

VICTORIA LEGAL AID

FIFTH STATUTORY ANNUAL REPORT
1999/2000



VICTORIA
LEGAL AID

ANNUAL REPORT 2000



The Hon Attorney-General
55 St Andrews Place
MELBOURNE 3000

30 September 2000

Dear Attorney,

I am pleased to present Victoria Legal Aid's Fifth Statutory Annual Report for the year 1999/2000.

Throughout the year Victoria Legal Aid continued to provide high levels of legal aid services to the Victorian Community while continuing to strictly control its operating costs.

Full details of VLA's activities for the year are set out in the accompanying reports and financial statements.

Yours sincerely,

A handwritten signature in black ink that reads "Jonathan Mott".

JONATHAN MOTT
Chairperson



managing director's report

This year Victoria Legal Aid provided services to the community within or exceeding the range of service numbers established over the last four years.

VLA received 39,711 applications for legal assistance, a slightly reduced number from the previous year (1998/1999: 41,114).

VLA approved 33,444 grants of assistance, a fractionally smaller number of grants compared with the preceding year (34,743) which reflected the reduced number of applications received this year.

Of the total number of grants of assistance, 21,190 grants were made for criminal law matters, 8,413 for family law matters and 3,841 for civil law cases.

In addition, VLA's duty lawyer services provided representation in 41,913 cases (1998/1999: 41,426). VLA's lawyers conducted 32,923 legal advice sessions (1998/1999: 32,646) and our telephone information service provided legal information in thirteen languages to over 63,000 callers (1998/1999: 57,098).

Victoria Legal Aid completed the financial year with an operating surplus before abnormal items of \$5.983m.

After deducting two abnormal items, VLA completed the financial year with an operating deficit of \$6.974m.

Abnormal expenditure included a reduction by \$7.957m to the amount that VLA realistically expects to recover by way of client contributions towards the costs of legal services provided by VLA.

Actuarial advice demonstrated that the net present value of VLA's future client contributions was \$7.957m less than the historical value of this asset.

The second item of abnormal expenditure consisted of VLA's \$5m contribution to the Commonwealth Criminal Law – Expensive Cases Fund.

In respect of the provision of Commonwealth law legal services funded by the Commonwealth Government, VLA again finished the year with an operating surplus before abnormal items.



Tony Parsons
Managing Director

A handwritten signature in cursive script that reads "A. Parsons".

However, VLA finished with a small operating deficit of \$0.504m before abnormal items in respect of provision of state law legal aid services which are funded by the State of Victoria.

Our 2000/2001 budget anticipates a further deficit next year in respect of state law related legal services because of increasing demand, particularly in the area of indictable crime, in a setting of rising costs.

VLA remains concerned about its deficit in the State revenue stream and the situation will be managed closely.

VLA has planned carefully for the introduction of the GST. Fees paid to private practitioners for services performed after 1 July 2000 are to be increased by 10% to facilitate payment of the GST without any net reduction of revenue to the practitioners. The 10% fee increase, ultimately to be rebated to VLA, will be cost neutral.

The introduction of the GST and collateral abolition of sales and other taxes is expected to generate very few savings in the costs associated with running any legal practice, but particularly VLA, which had held an indirect tax-free status prior to 1 July 2000.

VLA will, however, be obliged to pay GST on some client contributions when they are levied against the cost of providing aid for legal services performed after 1 July 2000.

It is therefore likely that the introduction of the GST will result in a cost rather than a saving to VLA.

The extent of that cost will be closely monitored in the inaugural year of the new tax system.

Peter LeRoy, General Manager of VLA's Information Systems Division, resigned in June 2000 to take up a position in the Commonwealth Attorney-General's Department. VLA is currently recruiting to fill the vacancy left by Mr LeRoy.

This year, within the Criminal Law Division of the Melbourne office, VLA has established a pilot advocacy practice, the Public Defenders.

This in-house advocacy unit provides representation in the Melbourne Magistrates' Court, the County and the Supreme Court and undertakes trials, appeals, pleas, committals and summary contests.

The Public Defenders exercise their role as counsel and are briefed by VLA's in-house practitioners.

The pilot promises to make a significant contribution to the practice skills of the organisation consistent with our duty to provide effective, efficient and economic legal services to the community.

VLA's Year 2000 Contingency Plan was completed and implemented to the satisfaction of the Victorian Government.

Our personnel staffed the premises during the millennium change, avoiding costly fall-back mechanical security measures that were required by government in unstaffed premises.

A complete review of systems on the morning of New Year's Day demonstrated that all systems were functional with VLA being ready to resume business on the next working day.

In my early days as VLA's managing director, my first and lasting impression is the recognition of the high level of professionalism that is evident throughout all areas of Victoria Legal Aid's operations and the strong commitment shown by all VLA's people to the efficient provision of competent and timely legal services to the Victorian community.

At the end of 1999 a new State Government was formed in Victoria. Victoria Legal Aid welcomes the new government's election promise to revitalise legal aid and the commitment of Attorney-General Rob Hulls to increase access to justice for all Victorians.

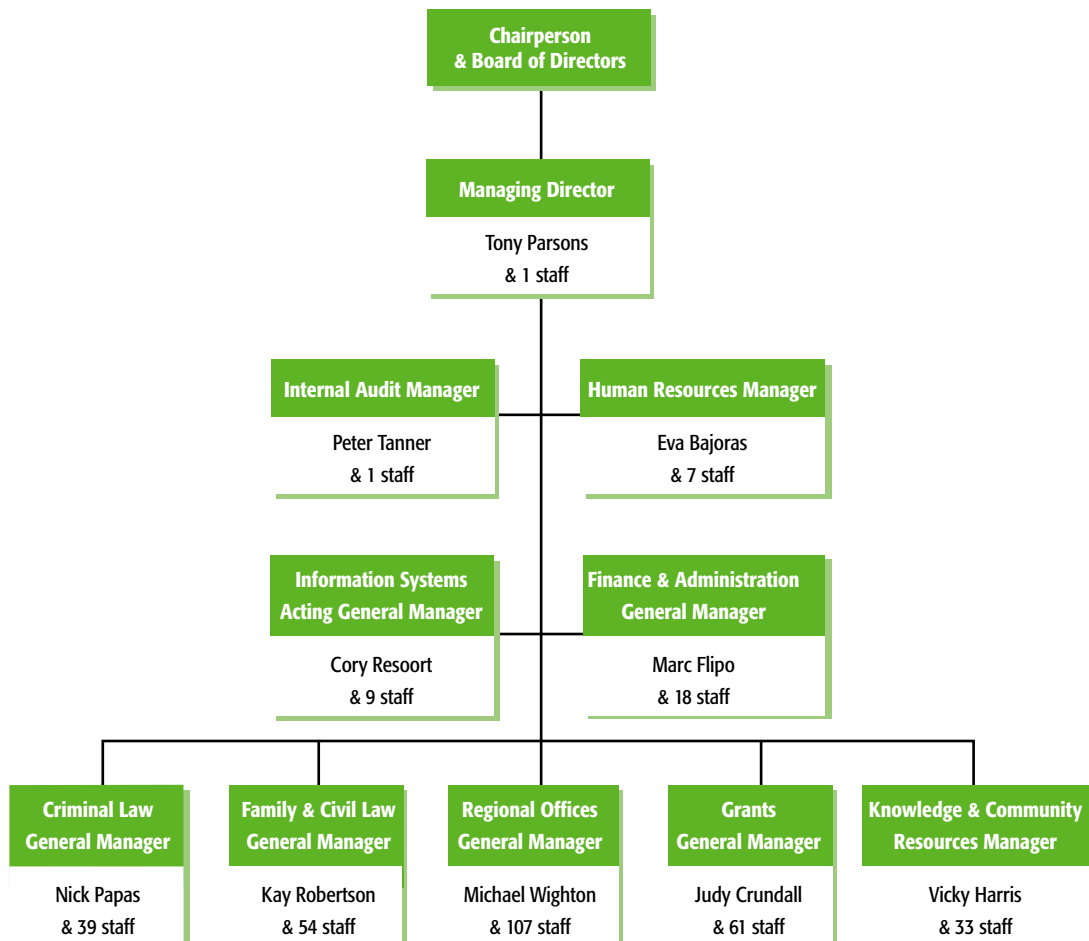
Democracy, personal liberty and our valued social institutions can only flourish in the setting of a strong system of justice.

The level of access that economically disadvantaged Victorians have to that system of justice is a measure of the health of the system and is the focus of Victoria Legal Aid's important work.

I look forward to ensuring the future of this important work throughout the coming years.

I wish to express my thanks to VLA managers and staff for their contribution and commitment to the provision of quality legal aid services to the Victorian community over the last year.

TONY PARSONS
Managing Director





Michael Wighton

Regional Offices
General Manager



Marc Flipo

Finance & Administration
General Manager



Kay Robertson

Family & Civil Law
General Manager



Peter Tanner

Internal Audit Manager



Nick Papas

Criminal Law
General Manager



Eva Bajoras

Human Resources
Manager



Judy Crundall

Grants
General Manager



Cory Resoort

Information Systems
Acting General Manager



Vicky Harris

Knowledge & Community
Resources Manager

Establishment

Victoria Legal Aid is an independent statutory authority established by the *Legal Aid Act 1978*. The Attorney-General is the responsible minister.

Victoria Legal Aid provides legal aid services in accordance with the Act. It also entered into an agreement dated 22 January 1999 with the Commonwealth government for provision of legal aid services for matters arising under Commonwealth law during 1998/1999 and 1999/2000.

The State government continued to fund VLA to provide legal aid in matters arising under State law.

Objectives, functions, powers and duties

The *Legal Aid Act* states that the objectives of VLA are:

- to provide legal aid in the most effective, economic and efficient manner;
- to manage its resources to make legal aid available at a reasonable cost to the community and on an equitable basis throughout the State;
- to provide the community improved access to justice and legal remedies; and
- to pursue innovative means of providing legal aid directed at minimising the need for individual legal services in the community.

The functions of VLA are to provide legal aid in accordance with the Act and to control and administer the Legal Aid Fund.

VLA is empowered to cooperate with other bodies to meet the need for legal aid in the community, enter into arrangements to undertake research, make recommendations to the Attorney-General on issues of law reform, carry out education programs, provide assistance to voluntary legal

aid bodies and do all things necessary to perform its functions.

VLA's duties in performing its functions include:

- ensuring that legal aid is provided in the most effective, efficient and economic manner and in a manner that dispels fear and distrust;
- establishing local offices;
- determining priorities for the provision of legal aid in State law matters;
- liaising with professional bodies; and
- having regard to the amount of money in the Legal Aid Fund.

VLA provides services in four main areas:

- legal assistance – handling of a case on behalf of an assisted person by an employee solicitor or a private solicitor remunerated by VLA;
- legal advice – the provision of legal advice at a VLA office, a prison or other institution by telephone or in person;
- duty lawyer services – without prior arrangement, advising and representing clients attending court; and
- education and information – programs designed to inform and educate members of the community about their legal rights and responsibilities.

Directions given by the Attorney-General

The *Legal Aid Act* permits the Attorney-General to give written directions to the board. The directions must not relate to the grant of assistance to a specific person and must be tabled in each House of Parliament.

The Attorney-General gave no directions to the board during the year.

The board of directors

There are five directors of the board of Victoria Legal Aid appointed by the Governor-in-Council pursuant to the *Legal Aid Act*.

The board met eleven times during the year. The following held office as directors during the year:

Jonathan Mott – Chairperson

Robert Cornall – Managing Director
(until 31 December 1999)

Kay Robertson – Acting Managing Director
(from 1 January 2000 until 25 June 2000)

Tony Parsons – Managing Director
(from 26 June 2000)

Andrew Home – Director with experience in financial management

Peter Kirby – Director with experience in business or government operation

Diana Bryant QC
(until 16 February 2000)

Mary Anne Noone
(from 15 February 2000)

Tony Parsons
Managing Director



Jonathan Mott
Chairperson



Andrew Home
Member

Peter Kirby
Member

Mary Anne Noone
Member



One of the objectives of Victoria Legal Aid is to provide legal aid in the most effective, economical and efficient manner to those in the community with the greatest need.

VLA's client survey is one of the measures used to assess whether legal aid is being directed at the neediest members of the community.

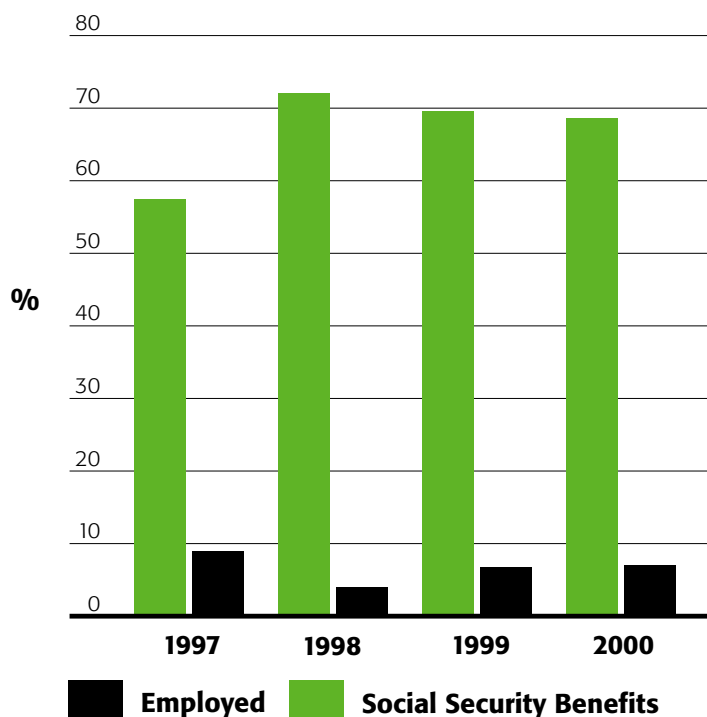
The majority of legal aid clients are dependent on social security benefits, are living in rental accommodation and have very few assets. The majority of applicants for legal assistance during 1999/2000 had incomes below the poverty line.

During 1999/2000 males continued to apply for legal aid at a far greater rate than females. The largest number of male applicants was in the 16 to 24 age group, whereas the largest number of female applicants was in the 25 to 34 age group. Females were more likely to apply for legal assistance for family law matters. Males were more likely to apply for legal assistance for criminal law matters.

As in previous surveys, criminal law matters accounted for the largest portion (60%) of all applications during 1999/2000.

Applicants born in Australia continue to outnumber applicants who were born overseas.

Figure 1 Source of income for all applicants



VLA has 11 offices that offer a full range of legal aid services. Addresses and telephone numbers of these offices are listed on the back cover of this report.

This chapter provides a profile of the following legal aid services provided by VLA:

- legal assistance
- in-house casework
- duty lawyer services
- legal advice and information
- community legal education

Legal assistance

Applications

The Commonwealth Attorney-General's Department determines priorities and guidelines for assistance in matters arising under Commonwealth law.

The VLA Board determines the types of matters for which legal assistance is otherwise available.

Applications for legal assistance are assessed according to a national means test (except for war veterans matters).

Table 1 states that VLA received 39,711 new applications for legal assistance in 1999/2000.

Applications and grants in child support and war veterans' matters have been included in the data shown.

The approval rate for all years is expressed as the percentage of approved applications over assessed applications and does not take pending or withdrawn applications into account.

The figures include applications that may have been received in one financial year but approved in the next financial year.

Table 1 Applications and their outcomes

Year	Applications received	Applications assessed	Approved	Refused	Approval rate (%)
1992/93	40 413	40 053	30 028	10 025	75.00
1993/94	42 969	41 955	33 565	8 390	80.00
1994/95	48 669	46 998	39 094	7 904	83.20
1995/96	47 759	46 453	38 361	8 092	82.58
1996/97	39 940	39 586	32 279	7 307	81.54
1997/98	41 245	40 778	33 934	6 845	82.69
1998/99	41 114	40 706	34 743	5 603	84.57
1999/00	39 711	39 765	33 444	5 322	84.10

When legal assistance is granted, VLA will refer the assisted person to either a private lawyer or an in-house lawyer who will represent the person in their legal proceeding.

Table 2 shows the allocation of grants of legal assistance to private practitioners and in-house practitioners.

In 1999/2000, grants of legal assistance increased in Family Law cases and decreased in Criminal Law cases.

When broken down into category of law (Table 3), it is evident that, compared with 1998/1999, the share of approvals in criminal matters decreased by 2.73% and family law approvals increased by 1.73% in 1999/2000.

Table 2 Grants of legal assistance by practitioner type

Year	Number of In-house	% In-house	Number of Private Practitioner	% Private Practitioner	Total
1992/93	8 023	26.70	22 005	73.30	30 028
1993/94	9 424	28.10	24 141	71.90	33 565
1994/95	10 948	28.00	28 146	72.00	39 094
1995/96	10 466	27.28	27 895	72.72	38 361
1996/97	8 865	27.46	23 414	72.53	32 279
1997/98	10 712	31.52	23 273	68.48	33 986 ¹
1998/99	11 225	32.30	23 518	67.7	34 743
1999/00	10 402	31.10	23 042	68.9	33 444

¹ This total includes 52 approved applications that were later withdrawn, hence the total figure for approved applications for 1997/98 is 33,934

Table 3 Grants of legal assistance by practitioner type by law category

Law Category	98/99 In-house	99/00 In-house	98/99 Private Practitioner	99/00 Private Practitioner
Civil	1 117	1 167	2 522	2 674
Criminal	8 237	7 276	14 727	13 914
Family	1 871	1 959	6 269	6 454

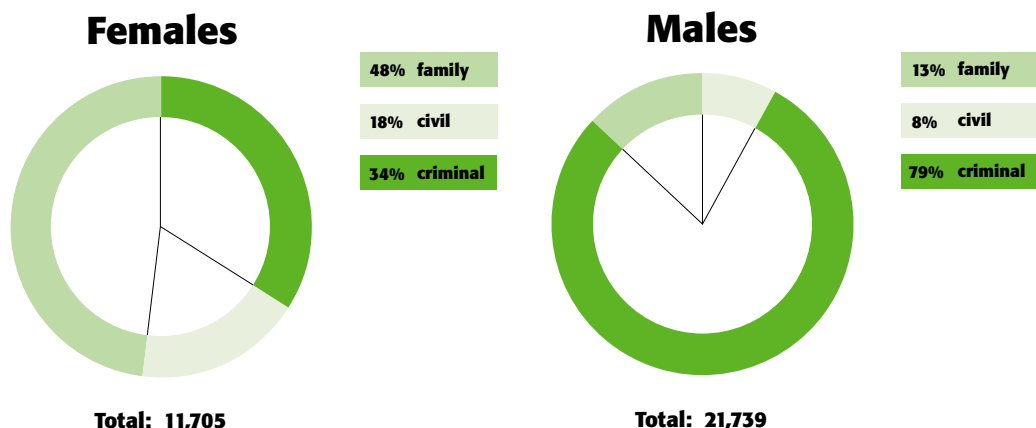
Table 4 shows the distribution of applications and approvals for 1998/1999 and 1999/2000 separated into law categories. When compared with the previous year, there was an increase in assessed applications for family and civil matters but a decrease in criminal law applications. This may be reflected generally in the downward trend of criminal matters being processed, in particular in the Magistrates' Court, over the last year.

Table 4 Types of applications

	Family 98/99	Family 99/00	Civil 98/99	Civil 99/00	Criminal 98/99	Criminal 99/00	Total 98/99	Total 99/00
Assessed Applications	11 013	11 403	4 205	4 461	25 488	23 901	40 706	39 765
Percentage share of Assessed Applications	27.05	28.67	10.33	11.22	62.61	60.11	100	100
Approvals	8 140	8 413	3 639	3 841	22 964	21 190	34 743	33 444
Percentage share of approvals	23.42	25.15	11.33	11.48	66.09	63.36	100	100
Refusals	2 790	2 695	532	532	2 281	2 095	5 603	5 322

The breakdown of grants of legal assistance for male and female applicants into category of law is shown in Figure 2. Males were granted legal aid principally for criminal law matters, followed by family law and civil law. Females were granted legal aid predominantly for family law matters, followed by criminal law matters and then civil law matters.

Figure 2 Legal aid grants: gender by law category



Independent reviewers

Independent reviewers are appointed by the Attorney-General. Their functions are to:

- review decisions of VLA or of an officer of VLA or of another independent reviewer in relation to applications for legal assistance; and
- to hear and determine any matter relating to the proposed removal or exclusion of a practitioner from VLA's referral panel.

Also, independent reviewers act as initial decision-makers in respect of applications for legal assistance where the applicant is a member of VLA's staff.

During 1999/2000, independent reviewers reviewed a total of 303 decisions, compared with the 305 decisions that were reviewed during the previous financial year.

The percentage of decisions overturned or varied decreased slightly from 10.82% during 1998/1999 to 9.90% during 1999/2000. (See Appendix 1 for a full breakdown of decisions reviewed during 1999/2000).

In decisions that were reviewed, guidelines and merits constituted the main reasons for refusal of legal assistance.

Payment by VLA of costs ordered to be paid by assisted persons

Section 48 of the *Legal Aid Act* provides that, where an assisted person has been ordered to pay costs in proceedings instituted by the assisted person, either the assisted person or the party in whose favour costs have been ordered may request VLA to pay all or part of those costs.

Before making payment, VLA must be satisfied that the person making the request would suffer substantial hardship if the costs were not paid, and that it is just and equitable that the costs be paid. VLA received no section 48 requests in 1999/2000.

War veterans legal aid scheme

VLA provides legal assistance for war veterans and their dependants in claims relating to war service disability pensions and allowances.

Until 30 June 1997, the Commonwealth Attorney-General's Department separately funded the scheme. Since 1 July 1997, legal assistance to war veterans or their dependants about pension entitlements has been included as part of VLA's general Commonwealth grant.

Veterans and ex-servicemen and women are eligible for assistance provided they rendered war service. Unlike other applicants, their eligibility is not means tested and legal assistance is provided free of contribution.

Assisted matters generally involve appeals to the Commonwealth Administrative Appeals Tribunal against decisions made by the Veterans' Review Board concerning entitlement to, or rate of, disability pension. In some cases, legal assistance may be extended for appeals to the Federal Court on a point of law.

During 1999/2000, 369 war veterans applications were received and 362 were approved by VLA, compared with 371 and 364 respectively in 1998/1999.



In-house casework

VLA's solicitors act directly for clients in criminal, civil and family law matters. The same conditions apply for assisted persons whose matters are handled by in-house solicitors as those that are handled by private practitioners. Table 5 shows the number and distribution of in-house casework from 1997/1998 to 1999/2000.

Table 5 Legal practice cases

Law Category	1999/00	1998/99	1997/98
Civil	1 167	1 117	1 515
Criminal	7 276	8 237	7 527
Family	1 959	1 870	1 670
Total	10 402	11 224	10 712



Regional and rural services

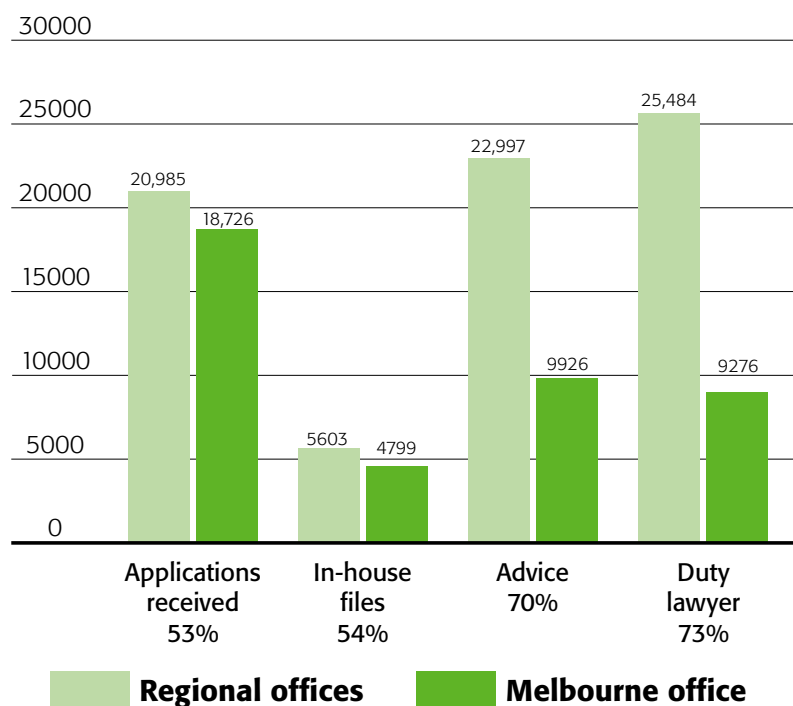
Regional offices are located at Broadmeadows, Dandenong, Frankston, Preston, Ringwood, Sunshine, Bendigo, Geelong, Morwell and Bairnsdale.

The regional offices' legal practice provides the majority of VLA's duty lawyer, summary criminal casework and advice/minor work services. Figure 3 shows the breakdown between Melbourne and regional office work.

Since the inception of the former Legal Aid Commission of Victoria, regional offices have been responsible for the making and monitoring of around half of all grants of assistance made to the Victorian community. Previously, all staff in regional offices were heavily involved in grants administration. In 1999/2000, the board of VLA determined that client services and grants activity should be separated, in line with arrangements in the Melbourne office.

From January 2000, dedicated grants officers were deployed in all regional offices, each with a "whole of task" responsibility. This change has freed lawyers in regions from most administrative functions to allow them to focus on client services. There is a 22% reduction in administrative staff in regional offices as a result of the restructure of the grants function.

Figure 3 Breakdown of VLA in-house services provided by regional and Melbourne offices 1999/2000



Juvenile justice

VLA works with other agencies to obtain positive outcomes for a young person facing criminal charges

Ben is 16 years old and is facing criminal charges relating to robbery. Because Ben was already under a Youth Supervision Order for offences that included theft of a motor vehicle and armed robbery, he potentially faced a custodial sentence as a result of these new charges.

At the time of the charges, both of Ben's parents were in jail. Ben was living and working on the streets so as to support, and ensure schooling for, his younger brother, who was also homeless. Ben had a child of his own – a 14 month old daughter living in Queensland.

VLA acted for Ben and liaised with a number of youth services to organise reports to be presented to the Court on Ben's behalf. These reports convinced the Court that Ben was an extraordinary young man, working hard for his family's welfare. He received a sentence of four months' probation.

Also VLA was able to negotiate with the Court, on Ben's behalf, for financial assistance to allow Ben to visit his child in Queensland. Accommodation has been obtained for Ben and his brother. He is now returning to study and has not reoffended.

Youth and children's legal services

VLA represents children and young people appearing in the Children's Court in metropolitan Melbourne and the areas of regional Victoria where it has offices.

All solicitors representing children are required to have successfully completed a comprehensive training program run at the Melbourne office. Training regional office solicitors to represent children has increased geographic accessibility of legal services to children and young people.

The Youth Legal Service (Melbourne office) represents most children and young people as the majority of their cases are listed at the Melbourne Children's Court.

The Juvenile Justice Group Conferencing Program auspiced by Anglicare began in 1995 as a pilot restorative justice process. It is based on the New Zealand model of bringing victim and offender together to achieve a plan for recompense for the victim and a strengthening of community supports for the offender.

The program operates in a number of Children's Courts and has been demonstrated to be effective. VLA has supported the program by funding solicitors to attend conferences with their clients, and being actively represented on the steering committee.

Solicitors from the Youth Legal Service act as child representatives in the Family Court.

During 1999/2000, VLA appointed 1045 child representatives upon request from the Family Court, which is a 92% increase on the 544 cases for the previous year.

VLA staff handled 327 (149 in 1998/1999) of these appointments while private practitioners were appointed in the remaining 718 cases (395 in 1998/1999).



Family law

VLA acts quickly to ensure the recovery of a baby forcibly taken from his mother by an estranged father

Julia lives with her 12 month old baby boy. Christopher, the baby's father, no longer lives with them but has regular contact with his son.

Christopher sometimes became violent towards Julia and the baby, particularly when Julia came to collect him after contact visits.

Christopher broke into Julia's house one morning, and took the baby with him. Julia contacted the police who told her that nothing could be done until charges were laid against Christopher, and that Julia's most sensible move would be to apply for an Intervention Order against Christopher.

Julia contacted VLA and spoke to a solicitor. The VLA solicitor was able to organise an urgent sitting of the Family Court, out of normal sitting hours,

and to apply for an order to authorise the police to recover the baby and return him to Julia.

The VLA solicitor was successful in obtaining the order from the court, despite the fact that Julia was not present, and there was no written application or affidavit from her.

He coordinated the evidence to be presented to the court, convincing the court of the urgency of the situation, and of the risks of allowing the baby to stay with the father.

Also VLA was able to liaise with the Federal Police to ensure that the Court's order was implemented quickly.

Family law

Solicitors from all offices represent clients in family law matters.

Dedicated family lawyers were introduced for the first time at the Sunshine (Western Suburbs) and the Frankston (Mornington Peninsula) offices. These positions were created from existing staff resources in order to meet the increasing need for family law-related services.

They join existing family lawyers in the Broadmeadows (North-Western Suburbs) and Dandenong (Westernport) offices to form VLA's regional family law network.

The solicitors at Melbourne provide a daily duty lawyer service at the Melbourne Family Court. In 1999/2000, arrangements for the duty lawyer service at the Family Court's Dandenong Registry changed.

The service is now managed by the Dandenong office and is wholly staffed by dedicated family lawyers from the Dandenong and Frankston offices.

VLA acts for the Commonwealth Attorney-General in overseas maintenance matters where the claimant resides overseas and the

respondent is in Victoria and, conversely, where the claimant resides in Victoria and the respondent is overseas.

These proceedings arise because Australia is a signatory to the United Nations Convention on Recovery Abroad of Maintenance (UNCRAM) which enables applicants to obtain a court order for child or spousal maintenance from liable parties in other countries. VLA opened eight new UNCRAM files and seven new files concerning matters in reciprocating countries during the year.

The Child Support Service, operating from the Melbourne office, provides substantive legal assistance to parents with care of children to obtain child support. The staff of the service regularly attend rural centres and run clinics at Melbourne and regional offices.

The Liable Parents Service provides assistance to parents of children from whom child support is sought.

The complexity of law and procedures in this area lead many people to seek the assistance of this service to understand the process and ensure they are treated fairly. The Liable Parents Service provides advice at the Melbourne office and runs workshops.

Civil law

During the year, VLA provided advice and represented clients in the areas of refugee, mental health, discrimination, social security and crimes compensation law.

Clinics held at the Melbourne office provide advice on application procedures and review mechanisms for refugees. Changes to the Commonwealth guidelines, which came into effect on 1 July 1998, substantially reduced the eligibility for new grants of legal assistance for applicants for refugee status.

VLA successfully tendered to provide legal services to asylum seekers under the Immigration Advice and Application Scheme administered by the Department of Immigration and Multicultural Affairs. This was the first year of a two-year contract. Lawyers from the Melbourne office have assisted with 75 primary applications to the Department and applications to the Refugee Review Tribunal. Clients are in detention as well as in the community.

VLA provides a visiting advice clinic to Melbourne hospitals with psychiatric wards. Solicitors advise clients on Mental Health Review Board hearings and Guardianship and Administration Board problems. They will assist with other legal matters (such as criminal law, family law, child protection and civil law) affecting clients.

Statistics on Mental Health Review Board duty lawyer services are provided in Table 6.



Administration orders

VLA wins revocation of administration order for a man who has learned to manage his own finances

Arthur is a 63 year old man with an acquired brain injury. The Guardianship List of the Victorian Civil and Administrative Tribunal (VCAT) had found that Arthur was unable to manage his own finances and appointed his daughter as his administrator.

After she had been managing his money for about a year, Arthur's condition stabilised and he no longer needed her to make financial decisions for him.

So Arthur began to resume control of his money and his daughter stopped lodging financial reports to VCAT.

Because of this, VCAT made another order, appointing State Trustees as Arthur's administrator.

Arthur, however, was not notified of the hearing nor was he informed of the decision to appoint State Trustees as his administrator, until he discovered that his pension was no longer being paid into his account.

Direct care workers who were supporting Arthur contacted VLA, and the solicitor was able to apply to VCAT for a review of the administration order.

The solicitor was able to demonstrate to VCAT that Arthur was able to manage his money himself and that an administrator was no longer required.

The administration order was revoked, and Arthur's money was returned to him.

Criminal law

VLA successfully challenges police powers

Eric, while driving home in his Holden Kingswood Station Wagon, did a legal U-turn into his street and parked in his driveway.

Police followed him onto his property. Eric demanded that the police leave his property. The police refused and asked Eric to produce his licence, which Eric did.

Eric then repeated his demand that the police get off his property. Again the police refused and asked Eric to submit to a preliminary breath test.

Eric, who had not consumed any alcohol, refused the breath test. At no time was there any suggestion from the police that Eric, either by his driving or by his general demeanour, appeared to have been drinking.

Eric initially sought help from a private solicitor, who advised him that he had no case. He then approached VLA.

The VLA solicitor argued in court that the police did not have a right to be on Eric's property and therefore their request that he undergo a breath test was unlawful.

The Magistrate agreed, and found that the police were trespassing from the time that Eric demanded that they leave his property. The Magistrate ordered that the police pay Eric's costs.

Without the intervention of VLA, Eric's licence would have been cancelled and he would have been disqualified from driving for two years.

Criminal law

The majority of clients represented by VLA solicitors have been charged with criminal offences and appear in the Magistrates' Courts. VLA provides legal aid in the form of legal assistance through VLA employed lawyers.

Summary and indictable matters are conducted by lawyers in all VLA offices. The past three years have seen a major increase in indictable and more serious criminal casework. This trend continued in 1999/2000.

The offices based in rural centres at Geelong, Bendigo, Morwell and Bairnsdale substantially increased their handling of criminal trials, pleas and appeals before the County and Supreme Courts.

In the Criminal Law Division of the Melbourne office, the two main aspects of legal work are advocacy and casework.

The advocacy practice, staffed by the public defenders, provides an in-house resource to all VLA clients appearing at Melbourne Magistrates' Court, the County Court and the Supreme Court. Also, VLA conducts appeals to the Court of Appeal and to the High Court of Australia.

The public defenders provide representation to all VLA clients appearing in the County and Supreme Courts.

They exercise their roles as counsel, which includes dual responsibilities and duties to the client and the court. Solicitors prepare each of their own cases and will brief either one of the in-house public defenders or a barrister from the private bar.

The associate public defenders provide a permanent service to the Committal Mention Court, in matters proceeding to the superior courts, as well as representation to VLA clients appearing in pleas, contest mentions or contests at the Melbourne Magistrates' Court.

In addition, solicitors conduct advice sessions held in the Criminal Law Division and by daily or regular visits to the Melbourne Assessment Prison, Deer Park, Port Phillip Prison, Barwon and Fulham prisons.

The use of modern technology, such as video conferencing, is an integral part of the delivery of a high-quality service.

During 1999/2000 a total of 733 advice sessions were conducted by video conferencing to all prisons.



Duty lawyer services

VLA solicitors and private practitioners provide duty lawyer services in the Children's Court and the Magistrates' Court.

A duty lawyer service is provided by VLA solicitors at the Melbourne Family Court, while VLA solicitors participate in the scheme run by the legal profession at the Dandenong Family Court.

Appendices 2 and 3 provide detailed information about duty lawyer services.

Changes were effected during 1999/2000 at the Ringwood Magistrates' Court duty lawyer service. The original service was an innovation of the private profession via the Eastern Suburban Law Association in the 1970s, with legal aid solicitors participating from 1987 when the Ringwood office commenced operation.

The Magistrates' Court in the eastern region was consolidated from three courthouses to one in May 1996, and in 1998 the VLA office was moved to a position only a few doors from the new Ringwood court complex.

Following on from those developments, and also because VLA desired to provide a consistent, specialist duty lawyer service in as many court locations as possible, from November 1999 all duty lawyer services were managed and provided from the Ringwood office.

VLA wishes to acknowledge the long-running and vital contribution of local practitioners in this important area of legal aid service delivery.



Table 6 Duty lawyer services provided 1999/2000

	1999/00	1998/99
VLA staff Children's Court	4 739	6 139
VLA staff Magistrates' Court	28 228	26 364
VLA staff Family Court	1 458	1 057
VLA staff County Court	40	27
VLA staff Mental Health Review Board	295	549
Private Practitioner Scheme	7 153	7 290
Total	41 913	41 426

Child protection

VLA ensures best outcome for children facing guardianship orders in the Children's Court

Three young children were appearing in the Family Division of the Children's Court.

Mona, their mother, wanted the children, who were being looked after by the Department of Human Services, to come back home.

As the matter went to court, Mona did not oppose the children staying in the care of the department.

Mona, however, wanted to have the department's case plan reviewed so that she could have increased access to her children and reports prepared by agencies helping her and professionals, with a long-term aim of having them returned to her care.

She ultimately needed to go to VCAT to apply for the case plan to be reviewed in this way.

VLA had represented the children at court. The children wanted ultimately to live with their mother, and so the VLA solicitor successfully sought leave to represent the children in the VCAT proceedings.

The department agreed to increase Mona's access to her children. Two of the children have now returned to Mona's care, with the department now playing a supervisory role.

The third child continues to live in the care of the department, but has increased contact with his mother and siblings.

Children's Court

During 1999/2000 the Children's Court relocated from its premises in Queensbridge Street to purpose-built facilities situated at 477 Little Lonsdale Street. The court commenced operation from the new building on 27 December 1999. The Children's Court Section of the VLA Melbourne office continued to provide duty lawyer services in both divisions of the court with at least one lawyer in the Criminal Division and three in the Family Division each day. Duty lawyers from Melbourne and regional offices advise and represent children and young people at sittings of suburban Children's Courts.

Magistrates' Court

As in previous years, by far the greatest number of duty lawyer sessions are conducted in the Magistrates' Court.

In response to the need for assistance by victims of domestic violence, VLA commenced a daily duty lawyer service to the Intervention Order Program at the Melbourne Magistrates' Court. Priority is given to applicants whose safety is at risk. If the applicants have another source of assistance, such as a private solicitor, assistance is provided to the respondent.

The Civil Section of the Melbourne office has commenced a duty lawyer service to the

Melbourne Magistrates' Court each Tuesday and Wednesday morning for judgment debt matters. This has had a significant impact on the tactics of those seeking to enforce debts.

Family Court

There has been a continuing increase in demand for duty lawyer services at the Melbourne Family Court with a minimum of two solicitors attending each day. Lawyers are finding they are dealing with a broader spectrum of clients and more complex interim matters. Solicitors also assist in negotiations and conduct short defended matters.

County Court

When requested, VLA solicitors provide duty lawyer assistance at the County Court.

Mental Health Review Board

The Civil Section of the Melbourne office has continued to provide duty lawyer services to Mental Health Review Board's covering most of Melbourne's metropolitan psychiatric services.

All involuntary inpatients listed for a Mental Health Review Board hearing who request legal assistance are seen and, in addition, solicitors see a large number of patients who are listed for hearings to ensure they receive legal advice concerning their rights.

Legal advice & information

Legal advice and information is provided free by telephone, by appointment and on a clinic basis. During 1999/2000, 32,923 legal advice sessions were provided at VLA offices, prisons, hospitals and community centres.

Melbourne and all regional offices provide advice to clients on an appointment or clinic basis.

Where clients are eligible for legal assistance they are helped to complete an application form.

Where clients are not eligible for legal assistance, the advice and information provided assists them to resolve their legal problems or represent themselves.

Multilingual telephone information service

Legal Information is provided through the Multilingual Telephone Information Service (MTIS), which operates from the Melbourne office.

This service provides legal information in English and 13 community languages.

A 1800 number is available for regional and rural Victorian callers.

Table 7 Legal advice and information

	1999/00	1998/99
Legal advice	32 923	32 646
Telephone information services (English)	57 936	51 529
Telephone information services (non-English)	5 082	5 569
Traffic and CLE workshop participants	830	618

Table 8 Number of telephone information services, by language

Language	1999/00	1998/99
Arabic	444	444
Cantonese	139	356
Croatian	111	87
Greek	286	234
Italian	59	47
Mandarin	356	578
Polish	1 829	2 082
Russian	4	7
Serbian	911	897
Spanish	79	126
Turkish	355	306
Ukrainian	57	92
Vietnamese	435	313
Other	17	-
Total	5 082	5 569





Library

VLA provides access to library services and is the only public law library available in Victoria. The number of people utilising the library has doubled over the past year, partly due to closure of other public law library services. Members of the public can conduct their own research using limited internet access.

Community legal education

VLA is the primary provider of community legal education in Victoria. Through the CLE Section in the Melbourne office, and also through regional offices, VLA strives to provide coordinated and responsive CLE programs across Victoria.

The goal for CLE within VLA is to enable people to understand and evaluate the significance of the law and the legal system as it affects them and to assist them to take appropriate action.

This goal contributes to meeting VLA's objective under section 4 of the *Legal Aid Act* to pursue innovative means of providing legal aid directed at minimising the need for individual legal services in the community.

In providing CLE, VLA undertook special projects, produced publications, designed and delivered seminars for community workers and responded to requests to speak to schools and community organisations across the state.

Working with secondary school students

In response to increasing numbers of students approaching VLA for legal information, a series of seminars was developed for year 11 and 12 Legal Studies students.

These interactive seminars utilise existing CLE resources to provide information about legal aid, legal rights and legal processes. The program complements VCE curriculum and will be repeated as required. The seminars were delivered from VLA offices in Frankston and Geelong with over 300 students participating. Additional seminars are planned for the next financial year.

VLA participated in COMVIEW, the annual teacher conference of the Victorian Commercial Teachers Association. Participants included teachers involved in legal studies and information technology. Over 2000 teachers attended. The exhibit promoted relevant VLA resources and focused on the range of material now provided through the VLA website.

Multimedia

The availability of legal information on the web is a growth area. During last year, usage of the VLA site has increased steadily. This can be attributed to a greater range of material being available, increased community awareness of web services and specific promotional work undertaken. For these reasons electronic service provision continues to be a priority for VLA.

The VLA website has grown significantly and is now one of the best legal information sites available. The site is undergoing redevelopment to accommodate and maintain this material. The new site will have increased capacity, allowing further expansion, including greater interactivity.

In line with the whole of government reporting requirements to be online by 2001, the Legal Aid Handbook and all publications are available on the website at www.legalaid.vic.gov.au

VLA's expertise in the delivery of electronic legal information has been recognised by other government bodies. VLA was involved closely in the development of the Department of Justice Legal Channel, providing advice on the structure and style of the channel.

VLA supplied a wide range of legal information for the Legal Channel and was represented on the steering committee and working reference group. The redevelopment of the VLA site has the added benefit of streamlining the process for updating this legal information on the Legal Channel.

Somazone website

Following on from the success of the Somazone CD ROM, the SOMAZONE website is now operational. The site, www.somazone.com.au is structured by questions asked by young people. Key service providers respond to these questions.

VLA answers relevant legal questions and works with the Australian Drug Foundation to advise on the development and marketing of the site.

Victorian Aboriginal Legal Service

A statement of cooperation between VLA and VALS was executed on 5 March 1999 in order to work collaboratively to enhance, improve and develop legal services for aboriginal people.

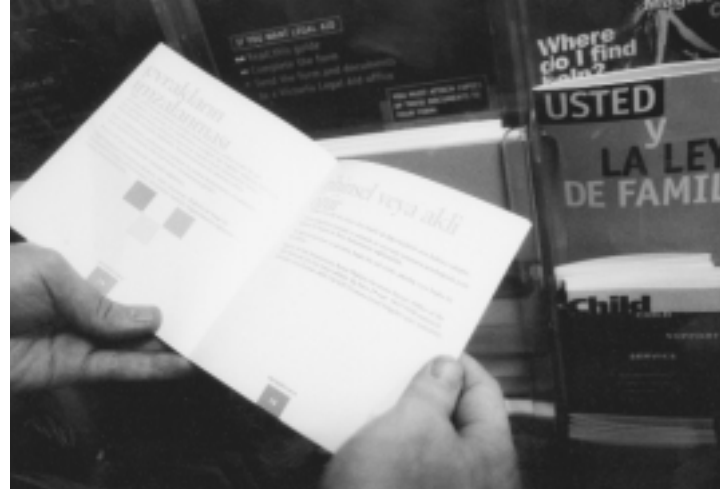
Assistance was provided in reviewing and printing updated versions of five VALS brochures.



Publications

A significant part of VLA's CLE program is delivered through the production and distribution of easily understood printed information about the law, the legal system and legal aid. In 1999/2000 a total of 319,342 publications were distributed with 88% of orders delivered within 48 hours of request. A full list of publications provided by VLA is included in Appendix 4.

Several new publications were worked on in 1999/2000. These include:



Landing On Your Feet

Victoria Legal Aid worked with the Ethnic Youth Issues Network and the Victoria Law Foundation to develop the publication *Landing on Your Feet*. This comprehensive booklet explains basic legal rights for recently arrived young people and will be translated into several community languages. Translated versions will be available online.

Take Control – Power of Attorney Kit

The Office of the Public Advocate and Victoria Legal Aid have substantially revised and rewritten the Power of Attorney Kit. The kit explains arrangements that can be made to ensure people have control over decisions that affect their lives when they are not in a position to make these decisions. The kit outlines the roles and responsibilities of different Powers of Attorney. Also it now includes information about the new Enduring Power of Guardianship. The kit includes the forms required to legally appoint a guardian or attorney.

Disability Discrimination Book

The booklet is for people with disabilities and explains some of the basics of disability discrimination law in Commonwealth and State jurisdictions. The booklet assists the reader to recognise and respond to unlawful disability discrimination. This publication is being produced in collaboration with Villamanta Legal Service and the Disability Discrimination Law Advocacy Service.

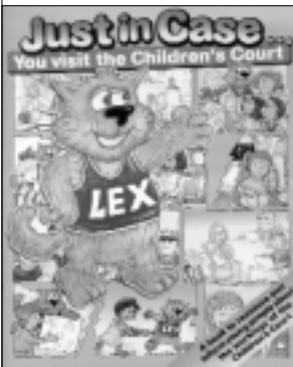
Just In Case

This book incorporates the fictional experiences of young people and bright illustrations to explain the workings of the Family Division of the Children's Court. The book is for eight to thirteen year olds. It aims to reassure and inform readers about the workings

of the court by explaining the roles of court staff and following the story of three different groups of young people going through the court process.

Family Law Self Representation Kit

This kit will assist unrepresented litigants to plan and manage their own family law matters. The kit includes information about how to identify legal issues in a family law matter, plan and prepare for a case, including completing relevant forms, giving evidence and preparing affidavits. The kit also explains alternative dispute resolution processes. The kit is in its final stages.



VLA continues to be involved in processes for reform of laws and the administration of the justice system. VLA was represented on committees, and prepared submissions on a wide range of proposals and draft legislation, including:

- Competition Policy Review of Legal Aid Act
- Duty Lawyer Scheme at VCAT
- National Legal Aid Funding model
- Government Online Service Delivery Strategy
- Griffith Inquiry on National Evaluation of Primary Dispute Resolution Programs
- Review of the Federal Civil Justice System
- Legal Needs of Women in Regional Rural and Remote Australia for National Women's Justice Coalition
- Review of Legal Services in Regional and Rural Victoria for Victoria Law Reform Committee
- Victoria Police Ethical Standards Committee
- Law Institute of Victoria – Criminal Law Section General Committee
- Department of Justice – Criminal Justice Enhancement Project Committee
 - IT Steering Committee
 - Magistrates' Court Caseflow Improvement Steering Committee
 - Legal Channel Steering Committee
- Community Legal Centre National Information Scheme Management Committee

Audit committee

The Audit Committee has a VLA Board approved charter that specifies the Audit Committee responsibilities in relation to internal control, risk management, external reporting, external audit and internal audit. The committee meets on a quarterly basis and is chaired by a non-executive board director. The members of the committee are:

Mr Andrew Home

Non-executive VLA Director and Chairperson of Audit Committee

Mr Jonathan Mott

Chairperson VLA Board

The managing director, General Manager Finance & Administration and Manager Internal Audit attend meetings at the invitation of the Audit Committee. The External Audit Director has an open invitation to attend meetings and receives a copy of the agenda papers and minutes.

During the year, Internal Audit reported and advised on audit and control processes including grants of assistance, Year 2000 sign-off certificate, investments and cashflows, contractors and consultants, fixed assets, private practitioner duty lawyers and key performance indicators.

Community consultative committee

The Community Consultative Committee was established under section 12K of the *Legal Aid Act* to make recommendations to the board on matters referred to it.

The committee comprises a representative of VLA staff and a nominee of the Federation of Community Legal Centres and other members at the invitation of the board. As at 30 June 2000 membership of the committee was:

Ms Pauline Spencer

Chairperson
Federation of Community Legal Centres

Justice Phillip Cummins

Supreme Court of Victoria

Justice Linda Dessau

Family Court of Australia

Mr Don Siemon

Brotherhood of St Laurence

Mr Fonda Gazis

Staff representative

Dr Concetta Benn

Victorian Court Information and Welfare Network

Jane Dixon

Victorian Bar

Mr Mark Woods

Law Institute of Victoria

Mr David McLennan M

Magistrates' Court of Victoria

Ms Jenny Nunn

Domestic Violence and Incest Resource Centre

Ms Fiona Hayes

Senior legal advisor, Attorney-General's Office

The chairperson of the board and the managing director attend meetings at the invitation of the committee.

The committee made recommendations to the board on issues including availability of legal assistance in family law matters, the impact of fee caps in family law matters, appropriate guidelines in committal matters and the debt policy.

Freedom of information

VLA provides information to people who make requests under the *Freedom of Information Act* 1982 (the Act). A significant number of requests relate to information that is on the public record, such as in the annual report, or are made by clients of VLA in relation to their own case files. VLA does not treat such requests as requests made under the Act.

These requests for documents are usually granted.

There were eight requests made under the Act. Six were granted and two refused. No decisions were appealed to the Victorian Civil and Administrative Tribunal.

VLA charges a \$20 application fee on FoI requests.

Investigations of complaints against practitioners and assisted persons

Complaints concerning the conduct of an assisted matter, breaches of the terms and conditions of assistance and breaches of the *Legal Aid Act* by practitioners and assisted persons are referred to VLA's Investigations and Compliance Officer for investigation.

In most instances, the matters referred for investigation were resolved without the need for referral to the board for consideration of removal pursuant to section 30(10) of the *Legal Aid Act* or other appropriate action.

In 1999/2000, the board proposed removal of seven practitioners from the referral panel for breaches of the Act or the conditions of assistance.

They included failing to provide VLA with requested information, failing to account, failing to inform VLA of the changes in the financial or domestic circumstances of the assisted person which was known to the practitioner and claiming payment which the practitioner could not justify.

Practitioners can request that the board's decision be reviewed by an independent reviewer.

Five practitioners requested the opportunity to show cause before the independent reviewer as to why the removals should not take place.

Four failed to show cause. In one matter the independent reviewer substituted the removal with a reprimand and the two remaining matters were part heard on 30 June 2000.

Professional Standards (Victorian Lawyers Recognised Professional Association) reprimanded one practitioner as a result of the Independent Reviewer's findings.

VLA continues to be concerned by the number of practitioners who file and serve material on behalf of their clients that contradicts the financial and domestic status disclosed to VLA and the number of practitioners who do not inform VLA of the change in their client's financial status.

Provision of false information in support of an application for legal assistance and the failure to disclose information known to be relevant to the application for or the provision of legal assistance is an offence.

Where a breach was of a minor nature or there was no deliberate intent to mislead, appropriate action was taken. The action could involve termination of assistance or repayment of costs.

A number of assisted persons had their grant of assistance terminated and are repaying in full the amount expended by VLA on their cases.

Information on fees

The financial position of assisted persons is assessed against the national means test to determine the contribution they are required to make towards the cost of their legal representation.

Information about the means test and the contributions assisted persons may be required to pay is available on request.

Archives

Pickfords Records Management is the Approved Public Records Office Storage Supplier (APROSS) appointed by VLA to manage the organisation's archive storage requirements. The majority of the records held by Pickfords are case related.

VLA's permanent records are stored with the Public Record Office of Victoria.

The VLA archive management standards and procedures are defined in the VLA Disposal Schedule Policy 1991 and complies with the *Public Record Act 1973*. VLA administrative records are managed as per the Common Administrative Records – General Disposal 2000 (Public Records Standard 96/13).

VLA's Records Section is actively involved in monitoring archive procedures to ensure compliance with the VLA disposal policy guidelines and with the APROSS contract requirements for Pickfords archive storage service.

Year 2000 compliance

VLA was fully compliant with year 2000 requirements as at 30 June 1999.

Occupational health and safety

VLA's Occupational Health and Safety (OHS) committee continued to play an important role in prevention and swift resolution of injuries in 1999/2000. Committee members helped ensure that employees work in a safe manner by identifying potentially dangerous practices.

Hazard inspections have been particularly useful for implementing safer practices, as has regular monitoring of the ergonomic environment. To further promote effective OHS work practices, VLA's program for Occupational Health and Safety Week has continued to be well received with high employee participation. Also, regional offices developed activities to suit their own needs and locations.

Initiatives for this year include the provision of Level 1 and 2 first aid training throughout the organisation. On-site training was conducted for the first time, rather than at an outside location, with participants attending from Melbourne and regional offices. Trainees were able to compare notes about situations where first aid has been required.

Office refurbishment has been designed for a number of regional offices to enhance client services, practicality and efficiency. OHS featured significantly as part of the building requirements and resulted in modifications to reception and file storage facilities.

The number of incidents remains at an acceptable level, and most have been resolved swiftly and inexpensively.

VLA's number of WorkCover claims was reduced this financial year.

Graduate certificate in management

The Graduate Certificate in Management course commenced in-house in February 2000 with 11 participants. The purpose of the course is to introduce managers to several different theories and views of management through a stimulating and practical learning program. Key areas covered include managing change, managing people, and management skills and concepts.

Learning is activity based, highly practical and structured to allow participants to develop a more holistic understanding of the interdependency of the different areas of management.

The course is a recognised university management program, and results in a postgraduate qualification.



Employee Relations

Table 9 details breakdown of staff numbers by worktype. VLA is currently respondent to an enterprise agreement negotiated to cover employees throughout 1999 and 2000.

Now that VLA is well into the period covered by the agreement, initiatives identified have been further developed and consolidated.

Performance management has been introduced to all divisions and a new pay policy and mechanism for panel review to monitor and reward performance is in operation.

Productivity indicators were set in the following key areas:

- organisational development,
- Improving VLA's effectiveness and efficiency,
- providing quality customer service,
- examining future business directions.

Regular monitoring of the agreement has indicated that VLA is scheduled to meet its performance targets.

The agreement emphasises the importance of being client focused, flexible, responsive, competitive and highly skilled.

Minimal time was lost due to industrial disputes for 1999/2000.

Table 9 Workforce data

Division	30/06/99				30/06/00			
	Solicitors	Para legal	Admin. CSO & other	Total	Solicitors	Para legal	Admin. CSO & other	Total
Directorate	1	0	1	2	1	0	1	2
Human Resources	0	0	8	8	0	0	8	8
Audit	0	0	2	2	0	0	2	2
Criminal Law	24	2	11	37	27	2	11	40
Grants	2	0	43	45	2	0	60	62
Finance & Administration	0	0	20	20	0	0	19	19
Family & Civil Law	34	3	12	49	37	3	15	55
Regional Offices	55	5	66	126	53	0	55	108
Knowledge & Community Resources	2	0	28	30	1	0	33	34
Information Systems	0	0	15	15	0	0	10	10
Total	118	10	206	334	121	5	214	340

Note: Staffing figures provided are actual numbers of staff. There were 308.88 full-time equivalent staff as at 30 June 2000. Although grants officer positions are classified as administrative, many grants officers are legally qualified.

Table 10 Breakdown of staff by gender

Classification	Female	Male	Total
Executive			
EO2	0	1	1
EO3	2	3	5
Sub Total	2	4	6
Solicitor			
VLA 5	4	8	12
VLA 4	20	19	39
VLA 3	40	24	64
VLA 2	1	0	1
Sub Total	65	51	116
Para legal			
VLA 3	4	1	5
Sub Total	4	1	5
Administrative			
VLA 5	2	2	4
VLA 4	12	7	19
VLA 3	44	15	59
VLA 2	97	8	105
VLA 1	11	5	16
Sub Total	166	37	203
Computer Systems Officer			
VLA 5	0	1	1
VLA 4	0	5	5
VLA 2	1	0	1
Sub Total	1	6	7
Librarian			
VLA 4	1	0	1
VLA 3	1	0	1
VLA 2	1	0	1
Sub Total	3	0	3
Total	241	99	340

Note: Actual staff numbers at 30 June 2000. There were 308.88 full time equivalent staff as at 30 June 2000.

Merit and equity report

VLA launched a carer's room in October 1999 as its major initiative in terms of merit and equity.

Located in the amenities area on the first floor, the room is designed for occasional emergency care.

In terms of other merit and equity initiatives, work has continued in the area of policy development and monitoring.

Managing diversity and anti-discrimination policies have been drafted and the grievance policy, introduced in March 1999 continues to be monitored. To date VLA has not received any complaints of a formal nature.

Human Resources organised recruitment training with a focus on equal employment opportunity (EEO) principles for all managers and supervisors at VLA.

Feedback indicated the training was particularly useful and effective.

Women continue to be represented in significant numbers at all levels in VLA as Table 10 illustrates.

Employee opinion survey

In October 1999 VLA conducted an employee opinion survey designed to give staff the opportunity to state their opinion on how well VLA performs in relation to what they think is important.

The results, which compared VLA's performance with Australian Quality Awards Standards criteria, were very encouraging and indicated employees generally take pride in the standard of work and service they provide to the community. Areas of concern also were raised. The issue of internal communication in particular was one where employees thought improvements could be made.

As a result of the survey a cross-divisional working group was established in April with the aim of developing strategies and action plans to address the areas of most concern to employees.

The Management Team subsequently endorsed those plans and progress will be monitored to further improve the work place environment of VLA.

National competition policy

The State government commissioned a competition policy review of the *Legal Aid Act* 1998. KPMG Consulting Pty Ltd undertook the review during 1998/1999. There has been no further work done during 1999/2000.



community legal centre funding

There are 41 Community Legal Centres (CLCs) in Victoria. CLCs provide advice, casework, community legal education and law reform services to their communities.

Thirty-three CLCs and the Secretariat of the Federation of Community Legal Centres receive Commonwealth and/or State funds administered by VLA.

VLA's CLC Funding Program administers the funding and ensures that CLCs comply with their service agreements including compliance with accountability requirements.

Another important aspect of the CLC Funding Program is policy development on a range of matters according to the changing needs of the program. Centres are consulted during this process.

The CLC Funding Program also works with other legal aid commissions and Legal Aid the Commonwealth in the development of national policy.

The CLC Program Advisor continued as a legal aid commission directors' nominee on the CLC

National Information Scheme Management Committee.

In 1999/2000, the allocation of grants for Victorian CLC operations totalled \$6,227,855.

Of that amount, the Commonwealth provided \$4,169,295 and the State/VLA \$2,058,560.

The changes in 1999/2000 grants over 1998/1999 are reflected by:

- an increase in Commonwealth grants by 1.7% prior to an efficiency dividend of 1%
- an increase in State/VLA grants by 2%
- the Commonwealth providing \$199,661 for a new centre in Gippsland in January 2000. Part of these funds were for one -off establishment costs.
- the inclusion into the CLC Funding Program of Commonwealth funding totalling \$394,398 for Child Support services provided by centres.

The Commonwealth contributed \$66,250 towards the administration of the program.

In addition the CLC Funding Program was responsible for:

- **Grants from the Department of Premier and Cabinet and the Department of Justice**
Each department granted \$30,000 to CLCs for the use of interpreters. The Federation of CLCs Access to Interpreters Working Group determined the allocation of the funding among centres. The CLC Funding Program administered the funding.
- **Urgent capital equipment purchases**
In recognition of the critical need for capital equipment items in many CLCs, VLA and Commonwealth monies (\$27,598 and \$43,854 respectively) were used to purchase a number of photocopiers, phone systems and other minor items for use by CLCs.
- **The allocation of Commonwealth capital equipment monies to centres funded by the Commonwealth**
An amount of \$84,646 was distributed as per a formula developed by the Commonwealth. This was part of an \$128,500 allocation with the balance being used for the urgent capital purchases noted above.

VLA continued to provide monies for the payment of many centre's Internet Service Provider accounts. \$12,500 was allocated for this purpose.

The Implementation Advisory Group (IAG), formed to formulate strategies to improve access to CLCs in Victoria, commenced operations in April 1999. It continued meeting until September 1999 when the new Victorian Attorney-General sought to change the Terms of Reference and composition of the IAG. The work of the IAG is on hold pending resolution of negotiations between Commonwealth and State Attorneys.

Appendix 5 lists CLC grants for the 1999/2000 and 1998/1999 years.

Fiji legal aid skills training

A professional responsibility to support emergent legal aid bodies was demonstrated when VLA was awarded a contract to undertake Legal Aid Skills training as part of the AusAID/Fiji In-Country training project.

The project involved a work experience attachment at VLA for the Director of the Legal Aid Commission of Fiji and subsequently the Principal Legal Aid Family Lawyer. The purpose was to develop an understanding of service delivery, policy and resource considerations vital to delivering effective, efficient and economic legal aid services. Three VLA staff conducted a Legal Aid Skills Training Course in Fiji.

The course was attended by 35 representatives from Fijian government and non-government agencies. The training followed a workshop format and covered issues such as identifying legal needs, what is legal aid, barriers to justice and development of protocols.

Furthermore the training examined alternative means of service delivery such as mediation and family conferencing and created an awareness of how legal aid would benefit socially disadvantaged groups within the community.

Scoping study for telelegal services in regional Victoria

The scoping study was funded by a Networking the Nation (NTN) Commonwealth grant. It investigated and developed an implementation strategy for the establishment of a telecommunications infrastructure in order to deliver legal aid services, both legal advice and education, via internet and video-conferencing, to disadvantaged rural communities.

People in these communities of socio-economic disadvantage, would otherwise be unable, by virtue of geographic location, to access such services and facilities.

Extensive community consultation was undertaken and the project involved working with key stakeholders in the broader community including community legal centres, other NTN funded regional projects, and Telehealth network. Funding for the full project from NTN was not successful in the last round of funding submitted in March 2000.

Project for legal action against sexual assault

Since June 1996, VLA has managed the Project for Legal Action Against Sexual Assault (PLAASA) on behalf of the Office of Women's Affairs in the Department of Justice.

The project is funded by the Office of Women's Affairs and, since 1997, VLA has received the funding of \$75,000 as part of the State Government budget allocation to VLA.

PLAASA is primarily a legal education project for service providers on legal issues on sexual assault and rape. The aim is to improve the quality of information advice that victims receive about the criminal justice system.

The first PLAASA tender was conducted in 1997 and Centres Against Sexual Assault (CASA) House fulfilled the contract of providing legal education and training kits on the legal process for workers employed in CASAs.

The second PLAASA tender was awarded to Brimbank Community Centre in 1998 and Stage 2 of the project was completed in December 1998. The requirements of the contract were fulfilled in producing and distributing a pamphlet on sexual assault, identifying the relevant community sectors that required training and conducting training sessions to 114 of these workers.

Stage 3 of PLAASA was completed by Brimbank in November 1999. A total of 14 workshops were provided, eight of which were held in rural and isolated areas, and six in the metropolitan region.

The workshops were targeted to cover community organisations whose workers assist those from a Koori background, women with intellectual, psychiatric or other disabilities and young women.

The sexual assault booklet was reprinted, and a poster produced to assist in publicity and distribution of the booklet.

Strategic Partnerships with Industry Research and Training (SPIRT) Project

VLA entered into an agreement with La Trobe University to be an industry partner in the development of legal knowledge based systems.

La Trobe University was successful in obtaining funding from the Department of Education, Training and Youth Affairs under the Strategic Partnerships with Industry Research and Training Scheme.

The project has potential to streamline the way VLA processes applications for legal assistance, and enhance the quality of services provided by the in-house practice.

appendix 1

review decisions by independent reviewers

Reason for review	Decision confirmed	Varied	Total
Allocation of work to Criminal Law	20	3	23
Assistance refused guidelines	103	14	117
Assistance refused guidelines and means	15	0	15
Assistance refused guidelines and merit	43	4	47
Assistance refused means	20	2	22
Assistance refused means and merit	4	0	4
Assistance refused means and merit and guidelines	5	0	5
Assistance refused merit	32	3	35
Contribution – initial	1	0	1
Extension refused guidelines	6	0	6
Extension refused guidelines and means	1	0	1
Extension refused guidelines and merit	11	0	11
Extension refused means	2	0	2
Extension refused merit	6	2	8
Other	2	0	2
Other allocation of decisions	2	2	4
Total	273	30	303
Percentage	90.1%	9.9%	

appendix 2

private practitioners duty lawyer schemes

Court	Mentions	Bail	Hearing	Advice	Pleas	Total
Ballarat Base Hospital Psychiatric Services	0	0	0	2	2	4
Ballarat Magistrates' Court	128	31	28	119	395	701
Benalla Magistrates' Court	26	5	2	49	74	156
Bendigo Children's Court	11	2	23	13	27	76
Bendigo Magistrates' Court	78	41	38	76	271	504
Castlemaine Magistrates' Court	5	4	6	7	30	52
Children's Court	1	0	1	0	0	2
Colac Magistrates' Court	37	8	18	36	100	199
Dromana Magistrates' Court	13	0	0	81	83	177
Echuca Magistrates' Court	0	0	0	4	1	5
Hamilton Magistrates' Court	17	1	9	22	74	123
Heidelberg Magistrates' Court	101	23	14	175	308	621
Kerang Magistrates' Court	2	0	0	1	1	4
Korumburra Children's Court	0	2	1	5	2	10
Korumburra Magistrates' Court	35	2	12	66	92	207
Kyneton Children's Court	1	0	0	0	0	1
Kyneton Magistrates' Court	41	11	10	57	112	231
Magistrates' Court	2	0	0	1	4	7
Mansfield Magistrates' Court	5	2	0	16	36	59
Maryborough Magistrates' Court	0	0	0	0	3	3
Melbourne Children's Court	613	137	367	23	1	1,141
Melbourne Magistrates' Court	0	0	1	0	0	1
Mildura Base Hospital	1	0	0	2	1	4
Mildura Magistrates' Court	68	62	17	114	245	506
Moe Children's Court	0	0	1	0	0	1
Moe Magistrates' Court	37	4	10	83	206	340
Myrtleford Magistrates' Court	11	0	0	33	28	72
Ouyen Magistrates' Court	1	0	0	7	8	16
Portland Magistrates' Court	36	0	8	17	76	137
Ringwood Children's Court	0	1	0	0	0	1
Ringwood Magistrates' Court	31	25	19	148	271	494
Robinvale Magistrates' Court	0	0	0	1	1	2
Sale Children's Court	0	0	0	3	4	7
Sale Magistrates' Court	13	4	8	27	82	134
Shepparton Magistrates' Court	36	14	29	111	249	439
Wangaratta District Base Hospital – Psychiatric Services	0	0	1	1	2	4
Wangaratta Magistrates' Court	21	4	4	33	130	192
Warrnambool Magistrates' Court	25	9	2	19	102	157
Wodonga Magistrates' Court	45	9	18	58	206	336
Wonthaggi Children's Court	6	6	1	6	5	24
Wonthaggi Magistrates' Court	1	0	1	0	1	3
Total	1448	407	649	1416	3233	7153

appendix 3 (1)

vla staff duty lawyer service – magistrates' court

	Advice	Bail	Contest Mention	Directions Hearing	Hearing	Interim Hearing	Mention	Other	Plea	Prehearing Conference	Total
Bacchus Marsh	47	0	1	0	0	0	47	0	170	0	265
Bairnsdale	13	2	1	1	10	3	75	44	173	0	322
Benalla	0	0	0	0	0	1	0	0	2	0	3
Bendigo	22	22	7	4	3	0	101	15	154	0	328
Broadmeadows	934	136	42	5	15	7	1430	220	1505	0	4294
Castlemaine	5	1	0	1	0	0	2	1	16	0	26
Corryong	0	0	0	0	0	0	1	0	0	0	1
Dandenong	548	113	68	2	4	1	1091	42	1593	0	3462
Dromana	0	0	0	1	0	0	1	0	1	0	3
Echuca	44	1	0	1	1	0	54	1	89	0	191
Frankston	529	126	13	3	32	4	726	9	911	0	2353
Geelong	198	62	34	3	14	0	267	54	616	0	1248
Heidelberg	174	42	71	0	7	0	264	19	557	0	1134
Korumburra	1	0	0	0	0	0	0	0	4	0	5
Kyneton	6	1	0	0	0	0	6	0	35	0	48
Magistrates Court	6	1	0	0	0	0	4	0	11	0	22
Maryborough	4	1	0	0	1	1	16	3	24	0	50
Melbourne	1307	331	112	64	11	6	1334	96	2450	0	5711
Moe	37	24	2	0	47	4	288	12	311	0	725
Moonee Ponds	1	1	0	0	0	0	3	0	4	0	9
Morwell	0	0	0	0	0	0	5	0	0	0	5
Orbost	8	0	0	0	0	0	11	6	37	0	62
Prahran	0	0	0	0	0	0	1	0	0	0	1
Preston	359	59	1	1	43	0	541	47	1,123	0	2174
Ringwood	307	82	19	5	23	0	329	17	1191	0	1973
Sale	4	0	0	0	1	0	6	2	21	0	34
Shepparton	0	0	0	0	2	0	2	0	0	0	4
Sunshine	576	156	25	8	7	1	930	33	1507	0	3243
Werribee	125	2	2	0	0	1	67	7	297	0	501
Williamstown	3	1	0	0	1	0	8	0	18	0	31
Total	5258	1164	398	99	222	29	7610	628	12,820	0	28,228

appendix 3 (2)

vla staff duty lawyer service – children’s court

	Advice only	Bail applications	Contest mention	Directions hearing	Hearing	Interim hearing	Mention	Other	Plea	Prehearing conference	Total
Bairnsdale	1	0	0	0	2	1	4	3	11	0	22
Bendigo	2	5	1	0	3	0	21	1	12	1	46
Broadmeadows	3	1	2	0	4	0	89	2	37	0	138
Children’s Court	0	0	0	0	2	0	1	1	2	0	6
Dandenong	11	2	5	0	2	0	181	3	83	0	287
Echuca	0	0	0	0	0	1	4	0	5	0	10
Frankston	3	5	0	0	6	0	152	1	78	0	245
Geelong	0	5	1	0	54	0	78	6	76	1	221
Korumburra	0	0	0	0	7	1	4	0	2	0	14
Kyneton	0	0	0	0	0	0	0	0	1	0	1
Maryborough	1	0	0	0	0	0	1	0	4	0	6
Melbourne	45	49	5	46	118	9	1985	9	88	2	2356
Moe	0	5	1	2	46	11	65	10	47	3	190
Orbost	0	0	0	0	0	0	0	0	3	0	3
Preston	2	2	1	1	2	0	137	0	69	0	214
Ringwood	19	1	4	0	12	0	205	2	82	0	325
Sale	0	0	0	0	1	2	4	0	2	0	9
Sunshine	8	14	34	4	6	0	374	3	105	0	548
Werribee	1	0	4	0	0	0	70	1	22	0	98
Total	96	89	58	53	265	25	3375	42	729	7	4739

appendix 3 (3)

vla staff duty lawyer service – county court

	Advice only	Bail applications	Contest mention	Directions hearing	Hearing	Interim hearing	Mention	Other	Plea	Prehearing conference	Total
Bendigo	1	1	0	0	0	0	6	2	2	0	12
Geelong	0	0	0	0	0	0	0	1	2	0	3
Melbourne	0	0	0	0	0	0	3	0	0	0	3
Morwell	0	0	0	0	0	0	22	0	0	0	22
Total	1	1	0	0	0	0	31	3	4	0	40

appendix 4

victoria legal aid publications**Am I Old Enough booklet****Applying for an Intervention Order booklet****Responding to an Intervention Order booklet****Child Representative Information Sheet for Parents****Child Support Service pamphlet****Do You Have a Legal Problem pamphlet**

- English
- Arabic
- Chinese
- Greek
- Italian
- Polish
- Serbian
- Spanish
- Vietnamese
- Albanian
- Cambodian
- Croatian
- Indonesian
- Macedonian
- Russian
- Somali
- Turkish

Information Sheet on VLA for Domestic Violence**Injecting Drug User and the Law pamphlet****Falling on Hard Times pamphlets (9)****Know Your Rights booklet****Liable Parent's Service pamphlet****Multilingual Telephone Service posters and cards**

- English
- Chinese
- Greek
- Polish
- Serbian
- Turkish
- Vietnamese
- Arabic
- Croatian
- Italian
- Russian
- Spanish
- Ukrainian

Paternity Testing pamphlet**Patients Rights booklet****People and Work booklet****Police Powers booklet**

- English
- Chinese
- Spanish
- Turkish
- Vietnamese

Power of Attorney kit**Power of Attorney fact sheets (3)**

- English
- Chinese
- Greek
- Polish
- Spanish
- Vietnamese
- Arabic
- Croatian
- Italian
- Serbian
- Turkish

Thinking Ahead kit:

A guide to wills and estate planning for parents of children with an intellectual disability

Traffic Offence Workshop poster**Victoria Legal Aid poster****Where to Complain in Victoria booklet****You and Family Law booklet**

- English
- Chinese
- Greek
- Russian
- Spanish
- Vietnamese
- Arabic
- Croatian
- Polish
- Serbian
- Turkish

Your Day in Court booklet

- English
- Turkish
- Vietnamese

appendix 5

community legal centre grants

Community Legal Centre	Cth/State 1998/1999 Grant	Cth/State 1999/2000 Grant
Albury Wodonga CLS	\$180,500	\$201,366
Brimbank CLC	\$67,056	\$67,640
Broadmeadows CLS	\$195,230	\$197,543
Casey & Cardinia CLC	\$158,229	\$160,189
Central Highlands LS	\$152,342	\$153,496
Coburg/Brunswick LS	\$150,868	\$152,906
Community Connections Victoria	\$163,127	\$164,394
Consumer Credit LS	\$156,937	\$159,329
Darebin CLC	\$157,184	\$159,766
Disability Discrimination Law Advocacy Service	\$146,215	\$147,214
Eastern CLC	\$205,341	\$208,049
Environment Defenders Office	\$73,311	\$73,812
Essendon CLC	\$149,820	\$152,255
Federation of CLCS	\$167,266	\$170,611
Fitzroy LS	\$251,956	\$255,202
Flemington/Kensington CLC	\$152,756	\$154,866
Footscray CLC	\$157,102	\$159,676
Geelong CLS	\$244,073	\$370,539
Gippsland CLC		\$199,661
Mental Health LC	\$118,362	\$120,729
Monash-Oakleigh LS	\$126,961	\$127,437
Murray Mallee CLS	\$219,755	\$221,257
North Melbourne LS	\$225,644	\$228,430
Peninsula CLC	\$256,226	\$380,223
Springvale Monash LS	\$224,943	\$319,530
Springvale Community Aid and Advice Bureau		\$57,689
St Kilda LS	\$151,377	\$153,398
Tenants Union of Victoria	\$160,644	\$162,738
Welfare Rights Unit	\$151,727	\$152,764
Werribee LS	\$95,178	\$95,962
West Heidelberg CLS	\$147,278	\$149,277
Western Suburbs LS	\$157,250	\$159,465
Women's Legal Resource Group	\$585,600	\$590,444
Total Grant	\$5,550,259	\$6,227,855
CLC Dial Up Project		\$7551
CLC Interpreters Funding		\$60,000
CLC PI Insurance Scheme	\$22,880	\$20,948
CLC Review Expenditure		\$27,650
Total Allocation	\$5,573,139	\$6,344,004

financial report



VICTORIA
LEGAL AID

operating revenues

Client contributions

Client contributions, including costs recovered and Appeal Costs Fund receipts, totalled \$6.3m in 1999/2000 (1998/1999: \$5.8m).

The 1998/1999 year was effected by a debt review project which reassessed debts and wrote off unsubstantiated debts. The 1999/2000 figure reflects the application of a new procedure which financially substantiates the debt level of each client annually.

The accrued figure does not reflect the cash collected during the year, which totalled \$6.3m in 1999/2000 (1998/1999: \$7.6m).

Government funding

Funds from government increased from \$55.4m in 1998/1999 to \$59.6m in 1999/2000. An increase of \$4m was granted by the State Government in 1999/2000. This replaced the Commonwealth subsidy for State law cases which was \$2.75m in 1998/1999 and \$4.75m in 1997/1998.

operating expenses

Case related payments

Case related payments increased from \$34.1m in 1998/99 to \$35.7 in 1999/2000. This increase was attributable to the rise in the cost of representing clients and a number of large complex cases.

Salaries and associated costs

Salaries and associated costs payable to staff increased marginally during 1999/2000 primarily due to an increase in salaries and wages in accordance with VLA's Enterprise Agreement. The actual number of full time equivalent decreased slightly from last year while legal staff increased.

Administrative costs

Administrative costs decreased from \$9.8m in 1998/1999 to \$8.4m in 1999/2000. VLA is continually working towards efficiency in administration to free up funds for legal activities. Over the last year the cost of supplies and services, information management systems and administrative salaries have decreased in an environment of increasing costs.

Abnormal items

Abnormal items arose due to:

- The need to disclose client contributions at amounts considered to be recoverable. This adjustment reduces the face value of the client contributions to net present value which better reflects the assets worth as at 30 June 2000.
- VLA returned \$5.0m of Commonwealth funds to the Commonwealth to establish a National Expensive Case reserve. The reserve will enable legal aid commissions to cope with the financial burden of long, complex legal matters that could otherwise place an abnormal load on the commissions' finances.

liabilities

Liabilities decreased slightly from \$13.9m in 1998/99 to \$13.2m in 1999/2000. This reduction reflects a minor change in the organisation's creditor situation.

equity

The change in equity over the year was due to the substantial abnormal items described above which affected the year's operation and pushed the entity into deficit for the year.

summary

financial results over five years

	1999/00	1998/99	1997/98	1996/97	1995/96
	\$000	\$000	\$000	\$000	\$000
Revenue	68,135	63,067	70,729	79,096	82,798
Expenditure	75,109	62,653	66,727	75,800	84,631
Surplus / (Deficit)	(6,974)	414	4,002	3,296	(1,833)

for the year ended 30 june 2000

operating statement

		2000		1999	
	Notes	\$'000	\$'000	\$'000	\$'000
Operating revenues					
Client contributions		4,730		3,673	
Costs recovered and appeal cost fund		1,548		2,142	
Interest on investments		1,935		1,690	
Sundry income	3	317	8,530	163	7,668
Revenues from government					
Commonwealth	2	27,763		27,750	
State	2	28,142		24,149	
Public purpose fund	2	3,700	59,605	3,500	55,399
Total revenues			68,135		63,067
Operating expenses					
Case related professional payments		35,696		34,133	
Salaries and related costs	5	15,925		15,723	
Premises costs		2,219		2,116	
Supplies and services	6	2,775		3,242	
Information management systems		1,494		3,193	
Grants (Community Legal Centres and other programs)	2	2,146		2,090	
Sundry expenditure	4	1,897	62,152	1,219	61,716
Operating surplus before abnormal items			5,983		1,351
Abnormal items (net)	7		(12,957)		(937)
Operating (deficit) surplus after abnormal items			(6,974)		414
Retained earnings at beginning of year			37,997		37,583
Total available for appropriation			31,023		37,997
Transfer from reserves	14		2,750		0
Retained earnings at end of year			33,773		37,997

The accompanying notes form part of these financial statements.

as at 30 june 2000

statement of financial position

		2000	1999
	Notes	\$'000	\$'000
Current assets			
Bank	1(e),12	420	0
Accrued income		245	117
Sundry debtors and prepayments	8	821	350
Client contributions receivable	1(c),9	6,002	5,450
Investments	1(e),10	23,700	24,090
Total current assets		31,188	30,007
Non current assets			
Fixed assets	1(f),11	5,017	5,380
Client contributions receivable	1(c&d),9	12,727	21,304
Total non current assets		17,744	26,684
Total assets		48,932	56,691
Current liabilities			
Bank	1(e),12	0	460
Legal creditors	1(g)	9,924	10,051
Sundry creditors		316	541
Employee entitlements	1(h),13	1,457	1,447
Total current liabilities		11,697	12,499
Non current liabilities			
Employee entitlements	1(h),13	1,462	1,445
Total non current liabilities		1,462	1,445
Total liabilities		13,159	13,944
Equity			
Retained earnings	14	33,773	37,997
Reserves	14	2,000	4,750
Total equity		35,773	42,747
Total liabilities and equity		48,932	56,691

The accompanying notes form part of these financial statements.

for the year ended 30 June 2000

statement of cash flows

Cash flows from operating activities	Notes	2000		1999	
		\$'000	\$'000	\$'000	\$'000
Receipts					
Client contributions		4,983		5,452	
Recoveries & Appeals Costs Fund		1,363		2,142	
Interest received		1,807		1,641	
State Government		28,078		24,077	
Public purpose fund		3,700		3,500	
Commonwealth Government		22,763		27,990	
Other		129	62,823	66	64,868
Payments					
Private practitioners		(35,823)		(33,348)	
Salaries and related costs		(15,920)		(15,521)	
Community Legal Centres		(2,146)		(2,075)	
Administration costs		(7,062)		(8,987)	
Other		(53)	(61,004)	(57)	(59,988)
Net cash provided by operating activities	15(a)		1,819		4,880
Cash flows from investing activities					
Proceeds					
Sale of fixed assets		152		103	
Payments					
Purchase of fixed assets		(1,481)		(2,851)	
Net cash used in investing activities			(1,329)		(2,748)
Net increase in cash held			490		2,132
Cash at beginning of year			23,630		21,498
Cash at the end of the year	1(e), 15(b)		24,120		23,630

The accompanying notes form part of these financial statements.

	2000	1999
	\$'000	\$'000

4. Sundry expenditure

Remuneration of auditors	53	60
Depreciation expense	1,724	743
WDV of fixed assets sold	120	416
	1,897	1,219
Remuneration of auditors comprises:		
Auditing financial statements	40	40
Auditing trust financial statements	9	2
Other services	4	18
	53	60

The Auditors received no other benefits during the year.

5. Salaries and related costs

Salaries and overtime	12,613	12,371
Annual Leave and LSL expenses	1,327	1,604
Superannuation	1,052	1,038
Workcover premiums	173	173
Other employee related expenses	760	537
	15,925	15,723

6. Supplies and services

Debt recovery costs	62	76
Government and finance charges	3	5
Insurance	116	76
Legal fees	216	556
Library	265	297
Motor vehicle and travelling expenses	53	60
Postage and telephones	527	682
Printing and stationery	693	608
Repairs and maintenance	22	16
Sundry expenses	133	167
Travel and accommodation	117	97
Contractors	468	551
Consultants	100	51
	2,775	3,242

7. Abnormal items (net)

Recoverable amount adjustment	(7,957)	0
Commonwealth expensive case reserve	(5,000)	0
Prior period adjustment	0	(3,566)
Decrease in provision for doubtful debts	0	1,649
Decrease in provision for re-assessment of debt	0	980
	(12,957)	(937)

	2000	1999
	\$'000	\$'000

11. Fixed assets (at cost)

Information technology	3,575	2,459
Less		
Accumulated depreciation	(1,479)	(374)
	2,096	2,085
Furniture, fixtures and fittings	84	61
Less		
Accumulated depreciation	(31)	(21)
	53	40
Leasehold improvements	3,777	3,616
Less		
Accumulated depreciation	(1,341)	(954)
	2,436	2,662
Motor vehicles	396	420
Less		
Accumulated depreciation	(92)	(77)
	304	343
Office machines and equipment	427	408
Less		
Accumulated depreciation	(299)	(158)
	128	250
Total fixed assets (at cost)	8,259	6,964
Less		
Total accumulated depreciation	(3,242)	(1,584)
Total written down value	5,017	5,380
Depreciation charge for the year		
Information technology	1,105	262
Furniture, fixtures and fittings	9	6
Leasehold improvements	390	347
Motor vehicles	79	70
Office machines and equipment	141	58
	1,724	743

	2000	1999
	\$'000	\$'000

15. Notes to the statement of cash flows

(a) Reconciliation of operating surplus to net cash used in operating statement

Operating (deficit) surplus	(6,974)	414
Depreciation	1,724	743
Doubtful debts re-assessments and write downs	7,964	(11,071)
Profit/loss on sale of fixed assets	(32)	313
(Increase) / decrease in assets		
Accrued income	(128)	210
Sundry debtors and prepayments	(471)	(113)
Client contributions receivable	61	13,787
Increase / (decrease) in liabilities		
Legal creditors	(127)	785
Trade creditors	(225)	(357)
Employee entitlements	27	169
Net cash used in operations	1,819	4,880

(b) Reconciliation of cash

Bank	420	(460)
Investments	23,700	24,090
	24,120	23,630

