months we have seen:

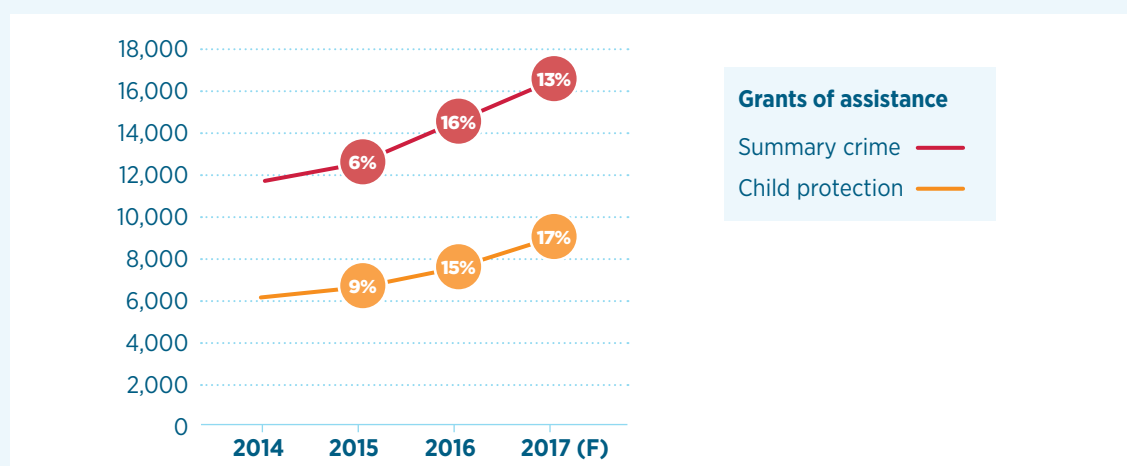
- 7,854 grants for summary crime ↑ 15%
- 4,168 grants for child protection matters ↑ 14%
- 1,680 grants for indictable crime ↑ 13%

Grants of legal assistance as at	31 December 2013	31 December 2014	31 December 2015	31 December 2016
Crime	9,712	9,829	10,777	12,088
Family and children	6,428	6,397	6,856	7,634
Civil	499	689	627	571
<b>Totals</b>	<b>16,639</b>	<b>16,915</b>	<b>18,260</b>	<b>20,293</b>



### Spotlight – growth trends in summary crime and child protection set to continue

Additional police and child protection officers, additional family violence reports and changes in government policy have been consistent drivers of growth. This graph shows that grants of assistance for child protection and summary crime have been consistently growing with the trend set to continue this year.



Child protection grants of assistance saw double digit growth of 15 per cent last year after an increase of 9 per cent in the prior year. The growth is set to accelerate to 17 per cent this year with the number of grants expected to rise by nearly 3,000 or 47 per cent over four years.

Grants for summary crime peaked last year with a 16 per cent growth, and we are still forecasting considerable growth this year at 13 per cent. We expect to see approximately 4,600 additional grants over four years. While not shown in the graph above, summary crime duty lawyer services have also seen considerable growth. In 2013-14, Victoria Legal Aid provided 40,785 summary crime duty lawyer services. Victoria Legal Aid is forecasting in excess of 59,000 summary crime duty lawyer services this year, representing a growth of 45 per cent over four years or approximately 18,000 additional services.

### Who delivers our grants?

As at 31 December 2016, 72 per cent of our grants of legal assistance were assigned to private practitioners. At the same time last year, it was 68 per cent. The growth in grants of assistance is predominantly serviced by private practitioners. This increased participation reflects their capacity to scale up quickly in response to increased demand.

Grants of legal assistance as at	31 December 2013	31 December 2014	31 December 2015	31 December 2016
In-house	4,664	5,577	5,784	5,692
Private practitioner	11,975	11,338	12,476	14,601
<b>Totals</b>	<b>16,639</b>	<b>16,915</b>	<b>18,260</b>	<b>20,293</b>

### Duty lawyer services

Victoria Legal Aid lawyers and some private practitioners are on 'duty' at many courts and tribunals across Victoria to help people who are at the court or tribunal for 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 represent everyone. We prioritise serious cases, including people who are in custody, or at risk of going into custody and people needing intensive support.

Duty lawyer services as at	31 December 2013	31 December 2014	31 December 2015	31 December 2016
	35,150	40,100	42,708	44,871
<b>Growth</b>		14%	7%	5%

Similar to grants of legal assistance, we have seen increases in duty lawyer services, in particular our summary crime and family violence related matters:

- 6,275 services for respondents and applicants to family violence intervention orders ↑ 23% from 2015-16
- 1,998 services for assault matters ↑ 6% from 2015-16
- 1,184 services for criminal damage matters ↑ 16% from 2015-16

### Legal advice and minor assistance

Victoria Legal Aid 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.

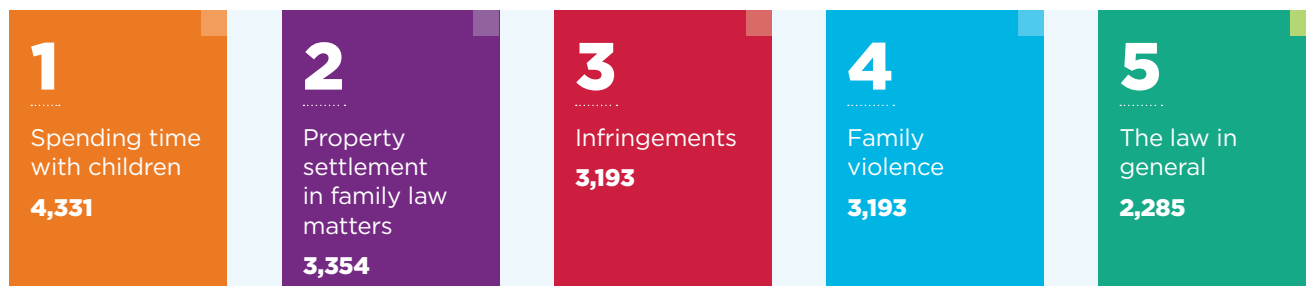
Legal advice is provided over the phone, face-to-face at our offices or via outreach services. Minor assistance is provided where there is a need for some ongoing assistance such as providing written advice, making phone calls and negotiating on a person's behalf.

Legal advice and minor assistance as at	31 December 2013	31 December 2014	31 December 2015	31 December 2016
	22,675	25,497	20,703	20,887
<b>Growth</b>		12%	-19%	0%

While there has been a targeted effort over the last few years to decrease minor work files to ensure we accurately capture work performed as a grant of aid, there are signs of this decrease slowing with year to date totals higher than in previous years, predominantly in criminal law. Minor work files continue to make up less than 5 per cent of the total work by Victoria Legal Aid lawyers.

### Legal Help telephone service

Our free Legal Help telephone service is a major access and triage point for legal aid services. The top five matters dealt with by our Legal Help telephone service between 1 July 2016 to 31 December 2016 were:



Legal Help telephone service as at	31 December 2013	31 December 2014	31 December 2015	31 December 2016
Calls to the service	77,011	79,095	89,797	89,592
<b>Growth</b>		3%	14%	0%
Calls answered	49,111	54,604	55,911	59,655
<b>Growth</b>		11%	2%	7%
Answer rate	57%	70%	62%	67%
Average call duration	7m 51s	7m 38s	6m 49s	9m 15s

Our callback facility increases the accessibility of our service by making it possible for clients to request that we return their call, meaning that they don't need to wait in the queue or try us again at another time.

The number of information services we provide are lower than projected (↓ 6%) due to an increase in average call duration and some callers not answering our callbacks to them. We are pleased to see an improvement in our call answer rates following the appointment of new staff and the implementation of new telephony software.

### Other Victoria Legal Aid headlines for 2016



### Financial summary

For the first six months, we operated with a \$2.1 million deficit

Case-related payments which include payments to private practitioners, barristers, medical experts and interpreters, as well as to third parties for services provided for cases run by Victoria Legal Aid lawyers, increased by \$6 million or 17 per cent. This growth can be attributed to payments relating to criminal and family and children's law, which is a direct result of the increased demand for grants of legal assistance.

Year to date	As at 31 December		
	2015 \$'m	2016 \$'m	%
<b>Revenue</b>			
Commonwealth – grants	30.0	30.4	1%
State – grants	45.0	47.3	5%
Public Purpose Fund	14.2	14.6	3%
Case revenue	3.0	2.1	-30%
Other income	0.7	1.0	43%
<b>Total revenue</b>	<b>92.8</b>	<b>95.5</b>	<b>3%</b>
<b>Expenditure</b>			
Case expenditure	34.6	40.6	17%
Community legal centre payments	13.8	14.4	4%
Staff costs	30.7	32.5	6%
Administration	10.7	10.2	-4%
<b>Total expenditure</b>	<b>89.7</b>	<b>97.7</b>	<b>9%</b>
Other economic flows	0.3	0.1	-
Operating surplus/(deficit)	3.4	(2.1)	-

### Performance against Victorian Government service targets

This table shows our results against targets up to 31 December 2016 for Victoria Legal Aid's output measures under Budget Paper No. 3.

Output measure	Annual target	31 December 2016		
		Target	Actual	Variance
Community legal education and information services	135,000–140,000	69,100–72,000	64,948	↓ 6%
Duty lawyer services	83,000–85,000	41,100–42,100	44,871	↑ 7%
Grants of legal assistance	35,000	17,100	20,293	↑ 19%
Legal advice and minor assistance	42,000	21,600	20,887	↓ 3%
Number of unique clients*	84,000	50,200	51,798	↑ 3%
Applications for legal assistance processed within 15 days	95%	95%	96%	↑ 1%