# Victoria Legal Aid 2019–20 Quarter One Report

This report provides a snapshot of our first quarter of operations in the 2019–20 financial year from 1 July 2019 to 30 September 2019

## Snapshot of service delivery

Quarter one (Q1) has seen a slight decrease in the total number of services Victoria Legal Aid (VLA) provided when compared to Q1 in the 2018–19 financial year. Whilst the total number of services for the quarter were down, we have seen an increase in grants of legal assistance which is our most intensive and expensive service type (up by 5.5 per cent). The number of calls made to our Legal Help service also increased in the quarter (up by 2.4 per cent). Areas that saw a decline in Q1 were the number of unique clients (down by 5.1 per cent), calls able to be answered by Legal Help (down by 7.1 per cent)[[1]](#footnote-1) and information and community legal education services (down by 2.5 per cent). The decline in unique client numbers and Legal Help services was expected as we continue to reform our service to enable us to better target our services to our priority clients. We are expecting to continue to respond to more high priority clients by providing a greater number of complex and time intensive legal advice sessions, contributing to a decline in the total number of clients assisted. We predict that this trend will continue in quarter two (Q2) and throughout the remainder of the year.

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| **Clients** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Unique clients[[2]](#footnote-2) | 36,230 | 24,171 | 19,746 | 19,914 | 34,351 | 24,000 | 97,000 |
| Calls and web chats answered by our Legal Help service | 35,572 | 38,679 | 33,427 | 32,546 | 31,931 | 33,000 | 128,000 |

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| **Preventative and early intervention services** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Calls and web chats made to our Legal Help service | 45,551 | 47,769 | 45,398 | 52,604  | 47,666 | 53,000 | 205,000 |
| Information and community legal education services | 32,601 | 33,240 | 30,205 | 27,271 | 29,005 | 31,000 | 122,000 |
| Sessions on our website | 589,660 | 598,649 | 692,211 | 702,735 | 681,856 | 662,000 | 2,593,000 |

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| **Duty lawyer services** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| In-house and private practitioners | 24,661 | 24,267 | 24,394 | 23,215 | 21,887 | 24,000 | 94,000 |

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| **Grants of legal assistance** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| In-house, private practitioners and community legal centres | 11,284 | 10,928  | 11,469 | 11,499 | 11,899 | 12,000 | 46,000 |

## Outlook for remainder of 2019–20

The year ahead sees us continuing to align our work to the directions set out in our strategic plan ‘Strategy 22’. To ensure our services are effective, accessible and client-centred, we will deliver our Client-First Strategy. This will help us to increase the use of client feedback in the design of policies and services and continue our program of work under Digital Legal Aid to help strengthen our evidence-based decision making. We are committed to building and maintaining a stronger, more unified legal assistance sector. As such, we will continue to work collaboratively with our partners to support the roll out of Support and Safety Hubs and the specialist family violence courts expansion. We will also be working with key partners in the legal assistance sector and other stakeholders in supporting Victoria’s negotiation of the next National Legal Assistance Partnership.

The first quarter ended with a balanced budget, largely due to enacting several in-house savings measures. Further initiatives are planned for the second half of the year and we will continue to consult the sector as we progress these. There is a funding risk relating to the Expensive Commonwealth Criminal Cases Fund (ECCCF) as the proposed funding is insufficient to cover forecast expenditure. VLA is currently discussing this issue with the Commonwealth Government and it may mean we need to reduce Commonwealth services this year if we don’t receive sufficient funding. Consultation has begun regarding our family and children’s law related measures and we will continue to engage with the sector in relation to our summary crime initiatives in February 2020. These savings measures aim to minimise the impact on clients and the justice system and ensure we can meet the growing demand for our services.

## Our clients

In Q1 we assisted 34,351 clients, a 5 per cent decrease on the same time last year. Even though we have seen an increase in Q1 in the number of grants of legal assistance that are provided, a reduction in the number of legal information and legal advice sessions (discussed on page 5) has resulted in a reduced number of unique clients. We are expecting the number of clients in Q2 will be 24,000 and a year-end total of 97,000. This is down slightly on the previous year’s year-end total by 3 per cent. This decrease is a result of the continuing reforms to our legal help service to enable better targeting of our services to priority clients. We are expecting to continue to respond to more high priority clients by providing a greater number of complex and time intensive legal advice sessions. This will contribute to a decline in the total number of clients assisted in the year.

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| **Unique clients as at** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Unique clients | 36,230 | 24,171 | 19,746 | 19,914 | 34,351 | 24,000 | 97,000 |
| **Year to date** | 36,230 | 60,401 | 80,147 | **100,061** | 34,351 | 58,351 | **97,000** |

## Services we provide

### Grants of legal assistance

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

The total number of grants of legal assistance for the first quarter is higher than Q1 in the previous year with 11,899 grants provided. We predict that in Q2 there will be a total of 12,000 grants provided and year-end a total of 46,000—1.8 per cent higher than last year. Increases can be seen within the Criminal Law area due to a higher than expected number of indictable adult matters (an increase of 2 per cent to 7,344) and Family, Youth and Children’s Law due to increases in child Protection and parenting dispute matters (an increase of 12 per cent to 4,385). The increases in Child Protection related grants is due to the increase in the number of protection applications before the Children’s Court. This is driven by the recruitment of additional child protection workers, expanded categories of mandated reports to child protection and increased policing responses to family violence, increasing the referrals by police to the Department of Health and Human Services where there is a child affected by the family violence.

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| **Grants of legal assistance as at** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Crime | 7,188 | 6,630 | 7,162 | 7,111 | 7,344 | 6,000 | 28,000 |
| Family and Children | 3,905 | 4,112 | 4,120 | 4,215 | 4,385 | 4,000 | 17,000 |
| Civil | 191 | 185 | 186 | 175 | 170 | 200 | 700 |
| **Totals** | 11,284 | 10,927 | 11,468 | 11,499 | 11,899 | 12,000 | 46,00 |
| **Year to date** | 11,284 | 22,211 | 33,679 | **45,180** | 11,899 | 23,889 | **46,000** |

### Who delivers our grants?

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

Panel practitioners remain the main provider of grants of legal assistance in the first quarter of the year with 9,312 (78 per cent of total grants). It is predicted that this trend will continue in Q2 and throughout the remainder of the year.

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| **Grants of legal assistance as at** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| In-house | 2,580(23%) | 2,432(22%) | 2,545(22%) | 2,474(21%) | 2,587(22%) | 2,500(23%) | 10,000(22%) |
| Panel practitioner | 8,704(77%) | 8,495(78%) | 8,923(78%) | 9,027(79%) | 9,312(78%) | 8,500(77%) | 36,000(78%) |
| **Totals** | 11,284 | 10,927 | 11,468 | **11,499** | 11,899 | 11,000 | **46,000** |

### Duty lawyer services

Our lawyers are on ‘duty’ at many courts and tribunals across Victoria to help people who are at court for a hearing, but do not have their own lawyer. Duty Lawyer services are lower when compared to Q1 in the previous year with a total of 21,887 services provided (a decrease of 11 per cent). This was an expected decrease due to a combination of some more efficient case conferencing practices, leading to less turnover and a reduction in initiations in some areas. The demand for our more intensive services i.e. bail services, remains very high. The year-end projected total is 94,000 (2.6 per cent lower than the previous year).

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| **Duty lawyer services as at** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Duty lawyer services | 24,661  | 24,627  | 24,394 | 23,215 | 21,887 | 24,000 | 94,000 |
| **Year to date** | 24,661 | 48,928 | 73,322 | **96,537** | 21,887 | 45,887 | **94,000** |

### Legal advice and minor assistance

VLA lawyers provide legal advice and minor assistance to help people resolve their legal problems as early as possible and, in some circumstances, avoiding the need to go to court.

The first quarter of the year saw a reduced number of legal advice and minor assistance sessions provided with 10,172 sessions (18 per cent lower than the same time in the previous year). Legal Help is the major driver of legal advice sessions at VLA. Delays in filling vacancies in Legal Help has resulted a lower number of sessions for Q1. With recruitment now finalised, we predict that sessions will increase in Q2 to 11,000 and we will achieve a year-end total of 43,000 sessions (down 9 per cent on the previous year).

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| **Legal advice and minor assistance as at** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Legal advice and minor assistance | 12,541 | 12,722 | 11,768 | 10,407 | 10,172 | 11,000 | 43,000 |
| **Year to date** | 12,524 | 25,196 | 36,410 | **47,438** | 10,172 | 21,172 | **43,000** |

### Legal Help service

In Q1 Legal Help received 47,666 requests for help, an increase of 4.6 per cent on the same time in the previous year. This included 40,623 requests via our telephone line, 6,182 requests via our online chat service and 861 in person Family Advocacy and Support Services requests. Of the total number of calls we received, 67 per cent (or 31,931 calls) were answered.

Legal Help is delivering a higher proportion of advice services, helping more people with high priority legal needs. Advice is more complex, takes longer to deliver which reduces the availability of staff to answer other calls and leads to longer wait times. Providing clients with advice at the early stages of their legal problem allows them to understand their options at the earliest opportunity and allow them to be informed and act on their legal right to prevent problems from escalating.

Delays in filling vacancies in Legal Help further reduced the service’s capacity to meet demand. We are forecasting a reduced capacity to answer calls this year as we focus on meeting continued demand for advice services, implement changes in response to our financial circumstances and maintain our focus on staff wellbeing. We will keep expanding webchat as a service channel because for many people it’s a simple and effective way to access legal information and referrals—clients can use webchat anywhere on their mobile devices and wait time is much shorter than the phone line.

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| **Legal Help - service as at** | **Q1****2019** | **Q2****2019** | **Q3****2019** | **Q4****2019** | **Q1****2020** | **Q2 2020 projection** | **Year-end projection** |
| Calls and web chats made to the service | 45,551 | 47,769 | 45,398 | 39,634 | 47,666 | 53,000 | 205,000 |
| **Year to date** | 45,551 | 93,320 | 138,718 | **192,322** | 47,666 | 100,666 | **205,000** |
| Calls and web chats answered | 35,572 | 38,679 | 33,427 | 29,770 | 31,931 | 33,000 | 128,000 |
| **Year to date** | 35,572 | 74,251 | 107,678 | **140,224** | 31,931 | 64,931 | **128,000** |
| Average call duration | 18.28 mins |  18.33 mins | 19.06 mins |  18.46 mins | 18.42 mins | N/A | N/A |
| Average wait time | 7.5 mins | 7.5 mins | 8.5 mins | 10.2 mins | 14.54 | 12 mins | 12 mins |

## Quarter one headlines for Victoria Legal Aid

* **July** – We launched our second Reconciliation Action Plan (RAP). The RAP outlines how VLA will work with Aboriginal and Torres Strait Islander people and communities to ensure the services we provide are culturally safe, accessible and responsive. The RAP formalises our ongoing commitment to driving change across the Victorian justice system, addressing disadvantage and improving justice outcomes for Aboriginal and Torres Strait Islander people in Victoria.
* **July** – Our CEO, Louise Glanville gave evidence on behalf of VLA at the Royal Commission into Victoria’s Mental Health System based on our submission, ‘Roads to Recovery’, on 11 July. Our evidence focused on our six priority areas for reform:
	+ - Building a recovery-focused mental health system
		- Embedding consumer leadership and advocacy as part of a rights-focused system
		- Reducing the harm of criminal justice involvement for people experiencing mental health issues
		- Improving responses of other systems and services to mental health, including the National Disability Insurance Scheme (NDIS), housing, child protection, family violence and discrimination
		- Reducing inequalities and developing tailored, culturally safe practices
		- Strengthening governance, accountability, data and transparency.
* **September** – VLA released the results of its most recent client satisfaction survey. The survey revealed that overall satisfaction with the services that VLA provides remains high at 70 per cent. The results indicate that our services have a very positive impact on clients’ wellbeing with clients’ emotional state improving substantially after receiving help from VLA.

## Financial summary

Quarter one ended with a balanced budget largely due to a series of internal savings measures that were implemented at the beginning of the year. This enabled VLA to offset increases in payments to private practitioners (or case related expenditure) associated with a higher than expected number of grants of legal assistance.

Total operating revenue in Q1 was **$**63.34 million, mainly from state and commonwealth grants. Revenue was up from Q1 in the previous year by $4.1 million and is projected to be $63.5 million in Q2. The increased revenue is largely driven by the increased State Funding Commonwealth funding has declined slightly due to higher than expected costs in 2018–19 to support complex criminal trials via the Expensive Commonwealth Criminal Case Fund (“ECCCF”). We are expecting continued high demand for expensive Commonwealth criminal trials for the year ahead and will work with the Commonwealth Government to ensure we receive adequate funding to cover these matters.

Our expenditure in Q1 was $61.6 million**.** Total expenditure is $1.7 million higher than Q1 in the
2018–19 financial year, mainly due to increased case related expenditure. Case related expenditure remains our main expenditure at $27.5 million**,** which is$0.7 millionhigher than Q1 the previous year. Overall budgeted expenditure for the year is expected to increase, when compared to the previous year, by $15 million to $253.3 million, largely due to additional tied funding provided to deliver legal services in support of the rollout of five new specialist family violence courts and the deferral of some savings measures. The Criminal Law program continues to be our largest program in terms of services and expenditure. It represents 45 percent of overall VLA expenditure, or $114.6 million. Much of the increase in expenditure in our Criminal Law program relates to the growth in grant approvals to private practitioners in response to demand driven by legislative and policy changes. Expenditure in our Family, Youth and Children’s Law program area is also expected to increase in 2019–20 to $83.6 million, or 33 per cent of total VLA expenditure. This growth is attributable to increased demand for child protection and parenting dispute matters grant approvals and subsequent payments on legally aided cases, as well as family violence legal services and the roll out of five new specialist family violence courts across Victoria.

To that end, we are budgeting for a balanced operating budget with a net surplus result of $3.5 million after reflecting the accounting treatment of the Digital Legal Aid capital income.

Total revenue breakdown[[3]](#footnote-3) ($’000)

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| **Revenue** | **Q1 2019** | **Q1 2020** | **Q2 2020 projection** | **Year -end projection** |
| Commonwealth – grants | 18,050 | 16,777 | 16,999 | 68,209 |
| State – grants | 31,100 | 36,904 | 37,088 | 147,467 |
| Public Purpose Fund | 8,380 | 7,885 | 7,885 | 31,539  |
| Case revenue | 1,460 | 1,506 | 1,359 | 5,436 |
| Other income | 270 | 265 | 158 | 744 |
| **Operating revenue** | **59,260** | **63,336** | **63,489** | **253,395** |
| Digital Legal Aid income | n/a | 1,167 | 1,200 | 3,500 |
| **Total revenue** | **59,260** | **64,5503** | **64,689** | **256,895** |

Total expenditure breakdown ($,000)

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| **Expenditure** | **Q1 2019** | **Q1 2020** | **Q2 2020 projection** | **Year-end projection** |
| Case expenditure | 26,840 | 27,532 | 27,480 | 115,092 |
| Community legal centre payments | 7,800 | 8,263 | 8,382 | 32,878 |
| Staff costs | 20,050 | 20,324 | 20,537 | 81,829 |
| Administration | 4,740 | 5,446 | 5,621 | 23,090 |
| Projects | 450 | 17 | 133 | 415 |
| **Total expenditure** | **59,880** | **61,582** | **62,152** | **253,305** |

## Performance against Victorian Government service targets

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

The projected year-end outcome is lower than the year-end targets in some of the output measures due to our continued focus on more complex services. The new projected year-end totals are a more accurate reflection of our current service levels.

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| **Output measure** | **Q1 Target** | **Q1 Actual** | **% growth**  | **Year-end target** | **Projected year end outcome** |
| Community legal education and information services (ex-family violence related services) | 28,823 – 31,323 | 23,585 | -22 | 105,000–115,000 | 94,000 – 104,000 |
| Community legal education and information services (family violence related services) | 6,096 – 6,596 | 5,323 | -16 | 26,000–28,000 | 21,700-23,700 |
| Duty lawyer services (ex-family violence related services) | 15,217-15,717 | 15,334 | -1 | 69,000–71,000 | 69,000–71,000 |
| Grants of legal assistance (ex-family violence related services) | 8,242 | 8,513 | 3 | 32,900 | 32,900 |
| Legal advice and minor assistance (ex-family violence related services) | 10,193-10,693 | 8,471 | -19 | 40,000–42,000 | 34,100-36,100 |
| Family violence legal services | 10,707 | 11,640 | 9 | 45,000 | 46,300 |
| Number of unique clients | 36,722 | 34,351 | -6 | 105,000 | 97,000 |
| Client satisfaction with services provided by Victoria Legal Aid | N/A | N/A | N/A | 80% | 80% |
| Average call wait time to the Legal Help phone line | <10 | 14.54 mins | 4.54 | <10 | 12 mins |

1. This is due to staff vacancies, more time dealing with complex legal advice and changes to facilitate staff health and wellbeing. These are discussed in more detail on page 6 [↑](#footnote-ref-1)
2. A unique client is an individual who has accessed one or more of our legal services and a client lawyer relationship was formed. We count our unique clients the first time we see them in the year. This definition does not include those clients who received information over the phone 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)
3. Total Revenue and Expenditure include Commonwealth CLC Funding and Expenditure. [↑](#footnote-ref-3)