Annual business plan 2015–16

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## Working together better icons

Throughout this document you will see icons that represent our commitment to working better with our stakeholders and each other in the delivery of our priorities for 2015–16.

Improve, innovate and reform practices to provide better services to clients Improve, innovate and reform practices to provide better services to clients

Support our people Support our people

Engage externally for accountability and transparency Engage externally for accountability and transparency

Use evidence and experience to improve legal service delivery Use evidence and experience to improve legal service delivery

# Making a difference

## Our vision

A fair and just society where rights and responsibilities are upheld.

## Our purpose

To make a difference in the lives of our clients and for the community by:

* resolving and preventing legal problems.
* encouraging a fair and transparent justice system.

## Our values

### Fairness

We stand up for what is fair.

We aim to be fair when making choices about which people we help and how we help them.

### Care

We care about our clients and the community in which we live.

We look out for and take care of each other.

### Courage

We act with courage backed by evidence about what is best for clients and the community.

We act with courage to be the best we can be.

# Year ahead

In the coming 12 months we will continue to improve access to justice as we begin to align our efforts to the directions set in *Strategy 2015–18* and increase our investment in legal services for the second successive year.

We have come a long way in recent years. Greater financial certainty combined with prudent financial management and increased revenue is allowing us help more people with legal problems. Last year saw expenditure increase by $8.9 million and a 15 per cent increase in services while maintaining an operating surplus.

In 2015–16 we are investing a further $14 million in ongoing ($11.5m) and one-off ($2.5m) spending across family law, family violence, mental health, Legal Help, summary crime and child protection. The total combines one-off, tied and discretionary funds.

The spending includes $4 million for private practitioners to meet the demand for criminal law and family law services, more duty lawyer services provided by the Bar and private practitioner fee increases. It also includes a $2.8 million investment in community legal centres for additional family violence legal services, funding to deliver innovative legal services and ongoing wages supplementation.

Finally, we will increase Victoria Legal Aid’s ongoing expenditure by $6.3 million to enhance family violence legal services, establish the Independent Mental Health Advocacy service, expand Legal Help and meet enterprise agreement payments and annual rent increases. Another $0.9 million in one-off spending will be used to implement the family law service review, to review child protection legal services, begin a review of the means test, implement a complaints management system and invest in regional planning and demand analysis.

The findings of the 2014 Productivity Commission inquiry into Access to Justice Arrangements has prompted us to begin a review of our means test to ensure it is modern, simple, fair and, ultimately allows more people to be eligible for legal aid. In line with the inquiry, we will also work with our partners to establish Legal Help as a main entry point for legal assistance services in Victoria.

However, without government action to address the Productivity Commission’s recommendation to increase funding, we face the continued pressure of unmet need. Demand for legal assistance continues to grow, particularly in relation to family violence, child protection and criminal matters, and without further investment we face a return to a budget deficit in two years’ time.

The Royal Commission into Family Violence will lead to increased reporting and policing of family violence incidents. Additional State Government one-off funding of $2.1 million for family violence legal assistance services, will help us meet increasing demand and better meet client needs in the short term.

Child protection notifications continue to increase and in the next 12 months we will begin work on developing legal services that focus on more timely support to parents and more integrated help for children at risk of further legal problems.

Our Strategy commits us to embrace the values of fairness, care and courage. A focus in the coming year will be to support staff to demonstrate our values in their day to day work. We will continue to invest in professional development and technological solutions to ensure staff and our partners have the tools they need to succeed.

We will continue to advocate for fairness and balance in the criminal justice system and work with our partners to respond to changing need and population growth. We are more effective when we work in collaboration and have committed to setting new standards of openness with our partners and the community to make a difference to the lives of our clients.

# Legal services

Every day we deliver a broad range of legal services, underpinned by our statutory obligations to provide legal aid in the most effective, economic and efficient manner.

In 2015–16 we expect to see increases in the number of unique clients we help and in the total services we provide. This includes an expected increase in the number of grants of legal assistance, in relation to criminal, family law and child protection matters, the majority of which are undertaken by private practitioners. We also expect to see a slight increase in duty lawyer services, provided mainly by our staff legal practice, mostly in response to increased policing of summary crime and family violence. We will fund our community legal centre partners to deliver more services in response to increased family violence notifications and continue to invest in projects that provide innovative solutions to broader legal problems. Calls to our Legal Help line are forecast to increase. Our service volumes are outlined in the table below.

In recent years we have undertaken significant steps to improve the quality of our services including a comprehensive review of approaches to managing criminal trials. Criminal trials are our biggest expenditure and 80 per cent of people facing criminal trial in Victoria have their defence funded by Victoria Legal Aid. In the next 12 months we will continue to work with our justice sector partners to deliver changes that will encourage more efficient trials and higher quality representation for clients.

We will finalise new private practitioner panel arrangements, which will sit alongside revised performance standards and more focussed compliance and complaints handling. Complying with legal practice and public sector obligations ensures that our services are of the highest standard and in line with community expectations.

**Table 1: Service volumes**

| Services by type | 2014 | 2015F | 2016B |
| --- | --- | --- | --- |
| Total unique clients | 81,853 | 83,500 | 84,500 |
| Duty lawyer services | 73,147 | 82,057 | 84,659 |
| Legal advice and minor work | 46,932 | 51,500 | 51,796 |
| Grants | 33,339 | 34,099 | 36,228 |
| **Total excluding Legal Help** | **153,418** | **167,656** | **172,683** |
| Legal Help | 111,574 | 138,645 | 149,167 |
| **Total** | **264,992** | **306,301** | **321,850** |

Last year, the Victorian Auditor-General’s Office found that Victoria Legal Aid was effectively planning and providing legal aid services, but recommended that we strengthen our performance measurement framework, in particular the identification of performance measures against our statutory objectives. The definition of our objectives and related measures are outlined below.**Table 2: Operational performance indicators 2015–16**

Statutory objective (a) – to provide legal aid in the most effective, economic and efficient manner

|  |  |
| --- | --- |
| Definition | Measure |
| **Effective:** targeted, appropriate, and high quality services in line with forecasts (Victoria Legal Aid budget and Budget Paper Three)  **Economic**: financial sustainability  **Efficient**: the level and cost of staff is proportionate to services provided; the cost and performance of Community Legal Centres and private practitioners | * 84,500 unique clients helped * Five per cent increase in services delivered * Victoria Legal Aid is within +/- five per cent of targets against key service types as identified in Budget Paper Three * Percentage of Direct/Indirect Service delivery staff compared to Corporate Services staff and expenditure against each * Implementation of major criminal cases framework * Comparison with 2014–15 baseline of number of new and repeat Community Legal Centre clients and percentage of advice and percentage of cases against overall matters |

Statutory objective (b) – to manage its resources to make legal aid available at a reasonable cost to the community and on an equitable basis throughout the state

|  |  |
| --- | --- |
| Definition | Measure |
| **Reasonable cost:** the cost of legal aid is proportionate to the complexity/resource intensity of the service being provided and is comparable with other jurisdictions.  **Equitable basis:**   * clients have access to legal aid irrespective of where they live * the quality of service provided by panel practitioners is consistent across the State * eligibility guidelines are applied consistently across the State | * Results from compliance activities (guidelines) * Complete Panels Project (section 29A practitioner panels)   *Refer to notes below for further developmental work on appropriate measures*. |

Statutory objective (c) – to provide to the community improved access to justice and legal remedies

|  |  |
| --- | --- |
| Definition | Measure |
| Improved access to and reach of services (eg. Legal Help telephone service, website, outreach, joined-up service delivery and services provided to priority clients) | * Seven per cent increase in calls dealt with by Legal Help * 75 per cent of calls answered by Legal Help and an average waiting time of less than three minutes * Proportion of unique clients (priority and non-priority) by location and service * Suite of recommendations for improved service delivery developed from results of 2014–15 Client Satisfaction Survey |

Statutory objective (d) – to pursue innovative means of providing legal aid directed at minimising the need for individual legal services in the community

|  |  |
| --- | --- |
| Definition | Measure |
| Legal aid is directed at increasing the reach of services across the community and includes strategic advocacy, strategic projects, community legal education and access to Victoria Legal Aid’s website. | * Proportion of community legal education sessions targeted to vulnerable client groups (such as children and young people, people from culturally and linguistically diverse backgrounds, people with a disability and indigenous people). |

### Notes

There are separate performance measures supporting our Strategy 2015 – 2018 (refer to Attachment C) that will help to demonstrate our performance against our statutory objectives.

**Objective (a)**

1. Financial sustainability measures are captured and reported in the monthly financial reports – eg. Performance against budget, cash buffer.
2. Increase in services is against 2014-15 service delivery and includes duty lawyer, legal advice and minor assistance, information and referrals and grants of legal assistance.
3. Client Satisfaction Survey will be undertaken bi-annually in line with anticipated National Partnership Agreement reporting. The next one scheduled to be undertaken will be in 2016–17.
4. Our Budget Paper Three measures include number of unique clients, legal advice and minor assistance services, community legal education and information services, duty lawyer services and grants of legal assistance.
5. The implementation of the major criminal cases framework is the final piece of work that was recommended and endorsed by the Board under the Delivering High Quality Trials Project
6. This data relates only to Community Legal Centres that use the Community Legal Service Information System. The comparison to baseline for Community Legal Centres will provide an overall picture of number of clients and service mix.

**Objective (b)**

1. Benchmarking has been identified as future measure and further scoping work will be undertaken in 2015–16.
2. We anticipate that we will include a report against our Financial Performance Model from 2016–17 once the implementation and evaluation of the model is completed. We also expect that a measure relating to results of quality audits will be included in the future following completion of a pilot.
3. Results from compliance activities against eligibility guidelines also supports objective (a).

**Objective (c)**

1. The measure of ‘proportion of unique clients by location and service’ requires baseline review before considering whether a target should be set.
2. Recommendations resulting from 2014–15 client satisfaction survey also support objectives (a) and (b)

**Objective (d)**

1. For Community Legal Education we record whether a session is for workers or the public and the different target audiences. As more than one target group can be entered against a session a tally of all the groups will not equal the distinct number of events.

# Priorities for 2015–16

## 1. Invest in timely intervention, especially for children and young people

Timely intervention leads to better outcomes for all clients but especially for families at the centre of family law disputes or where there are children subject to state protection. Helping children at risk earlier will lead to fewer adults in trouble with the law in the future.

In the next 12 months we will turn our attention to reviewing our child protection and youth crime legal services and begin implementation of financially sustainable family law legal aid services that focus on getting people the help they need at the time they need it.

### Outcomes

* Stakeholder engagement, research and analysis identifies the current and future landscape of child protection legal services, its connections with other legal services and options on how to address any gaps and prioritise more timely help for children and families for further consultation.

 

* A youth crime strategy which identifies improvements in the delivery of our youth crime legal services and opportunities for timely intervention for at risk children and young people and which is used as a key input for the child protection review.

  

* Amended service and eligibility guidelines for family law clients, focusing on providing increased access to legal help at the earliest opportunity, with the most intensive services prioritised for those most in need.

 

Key strategic activities

* Commence the review of child protection legal services for adults and children.
* Complete the service review for Youth Crime sub-program.
* Commence implementation of the actions committed to in the Final Report of the Family Law Legal Aid Services Review.

Key performance indicators

* A suite of changes for child protection legal services are identified for consultation in line with the project plan deliverables.
* Complete review of Youth Crime sub-program.
* Progress towards implementation of the endorsed actions from the Final Report of the Family Law Legal Aid Services Review.

## 2. Match services to the needs and abilities of our clients

Some clients need more support than others. We want to make it easier for people to resolve their legal problems by matching our services to individual circumstances as much as possible. We will work with our partners to establish a main entry point for legal help and draw on expert guidance to provide better services for Aboriginal and Torres Strait Islander clients and people subject to family violence. A major initiative will see us provide much needed non-legal advocacy service for people with mental health issues. We will also be investing in family violence services in response to growing demand, service gaps in regional Victoria and the need to create more time and capacity to provide a quality service in high volume court lists. Investing in service quality means more clients will receive early advice, increasing safety and reducing the risk of Family Violence Intervention Order breaches. We will turn attention to outreach services in future years.

Outcomes

* A bigger, modernised Legal Help telephone service that provides the main entry point to the whole legal assistance sector.

  

* Improved legal services and support for Aboriginal and Torres Strait Islander people with family, children, civil and administrative issues.

 

* People with significant mental health issues receive more comprehensive advocacy services.

 

* Improved response for duty lawyer services in family violence intervention order and criminal matters.

 

* Staff have a greater understanding and awareness of safety risk factors for women and children subject to family violence.

  

Key strategic activities

* Expand capacity of Legal Help through upgraded contact centre technology; work with community legal centres to enable more effective triage and referral to their services.
* Implement first year of Reconciliation Action Plan.
* Design and implement service model to increase the access of Aboriginal and Torres Strait Islander people to family, children, civil and administrative law services.
* Establish state wide independent non-legal advocacy service for people on compulsory treatment orders.
* Develop Safety Risk Identification Tool and pilot of the Family Violence Client Service Delivery Framework.
* Allocate additional (short-term) resources to family violence duty lawyer services performed by Victoria Legal Aid and Community Legal Centres.

Key performance indicators

* Improved referral pathways between Legal Help and Community Legal Centres identified through an increase in referral agreements.
* Progress against first year activities in Reconciliation Action Plan.
* Establish a baseline of service outputs for Independent Mental Health Advocacy.
* Results from Safety Risk Identification Tool training competency test and post-training feedback survey.
* Increase in number of family violence duty lawyer services and referrals.

## 3. Maximise benefits by working with others

Working closely with our partners in the community legal sector will help us ensure legal services are responsive to changing needs and population growth.

In the coming year we will continue to support our community legal centre partners to ensure limited funds are appropriately targeted to the areas of greatest need. We will continue to drive a focus on rehabilitation by promoting the proper application of the guideline judgment on Community Corrections Orders while advocating for more investment in support services and programs for offenders. We will also support criminal lawyers around baseline sentencing reforms through training and appropriate litigation that clarifies what is a novel and complex approach to sentencing in Victoria.

We will also begin a comprehensive two year project to examine possible changes to our means test to ensure that more people who really need it qualify for legal aid.

Outcomes

* Stakeholder (internal and external) understanding of scope and complexity of the means test review.

  

* Improved accountability in Community Legal Centre funding arrangements.

 

* Fund projects that give practical expression to the Guiding Principles for Community Legal Centre Funding Decisions.

 

* A framework for collaborative sector wide service planning.

 

* A greater focus on rehabilitation and increased use of Community Corrections Orders to address the underlying causes of criminal offending with a view to contributing to the long -term reduction of re-offending.

  

* A shift in focus and investment in effective programs and support services for offenders through the use of Community Corrections Orders.

  

Key strategic activities

* Consult widely and conduct a review of the means test.
* Finalise project plan for reform of community legal centre funding arrangements.
* Continue to implement the Community Legal Centre Innovation and Transformation Fund.
* Develop a project plan for implementing a framework for collaborative service planning in the legal assistance sector.
* Continue to promote the guideline judgment on community corrections orders.
* Develop and implement litigation strategy around baseline sentencing.

Key performance indicators

* Stakeholder and staff consultation reports inform the means test review.
* Innovation identified through approved Innovation and Transformation Fund projects.
* Progress of project for Community Legal Centre funding arrangements.
* Project plan for collaborative service planning completed by 30 September 2015 (National Partnership Agreement milestone).
* Progress on the implementation of collaborative service planning (National Partnership Agreement milestone) by 30 June 2016.
* Report on the use of Community Corrections Orders by sentencing courts (external data to be sourced).

# Working together better

A commitment to working better with our staff and legal sector partners is central to our approach to meeting our strategic directions. We will:

* Improve, innovate and reform practices to provide better services to clients
* Support our people
* Engage externally for accountability and transparency
* Use evidence and experience to improve legal service delivery

Outcomes

* Improve client service delivery by providing more flexible technology to our staff.
* Better management of major criminal trials and a reduced risk of poor quality trial work.
* Improve staff engagement and wellbeing.
* Improve approaches to resource management to proactively manage impacts on staff and service delivery.
* Increased transparency and accountability by providing appropriate, timely and meaningful information to the community.
* Improve legal service delivery and sustainability by strengthening our forecasting capability, increasing our evaluation effort and making better use of our client data.
* People applying for grants of legal assistance experience fair, consistent and easy to understand decision making.

Key strategic activities

* Complete trial of portable device at Frankston; roll-out wifi, tablets and unified communications tool; improve network speed.
* Work with RMIT University, the Centre for Innovative Justice and the community legal sector to develop technology solutions to improve access to justice.
* Finalise and implement the major criminal cases framework.
* Implement programs to support management of psychological wellbeing and reduce risk of vicarious trauma and manager development program.
* Build internal consistency and understanding of our organisational values and integrate with our people processes.
* Review service settings, resource management planning and staff development with work capacity requirements.
* Agree on a model and publish service performance reports; publish and act on client feedback.
* Undertake two service reviews and capture progress and status of other project evaluations; meet with universities to establish interest in access to client data.
* Review and improve the clarity of our auto-generated standard letters sent to lawyers and clients.

Key performance indicators

* Assess progress of staff engagement through annual surveys.
* Progress of implementation of major criminal cases framework.
* Commence publication of performance reports on our website.
* Report on evaluations completed or in train (including key findings and actions).

# Appendix 1 – Strategy 2015–18 performance measures

The performance measures below show the link between our Strategy 2015–18 and our statutory objectives.

Strategic Directions

Invest in timely intervention, especially for children and young people



links Match services to the needs and abilities of our clients

Maximise benefits by working with others



| Statutory objective | Strategy performance measure |
| --- | --- |
| To provide legal aid in the most effective, economic and efficient manner  time **links** | * Outcome of child protection and youth crime service reviews (further measures to be developed after one year and following reviews) * Actions implemented from the final report of the Family Law Legal Aid Services Review |
| To manage its resources to make legal aid available at a reasonable cost to the community and on an equitable basis throughout the state  **links person** | * Increase in the number of coordinated service plans across the sector * Increase in clients in outer metropolitan fringe and rural areas accessing services |
| To provide to the community improved access to justice and legal remedies  **links person** | * Increase in number of callers accessing Legal Help * Increase in Aboriginal and Torres Strait Islander clients accessing civil and/or family law services * For family violence service delivery, a post training and pilot participant feedback survey and in depth interviews to measure whether minimum competencies are maintained after completion of training and participation in the pilot * Number of referrals between legal and non-legal services for civil law clients with a mental illness * Increase in people eligible for grants of legal assistance on financial grounds |
| To pursue innovative means of providing legal aid directed at minimising the need for individual legal services in the community  **person** | * Successful examples of strategic advocacy and systemic improvements |

### Notes

The measures have been designed to provide an overall picture of performance against each strategic direction and the best representation (at this point in time) of actual performance. They are a mixture of output and outcome measures with some new data collection required.

The measures are a starting point, acknowledging that it will take time to improve our data collection and reporting to achieve a mature performance measurement system. At this stage our aim is to define an appropriate level of performance and focus on measuring the right activities well.

There remain some areas where a performance measure has not been identified and further work is required to better understand our current service delivery, develop baselines and/or complete projects. We will continue to build our maturity towards an integrated performance and accountability framework which will also be supported by targeted evaluation effort over the life of the Strategy.

# Appendix 2 – Key performance indicators

Invest in timely intervention, especially for children and young people

A suite of changes for child protection legal services are identified for consultation in line with the project plan deliverables.   
*Director Family, Youth and Children’s Law*

The review of Youth Crime sub-program is completed.   
*Director Criminal Law*

Progress towards implementation of the endorsed actions from the Final Report of the Family Law Legal Aid Services Review. *Director Family, Youth and Children’s Law*

Match services to the needs and abilities of our clients

Improved referral pathways between Legal Help and Community Legal Centres identified through an increase in referral agreements.   
*Director Civil Justice, Access and Equity*

Progress against first year activities in Reconciliation Action Plan.   
*Director Civil Justice, Access and Equity*

Establish a baseline of service outputs for Independent Mental Health Advocacy.   
*Director Civil Justice, Access and Equity*

Results from Safety Risk Identification Tool training competency test and post-training feedback survey.   
*Director Family, Youth and Children’s Law*

Increase in number of family violence duty lawyer services and referrals.   
*Director Family, Youth and Children’s Law*

Maximise benefits by working with others

Stakeholder and staff consultation reports inform the Means Test review.   
*Director Legal Practice*

Innovation identified through approved Innovation and Transformation Fund projects.   
*Director Civil Justice, Access and Equity*

Progress of project for Community Legal Centre funding arrangements.   
*Director Civil Justice, Access and Equity*

Project plan for collaborative service planning completed by 30 September 2015 (National Partnership Agreement milestone).   
*Director Civil Justice, Access and Equity*

Progress on the implementation of collaborative service planning by 30 June 2016 (National Partnership Agreement milestone).   
*Director Civil Justice, Access and Equity*

Report on the use of Community Corrections Orders by sentencing courts (external data to be sourced).   
*Director Criminal Law*

Working together better

Assess progress of staff engagement through annual surveys.   
*Director Corporate Affairs*

Progress of implementation of major criminal cases framework.   
*Director Legal Practice*

Commence publication of performance reports on our website.   
*Director Corporate Affairs*

Report on evaluations completed or in train (including key findings and actions).   
*Director Corporate Affairs*