# Victoria Legal Aid 2023–24 Quarter One Report July – September 2023

## Message from the Acting CEO

We continue to prioritise achieving better outcomes for First Nations people in the legal system by following the lead, expertise, and solutions of First Nations people themselves. In October we released our third [Reconciliation Action Plan](https://www.legalaid.vic.gov.au/reconciliation-action-plan) to guide our work in building stronger relationships with First Nations communities and Aboriginal community-controlled organisations. We have a responsibility within the legal assistance sector to improve the cultural safety and responsiveness of our workplaces and services for First Nations people. We recognise the importance of increasing opportunities for First Nations people at Victoria Legal Aid (VLA). A diverse workforce is essential to achieving services that are culturally safe and responsive.

October was Mental Health Month, and [our vision](https://www.legalaid.vic.gov.au/centring-mental-health-system-respect-rights-and-recovery) for Victoria’s mental health system is that people get the support they want when they want it. Through the work of our lawyers at Mental Health Tribunals, and our Independent Mental Health Advocates (IMHA), we have seen how compulsory assessment and treatment operates and the harmful impacts of removing the voices and views of people undergoing treatment. Working towards the elimination of compulsory treatment will provide a framework to achieve a rights-based mental health system and we are committed to working with the sector to achieve this change. Each year, IMHA provides thousands of information and referral services, and directly advocates on behalf of consumers or supports their self-advocacy to ensure their voices are heard. We are also working with the Victorian Aboriginal Legal Service and the Mental Health Legal Centre to develop a new legal services model to support more consumers appearing before the Mental Health Tribunal.

The Federal Government has announced three new pilot programs, including one in Victoria, to provide legal services for sexual violence victim-survivors. These pilots aim to improve the justice system so that victims are not retraumatised. The Victims Legal Service (VLS), which is run in partnership with Aboriginal legal service providers and community legal centres, will be expanded to provide legal information for victim survivors of sexual assault through the existing VLS Helpline, and targeted advice and case work for victim survivors seeking to protect confidential communications. Tailored support for First Nations victim survivors to report sexual assault to police will also be provided by Djirra.

In early October thousands of residents in Gippsland were advised to evacuate their homes as flood water rose just days after the region had experienced bushfires. Our Bairnsdale and Morwell offices were temporarily closed, and our regional management team worked closely with the courts, community legal centres and private practitioners to arrange access to remote court appearances and local services. Victoria, and the rest of Australia, is seeing increasingly severe and frequent weather events that are being caused by climate change. We will shortly launch our first Climate Change Strategy, which will ensure we are reducing our greenhouse gas emissions and environmental impact whilst looking for opportunities to achieve better outcomes for clients who are adversely affected by the impacts of climate change and extreme weather events.

**Joanna Fletcher**
Acting Chief Executive Officer

## Client and Community Services

Our services are targeted to people facing disadvantage who have the greatest legal need. We tailor our services to people’s diverse needs and capabilities and recognise that many people and communities experience barriers to accessing justice. We provide a mix of high intensity legal services, early intervention and preventative services, and non-legal specialist resolution and advocacy services.

## Client Services

In quarter one 2023–24 we saw 29,719 unique clients (Table 1.1). This 76 per cent increase from quarter four 2022–23 is due to the beginning of the new financial year as clients are counted the first time we see them. There was a one percent decrease in unique clients compared to quarter one
2022–23 (30,125).

Despite this small decrease in unique clients compared to the previous financial year, we have seen an overall increase of client services by six per cent. This means the number of services per client has increased compared to quarter one 2022–23. When comparing the current quarter to the same time last year, we delivered eight percent more advice services (7,794) and grants of legal assistance (9,650), and 18.5 per cent more duty lawyer services (18,950). When comparing the current quarter to the preceding quarter, it is important to note that in 2022–23 we identified some inconsistencies with how we collect data that contributed to some underreporting of our services. End of year conservative adjustments were made to legal information, advice and duty lawyer services in quarter four which accounts for the majority of the discrepancy between these two quarters.

There was a five per cent decrease in the number of Grants of Legal Assistance in quarter one compared to the previous quarter. There continues to be a slightly lower number of grant applications being made whilst there are ongoing recruitment challenges in other parts of the system, and general reductions in crime reflected in the crime statistics. We continue to process and approve grants of legal assistance as they are received.

**Table 1.1** **Unique client count and services**

|  |  |  |  |
| --- | --- | --- | --- |
| **Clients and Client Services** | **Q4****2022-23** | **Q1****2023-24** | **Q2 2023-24 projection** |
| Unique clients[[1]](#footnote-2) | 17,028 | 29,719 | 22,500 |
| Legal Advice and Minor Work sessions  | 9,625[[2]](#footnote-3) | 8,904 | 8,600 |
| Duty Lawyer Services | 31,237[[3]](#footnote-4) | 22,456 | 22,000 |
| Grants of Legal Assistance | 10,876 | 10,360 | 11,000 |

## Community Services

As part of our Digital Legal Aid program, we have transitioned our Legal Help services onto a new delivery platform, Genesys, to help deliver better quality services and long-term efficiencies. This platform has helped see a 6.5 per cent increase in the number of Legal Help sessions delivered (Table 1.2) in quarter one, and the wait time reduce to eight minutes. The adjustment made to information sessions delivered in quarter four 2022–23 accounts for the eight per cent decrease in sessions (Table 1.2). Twenty-four per cent more information services have been delivered compared to quarter one 2022–23 (26,650).

In quarter one 2023–24 we provided 62 community legal education sessions (Table 1.2). In 2022–23, the CLE team concentrated on implementing a regional CLE model where our regional offices are responsible for CLE sessions with the support of the centralised CLE team. This model has resulted in more regional sessions being delivered and has seen a fifteen percent increase in CLE sessions from quarter four 2022–23 to quarter one 2023–24.

Google has been making changes to the way they track users and user data. This has had a flow on impact on the analytics available to measure our website performance. In line with the recommendations made by Google, we have updated our performance measure to ‘Engaged sessions of legal information website pages’ from the previous measure of ‘website sessions’ (Table 1.2). The new measure only counts sessions that last longer than ten seconds or where a user has been actively engaged with the content. This measure provides us with a better understanding of how our website content is being used. There is currently not enough historical data available for this new measure to be able to make quarterly projections.

### Table 1.2 Community information and education services

|  |  |  |  |
| --- | --- | --- | --- |
| **Community information and education Services**  | **Q4****2022-23** | **Q1****2023-24** | **Q2 2023-24 projection** |
| Number of Legal Help sessions delivered | 35,280 | 37,564 | 33,000 |
| Combined average wait time (minutes) | 8:54 | 8:00 | 9:00 |
| Information sessions | 35,835[[4]](#footnote-5) | 32,046 | 26,380 |
| Community Legal Education sessions | 54 | 62 | 60 |
| Engaged sessions[[5]](#footnote-6) of legal information website pages | N/A | 260,525 | N/A |

VLA also provides specialist non-legal services that help people advocate for themselves and inform people and communities of their rights when it comes to both the mental health and the child protection systems. Our Independent Mental Health Advocacy service (IMHA) is expanding to meet the demands of the new opt-out system for people undergoing compulsory assessment and treatment under the *Mental Health and Wellbeing Act* (2022). To support these changes, we have introduced a new reporting system. In quarter one 2023–24 there was a 17.5 per cent decrease in the number of IMHA information and referral services delivered compared to quarter four 2022–23 (Table 1.3). The expansion of IMHA services and the new database has required staff to undergo training, which has resulted in lower levels of data entry for information and referral services this quarter. There was an increase of 6.5 per cent in our higher intensity IMHA advocacy and self-advocacy services. The data entry of these higher intensity services is prioritised due to the nature of the services delivered.

In quarter one 2023–24 there was a 16 per cent increase in the number of Independent Family Advocacy and Support (IFAS) information and referral sessions (Table 1.3). IFAS currently is not state-wide, and we have seen an increase in the number of enquiries coming from people outside the regions that IFAS covers. When someone is not eligible due to their location, we provide information and referrals to other support services. There was a 14 per cent decrease in advocacy and self-advocacy services (Table 1.3) as this service was impacted by staff vacancies. The IFAS program is now close to being fully staffed, which should start to see these figures increase.

### Table 1.3 Specialist resolution and advocacy services

| **Specialist resolution and advocacy services** | **Q4****2022-23** | **Q1****2023-24** | **Q2 2023-24 projection** |
| --- | --- | --- | --- |
| IMHA information and referral sessions | 6,041 | 5,563 | 6,000 |
| IMHA advocacy and self-advocacy | 4,457 | 4,745 | 4,000 |
| IFAS information and referral sessions  | 487 | 564 | 600 |
| IFAS advocacy and self-advocacy | 891 | 768 | 800 |

## Financial Summary

Our operating position for quarter one in 2023–24 was a small deficit of $0.3 million. Demand for services exceeds our core funding, and we continue to advocate for a demand-based funding model. In 2023–24, demand for our services is expected to continue to increase—aligned with projected court activity—resulting in future projected financial deficits. Our expectation, and what we have budgeted for, is that this small deficit will increase to $17.0m by the end of the financial year. Our cash balance remains unusually high due to reduced court activity during the pandemic, and in the short term we will use these funds to meet demand and our deferred grant commitments. Our cash reserves need to be carefully managed to ensure we can continue to meet our existing commitments.

Longer term projections continue to highlight that core funding is insufficient to meet the projected demand. Without additional funding, we will need to consider service reductions. Any service reductions would be for court-based services, following consultation with sector partners. We continue to work with the Victorian Department of Justice and Community Safety to resolve these financial sustainability challenges.

### **Table 2.1 Total revenue breakdown ($’000**)

|  |  |  |  |
| --- | --- | --- | --- |
| **Revenue** | **Q4****2022-23** | **Q1****2023-24** | **Q2 2023-24****projection** |
| Commonwealth – grants | 24,224 | 23,518 | 24,181 |
| ECCCF income | 420 | 0 | 0 |
| State – grants | 52,740 | 45,523 | 43,558 |
| Public Purpose Fund | 6,364 | 10,975 | 11,785 |
| Case revenue | 1,025 | 1,004 | 1,419 |
| Other income | 1,244 | 1,462 | 875 |
| **Total revenue** | **86,017** | **82,282** | **81,818** |

### Table 2.2 Total expenditure breakdown ($’000)

|  |  |  |  |
| --- | --- | --- | --- |
| **Expenditure** | **Q4****2022-23** | **Q1****2023-24** | **Q2 2023-24****projection** |
| Case expenditure (including ECCCF) | (32,216) | (30,263) | (33,499) |
| Community Legal Centre payments | (19,682) | (15,222) | (13,816) |
| Staff costs | (28,578) | (30,543) | (31,828) |
| Administration | (5,863) | (5,998) | (7,015) |
| **Total expenditure** | **(86,340)** | **(82,027)** | **(86,158)** |
| Depreciation and Revaluation | (832) | (568) | (759) |
| **Total Expenditure** | **(87,172)** | **(82,595)** | **(86,917)** |

1. A unique client is an individual who has accessed one or more of our legal services and with whom a client lawyer relationship was formed. We count our unique clients the first time we see them in the year. This definition does not include those clients who received information over the phone or via our online web chat (Legal Help), from our website, in person at a court counter or those who attended one of our community legal education sessions. [↑](#footnote-ref-2)
2. Adjusted by +741 Legal Help advice sessions. [↑](#footnote-ref-3)
3. Adjusted by +7,438 duty lawyer services. [↑](#footnote-ref-4)
4. Adjusted by +4,033 Legal Help information sessions. [↑](#footnote-ref-5)
5. Engaged sessions are when a website session lasts longer than ten seconds, when a session includes at least one conversion, or when a session includes two or more page views. [↑](#footnote-ref-6)