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# Acknowledgement of Country

Victoria Legal Aid acknowledges the Traditional Custodians of the lands where we work and pays respect to their Elders both past and present. We recognise their continuing connection to Country and the resilience and strength of Victoria’s Aboriginal communities.

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# About Us

Victoria Legal Aid is a statutory authority that serves the broader community by providing information, legal advice, and education with a focus on the prevention and early resolution of legal problems. We prioritise more intensive legal services, such as legal advice and representation, to those who need it the most. We recognise the intersections between legal and social issues in the way we do our work and advocate for change. We also work to address the barriers that prevent people from accessing the justice system by participating in systemic reforms and strategic advocacy.

# Our vision

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

# Our purpose

To make a difference for clients and the community, through the provision of effective legal services and collaborative leadership of a strong and dynamic legal assistance sector.

# Our values

**Fairness**

We stand up for what is fair, and 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, and 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, and we act with courage to be the best we can be.

# Our statutory objectives

Victoria Legal Aid was established under the *Legal Aid Act 1978* with the objectives to:

* provide legal aid in the most effective, economic, and efficient manner.
* manage our resources to make legal aid available at a reasonable cost to the community and on an equitable basis throughout the state.
* ensure the coordination of the provision of legal aid so that it responds to the legal and related needs of the community.
* ensure the coordination of the provision of legal assistance information so that the information responds to the legal and related needs of the community, including by being accessible, current, high quality and of sufficient breadth.
* provide the community with improved access to justice and legal remedies.
* pursue innovative means of providing legal aid directed at minimising the need for individual legal services in the community.

# The year ahead

This is the fourth and final year of Strategy 22, and we have made significant progress in achieving the strategic goals we set ourselves in 2018.

Like many other agencies within the justice system, we continue to experience the impacts and uncertainty associated with COVID-19. This is most evident in the backlog of cases within the courts and the subsequent impact on our clients. While these challenges persist, they also provide opportunities for us to adapt and innovate, reconnect with our staff, clients and partners, and improve our services.

Over 2021–22, we will work with our justice partners to reduce the backlog of cases in the court system through new ways of delivering our highest volume services, designed around our clients’ needs. We will expand pre-court assistance and early resolution options in criminal law and family violence so clients can prepare earlier and spend less time at court.

Funding through the Victorian and Commonwealth budgets means that this year will also see a targeted expansion of services —in particular, an expansion of our civil law services. In response to the Royal Commission into Mental Health we will prepare for the future expansion of advocacy and legal assistance services for people subject to, or at risk of, compulsory treatment orders. We will develop a new model to support victims of crime by providing them with legal support services and continue providing non-legal advocacy and support services for parents in the early stages of child protection involvement.

We will continue to innovate. Our Digital Legal Aid program enables improvements for clients and service efficiency. We will redevelop our website to offer more choice and accessibility for clients and significantly progress our digital case management and data capability. We will also continue to develop new ways of working at our regional and suburban offices, including developing a sustainable regional workforce. This will help us to better respond to client needs and enhance the relationship with private legal practitioners and community legal centres—essential partners in our service delivery.

As we move further into the recovery phase of the pandemic we are mindful to maintain the benefits that working from home provided to our staff and organisation. We will embed a new ‘hybrid’ work model. It is important we offer staff flexibility, while ensuring this does not compromise our clients’ needs and our role in the justice system.

Throughout the year we will also continue our journey to better understand intersectionality and the structural impacts on our Aboriginal and Torres Strait Islander clients and colleagues, and diverse communities. By improving our responses to diversity and inclusion for our staff, practice partners and clients we can focus on creating services—and better outcomes—for all. This work also aligns with our strategic advocacy priorities, which we have updated to reflect a ‘racial justice’ focus to ensure we acknowledge and challenge structural racism in our strategic advocacy work to improve the justice system.

The final year of Strategy 22 also means we will be working to develop our next four-year strategic plan, which we will publish in 2022. Our strategy development will also be underpinned by another key activity for us throughout the year—publishing out first outcomes framework. Our outcomes framework will help us to improve the way we measure and understand our impact, and the value we provide, over an extended period.

# Our 2021–22 budget

Victoria Legal Aid’s 2021–22 budget reflects the expected increase in court operations and resourcing to help address the backlog within the courts, and to meet State Government commitments. We reported a surplus in 2019–20 and expect a similar result in 2020–21, primarily due to the impacts of COVID-19 on court processes and the timing of funding for one off initiatives to address demand pressures. We now expect to deliver these services in 2021–22, resulting in a budgeted deficit that we will fund from prior year surpluses.

While we can meet these immediate pressures through one-off State Government funding and the deferral of case expenditure due to COVID-19, our ongoing financial challenges remain. We expect demand to continue to grow at levels seen before COVID-19 and, combined with volatility of funding we receive from the Public Purpose Fund, will result in a significant structural funding gap in future years. We will continue to seek an increase to our base funding to meet the structural gap in our ability to address growing legal need. Adequate funding for Victoria Legal Aid is essential to the functioning of the justice system, with modelling showing that every dollar invested in legal aid saves the justice and child protection system three dollars.

**Our revenue**

Table 1 shows that we receive funding from a range of sources including State and Commonwealth Government grants and the Legal Services Board. In 2021–22, we have budgeted for $278.7 million in revenue, which is a decrease of 0.9 percent on the level of revenue budgeted for 2020–21. This decrease is largely driven by the reduction in revenue from the Public Purpose Fund and one-off funding in 2020–21 from both the State and Commonwealth Governments to address the pressures of COVID-19. These declines were partly offset by additional funding provided through the 2021–22 State Budget for discrete projects—primarily to address the backlog that the courts experienced due to COVID-19.

**Table 1: 2021–22 revenue by source ($m)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Source of revenue** | **2020–21 Budget$ million** | **2021–22 Budget$ million** | **Growth %** |
| State Government | 170.3 | 177.3 | 4.1% |
| Commonwealth Government | 80.4 | 76.3 | -5.1% |
| Public Purpose Fund | 21.5 | 15.9 | -26.0% |
| Case revenue (including client contributions) & other income | 5.6 | 5.7 | 1.8% |
| **Operating Revenue** | **277.8** | **275.2** | **-0.9%** |
| Digital Legal Aid income | 3.5 | 3.5 | 0.0% |
| **Total Revenue** | **281.3** | **278.7** | **-0.9%** |

**Our expenditure**

Table 2 shows that our expenditure is expected to grow in 2021–22 as courts return to normal operations and seek to address the backlog through specific projects. This includes our family violence Early Resolution Service and Help Before Court in the Magistrates’ Court. This is demonstrated by expected case expenditure of $123 million in 2021–22—a 17.1 per cent increase on 2020–21 levels when COVID-19 restrictions resulted in significant delays in court operations. Salaries and other related costs will also increase by 7.7 per cent primarily due to additional roles in connection to new initiatives like Help Before Court.

Base payments to Community Legal Centres increased in 2020–21. However, due to one-off COVID-19 funding provided in 2020–21, the total payments declined by 12 per cent. Depreciation and amortisation will also increase by 18.2 per cent due to the significant investment in systems as part of the Digital Legal Aid program.

**Table 2: 2021–22 expenditure by category ($m)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Expenditure Category** | **2020–21 Budget$ million** | **2021–22 Budget$ million** | **Growth %** |
| Case Expenditure | 105.0 | 123.0 | 17.1% |
| Salaries and Other Related Costs | 89.6 | 96.5 | 7.7% |
| Community Legal Centre Payments | 49.2 | 43.3 | -12.0% |
| Other Operating Expenditure | 35.3 | 34.9 | -1.1% |
| Depreciation and Amortisation | 2.2 | 2.6 | 18.2% |
| **Total Expenditure** | **281.3** | **300.3** | **6.8%** |

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# Our client services

Our annual service delivery targets are based on year-on-year figures, adjusted each year based on our projected demand. Service performance during 2020–21 was impacted by COVID-19 and the reduced capacity of courts and deferral of many cases. Our output targets for 2021–22 reflect expected increases in court activity and the justice system more broadly as part of COVID-19 recovery and managing the backlog of cases within the courts.

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| --- | --- | --- | --- |
| **Measure** | **2019**–**20 actual** | **2020**–**21 actual**  | **2021–22 target** |
| **Unique clients** | 88,662 | 74,670 | 105,000 |
| **Community Legal Education and Information Services (excl. family violence)** | 89,829 | 83,054 | 101,000–103,000 |
| **Community Legal Education and Information Services – family violence related services** | 23,320 | 21,430 | 26,000–28,000 |
| **Duty Lawyer Services (excl. family violence)** | 53,789 | 28,070 | 69,000–71,000 |
| **Grants of legal assistance provided (excl. family violence)** | 32,046 | 29,466 | 32,900 |
| **Legal advice and minor assistance (excl. family violence)** | 30,885 | 28,211 | 40,000–42,000 |
| **Family violence legal services** | 46,115 | 39,894 | 46,000 |
| **Client satisfaction**  | — | —[[1]](#footnote-2) | 80% |
| **Average call wait time to the Legal Help phone line** | 15.3 mins | 17.1 mins | <15 mins |

# Our 2021–22 priorities

**Client focused service delivery**

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| --- | --- | --- |
| **Priority**  | **Activities**  | **Outcomes**  |
| **Criminal and family violence services** Enhance criminal law and family violence legal services, including pre-court legal services and further implementation of Specialist Family Violence Court reforms. | Implement, monitor, and refine the family violence Early Resolution Service (ERS) and Help Before Court (HB4C) in the Magistrates’ Court. Implement remaining Specialist Family Violence Courts’ Legal Practice Model initiatives and understand client satisfaction with the service. | Summary crime clients have earlier access to legal assistance and fewer appearances at court through HB4CFamily violence clients have earlier access to information and advice and are better prepared for court through ERS Clients have improved access to specialist family violence courts |
| **Regional services**Implement priority projects focused on private practitioner market supply and a sustainable regional workforce. | Deliver the Private Practitioner Market Supply project to understand supply conditions across Victoria and develop strategies to boost providers where needed. Commence the regional recruitment and retention project. | VLA has a better understanding of regional private practitioner market supply conditionsImproved understanding of regional recruitment and retention drivers  |
| **Aboriginal Services** Review VLA’s services for Aboriginal and Torres Strait Islander people to identify gaps and areas for improved service delivery. | Improve access to legal assistance for Aboriginal and Torres Strait Islander people through Legal Help.Review VLA’s service delivery to Aboriginal and Torres Strait Islander people.Evaluatethe Aboriginal Community Engagement Officer Program and Reconciliation Action Plan 2019–22.Contribute to, and support, Aboriginal Community Controlled Organisations contributions to the Yoo-rrook Truth and Justice Commission.  | Aboriginal and Torres Strait Islander clients have improved access to legal services.VLA engages with ACCOs, government and partners on the Yoo-rrook Truth and Justice Commission |
| **Service improvements and reform in response to government inquiries and legislation**Improve understanding of services and gender equality, informed by client and consumer experience of the justice, mental health, and disability systems. | *Royal Commission into Victoria’s Mental Health System* Inform and influence the new Mental Health and Wellbeing Act. *Royal Commission into Managing Police Informants (RCMPI)*Establish a dedicated advice and referral service for those impacted by the findings of the RCMPI.*Disability Act 2006*Develop a Disability Action Plan using a lived experience advisory group.*Gender Equality Act 2020*Conduct three gender impact assessments and develop and embed required systems and policies. | Inform and influence the development of new Mental Health and Wellbeing Act. Clients impacted by the findings of the RCMPI have access to advice and representation. Clients with disabilities have improved access to our services.Improved understanding of gender equity in VLA services. |

**Changing the way we work**

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| **Priority**  | **Activities**  | **Outcomes**  |
| **Hybrid work model** Implement a new hybrid work model that enables staff and services to respond to external factors. | Implement the hybrid model, including formalised agreements for staff.Conduct an interim review of the hybrid model to identify continuous improvement opportunities. | VLA staff have improved flexibility in how they perform their work. |
| **Health and wellbeing**Adapt organisational health, safety, and wellbeing approaches for staff to address emerging risk and new ways of working. | Develop VLA’s 2022–23 Health, Safety and Wellbeing Plan, including the establishment of a mental health framework.Complete a psychosocial risk assessment to inform VLA’s mental health framework development. | Staff are better supported with matters relating to their mental health. |
| **Digital Legal Aid**: Enhance digital and data capabilities to support effective and efficient service delivery. | Pilot the Digital Service Record to integrated management of clients, their data and digital case files.Integrate Legal Help Intake solution with the new telephony system.Rollout the Digital File portal and digitisation of active case files.Redevelop the website, with improved search experience and self-help capability. | Staff have improved access to client information.The community has better access to the information it needs to prevent and manage legal problems. |

**Improving diversity and inclusion**

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| **Priority**  | **Activities**  | **Outcomes**  |
| **VLA’s Inclusion framework**Develop strategies and plans to support a diverse and inclusive workforce and contribute to a more inclusive legal assistance sector.  | Develop and embed strategies and plans related to:* Disability
* Gender equality
* Anti-racism.

Develop and implement actions to: * meet the legislative obligations of the *Gender Equality Act 2020*
* respond to gender, diversity and inclusion survey results and recommendations
* respond to the VEOHRC Review of VLA: Responding to Workplace Sexual Harassment.
 | VLA is a more inclusive, diverse, and culturally safe workplace, free from sexual harassment.  |

**Addressing our long-term financial sustainability**

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| **Priority**  | **Activities**  | **Outcomes**  |
| **Long term financial sustainability** Implement VLA’s long-term financial plan to deliver legal assistance services to vulnerable and disadvantaged Victorians in a financially sustainable manner. | Develop an output costing model to more accurately track the financial impacts of demand changes for VLA services from other parts of the justice system. Work with government on a more sustainable funding model for VLA to meet the growing demand for our services.Continue to mature our procurement processes, including seeking improved social and sustainable outcomes that benefit the Victorian community. | VLA’s funding is sustainable and appropriate to meet demand.VLA has better practice procurement processes that support sound procurement and social and sustainable outcomes. |

# Strategic advocacy priorities

The *Legal Aid Act 1978* requires us to take steps to deliver legal services efficiently and innovatively to reduce the need for repeat, individualised legal services. One way we achieve this is by pursuing improvements in law and policy that result in better outcomes for our clients and the community.

Our work is guided by the following strategic advocacy principles:

1. We acknowledge First Nations peoples’ right to self-determination and recognise and respect their lived expertise in making decisions regarding matters that affect their lives and communities. We will work collaboratively with Aboriginal Community Controlled Organisations to inform our advocacy and reform work.
2. Our advocacy is shaped by the experience and expertise of people directly affected.
3. We acknowledge and challenge structural racism in our strategic advocacy work to improve the justice system.
4. We recognise that different aspects of identity—including race, sexual orientation, gender identity, disability, and socio-economic status—intersect to affect people’s experiences of discrimination and inequity.
5. We seek to improve laws and other systems to prevent the escalation of legal and life issues for our clients.
6. We contribute to a safe, fair, responsive, and accessible justice system with people at its centre.
7. We promote rights and accountability in systems and processes that affect people’s lives.

In 2021–22, our strategic advocacy priorities are to:

1. Advocate for fair laws and policies that reduce the negative impact of **COVID-19 measures**, including social drivers of legal need such as financial hardship, poverty, unstable housing and family violence.
2. Promote reforms that address the over-criminalisation of **First Nations people** and their disproportionate representation in the youth justice and child protection systems, working with Aboriginal Community Controlled Organisations.
3. Promote reforms that address the experiences of over-criminalisation and disproportionate involvement in the youth justice and child protection systems of **culturally and linguistically diverse communities**, working with culturally and linguistically diverse organisations and communities.
4. Promote rights, accountability and consumer leadership for **people experiencing mental health issues and people with disability**.
5. Advocate for responses that reflect the gendered dynamics of family violence and **promote victim safety and perpetrator accountability** in the family law, family violence and child protection systems.Recognise and seek to redress the particular impact of these systems on First Nations and culturally and linguistically diverse women, including the over-criminalisation of women.
6. Advocate for reforms to prevent and respond to **sexual harassment of women at work** that reflect the gendered dynamics of sexual harassment.
7. Advocate for measures that **reduce entry into the criminal justice system and the impact of criminal justice involvement,** including raising the age of criminal responsibility, bail and summary offences reform and increased access to therapeutic and culturally appropriate supports. We will advocate for system change that will prevent further First Nations deaths in custody.

Informed by the experiences of our clients and communities, we may also undertake strategic advocacy work in response to emerging or urgent systemic issues or to reform processes (for example, reviews, commissions, inquiries or legislative change) that are not identified in these priorities.

1. VLA’s client satisfaction surveys to date have been conducted every two years, and a full survey was not undertaken in 2020-21. From 2021-22 we will move to annual client surveys. During 2020-21, a modified survey was piloted during COVID-19. Results are statistically unreliable due to a small sample size arising from the inability to access clients. [↑](#footnote-ref-2)