



Northern Territory Legal Aid Commission

ANNUAL REPORT 1999-2000



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Northern Territory Legal Aid Commission

The Hon. Denis Burke MLA
Attorney-General
Parliament House
State Square
DARWIN NT 0800

Dear Attorney-General

I present the Annual Report of the Northern Territory Legal Aid Commission for the year ending 30 June 2000.

The Commission commenced operating in its own right on 1 July 1990 and in the first 12 months provided legal aid services to 5,233 people. For the 12 months to 30 June 2000 there were 11,894 clients. The dramatic rise in numbers is a reflection of the ongoing and increasing demand for a vital and independent legal aid service.

While criminal and family law remain the major areas of service throughout the Territory, the Commission is proud that it continues to be able to provide assistance in civil law areas. It is a sad reflection on the legal aid funding levels in Australia that legal aid is often precluded for civil matters.

Similarly the Commission is determined to maintain and increase its legal advice and community legal education services provided to people from all walks of life.

While the legal landscape in the Northern Territory has changed in the last 10 years, the challenges remain the same. The need for all people to have an understanding of the legal system and how it may impact on their behaviour, finances, lifestyle and liberty is fundamental. The Commission provides a service that is both relevant and essential to the individual and to society.

On behalf of the Commissioners I take this opportunity to publicly thank the Director and the staff of the Commission for the continuing high quality of legal and community services provided to the public.

There have been recent changes in the administration of the Commission in preparation for the wholesale overhaul of the taxation system, and the introduction of the Goods and Services Tax.

The major development in management in the last 10 years has been to reflect the public accountability in spending public money and providing transparency in reporting.

In accordance with the requirements of sections 42C and 42D of the *Legal Aid Act* this Annual report contains:

- (a) the financial statement prepared under section 42C; and
- (b) the report provided by the Auditor-General to the Director pursuant to section 42C(6)(b), in relation to the financial year 1999/2000.

The report also contains information as to:

- (c) the organisation of the Commission, including the number of employees at each salary level or salary range in the Commission and any variation in those numbers since the last report;
- (d) the Commission's operations, initiatives and achievements (including those relating to planning, efficiency, effectiveness and performance and, where appropriate, delivery of services to the community);
- (e) the financial planning and performance of the Commission;
- (f) equal opportunity management programs and other initiatives designed to ensure that employees employed in the Commission have equal employment opportunities;
- (g) management training and staff development programs in the Commission; and
- (h) occupational health and safety programs in the Commission.

Yours sincerely



DAVID FARQUHAR

CHAIRMAN

Northern Territory Legal Aid Commission

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DIRECTOR'S REPORT

The 30th June 2000 marked the Northern Territory Legal Aid Commission's tenth year of service and also saw an all time record number of legal aid grants.

The demand for legal aid has increased to such an extent over the last decade that approvals this year were 76% higher than they were in 1990.

This significant increase in the level of services, in a situation where the funding available for legal aid has remained relatively static, has only been possible because of the dedication of the Commission's own staff and of those private practitioners still willing to undertake legal aid referrals despite the low level of remuneration.

The Commission is set to enter an agreement with the Commonwealth which will govern the provision of legal aid in matters arising under Federal Law over the next four years. The agreement provides for a modest increase in Commonwealth funding, the bulk of which will be received in the final two years. The most welcomed aspect of the new agreement, as far as the Northern Territory is concerned, is that the Commonwealth has reinstated an expensive Commonwealth criminal cases fund. This will enable us to recoup the one off cost of expensive Commonwealth drug cases and to also cope with the extraordinary costs we have incurred in providing representation for the large numbers of Indonesian nationals charged with "people smuggling" offences.

The downside of the new agreement with the Commonwealth is the requirement that the Commission implement a complex performance reporting system to comply with the "purchaser/provider" relationship that now governs our dealings with the Commonwealth. There is a significant cost associated with developing and maintaining such sophisticated accounting systems which in the Territory's case will be used to measure relatively low levels of output when compared to the larger legal aid commissions in other States. This means that there will be a number of Territorians who will be denied legal aid because the money has been spent on maintaining an artificial accounting system which is primarily concerned with categorising outputs as items of Commonwealth or Territory responsibility rather than on increasing the overall opportunity of citizens to gain access to justice.

I wish to express my sincere thanks to all my fellow workers and Commissioners, both past and present, for the support and guidance they have provided me over the past 10 years.



RICHARD COATES

DIRECTOR

NORTHERN TERRITORY LEGAL AID COMMISSION

6 December 2000

CHARTER

Our CHARTER is to ensure that the protection or assertion of the legal rights and interests of people in the Northern Territory are not prejudiced by reason of their inability to:

- obtain access to independent legal advice;
- afford the financial cost of appropriate legal representation;
- obtain access to the Federal or Territory legal systems; or
- obtain adequate information about access to the law and legal system.

DUTIES OF COMMISSION

In the performance of its function, the Commission shall:

- ensure that legal assistance is provided in the most effective, efficient and economic manner;
- ensure that its activities are carried on consistently with, and do not prejudice, the independence of the private legal profession;
- liaise and co-operate with, and if the Commission considers it desirable to do so, make reciprocal arrangements with, professional bodies representing private legal practitioners and other bodies engaged or interested in the provision of legal assistance in the Territory or elsewhere;
- liaise with professional bodies representing private legal practitioners in order to facilitate the use, in appropriate circumstances, of services provided by private legal practitioners;
- make maximum use of services which private legal practitioners offer to provide on a voluntary basis;
- encourage and permit persons who are not legal practitioners to participate, so far as the Commission considers it practicable and proper to do so, on a voluntary basis, under professional supervision, in the provision of legal assistance by officers;
- provide officers and agencies of the Commonwealth or a State concerned in the provision of legal assistance with such statistical and other information as they reasonably require;
- make its service available to persons eligible for legal assistance by establishing such local offices, and by making such other arrangements, as it considers appropriate;
- determine priorities in the provision of legal assistance as between different classes of persons or classes of matters;
- arrange for the provision of duty lawyer services at sittings in the Territory in such courts as it considers appropriate; and
- endeavour to secure the services of language interpreters, marriage counsellors and other appropriate persons to assist legally assisted persons in connection with matters in respect of which they are provided with legal assistance.

LEGISLATION

The Commission was established under the *Northern Territory Legal Aid Act 1990*. Sections of the Act have been amended by the *Legal Aid Amendment Act 1992*, the *Financial Management (Consequential Amendments) Act 1995* and the *Legal Aid Amendment Act 1998*.

LEGAL AID AGREEMENTS

A new Agreement between the Commonwealth of Australia and the Northern Territory was entered into in July 1997. This replaced the original Agreement in relation to the provision of Legal Aid, which was signed on 9 May 1990 and amended on 28 October 1991.

THE COMMISSIONERS

COMMISSIONERS' ROLE

To ensure that legal assistance is provided in accordance with the Legal Aid Act 1990.

DAVID FARQUHAR

Chairman

Graduated ANU with BA., LLB. Commenced practice in the NT in 1977 as Crown Prosecutor; joined Australian Legal Aid Office in 1979; in private practice since 1980. Currently a partner in a Darwin based legal practice. Chairman Public Sector Disciplinary/Inability Appeals Board. Chairman of Police Appeals Board. Originally appointed to the Commission on 29 June 1990. Appointed Chairman by the Northern Territory Attorney-General on the 1 August 1996. Appointment expires 31 July 2002.

Dr. VALERIE ASCHE MSc., PhD., FASM., MAIBiol., Cbiol.

Has had a wide ranging career including Head of the Microbiology Unit at the Menzies School of Health Research (1986-1994); a consultant for the NT Health Services; a University academic, an industrial consultant and Head of a Diagnostic Unit. Has an in depth involvement with the community having been patron of over 35 organisations. Currently patron of 8 community organisations; a member of 10 Boards and editor of *Recent Advances in Microbiology*. Chairperson of TOP FM Community Radio Station. Chairperson of ASEA-REHABS. Appointed to the Commission on 11 August 1998 by the Northern Territory Attorney-General to represent community interests. Appointment expires 31 July 2002.

STUART BARR

Graduated from Adelaide University with a Bachelor of Laws in 1990; graduated from University of South Australia with a Graduate Diploma Legal Practice in 1991. During 1991 -1998 practising solicitor with private legal firms in Adelaide, Cairns and Darwin. Accredited Family Law specialist since 1996. Commenced employment with the Commission in July 1998 as Senior Solicitor of the Family and Civil Law Practice. Appointed 10 March 2000 by the Northern Territory Attorney-General after having been elected by staff of the Commission. Appointment expires 31 July 2002.

JANE LARGE

Forty-one years of public service include the British Civil Service, Commonwealth, State and Northern Territory. Agencies include Foreign Office, Police, Attorney-General's, Law, Mines and Energy and Treasury. Currently Senior Director, Budgets Division, Northern Territory Treasury. Member of the Finance Committee, Menzies School of Health Research. Justice of the Peace. Originally appointed 29 June 1990 by the Northern Territory Treasurer. Appointment expires 31 July 2002.

MARGARET LYONS

Graduated 1977 from Melbourne University with a Bachelor of Laws. Practised in Melbourne and Warnambool until mid 1982. Appointed to Northern Territory Department of Law in 1982 with special responsibility for the Women's Advisory Council. Appointed Director of Women's Affairs in 1984. Appointed Director, Industrial Development Department of Business Technology and Communications in 1985. Appointed Assistant Secretary, Corporate Services, in the newly formed Department of Industries and Development in 1987. Appointed Acting Deputy Secretary, Department of the Chief Minister in 1988. Appointed Deputy Public Service Commissioner in 1991. Appointed Deputy Secretary, Department of the Chief Minister in 1993. Resigned in May 1995 from the public sector to contest the Legislative Assembly seat of Fannie Bay. Appointed Chief of Staff, in the Chief Minister's Office in June 1995. Appointed Chief Executive Officer, Attorney-General's Department in September

1997. Appointed Chief of Staff in the Chief Minister's Office July 1999 to June 2000. Resumed appointment as Chief Executive Officer of the Attorney-General's Department in July 2000. Appointed to the Commission on 22 September 1997 by the Northern Territory Attorney-General. Appointment expires 31 July 2002.

CHRIS MEANEY

Graduated from Australian National University with Bachelor of Laws in 1983. In 1984 Admitted as a Barrister in NSW; as a Barrister and Solicitor in the ACT and entered on the High Court Roll. Has held the following appointments in the Commonwealth Attorney-General's Department: 1985 - Legal Officer, Trade Practices Branch; 1986 to April 1990 - Senior Legal Officer and Principal Legal Officer, Criminal Law Branch; April 1990 to November 1992 - Departmental Adviser to the Attorney-General; November 1992 to June 1993 - Acting Senior Adviser Criminal Justice; July 1993 to February 1999 - Assistant Secretary International Branch Criminal Law Division; From February 1999 - Assistant Secretary Legal Aid Branch. Appointed on the 1 August 1999 by the Northern Territory Attorney-General, on the nomination of the Attorney-General of the Commonwealth. Appointment expired 31 January 2000.

ELIZABETH MORRIS

Graduated from Sydney University with a BA (Hons), LLB and commenced work in the Northern Territory as Associate to the now Chief Justice. After a brief sojourn as Sheriff of the Northern Territory, completed articles at the Northern Territory Legal Aid Commission and was admitted to practice in 1991. Graduated with a certificate in Public Sector Management in 1997. Working currently as a barrister and solicitor in the criminal law practice of the Commission. Originally appointed 1 July 1993 by the Northern Territory Attorney-General after having been elected by staff of the Commission. Resigned 21 November 1999.

EILEEN TERRILL

Graduated University of Adelaide with LLB in 1977. Commenced practice in the Northern Territory in 1977. From 1977 to 1985 employed as a solicitor in local Darwin firms. From 1985 to 1990 in charge of the Family and Civil Law Section of the Australian Legal Aid Office, Darwin. From 1986 to 1990 Director of the Australian Legal Aid Office, Darwin. From 1991 to present, Principal of a small Darwin based legal practice. Councillor of Law Society since 1993. On Executive Committee of the Northern Territory Law Society, 1997-2000. Appointed by the Northern Territory Attorney-General, on the nomination of the Law Society. Originally appointed 29 October 1997. Appointment expires 31 July 2002.

RICHARD COATES

Admitted to practice in Victoria in 1974. Was a locum with the Central Australian Aboriginal Legal Aid Service (CAALAS) in 1975. From 1975 to 1986 partner in a Melbourne legal firm. From 1986 to 1988 Principal Legal Officer with CAALAS. Appointed Stipendiary Magistrate of the Northern Territory 1988. Appointed as first Director of the Northern Territory Legal Aid Commission (1990). Member of the Police Powers Review Committee; Councillor of the Northern Territory Law Society; Member of the Criminal Code Review Committee; Chairman of the Escort Agency Licensing Board and Chairman of the Australasian Legal Assistance Forum and member of the council of the Australian Institute of Judicial Administrators.

COMMITTEES

NORTHERN TERRITORY CONTINGENCY LEGAL AID FUND

The Northern Territory Contingency Legal Aid Fund (CLAF) was established on 1 March 1993 with a seeding grant of \$200,000 from the Law Society Public Purposes Trust. In June 1997 the Fund received a loan of \$200,000 from the Commission's Legal Aid Fund.

CLAF is administered by the Commission's Assignments Practice. The Fund covers disbursements necessarily incurred during the course of litigation such as stamp duty, service fees, expert witnesses' reports, travelling costs and fees associated with expert witnesses. The Fund does not pay for solicitors' or barristers' professional costs or general office expenses such as photocopying, telephone charges or facsimile charges.

The Fund is available for all areas of law, which result in a monetary award to the applicant.

CONTINGENCY LEGAL AID FUND COMMITTEE

COMMITTEE ROLE

Established in accordance with s.16 of the *Legal Aid Act 1990*.

To determine whether or not to grant applications for assistance under the Contingency Legal Aid Fund.

MEMBERSHIP OF THE COMMITTEE

Richard Coates —● Director

Josephine Stone —● Deputy

LAW SOCIETY NOMINEES:

P. Barr —● Private Legal Practitioner

M. Carter —● Private Legal Practitioner

S. Gearin —● Private Legal Practitioner

I. Morris —● Private Legal Practitioner

J. Neill —● Private Legal Practitioner

G. Schneider —● Private Legal Practitioner

S. Southwood —● Private Legal Practitioner

M. Spazzapan —● Private Legal Practitioner

E. Terrill —● Private Legal Practitioner

A. Young —● Private Legal Practitioner

COMMISSION APPOINTEES:

S. Reddy —● Para Legal Secretary, Northern Territory Legal Aid Commission

P. Wright —● Legal Practice Manager, Northern Territory Legal Aid Commission

STATISTICAL INFORMATION

The demands on the fund have been:

Since the fund commenced in March 1993 there has been a total of 158 applications to the fund. The applications for funding largely relate to personal injury actions such as occupiers' liability, medical negligence and work health. Few applications relating to commercial litigation or family law property settlement have been received.

	1999/00	1998/99	1997/98	1996/97
Applications Received	24	19	28	32
Applications Approved	13	11	16	20
Applications Withdrawn	5	2	5	1
Applications Refused	5	4	6	10
Applications to be Decided	1	2	1	1

REVIEW COMMITTEE

COMMITTEE'S ROLE

To review decisions referred to the Committee under s.35(3) of the Legal Aid Act, 1990. Under s.35 persons who feel they have been adversely affected by decisions taken on their application for legal aid may seek reconsideration or review of those decisions.

During 1999/00 the Review Committee met on eighteen separate occasions to review twenty-four client requests. The outcome of their deliberations was that fifteen decisions were varied in favour of the applicants.

MEMBERSHIP OF THE COMMITTEE

On the 15 March 2000 the following persons were appointed to the Committee for a period of twelve months.

Private Legal Practitioner	—● G. Andrews	M. Carter	B. Cassells
	E. Hutton	R. Lawford	M. Little
	T. Marris	R. Millar	B. O'Loughlin
	B. Priestley	G. Schnieder	S. Sievers
	D. Story	J. Tippett	
Independent person with relevant experience	—● A. Beven	K. Bowley	K. Dow
	J. Duguid	K. Halliday	N. Hunter
	F. Hussin	W. Morton	E. Morris
	A. O'Brien	M. O'Brien	B. Piper
	T. Prichard	M. Story	F. Allison
Officer of the Commission	—● L. Bennett	D. Conidi	S. Cox
	J. Devlin	G. Dooley	S. Gilmour
	E. Harbour	J. Hunyor	R. Neil
	H. Spowart	J. Truman	S. Barr
Secretary to Committee	—● A. Athanasiou		

OVERVIEW OF OPERATIONS

The provision of legal services by the Northern Territory Legal Aid Commission is governed by the *Legal Aid Act 1990*.

The Northern Territory Legal Aid Commission is independent of the Territory and Commonwealth Governments. In fact, the Act specifically allows the Commission to help disadvantaged persons in cases where they might be in dispute with, or opposed to, either Government or any public authority or organisation.

The legal services provided by the Commission take the form of legal advice, help from one of our duty lawyers or legal assistance.

LEGAL ADVICE

Commission lawyers will give advice on legal matters free of charge to anyone who is unable to obtain advice or information from a private lawyer for any good reason provided that the interview in which that advice is given does not go beyond 20 minutes.

Advice will be given at the Commission offices or certain Court Houses, during those times as the Director appoints, having regard to the availability of staff.

Unless special circumstances exist, legal advice will not be available for persons who are seeking advice on a matter for which they have previously been refused assistance.

Where, in the opinion of the Director a person has, during their past attendance at advice sessions, behaved in an offensive or abusive manner toward staff members, or repeatedly sought assistance in respect of matters lacking merit, the Director may decline to provide that person with advice.

DUTY LAWYER SERVICES

The Legal Aid Commission provides duty lawyer services either by using its own staff or by funding lawyers in private practice, to such sittings of the Magistrates, Juvenile and other Courts in the Territory as the Director considers appropriate.

Duty lawyers are available to advise accused persons and, if necessary, appear for them in bail and adjournment applications and in appropriate cases to represent them on a guilty plea. Duty lawyers do not appear in defended cases unless the circumstances are exceptional.

In cases of particular hardship or urgency they may also provide rudimentary assistance to persons involved in certain types of civil cases.

LEGAL ASSISTANCE

Legal assistance may be provided under Section 26 of the Act if, and only if, -

- (a) a person is in need of that legal assistance by reason that she or he is unable to afford the cost of obtaining from private legal practitioners the legal services in respect of which legal assistance is sought; and
- (b) it is reasonable in all the circumstances to provide the legal assistance.

The assistance may be provided free or on condition that the assisted person pays part or all of the cost of providing legal assistance.

Thus the Commission must apply two tests to any application for legal assistance - a means test and a "reasonableness" or merits test.

MERITS TEST

In determining whether to grant legal assistance in relation to any matter, regard is had to all relevant matters including:

- (a) the likely cost to the Commission of providing the assistance;

- (b) the nature and extent of any benefit that may accrue to the applicant from the provision of the assistance or of any detriment that the applicant may suffer if assistance is not provided;
- (c) in the case of assistance in relation to a proceeding - the likelihood of the proceedings terminating in a manner favourable to the applicant;
- (d) whether the legal problem or the applicant come within the Commission's or Commonwealth's **priorities** for the provision of legal assistance;
- (e) whether the legal problem is one for which, in accordance with the Commission Guidelines, legal assistance may be provided.

COMMISSION GUIDELINES

The Commission is required by Section 12 to determine, and make known to the public, guidelines to be applied in considering applications for legal assistance and in making decisions as to other specified matters involving the exercise of discretion.

The guidelines were originally published in November 1990 and are revised as necessary from time to time. The Commission, in July 2000, approved the latest revision. They are circulated to interested parties and are available from the Office on request.

CONTRIBUTIONS AND RECOVERY OF COSTS

An important component of the Commission's funding base is the amount recovered from client contributions.

Initial contributions, of at least \$55.00, based on the applicant's income and assets are usually imposed. Interim and final contributions may also be imposed, especially where a legally assisted person's financial circumstances have substantially improved during the currency of a grant of aid.

Where an assisted person is successful, the Commission may recover costs either in complete or partial satisfaction of a final contribution. This will depend on the circumstances of the finalisation of the matter.

RECONSIDERATION AND REVIEW OF DECISIONS

An applicant for legal assistance may request that an unfavourable decision be reconsidered.

Where a decision is confirmed or varied following reconsideration by staff of the Commission, the person affected may request that the decision be referred to a Review Committee for review.

The Review Committee consists of an officer of the Commission, a private legal practitioner and another independent person with relevant experience.

LEGAL PRACTICES

Within its overall operations the Commission operates four legal practices, namely:

- Family Law Practice;
- Criminal Law Practice;
- Civil Law Practice; and
- Assignments Practice.

LOCATIONS

The Commission maintains offices in Darwin, Alice Springs, and Katherine and currently provides services to other major centres by utilising either its own staff or private practitioners. Office locations and contact numbers are detailed on the last page of this annual report.

ORGANISATIONAL STRUCTURE AND OBJECTIVES

CHIEF EXECUTIVE OFFICERS UNIT

OVERALL OBJECTIVES:

- In consultation with the Board of Commissioners provide leadership and direction to the operations of the Commission.

FAMILY, CRIMINAL AND CIVIL LEGAL PRACTICES

OVERALL OBJECTIVES:

- Provide concise initial advice to members of the public in respect of their rights and obligations under any Commonwealth or Northern Territory legislation;
- Where appropriate, refer members of the public to appropriate providers of non-legal services ; and
- Where legal assistance has been granted provide representation of a high standard in a timely and cost efficient manner to clients of the Commission in order to obtain a just and equitable resolution of their law dispute.

ASSIGNMENTS PRACTICE

OVERALL OBJECTIVES:

- Provide an efficient and effective service in assessing applications for legal aid;
- Ensure that services provided by private legal practitioners to Commission clients are cost effective and efficient;
- Administer the Contingency Legal Aid Fund; and
- Provide input into law reform issues.

COMMUNITY LEGAL EDUCATION

OVERALL OBJECTIVES:

- Inform the community about the range of services offered by the Commission;
- Develop community legal education projects and publications to meet specific legal needs; and
- Respond to policy or law reform issues that are relevant to the Commission's client base.

STRATEGIC AND CORPORATE SERVICES

OVERALL OBJECTIVES:

- Provide the infrastructure within the Commission so that legal services are provided to the people of the Northern Territory in an efficient and effective manner; and
- Initiate policies, strategies, advising and reporting (in all matters other than those of a direct legal services nature) to external and internal stakeholders so that the Commission's charter may be achieved.

COMMISSION OFFICES AND PRINCIPLE FUNCTIONS

DARWIN

Located within the Darwin office are the following divisions:

- Chief Executive Officer's unit;
- Criminal Law Practice;
- Family Law Practice;
- Civil Law Practice;
- Assignments Practice;
- Community Legal Education unit; and
- Strategic and Corporate Services unit.

Legal services are provided to residents of Darwin, Palmerston and outlying rural areas as well as foreign nationals who have been charged with committing certain offences under Commonwealth legislation, such as illegal fishing and people smuggling.

Legal support and assistance is provided to the branches as and when required.

Assignments, Community Legal Education, financial management, financial and statistical reporting, accounting, information technology, personnel services and the Review and Contingency Fund Committees are centralised in Darwin.

ALICE SPRINGS OFFICE

The Alice Springs Office provides legal services in criminal, family and civil law in the southern region of the Northern Territory.

Lawyers attend the Alice Springs Courthouse each day and provide free advice and representation to persons requiring assistance. In addition, free legal advice sessions are conducted at the office three days per week and telephone advice is provided to callers from remote areas.

A lawyer also attends Tennant Creek and Yulara to provide legal advice and representation during Court sittings. Solicitors also attend at the Alice Springs gaol/hospital to provide advice and representation as required.

KATHERINE OFFICE

The Katherine Office provides legal services in criminal, family and civil law in the Katherine region of the Northern Territory.

Duty Lawyer services are provided at the Katherine Courthouse as required as well as legal representation. Free legal advice sessions are conducted at the Katherine Office. Where a solicitor is unavailable legal advice is provided to the client via a video conferencing link with the Darwin office.

From time to time the Katherine branch lawyer is required to provide services to the more remote areas of the Katherine region.

STAFFING OF THE COMMISSION

As at 30 June 2000, the following persons were employed:

- DIRECTOR** ● Richard Coates LLB
Para Legal Secretary (Part-time) ● Aggie Athanasiou
Executive Officer (National Legal Aid) (Part-time) ● Jenny Hardy BA; LLB

DARWIN

ASSIGNMENTS PRACTICE

- Senior Solicitor** ● Josephine Stone LLB
Para Legal Secretary ● Sue Reddy
Para Legal Support ● Amanda Bamford

CRIMINAL LAW PRACTICE

- Senior Solicitor** ● Suzan Cox BA; LLB
 ● Jonathon Hunyor BEc; LLB (Hons)
 ● Louise Bennett LLB
 ● Mark Johnson LLB
 ● Jenny Devlin LLB (Hons)
 ● Helen Spowart BA, LLB; Grad Dip (Legal Practice)
Article Clerk ● Matthew Bonson LLB
Para Legal Secretary ● Haley Richardson
Para Legal Secretary ● Gloria Rautamara

FAMILY AND CIVIL LAW PRACTICE

- Senior Solicitor** ● Stuart Barr LLB
 ● Jodi Truman LLB
 ● Rachel Neil BA; LLB (maternity leave)
 ● Elizabeth Harbour BSc, LLB
Article Clerk ● Isabelle Harrison LLB
Para Legal Secretary /Child Support ● Melinda Naismith
Para Legal Secretary ● Sue Gowler

COMMUNITY LEGAL EDUCATION

- Sally Rush

STRATEGIC AND CORPORATE SERVICES

- Legal Practice Manager** ● Patrick Wright BA (Computing); Grad Dip Ed; CPA
Accounts Officer ● Barbara Lelli
Personnel/Accounts ● Leeanne Morris
Accounts Clerk ● Karen Markos
Administration Officer ● Monica Settele
Administration Officer ● Mark Wright
Administration Officer ● Laura Sullivan
Administration Officer ● Jodie Siebert
Office Services ● Jeanon Cubillo (maternity leave)
Librarian (Part-time) ● Sam Fewings

ALICE SPRINGS

- Senior Solicitor** —● George Georgiou BEc; LLB
- Russell Goldflam BA; BLEGS (Hons);
Grad Dip Ed
- Helen Collins BSc (Hons) LLB (Hons)
- Para Legal Support** —● Cheryl Ross
- Para Legal Support** —● Wendy Vismans
- Librarian (Part-time)** —● Jane Hill

KATHERINE

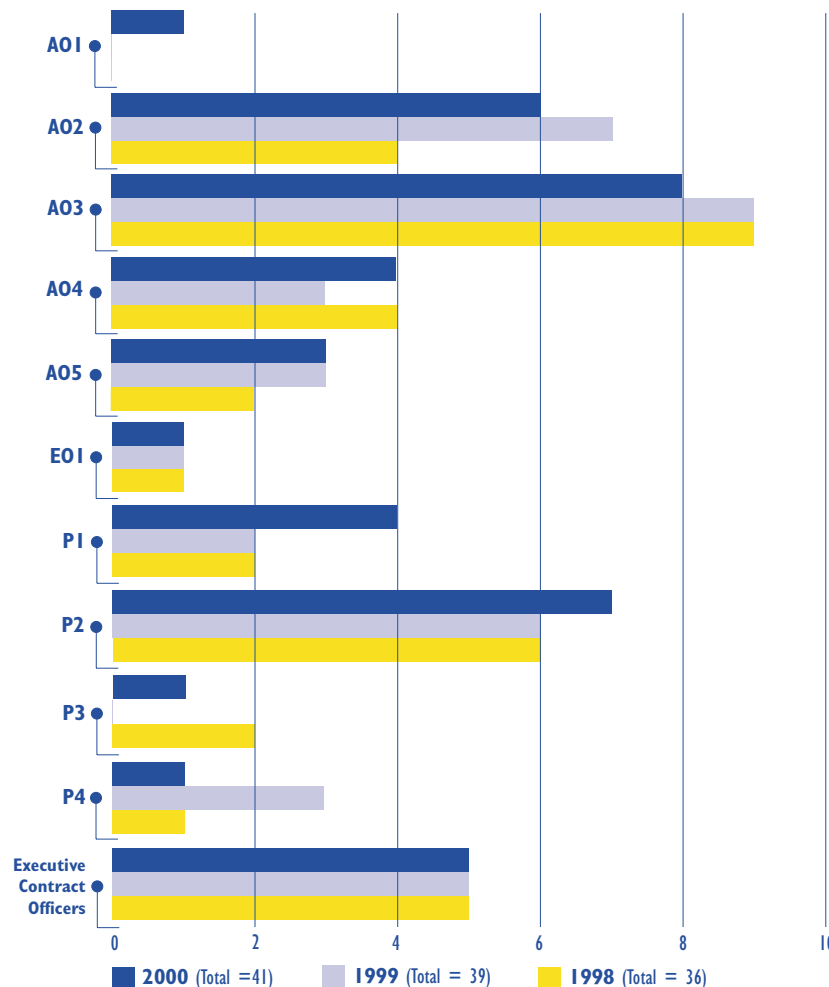
- Solicitor** —● Glen Dooley B.Juris LLB
- Para Legal Secretary** —● Jodie Ah Chin
- Para Legal Secretary Support** —● Cassie Lamb

VOLUNTEERS

Under S.8 of the Act the Commission shall encourage persons who are not legal practitioners to participate, as far as is practicable, in a volunteer capacity whilst under professional supervision. During the year the Commission did not "recruit" any volunteers.

STAFFING LEVELS

Staffing levels as at 30th June were:



AO - Administrative Grades; P - Professional Grades (Legal Officers)
All legal officers are on employment contracts.

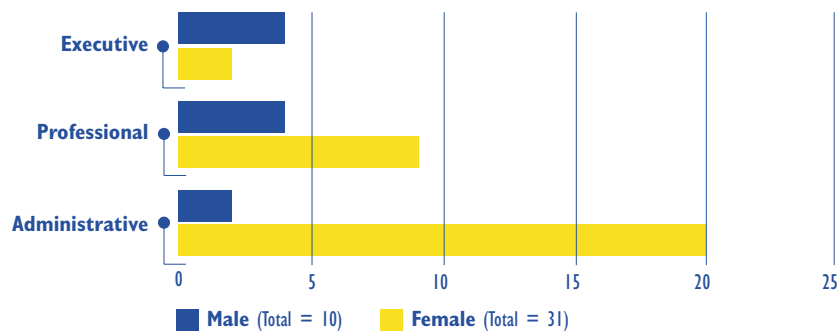
RESIGNATIONS/LEAVE WITHOUT PAY

During the year 4 employees resigned.

EQUAL EMPLOYMENT OPPORTUNITY

Management monitors the internal environment to ensure that equal employment opportunities are present. Because of the nature of the staff who are attracted to the Legal Aid Environment issues of discrimination seldom, if ever, arise.

Distribution of the sexes are as follows:



ABORIGINAL AND TORRES STRAIT ISLANDER CADETSHIP PROGRAM

During the year an indigenous person continued their cadetship in a Bachelor of Law degree at the Northern Territory University. The Department of Employment Education Training and Youth Affairs contributes financially to this program.

NORTHERN TERRITORY COMMUNITY INVOLVEMENT

During the year members of staff, in their own time, contributed to the development of their respective professional associations, as well as:

- Aboriginal Interpreter Service Lobby Group
- Alice Springs Friends of East Timor
- Alice Springs Youth Accommodation and Support Service
- Alternative Law Journal
- Australian Army Reserve, Captain
- Central Australian Women's Legal Service
- Central Australian Youth Justice
- Central Australian Youth Justice Coalition
- Leanyer School Council, Chairperson
- Child Support Seminar, lecturer
- Darwin Community Legal Service, volunteer
- Darwin Tenpin Bowling Association, treasurer
- Defence of Children International
- Environmental Defenders Office
- Family Law Working Group, National Legal Aid

- Family Lawyers Association of the Northern Territory, member
- Institute for Aboriginal Development
- Law Week
- Mock Trial competition
- Multicultural Council of the NT, youth representative
- Northern Territory Environment Centre, member
- NT Anti-Discrimination Commission Inquiry into Aboriginal Interpreting
- NT Women Lawyers Association, member
- Relationships Australia
- Resolve Family Mediation
- Resolve Family Mediation Program (Alice Springs)
- Senate Inquiry into Mandatory Sentencing of Juveniles
- Spoke to East Timorese UN Staff about legal issues, volunteer
- Top End Womens Legal Service, volunteer
- Torture and Trauma Survivor Service NT, Management Committee
- Students undertaking work experience were exposed to the Legal Aid environment and the processes of the law.

STAFF DEVELOPMENT

During the year various members of staff were involved in staff development programs. The nature of the programs included conferences, workshops, seminars and training courses. The programs included:

- Criminal Lawyers Association of the NT Conference, participant and presenter
- Family Lawyers Conference
- Law Society Northern Territory Continuing Legal Education Program (Alice Springs)
- NSW LAC Duty Solicitors Conference, a paper was also presented

Staff attended meetings and seminars organised by their respective Northern Territory Professional Associations.

OCCUPATIONAL HEALTH AND SAFETY

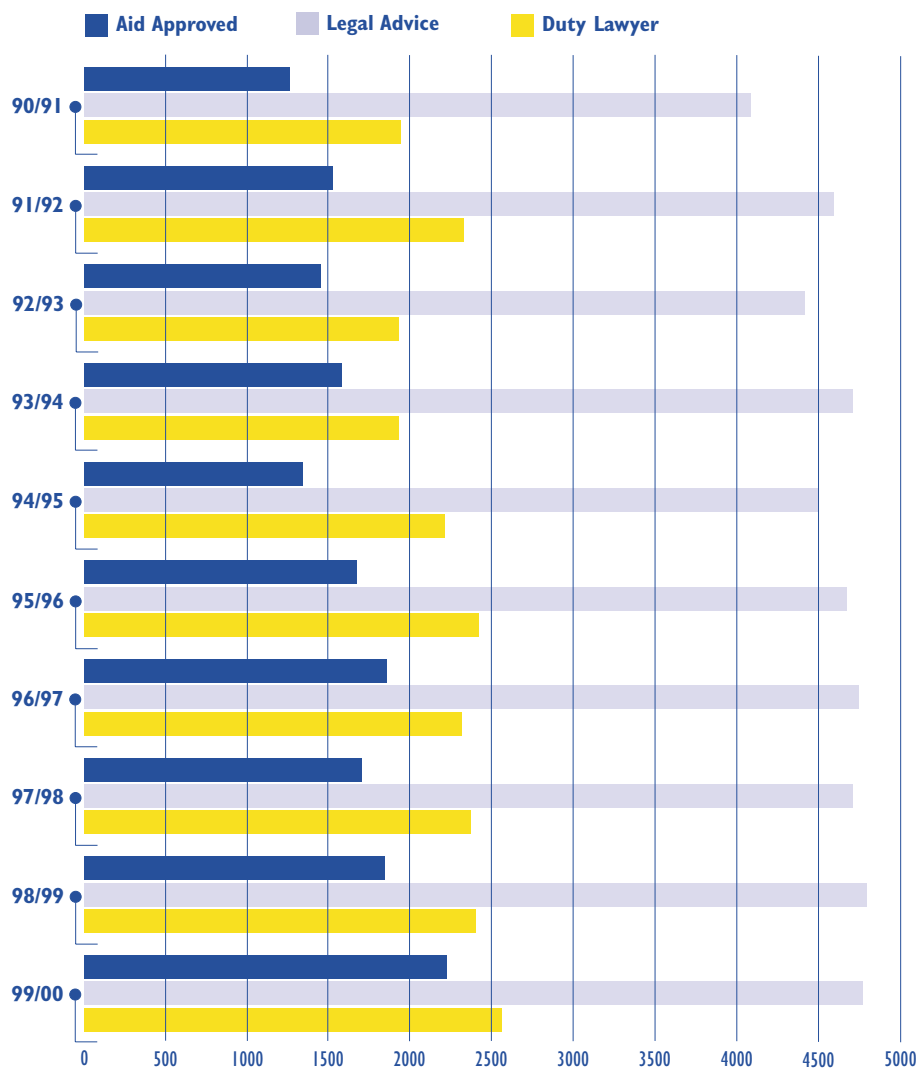
During the year there were no work-related accidents. A tobacco free environment exists. Employees are encouraged to adopt safe working practices.

ACHIEVEMENTS

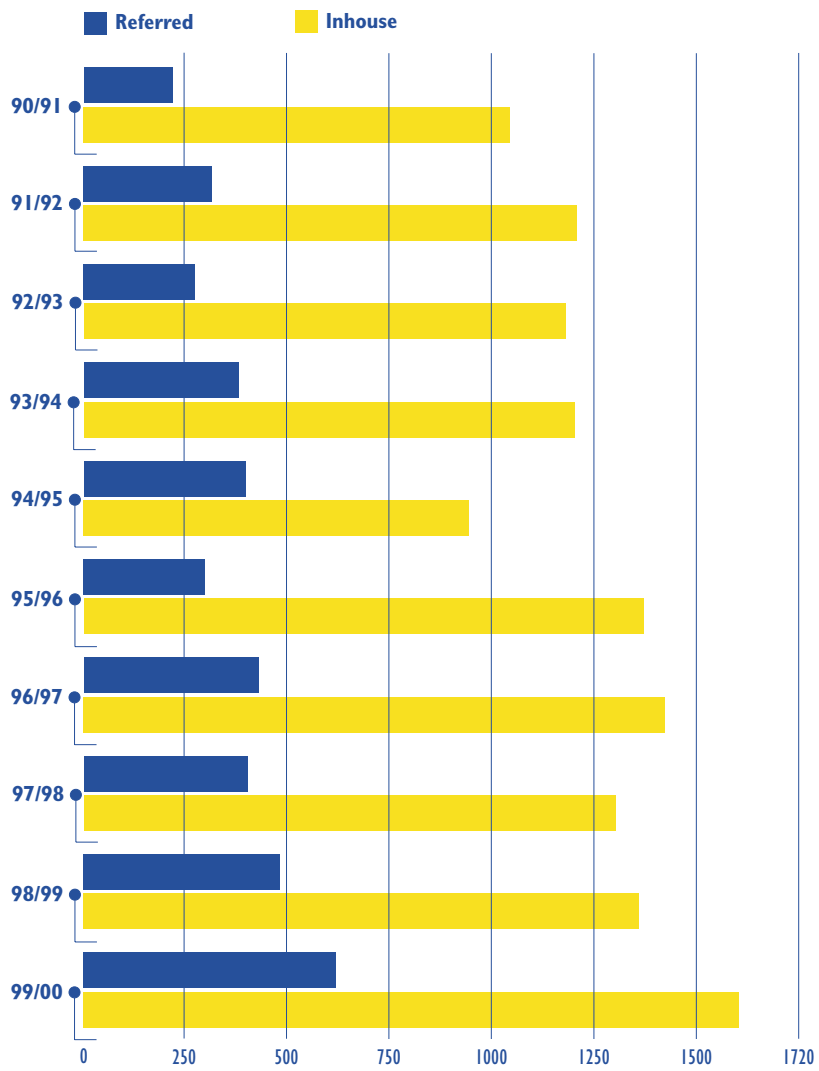
During the year:

- 2561 applications for aid were processed.
- 2222 applications for aid were approved.
- 618 approved applications for aid were referred to private practitioners.
- 1604 approved applications for aid was handled by Commission staff.
- 4769 persons received free legal advice.
- 2560 persons received advice and/or were represented by Duty Lawyers.
- 2343 persons accessed the free telephone legal information service.

PRIOR YEARS COMPARATIVE



REFERRED:INHOUSE MATTERS



PERFORMANCE

PERFORMANCE INDICATORS 1995/96 TO 1999/00

	95/96	96/97	97/98	98/99	99/00	TARGET
Population	173900	181900	189200	191400	194500	
Estimated No. of Clients	11652	11633	12255	11955	11894	

PER 1000 HEAD OF POPULATION

Legal Advice Provided	26.85	26.07	24.87	25.06	24.51	26
Duty Lawyer Services	13.91	12.73	12.52	12.53	13.16	14
Applications for Legal Aid						
Received	11.74	12.42	11.01	11.34	13.17	
Approved	9.59	10.18	9.00	9.62	11.42	12
Refused	1.81	2.06	1.91	1.62	1.66	
Telephone Legal						
Information Clients	17.08	14.98	18.38	15.25	12.05	19
Estimated Clients	67.00	63.95	64.77	62.46	61.15	

CUMULATIVE % OF ACCOUNTS PAID

Within 5 days	97.74	83.44	80.56	79.42	82.25	85
Within 10 days	99.72	93.72	93.27	95.13	96.26	99
Within 15 days	99.88	97.25	96.87	98.54	98.64	
Within 20 days	99.92	98.23	97.74	98.95	99.72	100
Within 30 days	99.92	99.35	98.78	99.85	99.98	
Within 30 days	98.58	99.92	99.35	98.78	99.85	

OUTPUT STATISTICS

MEASURING THE ATTAINMENT OF THE COMMISSION'S OBJECTIVES SUMMARY OF MAJOR ACTIVITIES

	95/96	96/97	97/98	98/99	99/00
Applications for Aid Processed	2041	2259	2083	2170	2561
Applications for Aid Approved	1667	1851	1703	1841	2222
Applications for Aid Refused	314	375	362	311	323
Free Advice Sessions	4669	4743	4712	4796	4769
Duty Lawyer Services	2419	2315	2369	2399	2560
Telephone Information Clients	2970	2724	3477	2919	3245
Payments to Private Practitioners (\$)	1257227	903182	900894	106033	1222564

NET PAYMENTS TO PRIVATE PRACTITIONERS

Referred Cases					
Family	287912	226295	242787	337306	407270
Criminal	144322	98640	147677	138366	133300
Civil	428906	271345	188047	327007	315414
Inhouse Cases (Counsel Fees)					
Family	17919	22236	25662	14093	34034
Criminal	292586	233290	236367	191898	225239
Civil	18932	10083	3525	6457	76567
Duty Solicitor	16665	2200	10900	3013	12120
Locums	49985	39093	45929	42193	18620
TOTAL	1257227	903182	900894	1060333	1222564

APPLICATIONS APPROVED AND REFERRED TO PRIVATE PRACTITIONERS

Family	140	185	179	205	288
Criminal	71	115	108	117	124
Civil	86	128	114	159	206
TOTAL	297	428	401	481	618

APPLICATIONS APPROVED AND HANDLED BY COMMISSION STAFF

Family	313	324	289	266	320
Criminal	841	884	929	963	1156
Civil	216	215	84	131	128
TOTAL	1370	1423	1302	1360	1604

FREE ADVICE SESSIONS

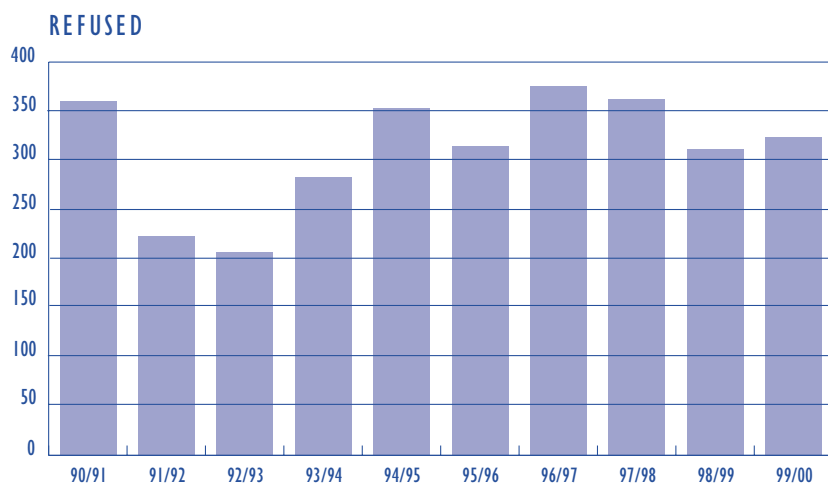
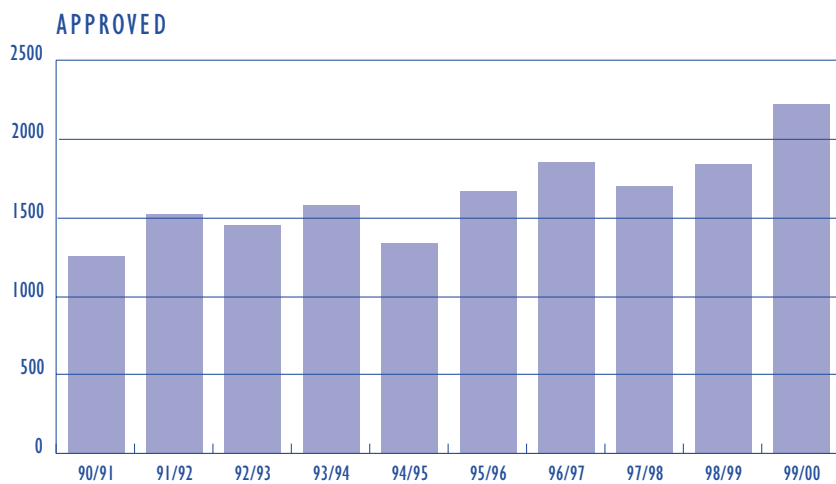
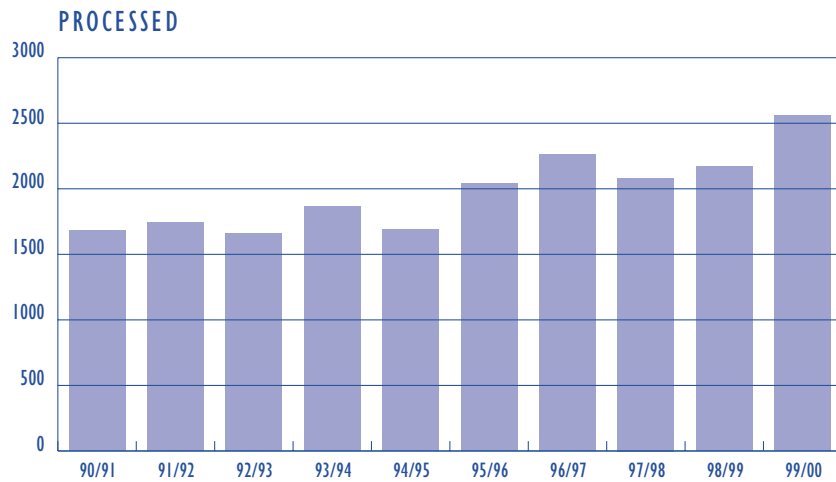
Family	1700	1670	1620	1494	1635
Criminal	1191	1271	1293	1605	1360
Civil	1778	1802	1799	1697	1751
TOTAL	4669	4743	4712	4796	4746

DUTY LAWYER SERVICES

Family	1700	1670	1620	1494	1635
Advice Only	720	730	686	695	614
Representation	9	104	101	102	57
Plea	179	83	63	64	226
Advice & Representation	1467	1338	1464	1482	1618
Negotiations	9	6	9	9	17
Other	35	54	46	47	28
TOTAL	2419	2315	2369	2399	2560

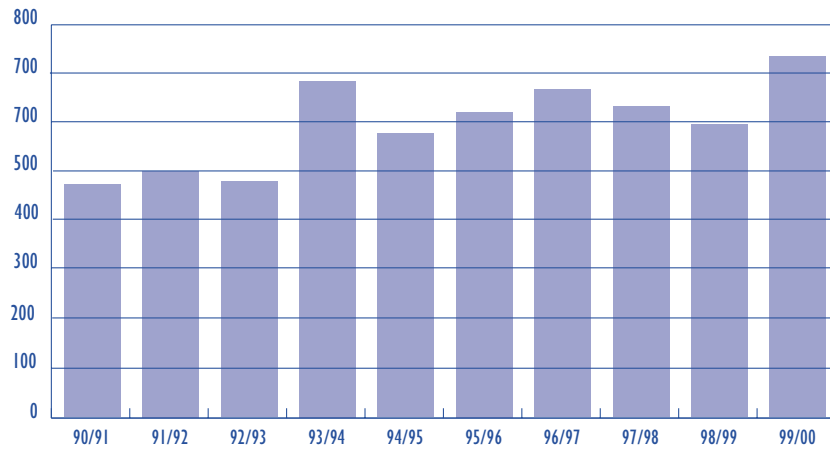
APPLICATIONS FOR AID

SUMMARY

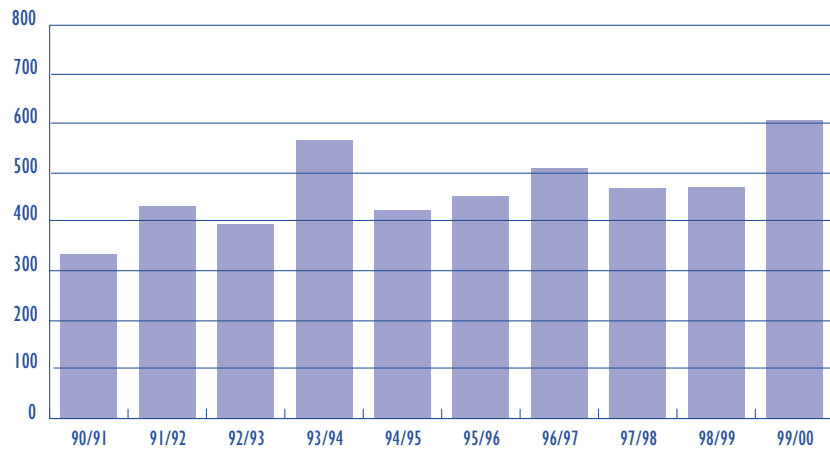


FAMILY LAW

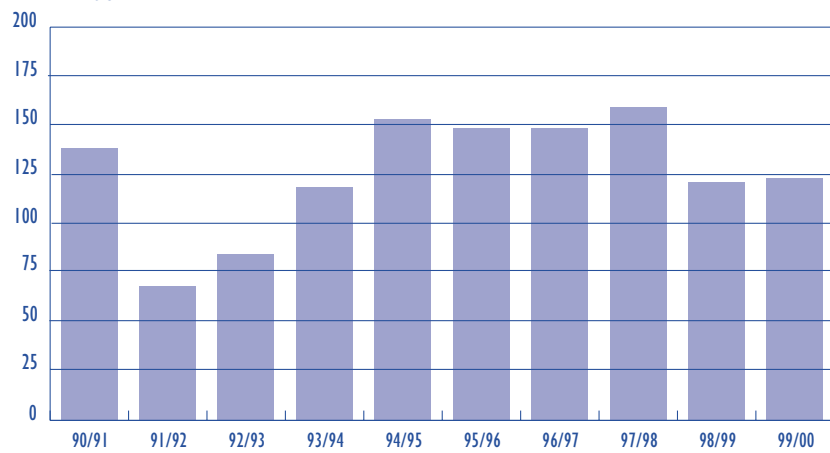
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APPROVED

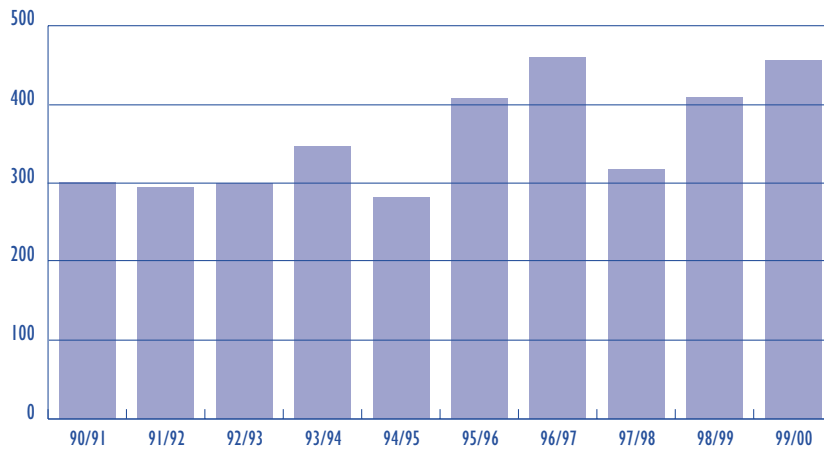


REFUSED

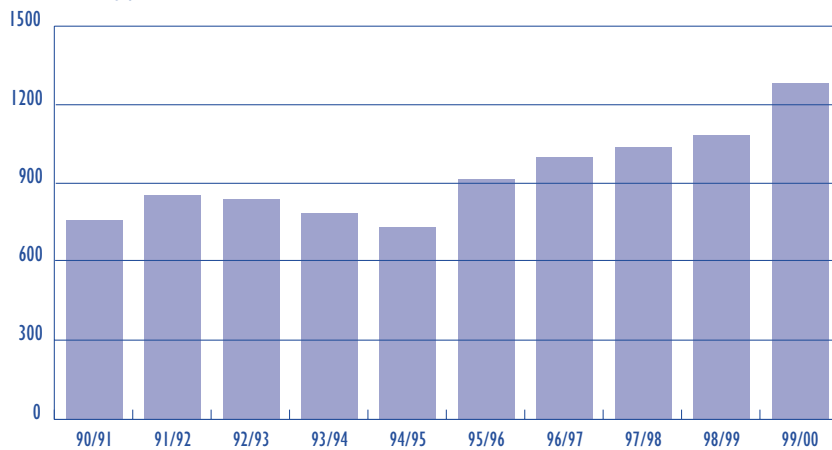


CRIMINAL LAW

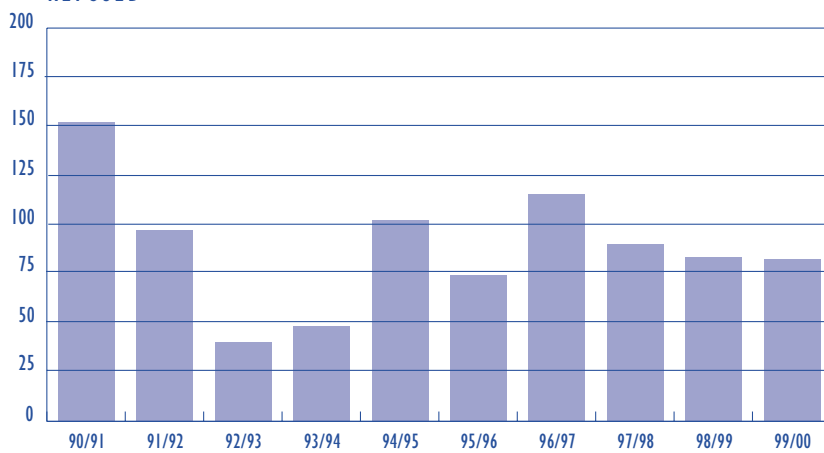
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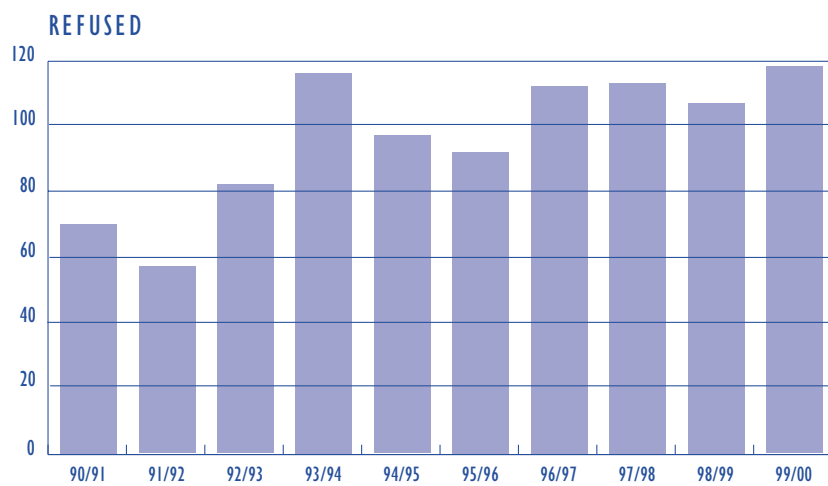
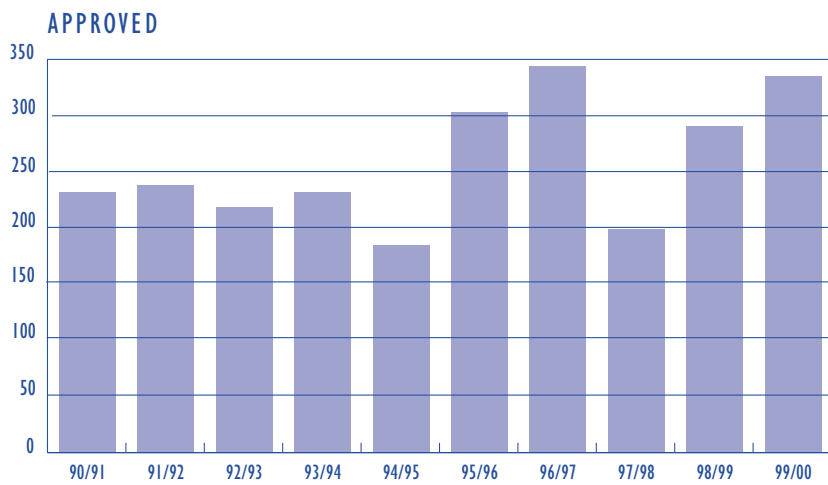
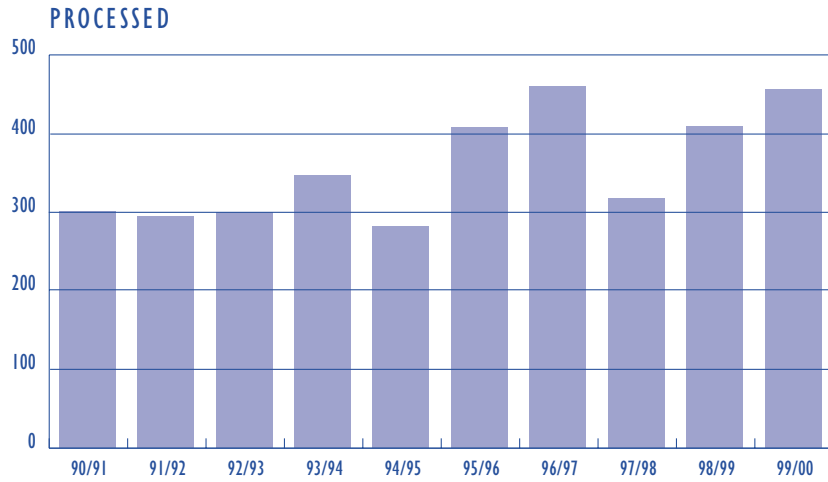
APPROVED



REFUSED



CIVIL LAW





Northern Territory Legal Aid Commission
FINANCIALS 1999-2000

COMMENTS

ON FUNDING ARRANGEMENTS, FINANCIAL STATEMENTS AND FINANCIAL PERFORMANCE

FUNDING OF THE COMMISSION

The Northern Territory Government and the Commonwealth entered into a new Agreement in June 1997, for the funding of the Commission for the period 1 July 1997 to 30 June 2000. This Agreement replaced the Agreement signed on 9 May 1990. The new arrangements changed radically the funding philosophy, financial management and financial reporting of the Commission.

The principal changes were:

Funds provided by the Commonwealth to be expended on matters arising under Commonwealth law. Funds provided by the Northern Territory Government to be expended on matters arising under Territory Law. Under the old Agreement no distinction was made between the funding of and expenditure incurred on Commonwealth and Territory law.

The Commission had to establish and maintain three funded reserves, namely, an Expensive Criminal Cases Reserve for matters arising under Commonwealth law; Expensive Cases Reserves for matters arising under Territory law; and General Reserves to meet abnormal liabilities including, but not limited to, employee entitlements and computer hardware replacement.

The Commonwealth Expensive Criminal Cases Reserve has to be funded through any amount agreed to be deemed interest on investment of Commonwealth funds, plus contributions received and costs recovered in connection with legal assistance matters paid for with Commonwealth funds. A similar process exists for the funding of the Territory Expensive Cases Reserves.

The General Reserve to be funded by both governments in equal shares.

In addition a number of transitional arrangements were entered into to enable the Commission to move from the old funding system to the new.

The Commission forwards financial reports to both the Commonwealth and Northern Territory Governments on a regular basis.

FINANCIAL STATEMENTS

BACKGROUND

From the 1 January 1999 the Commission was excluded from the Northern Territory Financial Management Act and for the financial year 1998/99 onwards prepares and publishes general-purpose financial statements.

FINANCIAL PERFORMANCE

At the commencement of the financial year Accumulated Funds and Reserves were \$2,505,728. During the year an operating surplus of \$433,518 was generated giving at the end of the financial year Accumulated Funds and Reserves of \$2,939,246.

The surplus generated was a consequence of the adoption of a new valuation methodology used to calculate the amount of the liability brought to account for Grants in Aid for client's cases that have been referred to private practitioners.

The following table presents the percentage distribution of expenditure incurred and revenue earned since 1992/93.

PERCENTAGE OF TOTAL EXPENDITURE

	92/93	93/94	94/95	95/96	96/97	97/98	98/99	99/00
PERCENTAGE OF TOTAL EXPENDITURE								
Personnel Costs	42.66	43.14	37.93	38.86	45.61	46.89	50.17	51.95
Administration Costs	18.07	20.81	16.91	19.19	20.54	21.60	19.71	22.81
Legal Costs	33.26	29.89	39.93	36.71	27.94	25.94	25.56	21.35
Minor Assets	3.83	2.27	1.93	2.30	2.66	2.05	2.17	1.92
Depreciation	2.18	3.89	3.30	2.94	3.25	3.52	2.39	1.97

PERCENTAGE OF TOTAL REVENUE								
Commonwealth	68.07	66.23	61.31	53.31	61.04	49.36	44.91	46.51
NT Government	15.71	18.86	22.47	23.20	26.81	38.88	43.46	40.53
Total Government Funding	83.78	85.09	83.78	76.51	87.85	88.24	88.37	87.04
Contributions and Recovered Costs	12.39	13.49	13.63	20.75	9.91	8.69	8.09	9.46
Interest on Investments	2.54	1.16	2.59	2.38	2.10	2.20	3.49	3.33
Other	1.29	0.26	0.00	0.36	0.14	0.87	0.05	0.16
TOTAL SELF-GENERATED	16.22	14.91	16.22	23.49	12.15	11.76	11.63	12.96

FINANCIAL ANALYSIS

EXPENDITURE

Personnel Costs include the salaries of inhouse lawyers and administrative staff as well as associated expenditure e.g. employer superannuation contributions. Increase in personnel costs over the years is attributed to the increase in the number of employees to meet the growth in demand for services plus the impact of Enterprise Bargaining.

Administration Costs include costs such as rental of office accommodation, travel on official business, facility management of information technology systems, telecommunications, and consumables. Over the years these costs have been reasonable stable.

Legal Costs include payments for client services that have been referred out to private legal practitioners plus disbursements incurred by the inhouse legal practice on cases managed internally. The relatively higher percentages in some years are a direct consequence of the Commission having to fund expensive cases. Such cases normally fall in the range of \$100,000 to \$500,000. The reduction this financial year relates to the new methodology adopted for valuing and bringing to account grants of aid outstanding with private practitioners.

Minor Assets include payments for furniture and fittings, other plant and equipment; and library resources. Expenditure pattern has been relatively stable over the years.

Depreciation is the writing off of the cost of fixed assets over the period of their useful life. Major Commission assets are information technology hardware and office premises in Alice Springs.

REVENUE

Over the years the percentage of Commonwealth funding to total funding has decreased whilst the percentage of Territory funding has increased. Under the 1990/91 to 1996/97 funding Agreement the Commonwealth contribution decreased by 5% per annum and the Territory contribution increased by a similar percentage. The variations in the above table, over this period, are a result of additional one off funding arrangements that occurred from time to time. Under the 1997/98 to 1999/2000 funding arrangements the Commonwealth only funds matters arising under Commonwealth law. The increase in the Commonwealth funding this year relates to an additional grant received to compensate the Commission for expenditure being incurred on "people smuggling" cases

Contributions and Recovered Costs refer to revenue received from clients, refunds by the Commonwealth on certain expensive cases and costs awarded by the Courts. The relatively larger percentages in some of the years reflect the recovery of costs on certain expensive cases.

Interest on Investments varies as a result of differing interest rates applying during the periods and cash flows.

Other Revenue encompasses the disposal of assets and miscellaneous income.

GENERAL PURPOSE FINANCIAL STATEMENTS

30 JUNE 2000

CONTENTS	PAGE
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STATEMENT BY COMMISSIONERS	36
REVENUE AND EXPENSE STATEMENT	37
BALANCE SHEET	38
STATEMENT OF CASH FLOWS	39
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS	40

AUDITOR-GENERAL'S REPORT TO THE ATTORNEY-GENERAL

NORTHERN TERRITORY LEGAL AID COMMISSION
YEAR ENDED 30 JUNE 2000

SCOPE

I have audited the accompanying financial report of the Northern Territory Legal Aid Commission for the year ended 30 June 2000, comprising Statement by Commissioners, Revenue and Expense Statement, Statement of Financial Position and Statement of Cash Flows together with Notes to and forming part of the Financial Statements. The Director is responsible for the financial report. I have conducted an independent audit of the financial report in order to express an opinion upon it to the Attorney-General.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial report is free of material misstatements. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards, other mandatory professional reporting requirements and the requirements of the Legal Aid Act so as to present a view which is consistent with my understanding of the financial position of the Northern Territory Legal Aid Commission and result of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

QUALIFICATION

The Northern Territory Legal Aid Commission recognises as a liability in the financial report a provision for 'grants in aid'. This provision represents the Commission's commitments for work performed but not billed at 30 June 2000 for legal work outsourced.

As discussed in Note 1 to the financial statements, the Commission has changed its accounting policy in relation to the calculation of the liability for grants in aid. The Commission has been unable to reliably estimate and report the effect of the change in accounting policy on the opening balance of the provision for 'grants in aid' and accordingly the comparative balance has not been restated to apply the change in accounting policy. As the opening balance of the provision for 'grants in aid' of \$711,164 also affects the determination of the results of operations for the year, I am also unable to quantify the effect of the change in accounting policy on the results of the Commission's operations for the year.

QUALIFIED AUDIT OPINION

In my opinion, except for the effects on the financial report of the matter referred to in the qualification paragraph, the financial report presents fairly in accordance with applicable Accounting Standards, other mandatory professional reporting requirements and the Legal Aid Act the financial position of the Northern Territory Legal Aid Commission as at 30 June 2000 and the results of its operations and cash flows for the year ended on that date.



IAIN SUMMERS

AUDITOR-GENERAL FOR THE NORTHERN TERRITORY
8 December 2000

Darwin
Northern Territory

STATEMENT BY COMMISSIONERS

In the opinion of the Commissioners of the Northern Territory Legal Aid Commission:

- (a) the accompanying general purpose financial statements of the Commission are drawn up so as to give a true and fair view of the state of affairs of the Commission as at 30 June 2000, and the results for the year ended on that date; and
- (b) at the date of this statement there are reasonable grounds to believe that the Commission will be able to pay its debts as and when they fall due.

Signed in Darwin this 6 day of December 2000 in accordance with a resolution of Commissioners.



Chairman



Commissioner

DARWIN

REVENUE AND EXPENSE STATEMENT

YEAR ENDED 30 JUNE 1999

	Notes	2000 \$	1999 \$
Operating revenue	3	4,646,014	4,477,920
Income	3	4,646,014	4,477,920
Less: Expenses	4	4,212,496	3,957,856
Surplus for the year		433,518	520,064
Aggregate of amounts transferred from reserves		0	484,091
Total available for appropriation		433,518	1,004,155
Accumulated funds at the beginning of the financial year		0	(561,157)
Aggregate of amounts transferred to reserves	17	433,518	(442,998)
ACCUMULATED DEFICIT AT THE END OF THE FINANCIAL YEAR		0	0

The revenue and expense statement is to be read in conjunction with the notes to and forming part of the financial statements.

STATEMENT OF FINANCIAL POSITION

AT 30 JUNE 2000

	Notes	2000 \$	1999 \$
CURRENT ASSETS			
Cash	5	2,636,280	2,457,992
Receivables	6	181,145	106,183
Investments	7	445,438	446,345
Prepayments	8	46,001	48,089
TOTAL CURRENT ASSETS		3,308,864	3,058,609
NON-CURRENT ASSETS			
Property, plant and equipment	9	362,461	385,902
Advance to Contingency Legal Aid Fund		200,000	200,000
TOTAL NON-CURRENT ASSETS		562,461	585,902
TOTAL ASSETS		3,871,325	3,644,511
CURRENT LIABILITIES			
Accounts payable	10	293,344	87,013
Provisions	11	552,456	961,243
TOTAL CURRENT LIABILITIES		845,800	1,048,256
NON-CURRENT LIABILITIES			
Provisions	11	86,279	90,527
TOTAL NON-CURRENT LIABILITIES		86,279	90,527
TOTAL LIABILITIES		932,079	1,138,783
NET ASSETS		2,939,246	2,505,728
ACCUMULATED FUNDS AND RESERVES			
Accumulated funds		0	0
Reserves	17	2,939,246	2,505,728
TOTAL ACCUMULATED FUNDS AND RESERVES		2,939,246	2,505,728

The statement of financial position is to be read in conjunction with the notes to and forming part of the financial statements.

STATEMENT OF CASH FLOWS

YEAR ENDED 30 JUNE 2000

	Notes	2000 \$	1999 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Payments			
Wages and salaries		(2,134,684)	(1,936,181)
Other		(2,199,563)	(2,048,077)
GST		(3,142)	0
Receipts			
Receipts from recurrent/capital grant		4,044,000	3,957,000
User charges		337,048	338,789
Interest received		185,513	125,881
Other		7,633	11,957
NET CASH FLOWS FROM OPERATING ACTIVITIES	14	236,805	449,369
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for purchasing of plant and equipment		(59,424)	(92,600)
Receipts from investments		907	(2,249)
NET CASH FLOWS USED IN INVESTING ACTIVITIES		(58,517)	(94,849)
Net increase in cash held		178,288	354,520
Cash at the beginning of the year		2,457,992	2,103,472
CASH AT THE END OF THE YEAR	5	2,636,280	2,457,992

The statement of cash flows should be read in conjunction with the notes to and forming part of the financial statements.

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

30 JUNE 2000

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Northern Territory Legal Aid Commission was established on 11 June 1990 by the Legal Aid Act 1990. The Commission is subject to the directions of the Minister for the appointment of a Chairman and a Commissioner. The function of the Commission is to provide legal assistance in accordance with this Act. The Commission commenced its activities on 1 July 1990.

BASIS OF ACCOUNTING

The financial report is a general purpose financial report which has been prepared in accordance with the requirements of Accounting Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views).

The accounting policies used in the preparation of this report are consistent with previous years and are described below:

- (a) The accounts have been prepared using the accrual basis of accounting including the historical cost convention and the going concern assumption.
- (b) Cost in relation to assets represents the cash amount paid or the fair value of the asset given in exchange. In determining recoverable amount the expected net cash flows have not been discounted to their present value.
- (c) Where necessary, comparative information has been reclassified to achieve consistency in disclosure with current financial year amounts and other disclosures.

GOVERNMENT APPROPRIATION AND GRANTS

Government appropriation and grants are recognised in the revenue and expense statement at the time of their receipts.

PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment are carried at cost or at independent valuation. Any surplus on revaluation is credited directly to the asset revaluation reserve and excluded from the revenue and expense statement.

Any gain or loss on the disposal of revalued asset is determined as the difference between the carrying amount of the asset at the time of disposal and the proceeds of disposal, and is included in the revenue and expense statement in the year of disposal.

Property, plant and equipment purchased for less than \$2,000 during the year have been written off to expense.

DEPRECIATION AND AMORTISATION OF FIXED ASSETS

Property, plant and equipment, including buildings and leasehold property but excluding freehold land, are depreciated/amortised over their expected useful economic lives using the diminishing value method.

Assets are first depreciated or amortised in the year of acquisition or, in respect of internally constructed assets, from the time an asset is held ready for use. Major depreciation rates are:

	2000	1999
Buildings	10%	10%
Leasehold Improvements	30%	30%
Plant & Equipment	20 - 40%	20 - 40%

EMPLOYEE BENEFITS

Provision is made for the Commission's liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements expected to be settled within one year together with entitlements arising from wages and salaries, annual leave and long service leave which will be settled after one year, have been measured at their nominal amount. Other employee entitlements payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those entitlements.

Contributions made by the Commission to employee superannuation funds are charged as expenses when incurred.

SUPERANNUATION FUND

The Commission contributes 7% on behalf of the majority of employees. Employees that commenced on or after 10 August 1999 have their contributions paid directly to their nominated fund. Extra contributions are made by the Commission for those employees that are members of the NT Government Super Scheme.

INCOME TAX

The Northern Territory Legal Aid Commission is a public authority within the meaning of Section 23(d) of the Income Tax Assessment Act and its income is exempt under the provisions of that Act.

INVESTMENTS

Investments are shown at cost.

LIABILITY ON CURRENT GRANTS IN AID

The Commission has changed its policy in respect to the calculation of the amount of the liability brought to account for Grants in Aid for clients' cases that have been referred to private practitioners. In prior years the total value of the commitment outstanding was brought to account. The policy change reflects the requirement of SAC4 by bringing to account as a current liability an estimate of the value of the work completed by private practitioners but not invoiced to the Commission as at 30 June. The estimate has been determined from an analysis of the time taken to complete cases referred to private practitioners and the time periods billed by those practitioners. The difference between this estimate and the total value of the outstanding commitment is shown in Note 15. It is considered impracticable to restate the comparative information.

CONTINGENT ASSETS/LIABILITIES

There were no known contingent assets or contingent liabilities of a significant nature at 30 June 2000.

RESERVES

The Commission is required, under an agreement with the Commonwealth, to maintain reserves that are funded by cash and investments.

The current agreement expires on 30 June 2000 and the policy of reserves may be impacted by the negotiations.

The funded reserves are:

- NT Expensive Civil Cases Reserve
- Computer Replacement Reserve
- NT Expensive Criminal Cases Reserve
- Commonwealth Expensive Cases Reserve
- Premises Replacement Reserve
- Employee Entitlements Reserve
- General Contingencies Reserve

CASH

For the purposes of the statement of cash flows, cash includes cash held in a bank account and money market investments readily convertible to cash within 2 working days, net of outstanding bank overdrafts.

2. ECONOMIC DEPENDENCE

The Commission is funded predominantly by annual appropriations by the Northern Territory Government and the Commonwealth Government to meet proposed cash expenditure on both operational and capital items in the current financial year. These financial statements have been prepared on a going concern basis in the expectation that such funding will continue.

3. OPERATING REVENUE

	2000 \$	1999 \$
Income for the year consists of:		
Grants income	4,044,000	3,957,000
Client contributions	193,989	158,243
Recovered costs	245,499	204,219
Interest	154,893	156,501
Others	7,633	1,957
TOTAL INCOME	4,646,014	4,477,920

4. EXPENSES

Expenses for the year consist of:		
Personnel costs	2,188,409	1,985,708
Administration costs	738,506	622,089
Legal costs	899,438	1,011,617
Minor assets	80,878	86,077
Depreciation	82,865	83,674
Operating lease expenditure	222,400	157,965
Loss on write-off of assets	0	10,726
	4,212,496	3,957,856

5. CASH

Cash on hand	750	750
Cash at bank	2,635,530	2,457,242
	2,636,280	2,457,992

6. RECEIVABLES

Current		
Trade debtors	37,045	52,953
Less Provision for Doubtful Debts	(7,875)	(13,280)
	29,170	39,673
Interest Receivable	0	30,620
Recoveries Receivable	163,925	35,890
Less Provision for Doubtful Debts	(15,092)	0
	148,833	0
GST Receivable	3,142	0
	181,145	106,183

7. INVESTMENTS

	2000 \$	1999 \$
Current		
Westpac Banking Corporation Bills - at cost	445,438	446,345

8. PREPAYMENTS

Current		
Revenue - Insurance	26,439	31,092
Rent	17,619	14,209
Software Licence	1,943	2,788
	46,001	48,089

9. PROPERTY, PLANT AND EQUIPMENT

Freehold land at cost	140,000	140,000
Buildings - at cost	115,000	115,000
Less: Accumulated depreciation	(66,486)	(61,095)
	48,514	53,905
Leasehold improvements - at cost	168,249	168,249
Less: Accumulated depreciation	(147,719)	(138,920)
	20,530	29,329
Plant and equipment - at cost	419,626	360,202
Less: Accumulated depreciation	(266,209)	(197,534)
	153,417	162,668
TOTAL PROPERTY, PLANT AND EQUIPMENT - NET BOOK VALUE	362,461	385,902

10. ACCOUNTS PAYABLE

Current		
Trade creditors and accrued expenses	293,344	87,013

11. PROVISIONS

Current		
Employee entitlements		
annual leave	192,701	149,133
long service leave	89,805	78,861
leave loading	25,546	22,085
	308,052	250,079
Grants in aid	244,404	711,164
	552,456	961,243
Non-Current		
Employee entitlements - long service leave	86,279	90,527

12. SUPERANNUATION COMMITMENTS

Employees' superannuation entitlements are principally provided through the Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS) and the Commonwealth Superannuation Scheme (CSS). Benefits from these schemes are supplemented by an additional "3% productivity" benefit from the Northern Territory Supplementary Superannuation Scheme (NTSSS).

Employee contributions for NTGPASS members are based on an elected rate of 2% to 6% salary. CSS members must contribute 5% of salary and may elect to contribute up to an additional 5% of salary as supplementary contributions. NTSSS benefits are entirely employer funded and do not require employee contributions. As at 30 June 2000 total superannuation commitments amounted to \$172,579 (1999-\$151,044).

From 10 August 1999, new employees will be unable to join the above funds and must nominate their own fund into which contributions will be paid.

13. TRUST ACCOUNTS

The Commission operates a solicitor's trust account and the funds are not used in the achievement of its objectives. Therefore, these monies are not brought to account in the financial reports but are included here for information purposes. The trust account is maintained for verdict and settlement monies held on behalf of legally aided persons. The Commission may recover some costs upon finalisation of these matters. As at 30 June 2000 the trust account had a balance of \$10,185 (1999-\$27,042).

To satisfy the requirements of the Legal Practitioners Act, the Commission was required to open another Trust Account for the Alice Springs Office. However, no transactions occur on this account and a nil balance is maintained at all times.

14. STATEMENT OF CASH FLOWS

	2000 \$	1999 \$
Reconciliation of net cash used in operating activities to operating surplus		
Operating surplus	433,518	520,067
Depreciation	82,865	83,674
Write-off of assets	0	10,726
Increase/(Decrease) in provisions	(413,035)	(109,584)
Increase/(Decrease) in creditors	206,331	(9,153)
Decrease/(Increase) in receivables	(74,962)	(44,293)
Decrease/(Increase) in prepayments (non-capital)	2,088	(2,068)
NET CASH FLOWS USED IN OPERATING ACTIVITIES	236,805	449,369

15. EXPENDITURE COMMITMENTS

Lease expenditure commitments		
Operating leases (non-cancellable)		
not later than one year	202,798	216,324
later than one year but not later than two years	202,798	0
later than two years but not later than five years	202,798	0
Grants In Aid	602,757	0
AGGREGATE LEASE EXPENDITURE AND GRANTS IN AID CONTRACTED FOR AT BALANCE DATE BUT NOT PROVIDED FOR	1,211,151	216,324

16. CONTINGENCY LEGAL AID FUND

Under Section 44 of the Northern Territory of Australia Legal Aid Act 1990 the Contingency Legal Aid Fund was established towards the end of the 1992/93 financial year. The fund is available to provide financial assistance to eligible persons to enable them to bring or defend civil proceedings. It was set up with a seeding grant from the Law Society Public Purpose Trust. The value of the seeding grant was \$200,000. In 1997, the Commission contributed a further \$200,000 to the Contingency Legal Aid fund which is due and payable on demand by the Commission.

As at the 30 June 2000 the financial position of the fund was as follows:

	2000	1999
	\$	\$
Opening balance	407,506	447,477
Income:		
Interest earned	39,038	17,329
Client contributions	400	1,400
Cost recovered	108,763	8,277
Contingency fees	9,703	2,937
	157,904	29,943
Expenditure:		
Disbursements	47,957	69,782
Bank charges	123	132
	48,080	69,914
Cash balance at year end	517,330	407,506
Less - Clients/grants approved but not paid at year end	135,411	174,526
Net funds available	381,920	232,980

17. RESERVES

NT Expensive Civil Cases Reserve	700,000	646,404
Computer Replacement Reserve	70,000	0
NT Expensive Criminal Cases Reserve	1,498,938	1,273,947
Commonwealth Expensive Cases Reserve	520,665	497,685
Premises Replacement Reserve	0	0
Employee Entitlements Reserve	149,643	87,692
General Contingencies Reserve	0	0
	2,939,246	2,505,728
Movements in reserves		
(a) NT Expensive Civil Cases Reserve (funded)		
balance at beginning of year	646,404	672,978
transfer (to)/from accumulated funds	53,596	(26,574)
	700,000	646,404
(b) Computer Replacement Reserve (funded)		
balance at beginning of year	0	80,521
transfer (to)/from accumulated funds	70,000	(80,521)
	70,000	0

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	2000 \$	1999 \$
(c) NT Expensive Criminal Cases Reserve (funded)		
balance at beginning of year	1,273,947	982,125
transfer from accumulated funds	224,991	291,822
BALANCE AT END OF YEAR	1,498,938	1,273,947
(d) Commonwealth Expensive Cases Reserve (funded)		
balance at the beginning of the year	497,685	437,065
transfer from accumulated funds	22,980	60,620
BALANCE AT THE END OF THE YEAR	520,665	497,685
(e) Premises Replacement Reserve (funded)		
balance at the beginning of the year	0	40,070
transfer from accumulated funds	0	(40,070)
BALANCE AT THE END OF THE YEAR	0	0
(f) Employee Entitlements Reserve (funded)		
balance at the beginning of the year	87,692	291,850
transfer from accumulated funds	61,951	(204,158)
BALANCE AT THE END OF THE YEAR	149,643	87,692
(g) General Contingencies Reserve (funded)		
balance at the beginning of the year	0	42,212
transfer (to)/from accumulated funds	0	(42,212)
BALANCE AT THE END OF THE YEAR	0	0

NOTE 18. FINANCIAL INSTRUMENTS

NOTE 18(A) TERMS, CONDITIONS AND ACCOUNTING POLICIES

The commission's accounting policies, including the terms and conditions of each class of financial asset, financial liability and equity instrument, both recognised and unrecognised at the balance date, are as follows:

Recognised Financial Instruments	Balance Sheet Notes	Accounting Policies	Terms and Conditions
(I) FINANCIAL ASSETS			
Receivables -trade	6	Trade receivables are carried at nominal amounts less any provision for doubtful debts. A provision for doubtful debts is recognised when collection of the full nominal amount is no longer probable.	Fees are on 30 day terms.
Westpac Banking Corporation - Commercial Bills	7	Commercial Bills are carried at nominal amounts.	This amount is invested with Westpac Banking Corporation at a rate between 4.64 – 5.7%pa.

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Recognised Financial Instruments	Balance Sheet Notes	Accounting Policies	Terms and Conditions
Advances	5	An advance account is set up to cover urgent expenses that are unable to be paid from petty cash. The Advance Account is reimbursed monthly from the Commission's main Operating Account.	Interest earned on this account is deposited into the Operating Account. The interest rate was between 3.81 – 5.15%pa.
Advance to Contingency legal aid fund		Long Term Loan.	Due and payable on demand by the Commission.
(II) FINANCIAL LIABILITIES			
Accounts Payable and accruals	10	amounts to be paid in the future for goods and services received, whether or not billed to the company.	Trade liabilities are normally settled on 30 day terms.

NOTE 18(B) INTEREST RATE RISK

The Northern Territory's Legal Aid Commission's exposure to interest rate risks and the effective interest rates of the financial assets and financial liabilities, both recognised and unrecognised at the balance date, are as follows:

Financial Instrument	Floating Interest		Fixed Interest Rate Maturing in:					
			1 year or less		Over 1 to 5 years		More than 5 years	
	2000 \$'000	1999 \$'000	2000 \$'000	1999 \$'000	2000 \$'000	1999 \$'000	2000 \$'000	1999 \$'000
FINANCIAL ASSETS								
Cash	2,636	2,457	-	-	-	-	-	-
Receivables - trade (net)			-	-	-	-	-	-
Westpac Banking Corporation Bills	445	446						
Prepayments								
Advance to Contingency Fund								
TOTAL FINANCIAL ASSETS	3,081	2,903	-	-	-	-	-	-
FINANCIAL LIABILITIES								
Accounts payable and accruals	-	-	-	-	-	-	-	-
TOTAL FINANCIAL LIABILITIES	-	-	-	-	-	-	-	-

Financial Instruments	Non-interest bearing		Total carrying amount as per the balance sheet		Weighted average effective interest rate	
	2000 \$'000	1999 \$'000	2000 \$'000	1999 \$'000	2000 \$'000	1999 \$'000
FINANCIAL ASSETS						
Cash			2,636	2,457	4.58	4
Receivables - trade	181	106	181	106		
Westpac Banking Corporation Bills			445	446	5	4.7
Prepayments	46	48	46	48		
Advance to Contingency Fund	200	200	200	200		
TOTAL FINANCIAL ASSETS	427	354	3,508	3,257		
FINANCIAL LIABILITIES						
Trade creditors and accruals	293	87	293	87		
TOTAL FINANCIAL LIABILITIES	293	87	293	87		

NOTE 18(C) NET FAIR VALUES

The aggregate net fair values of financial assets and financial liabilities, both recognised and unrecognised, at balance date, are as follows:

	Total carrying amount as per the balance sheet		Aggregate net fair value	
	2000 \$'000	1999 \$'000	2000 \$'000	1999 \$'000
FINANCIAL ASSETS				
Cash	2,636	2,457	2,636	2,457
Receivables - trade (net)	181	106	181	106
Westpac Banking Corporation Bills	445	446	445	446
Prepayments	46	48	46	48
Advance to Contingency Fund	200	200	200	200
TOTAL FINANCIAL ASSETS	3,508	3,257	3,508	3,257
FINANCIAL LIABILITIES				
Accounts payable and accruals	293	87	293	87
TOTAL FINANCIAL LIABILITIES	293	87	293	87

The following methods and assumptions are used to determine the net fair values of financial assets and liabilities.

NOTE 18(D) RECOGNISED FINANCIAL INSTRUMENTS

Cash, cash equivalents and short-term investments: The carrying amount approximates fair value because of their short-term to maturity.

Trade receivables and payables: The carrying amount approximates fair value.

NOTE 19: SEGMENT INFORMATION

The organisation operates in one industry segment and one geographic location, being the provision of legal services in the Northern Territory of Australia.

NOTE 20: RELATED PARTY INFORMATION

(i) Executive Members

The Executive members of the Northern Territory Legal Aid Commission during the financial year were:

- D Farquhar
- Dr V Asche
- C Meaney
- S Barr
- J Large
- M Lyons
- E Terrill
- R Coates

(ii) Transactions with Related Parties

During the year, surplus legal work has been allocated to legal firms, which some Executive members also hold Executive positions at these legal firms. These transactions are considered to be on an arm's length basis under normal terms and conditions.

NOTE 21: REMUNERATION OF EXECUTIVE MEMBERS

The following sitting fees were paid to Commissioners during the year:

D Farquhar \$450;

Dr V Asche \$313;

E Terrill \$380.

NORTHERN TERRITORY LEGAL AID COMMISSION OFFICES

LOCATION	POSTAL ADDRESS	TELEPHONE/ FACSIMILE
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DARWIN NT 0801

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ALICE SPRINGS NT 0870

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KATHERINE

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KATHERINE NT 0851

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Northern Territory Legal Aid Commission