Northern Territory
Legal Aid Commission

Annual Report 2009-2010

Northern Territory Legal Aid Commission

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The Hon. Ms Delia Lawrie
Minister for Justice and Attorney General
Parliament House
State Square
DARWIN NT 0800

Dear Attorney General

I am pleased to present the Northern Territory Legal Aid Commission's Annual Report for the year ended 30 June 2010.

It has been a year marked with sadness and change particularly reflected in the resignation of the long serving Chairman David Farquhar due to illness.

David presented his first annual report as Chairman for the financial year ended 30 June 1997 and remained the Commission's Chair until early this year. The Commission owes him an enormous debt of gratitude for his long service and his wise and steady guidance.

At the time of David's appointment as Chair, the Commission was under threat of a reduction in Commonwealth funding. This was averted and I am pleased to report that the funding of the Commission from the Commonwealth has been maintained.

The new National Partnership Agreement between the States and Territories and the Commonwealth has now been signed, and the Commission looks forward to proactively pursuing early interventions and remedies for the community of the Northern Territory. Successful early intervention can not only save the financial cost of legal proceedings, it can also limit the huge emotional costs that protracted disputes bring to bear on people and families.

The Commission continues to exhibit standards of excellence, both in its legal practice and as an employer. It remains an employer of choice for both junior and experienced legal practitioners. This fact and the length of service of many of the administrative staff attest to a working environment that strives to commit to our values of justice, integrity, professionalism and excellence.

The Commission has, over the years, provided a range of services delivering assistance to Territorians under Territory law. Unfortunately the cost of delivery of the current range of services is such that is exceeds our previous Territory budget capacity. Independent assessments have found efficient and effective service delivery and legal practice.

Negotiations are underway for a new Territory funding arrangement for the next three years. Once the outcome of the arrangement is known, the Commission may be in a position of having to restrict current services in order to meet our budget. This could restrict access to justice to Territory people outside of the major centres as well as have a flow on effect to those courts and tribunals where the Commission currently provides a service as priority funding decisions are made. Until the funding arrangements are finalised the Commission has approved the limiting of services to regional and remote areas in order to limit current expenditure.

Under the experienced and dedicated leadership of the Director, Suzan Cox QC, the Commission is well placed as an organisation to recognise and promote the rights and interests of all by providing equitable access to justice.

I commend Ms Cox QC and her staff for their continuing dedication and assistance to the Northern Territory community.

Yours faithfully

ELIZABETH MORRIS
CHAIR
Northern Territory Legal Aid Commission

Contents

Vision and values 1

Commission offices 2

Director's Report 3

Our Charter 5

Duties of Commission 5

The Commissioners 6

Commissioners' role 6

Our Committees 8

Northern Territory Contingency Legal Aid Fund 8

Contingency Legal Aid Fund Committee 8

Review Committee 9

Overview of operations 10

Legal advice 10

Duty lawyer services 10

Legal assistance 11

Commission guidelines 11

Contributions and recovery of costs 11

Reconsideration and review of decisions 12

Legal practices 12

Locations 12

Our offices and principal functions 13

Darwin office 13

Palmerston office 13

Katherine office 13

Tennant Creek office 13

Alice Springs office 14

Organisational structure and objectives 15

Chief Executive Officer's Unit 15

Family and civil legal practices 15

Criminal legal practice 15

Assignments unit 16

Policy unit 16

Community legal education unit 16

Aboriginal outreach and early intervention unit 17

Corporate services unit 17

Staffing of the Commission 18
Director 18
Darwin 18
Palmerston 19
Katherine 19
Tennant Creek 19
Alice Springs 20
Domestic violence legal service 20
Volunteers 20
Staffing levels 21
Resignations/leave without pay 22
Equal employment opportunity 22
Northern Territory community involvement 22
Staff development 23
Occupational health and safety 24

Achievements 25
Prior years comparative 25
Referred: in-house matters 26

Performance 27
Performance indicators 27

Output statistics 28
Summary of major activities 28

Applications for aid 30
Received 30
Approved 30
Refused 31
Reasons for refusal 31

Community legal education 32

Information Act 2003 (NT) 36

Domestic Violence Legal Service 37

Financials 39
Financial performance 40
General purpose financial statements 44

Vision and values

Vision:

"to recognise and promote the rights and interests of all by providing equitable access to justice"

Charter:

"to ensure that the legal rights and interests of people in the NT are not prejudiced by reason of their ability to access information, advice, representation and remedies"

Values:

Justice:	Fairness and equity valuing diversity.
Integrity:	Performing our functions with respect, dignity, compassion and honesty.
Professionalism:	Commitment to the rule of the law, ethical standards and a quality service.
Excellence:	Continuous review and improvement.

Commission offices

DARWIN

9-11 Cavenagh Street, DARWIN NT 0800
Locked Bag 11, DARWIN NT 0801
Ph (08) 8999 3000
Fax (08) 8999 3099

PALMERSTON

Shop 6, Goyder Centre, 25 Chung Wah Terrace , PALMERSTON NT 0830
Ph (08) 8999 4750
Fax (08) 8999 4747

KATHERINE

20 Second Street, KATHERINE NT 0850
PO Box 145, KATHERINE NT 0851
Ph (08) 8973 8704
Fax (08) 8973 8551

TENNANT CREEK

Shop 3, 163 Paterson Street, TENNANT CREEK NT 0860
PO Box 794, TENNANT CREEK NT 0861
Ph (08) 8962 4362
Fax (08) 8962 0129

ALICE SPRINGS

77 Hartley Street, ALICE SPRINGS NT 0870
PO Box 969, ALICE SPRINGS NT 0871
Ph (08) 8951 5377
Fax (08) 8951 5378

Office hours:
Monday - Friday 8.00 am - 5.00 pm

Free call telephone legal information:
1800 019 343

Website address:
www.ntlac.nt.gov.au

Email address:
info@ntlac.nt.gov.au

Director's Report

I welcome the opportunity to present the Northern Territory Legal Aid Commission's Annual Report for the year ended 30 June 2010.

It is with great sadness that I report the resignation of our past Chairman, David Farquhar. David has provided many years of dedicated service and support to the Commission and I have valued his wise counsel to me as Director.

I thank Elizabeth Morris for stepping into the role as Acting Chair on 29 March 2010 and I take this opportunity to thank each of the Commissioners for their contributions to the Commission. In particular, my thanks to Jane Large for generously contributing her time and expertise in the preparation of the Commission's funding submission to the Northern Territory Government. I would also like to express my appreciation of the commitment shown throughout his appointment by Peter Vaughan from Alice Springs, representing community interests and the long standing representation and support of the Commission by Eileen Terrill.

The year has been especially challenging for the Commission as there has been a long delay in the negotiations of the new National Partnership Agreement between the States and Territories and the Commonwealth. This has impacted adversely on the Commission as the flow-on negotiations with the Northern Territory Government have been protracted and as yet are not concluded.

The current level of funding available to the Commission is inadequate to maintain the level of legal aid services required in order for the NT citizens in need to have access to the justice

system. Further, it fails to recognise the contribution which the provision of legal aid makes to the administration of justice. This was the clear finding in the *Price Waterhouse Coopers Report:* The Economic Value of Legal Aid, published in March 2010. The report concluded, *inter alia* that legal aid services, if adequately funded, save the justice system $2.25 for every dollar of legal aid spent.

During the year the Commission has undertaken a review of it's service delivery parameters in light of current funding levels and the uncertainty it faces in terms of future funding for some service areas. Regrettably, we anticipate commencing measures to reduce our services in the coming year to align our services with current funding levels in those areas.

Despite the challenges of this year, we have continued to build partnerships with other legal and related service providers, such as: Community Legal Centres; Aboriginal Legal Services; NT Working Women's Centre; substance misuse rehabilitation services; and complaint services such as the Anti-Discrimination Commission; and Consumer Credit and Debt Agencies.

On a positive note, the National Partnership Agreement will bring new opportunities for the Commission to increase in the provision of preventative and early intervention legal services which are funded by the Australian Government. This Agreement provides that Commonwealth funding can be used for these services irrespective of whether they are Commonwealth law matters.

In this context, the Commission looks forward to revising and adapting its preventative legal services, early intervention legal services and data capturing mechanisms to ensure consistency with the requirements of the Agreement and to maximise the opportunities available to the Commission and clients under the Agreement.

The Agreement will mark a shift in service delivery focus for the Commission and as such it is timely that we aim to develop a new strategic plan for the term of the Agreement. The challenges of the coming year will require innovative and strategic thinking on the part of our governing structures and rely on the existing strengths of all staff of loyalty, flexibility, commitment and passion.

Our offices in Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs service people coming from thousands of kilometers away. Every day in each of our offices across the NT the Commission is providing legal information and assistance to people in those regions. It is with regret that, due to funding limitations, we will cease our representation work in remote courts where we do not have an office in the coming year.

Private practitioners are integral to the delivery of legal aid services. I acknowledge that private lawyers often heavily subsidise the assistance that is provided to clients due to the restrictions on legal aid funding and the complex nature of clients and matters they assist with. I thank the private profession for its continued support.

Our clientele often present with difficulties that are linked to social disadvantage. They can be stressed, challenging and demanding and have special needs. All Commission staff assist people in crisis on a day to day basis. I thank all staff of the Commission for their patience, empathy, compassion and hard work during the last year.

SUZAN COX QC
DIRECTOR
Northern Territory Legal Aid Commission

Our Charter

Our CHARTER is to ensure that the legal rights and interests of people in the Northern Territory are not prejudiced by reason of their ability to access information, advice, representation and remedies.

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 services available to persons eligible for legal assistance by establishing such local offices, and by making such other arrangements, as it considers appropriate within funding limitations;
- 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 as funding may permit;
- endeavour to secure the services of language interpreters, marriage counsellors and other appropriate persons to help persons in connection with matters in respect of which they are provided with legal assistance: and
- engage in early intervention and prevention strategies particularly in areas of acute disadvantage and (social) exclusion.

Legislation

The Commission is established under the *Legal Aid Act (NT)* 1990 as amended.

Legal aid agreements

The most recent agreement between the Commonwealth of Australia and the Northern Territory, for the provision of funding for Commonwealth matters, was signed in March 2005. The term of the agreement was originally from 1 July 2004 through to 31 December 2008 but has been extended until 30 June 2010.

A new agreement has been delivered by the Commonwealth for consideration by the NT Government.

The Commissioners

Commissioners' role

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

ELIZABETH MORRIS
ACTING CHAIR

Appointed as a Magistrate in April 2010, formerly being the Deputy CEO of the Department of Justice. Her previous positions include the Executive Director of Racing, Gaming and Licensing, and the Deputy Coroner for the Northern Territory. Her earlier legal career included nine years at the Northern Territory Legal Aid Commission. Elizabeth first came to the Territory in 1990 to work as an Associate to then Chief Justice. Bachelor of Arts (with honours), a Bachelor of Laws from the University of Sydney, and a Graduate Certificate in Public Sector Management.

JANE LARGE

Forty-two years of public service including the British Civil Service, Commonwealth, State and Northern Territory. Agencies include Foreign Office, Police, Attorney-General's, Law, Mines and Energy and Treasury. From 1996 occupied a Senior Director position in the Northern Territory Treasury and retired from the Public Service in November 2001. Currently a member of the Northern Territory Licensing Commission, Chairman of the NT Government Employees Superannuation Review Board, and a Justice of the Peace. Originally appointed 29 June 1990 by the Northern Territory Treasurer.

EILEEN TERRILL

Graduated University of Adelaide with LLB in 1976. Commenced practice in the Northern Territory in 1977. From 1977 to 1985 employed as a solicitor in local Darwin firms. From 1985 to 1986 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 from 1993 to 2003. On Executive Committee of the Northern Territory Law Society, 1997 to 2003. Appointed by the Northern Territory Attorney-General, on the nomination of the Law Society. Originally appointed 29 October 1997.

PETER VAUGHAN

Graduated from Sydney Teachers College in 1973 and commenced work as a school teacher in an all boys school in the Western Suburbs of Sydney. Moved to Darwin in 1977 working at St Johns College and later at Taminmin High School as a senior teacher. Completed a further Degree in Educational Administration in 1986 through SA College of Advanced Education which later became the University of South Australia. Moved to Alice Springs in 1989 to take up the position of Assistant Principal at Alice Springs High School, retired in 2008 and now runs a small consultancy focussing on supporting teachers and parents of students identified with extreme

behaviours. Completed post graduate studies in Public Sector Management at Charles Darwin University. Was the chair of the Crime Prevention Committee in Alice Springs from 2000 to 2008. Continues to be a voice for disenfranchised youth in the Central Australian region. Peter is the community interests representative.

HALEY RICHARDSON

Worked in various positions in the public sector since 1990 in Queensland and in the Northern Territory. Commenced employment with the Commission in May 1992. She started as a paralegal in the Criminal Section of the Commission and in June 2001 was appointed Assignments Practice Manager. In November 2009 she was appointed as the Senior Administrative Officer in the Criminal Law Section. Appointed as the staff representative Commissioner in September 2005.

SUZAN COX QC

Graduated from UNSW with BA., LLB, 1978; LLM (Criminal Law) NYU 1985. 1980-90 Solicitor, Office of the Public Solicitor, Port Moresby, Senior Criminal Solicitor, CAALAS, Senior Criminal Solicitor, NAALAS (now NAAJA) and practised at the Melbourne Bar. From 1990 until 2002 at NTLAC as Senior Solicitor, Family Law Practice, Senior Counsel, Criminal Law Practice, Deputy Director, Acting Director, Director from July 2002 and appointed Queens Counsel in August 2002.

Our 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. The loan was repaid in May 2010.

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 financial position of the Fund appears in Note 15 of the Financial Statements.

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

Contingency Legal Aid Fund Committee

Committee role

Established in accordance with Section16 of the *Legal Aid Act.*

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

Membership of the committee

Suzan Cox QC	Director
Meredith Harrison	Deputy Director

LAW SOCIETY NOMINEES:

P. Barr QC	C. Spurr
S. Gearin	A. Young
D. McConnell	M. Spazzapan
E. Terrill	G. McMaster
P. Cheong	J. Stirk

COMMISSION APPOINTEES:

S. Reddy

Statistical information

The demands on the fund have been:

Applications	09/10	08/09	07/08	06/07	05/06	04/05	03/04
Received	9	13	11	7	15	17	28
Approved	6	11	6	6	15	8	28
Withdrawn	1	2	3	1	0	4	3
Refused	2	0	0	0	0	4	4
to be Decided	0	0	2	0	0	1	5

Since the fund commenced in March 1993 there have been a total of 334 applications to the fund. The applications for funding largely relate to personal injury actions. Few applications relating to commercial litigation or family law property settlement have been received.

Review Committee

Committee's role

To review decisions referred to the Committee under Section 35(3) of the Legal Aid Act. Under Section 35 of the Act, 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 2009-2010 the Review Committee met on 10 separate occasions to review 10 client requests. The outcome of their deliberations was that no decisions were varied in favour of the applicant.

Membership of the committee

Private Legal Practitioner	T. Pritchard	M. Johnson
	B. Piper	E. Hutton
	R. Lawford	T. Marris
	B. O'Loughlin	S. Sievers
	D. Story	J. Tippett QC
	P. Elliott	B. Cassells
Independent person with relevant experience	A. Beven	P.Timney
	G. McDonald	N. Hunter
	M. Story	W. Morton
	E. Morris	
Officer of the Commission	M. Harrison	S. Cox QC
	J. Franz	M. Hubber
	I. Read	H. Blundell
	A. Abayasekara	S.Blosfelds
	F. Hussin	A. Snell
	B. Lohmeyer	D. Elliott
	F. Kepert	M. Ruzyla
	C. McConnel	C. Baker
	L. Bennett	R. Sharkey
Secretary to Committee	S. Reddy	

Overview of operations

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

The Northern Territory Legal Aid Commission is independent of the Territory and Commonwealth Governments. In fact, the *Legal Aid 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 lawyer services, or legal representation and assistance.

Legal advice

Commission lawyers give advice on legal matters free of charge in legal advice clinics.

Advice is given at the Commission offices or at other places, as required, during those times as the Director appoints, having regard to the availability of staff.

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 those Courts and Tribunals in the Northern 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. A duty lawyer service is also provided to the Mental Health Review Tribunal and Child in Need of Care matters.

The independent Domestic Violence Legal Service also provides a duty lawyer service in Domestic Violence Matters.

The Commission provides a family duty lawyer service to sittings of the Family and Federal Magistrates Courts. The service provides advice, minor assistance and negotiation assistance to unrepresented parties. This service was tendered out and is provided by a private practitioner.

Legal assistance

Legal assistance may be provided under Section 26 of the Act 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. The majority of clients are required to pay a contribution.

Thus the Commission must apply two tests to any application for legal assistance – a means test and a "reasonableness" or 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; and
(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 of the *Legal Aid Act* 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 guidelines are circulated to interested parties and are available on the Commission's website.

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 $110.00, 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 some or all of the costs incurred in representing the client. 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

The Commission conducts legal practices which include family law, mental health, immigration, childrens matters, criminal law, policy and community legal education. It also auspices an independent Domestic Violence Legal Service and operates early intervention, advice and assistance services particularly focussed on the remote and socially excluded.

Locations

The Commission maintains offices in Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs, and currently provides services to other major centres by utilising either its own staff or private practitioners. Office locations and contact numbers are detailed at the beginning of this annual report. It conducts a remote outreach program to address, in particular, the needs of those affected by the Northern Territory Emergency Response travelling extensively throughout the Centre and the Top End of the Territory.

Our offices and principal functions

Darwin office

Located within the Darwin office are the following divisions:

- Executive;
- Criminal Law (including a duty lawyer service);
- Family and Civil Law (including several duty lawyer services)
- Family Dispute Resolution Program;
- Immigration;
- Assignments;
- Information, Advice and Early Intervention;
- Policy, Community Legal Education and Aboriginal Outreach
- Corporate Services.

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.

The Darwin office auspices the Domestic Violence Legal Service which operates as an independent unit.

Palmerston office

The Palmerston office provides a convenient shop front service for people who live in the town and surrounding rural areas.

The office provides a referral service and legal assistance in family, criminal and civil law.

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.

Tennant Creek office

The Tennant Creek office provides a coordination point for people of the Barkley Region to obtain legal advice and assistance.

The office conducts community legal education programs on issues that are relevant to the residents of Tennant Creek and the Barkly Region and participates in Aboriginal outreach and early intervention programs. In conjunction with the legal staff of the Alice Springs office, Tennant Creek provides legal advice and representation to the people of the region in criminal, family and civil law.

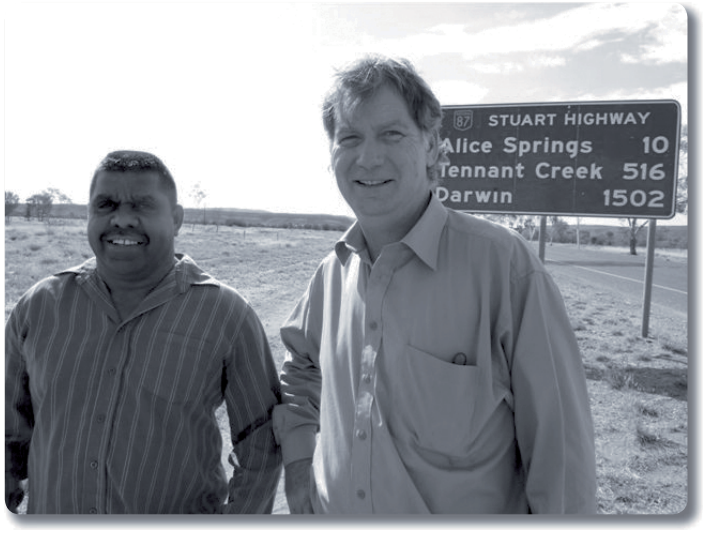
Alice Springs office

The Alice Springs office provides legal services in criminal, family and civil law in the central 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.

Criminal and family lawyers provide advice and representation during court sittings in the Barkley Region.

An Aboriginal outreach and early Intervention team travels extensively throughout the region. Solicitors also attend at the Alice Springs gaol/hospital to provide advice and representation as required.



Organisational structure and objectives

Chief Executive Officer's Unit

Overall objectives:

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

Family and civil legal practices

Overall objectives:

- Provide assistance in relation to family law, immigration, children's matters, Mental Health Review Tribunal and Child Support Agency matters by way of:
  - concise initial advice to members of the public in respect of their rights and obligations under any Commonwealth or Northern Territory legislation;
  - duty lawyer services; and
  - where legal assistance has been granted, 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.
- Where appropriate, refer members of the public to appropriate private solicitors or providers of non-legal services.

Criminal legal practice

Overall objectives:

- Provide assistance in relation to criminal matters under Northern Territory and Commonwealth legislation by way of:
  - concise initial advice to members of the public in respect of their rights and obligations at all offices and weekly prison visits;
  - duty lawyer services at all offices and monthly trip to Nhulunbuy;
  - where legal aid has been granted, 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; and
  - the largest appellate practice in the Northern Territory.
- Assistance is also provided to clients that are referred to the Commission by the Aboriginal and Torres Straight Islander Legal Services.

Assignments unit

Overall objectives:

- Provide grants of aid to the in house legal practice.
- Provide grants of aid to clients with private solicitors where:
  - applications are received directly from private practitioners;
  - the Commission is conflicted; or
  - the Commission does not have capacity in-house.
- Provide grants of aid to clients referred from the Aboriginal and Torres Straight Islander Legal Services.
- Administer review and reconsideration process where grants are refused and applicants appeal decision.
- Administer the Family Dispute Resolution conferencing program.

Policy unit

Overall objectives:

- Identify the gap between need and services.
- Review the impact of new legislation and infrastructure such as the increases in courts, magistrates and prosecution resources on services' ability to cope with growing demand.
- Lead and participate in networks which provide a resource for policy and law reform input.
- Identify priority areas of policy or law reform issues that are relevant to the Commission's client base.
- Coordinate the Commission's community legal education and outreach and early intervention programs.

Community legal education unit

Overall objectives:

- Fill the gap between need and services.
- Provide information to clients who would otherwise not access legal services.
- Collaborate with other legal services.
- Network with sector agencies and government.
- Inform the community about the range of services offered by the Commission.
- Develop community legal education projects and publications to meet specific legal needs including education tools including DVDs in languages to maximise the reach and impact on communities in need.

Aboriginal outreach and early intervention unit

Overall objectives:

- Provide legal education, information, advice and assistance to those affected by the Northern Territory Emergency Response and to remote and socially excluded communities.

Corporate services unit

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.
- 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.

Staffing of the Commission

Director

As at 30 June 2010 the following persons were employed:

Director	Suzan Cox QC, BA LLB, LLM
Personal Assistant	Susan Gowler
Deputy Director	Meredith Harrison LLB

Darwin

Criminal law practice

Senior Solicitor	Ian Read LLB BEc
Managing Solicitor	Colin Baker Dip of Law
Solicitors	Julie Franz LLB
	Louise Bennett LLB
	Helena Blundell BA LLB
	Ambrith Abayasekara BCom LLB
	Fiona Kepert BA LLB (Hon)
	Chrissy McConnel LLB
	Matthew Hubber LLB
Crime Section Supervisor	Haley Richardson
Legal Secretaries	Chloe Coleman
	Mark Wright

Family and civil law practice

Managing Solicitor	Diana Elliott BA LLB
Solicitors	Anthony Snell LLB
	Rebecca Sharkey BA LLB (Hons)
	Marika Ruzyla LLB
	Bethany Lohmeyer BA LLB
Immigration Solicitor	Natalie Scattini LLB
Legal Secretaries	Jodie Siebert
	Carolyn Robinson
Administrative Support	MacGregor Cookson

Policy, community legal education and aboriginal outreach

Policy Solicitor	Fiona Hussin LLB
Indigenous Community Liaison	Michael Petterson
Outreach Solicitor	Sofia Blosfelds LLB
Multicultural Educator	Gener Lapina

Assignments practice

Grants Officer	Tina Baylis
Administrative Assistants	Georgina Kokkinidis
Administrative Support	Lucia Vorrasi

Corporate services

BUSINESS SERVICES

Finance Manager	Barbara Lelli CPA
Human Resource Manager	Leeanne Morris
Finance & Corporate Support Services	Karen Markos Jeanon Cubillo Amanda Bamford
Projects Administration	Sue Reddy Amy Dargan Katie Allan

LIBRARY SERVICES

Library and Information Coordinator	Helen Edney
Library and Information Assistant	Monica Settele

Palmerston

Community Legal Education	Melinda Schroeder
Legal Secretary	Jodie Bawden

Katherine

Solicitor	Thomasin Opie BA LLB (on maternity leave) Bronwyn Haack BCom/LLB
Legal Secretaries	Cassie Lamb Bianca Aloisi

Tennant Creek

Manager	Wendy Vismans
Administrative Assistant	Kobie Dickson

Alice Springs

Managing Solicitor	Russell Goldflam BA BLEGS (Hons), Grad Dip E
Solicitors	Julia Munster BA (Hons) LLB
	Sally Bolton BA LLB (Hons)
	Dara Read BA LLB (Hons)
	Carly Ingles LLB
	Rennie Anderson BA LLB
Legal Secretaries	Anne Coleman
	Julie Branson
Administrative Support	Teodora Yaneva
Indigenous Community Liaison	George Peckham
Outreach Solicitor	Kevin Banbury BDip LLBG
Community Liaison Assistant	Jenny Turner-Walker

Domestic violence legal service

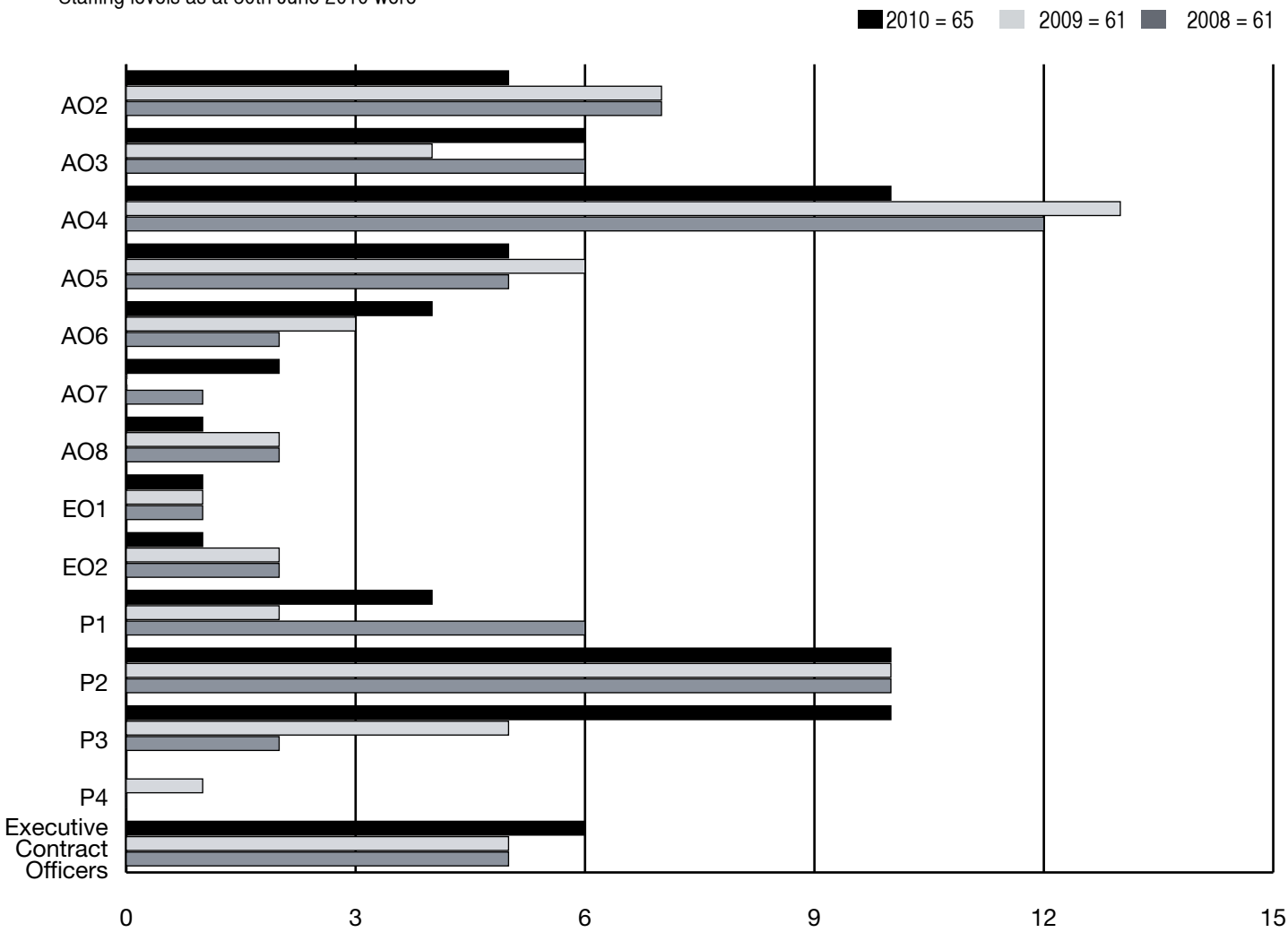
Managing Solicitor	Sue Phoo LLB BSc
Solicitor	Julia Lever-Davidson LLB
Legal Secretary	Denise Oliver

Volunteers

Under Section 8 of the Legal Aid 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 "recruited" 1 volunteers.

Staffing levels

Staffing levels as at 30th June 2010 were



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

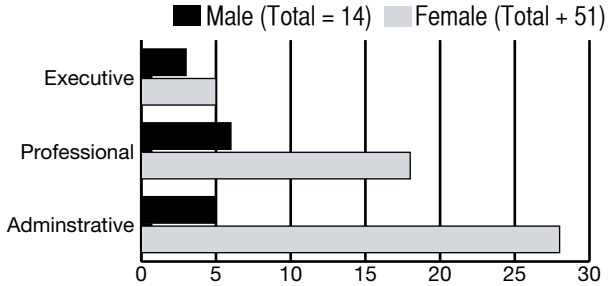
Resignations/leave without pay

During the year 13 people left the Commission's employment and 1 person was granted leave without pay.

Equal employment opportunity

Management monitors the internal environment to ensure that equal employment opportunities are present.

Distribution of the sexes is as follows:



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:

- Alice Springs Alcohol Reference Panel
- Alice Springs People's Alcohol Action Coalition, Member
- Arid Lands Environment Centre
- Central Australian Human Research Ethics Committee, Legal Member
- Central Australian Youth Justice
- Classification Review Board, Review Board Member
- Darwin Community Legal Service, management committee member
- Darwin Gymnastic Club, President
- FORWAARD Aboriginal Corporation, Board Member
- Gray Primary School, School Council President
- Ilpurla Aboriginal Corporation, Board Member
- Law Society NT, Councillor
- LSNT Criminal Justice Committee
- Nightcliff Cricket Club, Committee Secretary and Public Officer
- North Australian Aboriginal Family Violence Family Legal
- Service (NAAFVLS), Board Member
- QUOTA, Secretary
- Top End Women's Legal Service, Management Committee
- Top End Women's Legal Service, Member and Volunteer
- Watch this Space, Secretary
- White Ribbon Day, Ambassador
- Youth Justice Advisory Committee, Member
- YWCA Darwin, Board Member
- YWCA of Darwin, President

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:

- 2nd Family Relationships Services Aust Nat Conf
- 5th World Congress on Family Law & Childrens Rights
- AAI - General Advocacy Skills
- AFDTS - Defending & Defeating AOD
- AIC - Indigenous Young People, Crime & Justice
- 2nd Family Relationships Services Aust Nat Conf
- 5th World Congress on Family Law & Childrens Rights
- AAI - General Advocacy Skills
- AFDTS - Defending & Defeating AOD
- AIC - Indigenous Young People, Crime & Justice
- AIJI - Indigenous Courts Conference
- An Introduction to Working with People Refugee
- ARDS - Bridging the Gap
- Basic & Advanced TriMagic & WebPublisherPro
- Basic Mediation
- Best Practice Conference
- Better Minute Taking
- CCH Intelliconnect
- Certificate II in Security Operations
- Child Psychology
- Continuing Mediation Development Workshop
- CPA - How to Influence, Lead & Motivate
- CPD - Advocacy Workshop
- CPD - Barristers Classic Risks & how to avoid them
- CPD - Challenging and Defending a Will
- CPD - Child Psycholgoist
- CPD - Elder Law
- CPD - Exploring & Testing the Credibility of Family
- CPD - International Human Rights & Gender
- CPD - Interpretation Act
- CPD - Legal Aspects of Judicial Review
- CPD - Medical Negligence
- CPD - Mental (in) capacity for Lawyers
- CPD - Off the Plan
- CPD - Personal Idemnity Insurance
- CPD - Pitfalls & Risks of Pleas & Sentencing
- CPD - Preparing to Negotiate
- CPD - What am I covered for
- Dispute Resolution Working Group
- Document & Records Management Site Visits
- Family Law Intensive

- Family Relations Services Australia National Conference
- Grants Working Group
- How to coach your staff & achieve team accountability
- Independent Children's Lawyer Training Program
- Info Line Training
- International Children & Law Conference
- Judicial Review
- LAWA - Conferencing Program
- MIA - Character Provisions
- MIA - Citizenship
- MIA - Ethics and Professional Practice
- MIA - Parent Visas
- MIA - Unlawful Persons
- National CLC Conference
- National Indigenous Legal Conference
- News Ways to Respond to angry Clients
- NTER Future Directions Workshop
- QLAC & NTLAC Library - DB Textworks & WebPublisher
- Responding to Family Violence
- Skillpath - The Women's Conference
- Time & Stress Management
- Word Intermediate

Occupational health and safety

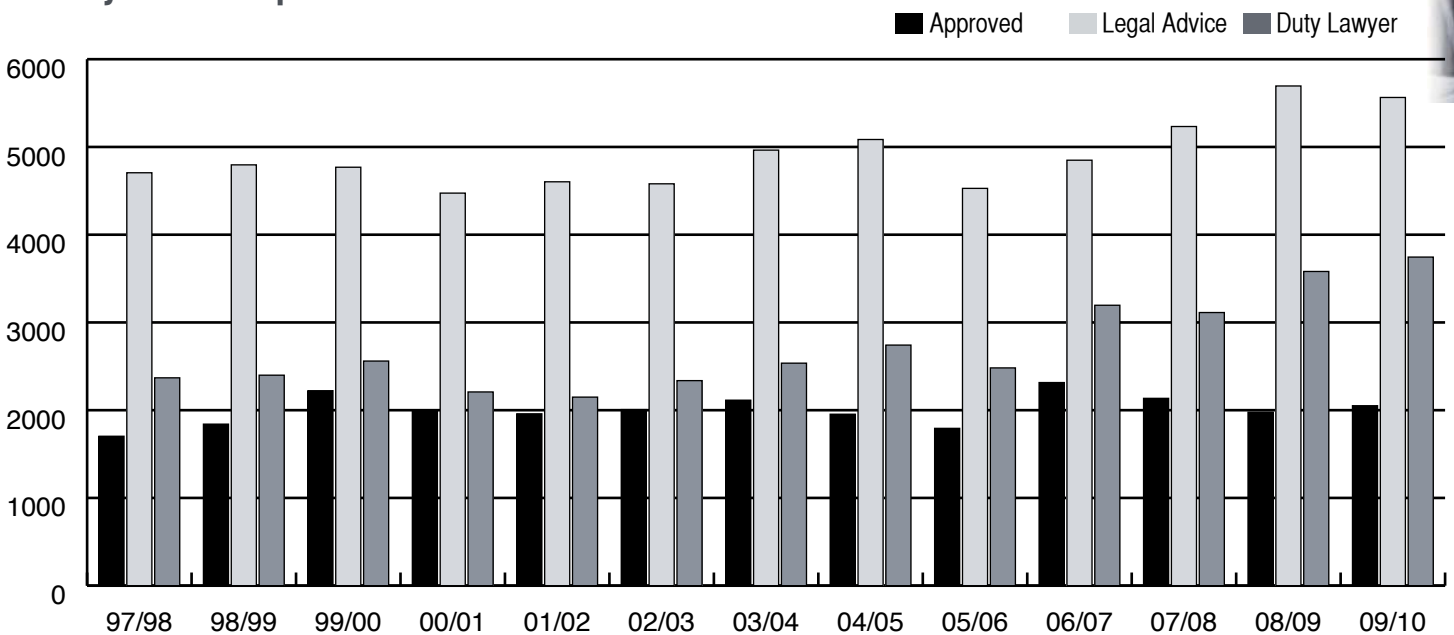
A tobacco free environment exists. Employees are encouraged to adopt safe working practices. The Commission encourages and promotes a healthy work-life balance.

Achievements

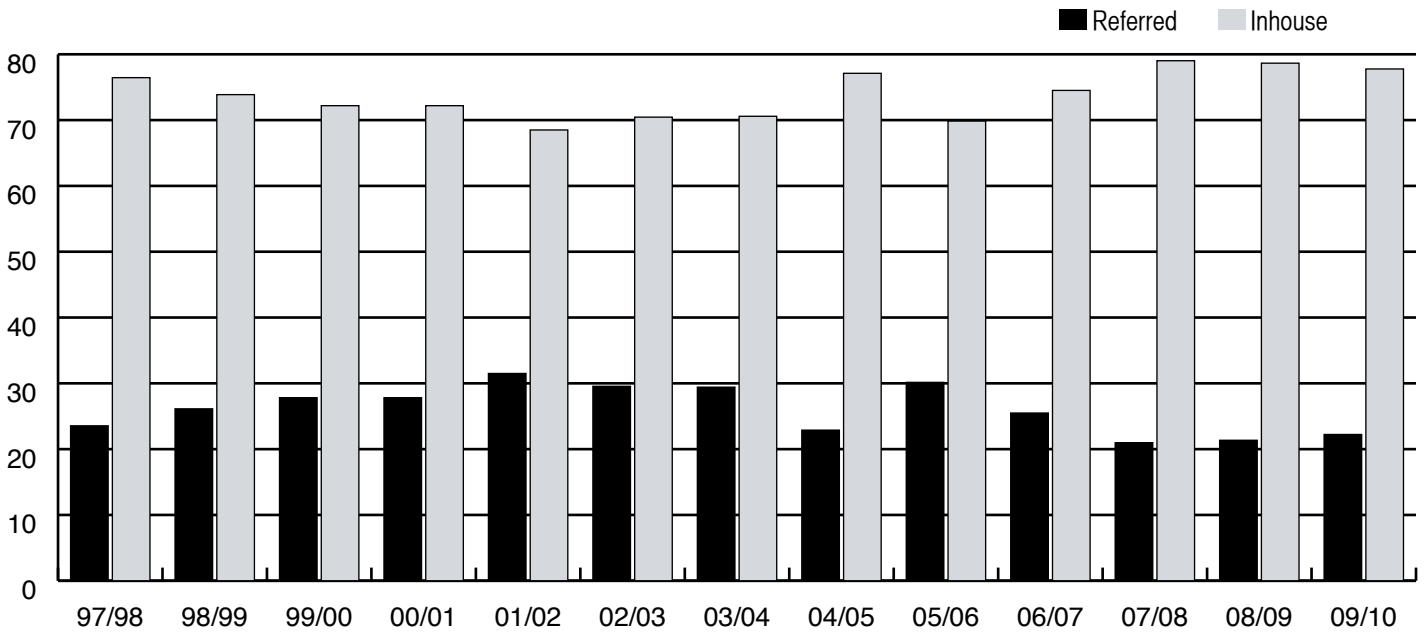
During the year:

- 2,336 applications for aid were received.
- 2,051 applications for aid were approved.
- 456 approved applications for aid were referred to private practitioners.
- 1,595 approved applications for aid were handled by Commission staff.
- 5,564 persons received free legal advice.
- 3,745 persons received advice and/or were represented by Duty Lawyers.
- 2,841 persons accessed the free telephone legal information service

Prior years comparative



Referred: inhouse matters



Performance

Performance indicators 2004-2005 to 2009-2010

	05/06	06/07	07/08	08/09	09/10
Population	204,500	213,800	218,400	223,100	228,500
Estimated No. of Clients	11,989	13,107	13,716	15,204	14,201
Per 1000 head of population					
Legal Advice Provided	24.47	22.68	23.96	25.53	24.35
Duty Lawyer Services	12.55	14.95	14.25	16.05	16.39
Applications for Legal Aid					
Received	10.52	12.54	11.29	10.33	10.22
Approved	8.77	10.83	9.78	8.86	8.98
Refused	1.62	1.50	1.28	1.26	1.02
Telephone Legal Information Clients	12.84	12.85	14.81	17.71	12.43
Estimated Clients	58.63	61.30	62.80	68.15	62.15

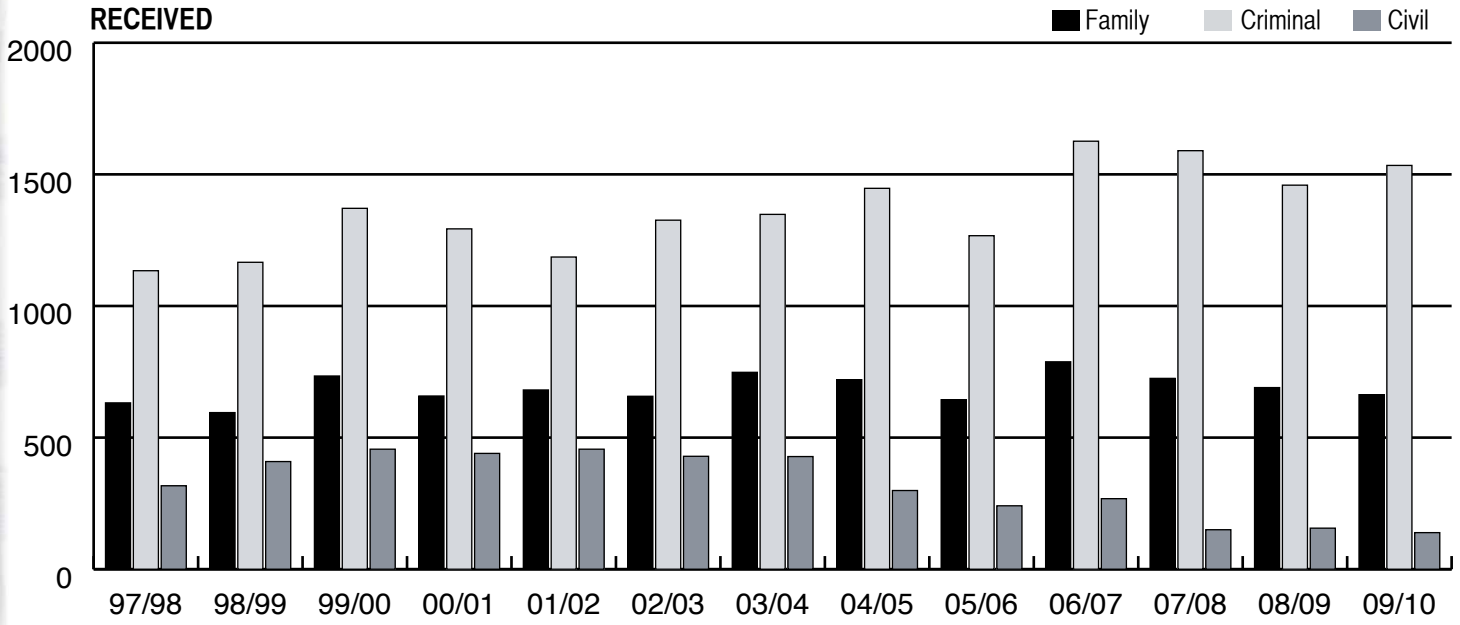
Output statistics

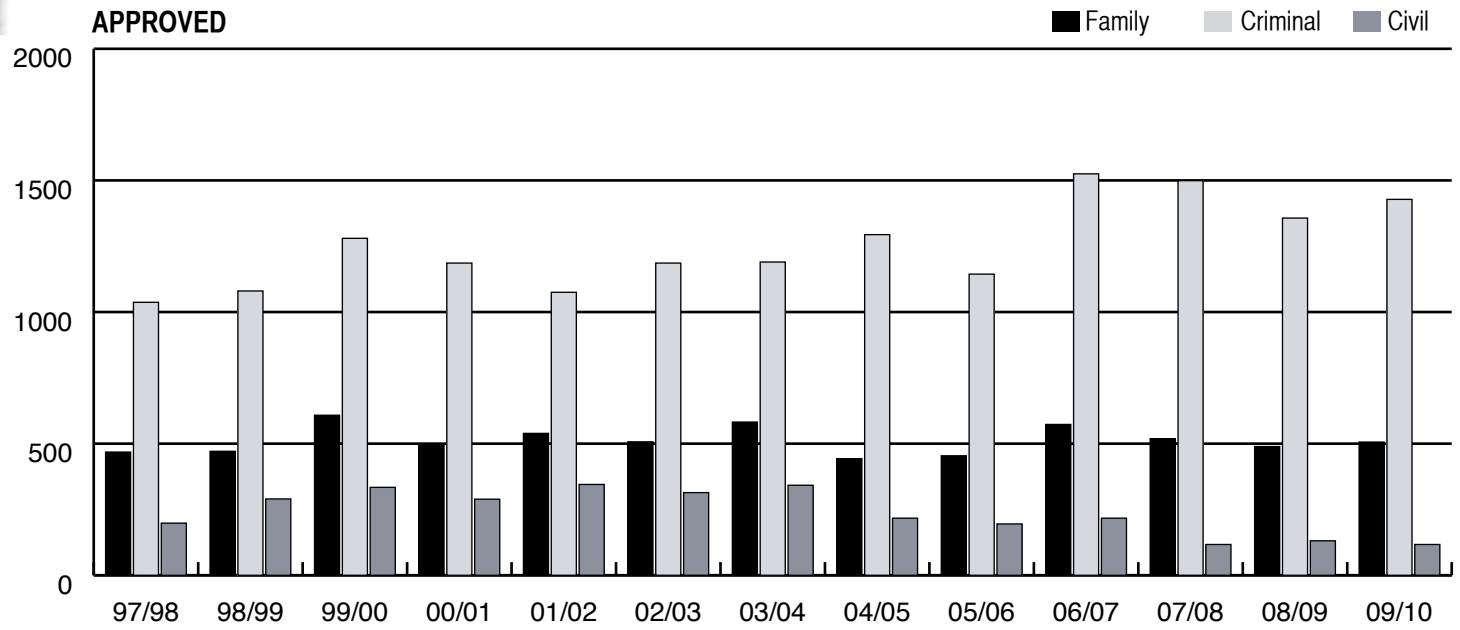
Summary of major activities

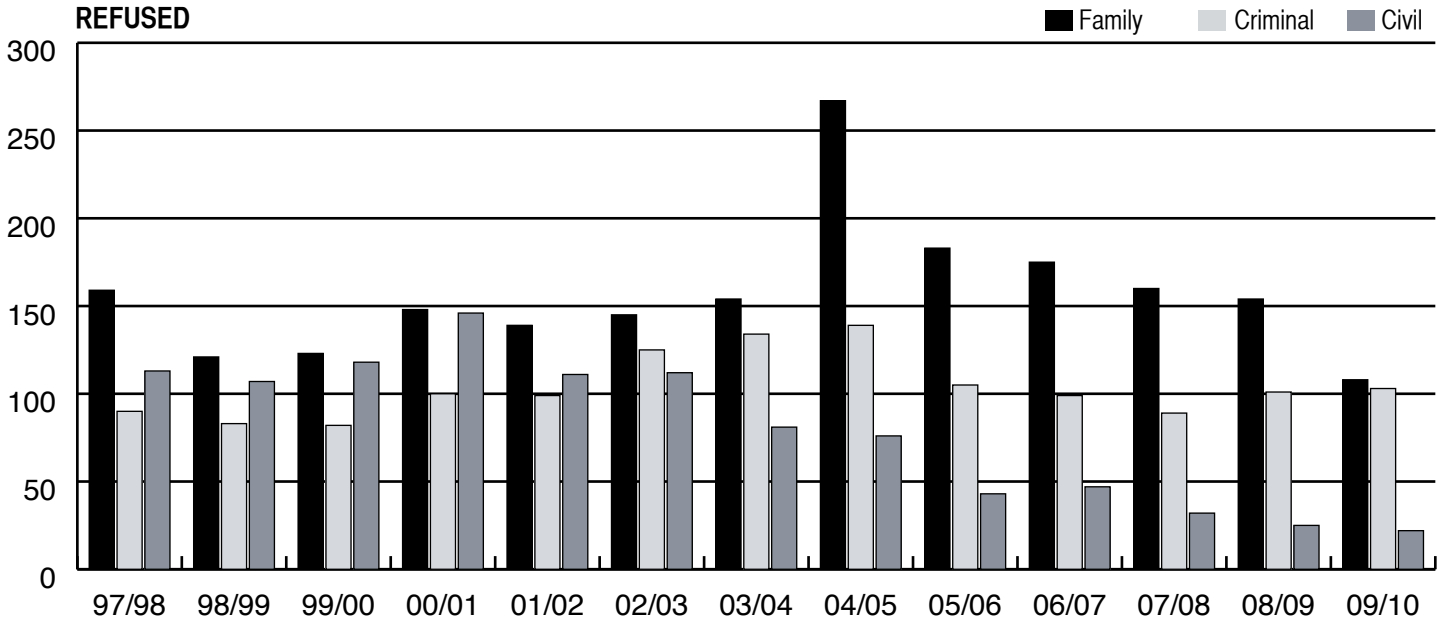
	05/06	06/07	07/08	08/09	09/10
Legal aid service					
Applications for Aid:					
Received	2,152	2,682	2,465	2,305	2,336
Approved	1,793	2,315	2,135	1,977	2,051
Refused	331	321	280	280	233
Free Legal Advice Sessions	5,004	4,849	5,233	5,695	5,564
Duty Lawyer Services	2,567	3,196	3,113	3,581	3,745
Telephone Information Clients	2,625	2,747	3,235	3,951	2,841
Payments to private practitioners (includes disbursements)					
Referred Cases					
Family	575,185	693,854	631,103	475,652	558,228
Criminal	434,883	414,545	500,666	475,317	419,353
Civil	334,889	228,495	200,431	174,918	161,156
Domestic Violence	39,545	49,850	49,292	32,017	10,390
Duty Solicitor	99,800	108,798	115,125	113,900	112,341
Locums	50,585	53,822	51,681	61,963	93,811
Conflict Advice (previously paid as referrals)			44,745	39,850	36,290
Disbursements on inhouse cases					
Family	28,972	48,395	58,581	46,008	49,055
Criminal	871,357	717,752	580,552	445,823	434,329
Civil	9,311	11,079	3,630	6,600	23,026
Domestic Violence	814	955	3,757	1,213	0
TOTAL	**2,445,341**	**2,327,545**	**2,239,563**	**1,873,261**	**1,897,979**

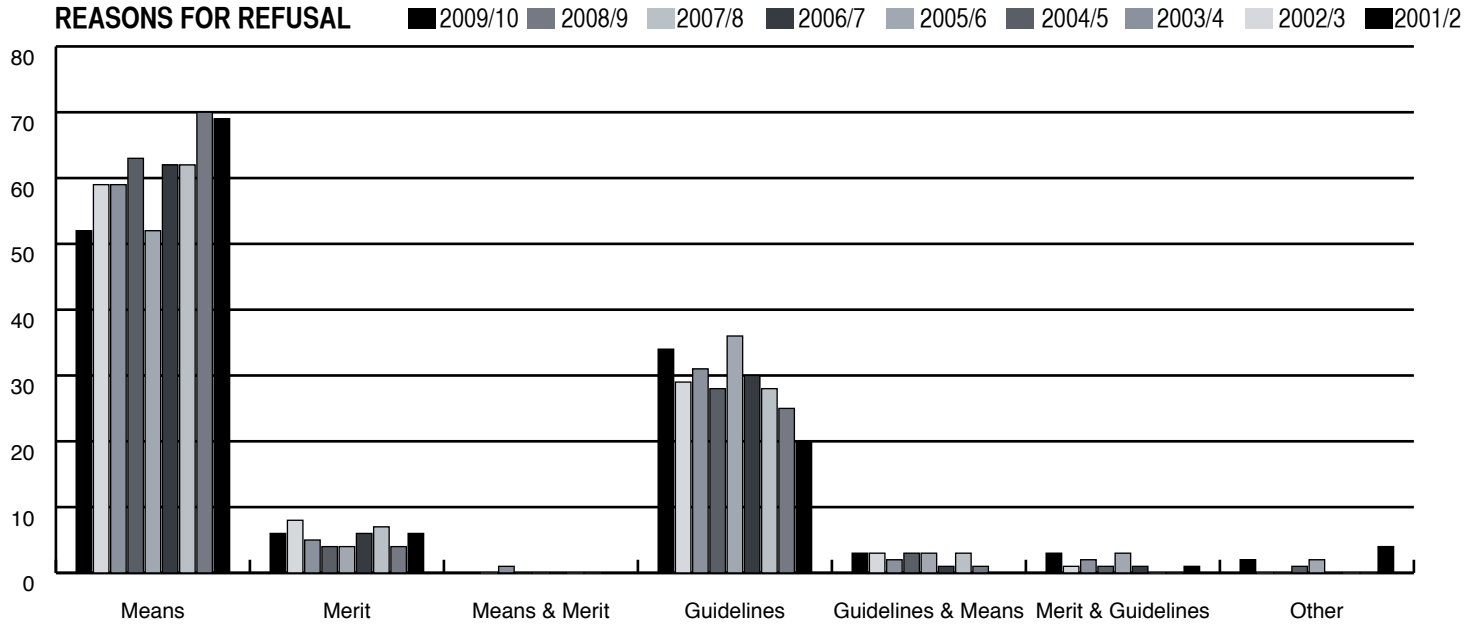
	05/06	06/07	07/08	08/09	09/10
Applications approved and referred to private practitioners					
Family	232	292	235	237	273
Criminal	69	129	132	99	118
Civil	173	156	66	70	65
Domestic Violence	11	13	15	16	0
TOTAL	**485**	**590**	**448**	**422**	**456**
Applications approved and handled by commission staff					
Family	200	259	256	223	233
Criminal	1,075	1,396	1,367	1,258	1,310
Civil	22	61	51	61	52
Domestic Violence	11	9	13	13	0
TOTAL	**1,308**	**1,725**	**1,687**	**1,555**	**1,595**
Free advice sessions					
Family	1,807	1,735	1,931	1,905	1,954
Criminal	1,269	1,156	1,268	1,520	1,611
Civil	1,447	1,556	1,606	1,949	1,999
Domestic Violence	481	402	428	321	0
TOTAL	**5,004**	**4,849**	**5,233**	**5,695**	**5,564**
Duty lawyer services					
Family					
Advice Only	32	13	24	35	36
Advice and Representation	9	94	172	332	387
Other	3	1	1	3	4
Criminal					
Advice Only	294	94	176	257	344
Advice and Representation	1,926	2,616	2,339	2,486	2,721
Other	13	6	7	14	14
Domestic Violence	85	116	208	203	0
Civil					
Advice Only	15	7	4	8	3
Advice and Representation	190	248	181	243	235
Other	0	1	1	0	1
TOTAL	**2,567**	**3,196**	**3,113**	**3,581**	**3,745**

Applications for aid






REFUSED
Family
Criminal
Civil
300
250
200
150
100
50
0
97/98
98/99
99/00
00/01
01/02
02/03
03/04
04/05
05/06
06/07
07/08
08/09
09/10


REASONS FOR REFUSAL
2009/10
2008/9
2007/8
2006/7
2005/6
2004/5
2003/4
2002/3
2001/2
80
70
60
50
40
30
20
10
0
Means
Merit
Means & Merit
Guidelines
Guidelines & Means
Merit & Guidelines
Other

Community legal education

CALD family law project

The CALD Communities Project Kit was launched to community members at the Multicultural Council of the NT on 18 November 2009 and to service providers at the Top End Family Pathways Network Domestic Violence Forum on 20 November 2009.

Suzan Cox spoke at both launches which were very positive events.

The CALD Families Project was initiated as a response to the need to develop culturally appropriate and targeted legal education materials for use with members of newly arrived and migrant communities.

The project was adapted from a similar project originally undertaken by the Legal Services Commission of South Australia (LSCSA) to develop a Legal Education Kit to enhance access to and promote understanding of Australian Family Law among people from Culturally and Linguistically Diverse (CALD) backgrounds. That project demonstrated that the kit is a valuable tool for the delivery of legal education to newly arrived groups. It provided a mechanism for discussing important and sensitive issues such as family violence and child protection.

Similarly, the Commission and several other refugee support services in Darwin highlighted the need to enhance access to legal information and legal services among the increasing number of migrants in the NT.

The Commission and Melaleuca Refugee Centre (Melaleuca) developed the project proposal in partnership. The project was funded by the Law Society Public Purposes Trust. The CALD project is envisioned to:

- advance the legal education of the refugee community, in particular in relation to foundational issues of the Australian legal system and Family Law, through the development of a Kit which is a tangible resource for future educational needs;
- advance the dissemination of information to the refugee community relating to the Australian legal system and Family Law through the enhanced exposure of the refugee community to legal issues and services and through the development of a Kit which is a tangible resource for future educational needs;
- enhance awareness among the refugee community of legal services available to them; and
- enhance appreciation within the Commission of the needs of this client group and endeavours to improve access to legal services among this group.

Top End Family Pathways Network

The Network hosted a one day Domestic and Family Violence Forum in Darwin on Friday 20 November. Three guest speakers from interstate travelled to Darwin to speak at the forum on domestic and family violence in a family law context. Simon Curran from Relationships Australia spoke on differentiation in domestic violence, Rachael Field, Lecturer with QUT spoke about effectively preparing victims of violence for family dispute resolution, and Bill Hewlett from Relationships Australia NSW spoke on the effects of domestic and family violence on children. There were also presentations from local services and programs. Over 80 people registered to attend the event, with approximately 70 people participating. The event was officially opened by the Honourable Delia Lawrie MLA, Deputy Chief Minister, Minister for Justice and Attorney General. The Commission also officially launched the CALD Kit "Australia and my family: What are the laws?" to service providers and took many orders for the kit on the day.

The Network also updated the booklet "Who Can Help You – Assistance for Separating Families" which maps service provision for families throughout the NT. The booklet was printed and distributed to agencies throughout the NT.

The Commonwealth Attorney General's Department is undertaking a review of all Pathways Networks across Australia which the Commission has contributed to. The results of the review are to be announced by the Department towards the end of the 2009/2010 financial year.

Legal information Line

The Legal Information Line continued to expand throughout the year. Staff operating the line undertake training on a monthly basis to keep up to date with service provision to ensure effective assistance and referrals are provided to people. A new free call number was also made available to Darwin and Alice Springs prisons to ensure prisoners have greater access to the Commission office in their region.

Outreach Project

The Commission has conducted an outreach project from our offices in Darwin, Katherine, Tennant Creek and Alice Springs, which includes information sessions, referrals, education workshops, legal advice and minor assistance to people in prescribed communities.

Networking and liaison with other agencies is an important part of the Outreach activities, as it is vital to be up to date on the operations, scope and guidelines of related program areas. We have also arranged and participated in many inter-agency visits to communities where particular areas of need have been identified. For example, joint trips have been held with NT and Commonwealth Ombudsman; Consumer Affairs; ASIC; ACCC; Anti-Discrimination Commission; and Aboriginal Legal Services and Women's Legal Services.

The Commission has primarily targeted remote communities that are not on the court circuit and, as a result, are not regularly visited by legal services. Clients at these communities have many and varied unmet legal needs. These include:

- Credit/debt issues, including unserviceable loans; mobile telephone bills; outstanding fines; and debts to car repairers. The client group typically experiences poor levels of financial literacy and a lack of access to services to assist with renegotiating payment rates when clients were suffering financial hardship.
- Consumer issues which can involve targeted scams or sales tactics and may be linked to credit and debt issues.
- The action or inaction of police is an issue of concern raised by clients in several of the communities and town camps visited. These concerns can often be addressed by community legal education sessions held in the community in conjunction with police.
- Communities that have a new police station but are not visited by the Magistrates Court as part of the circuit have particular issues with warrants. The appalling road conditions and distance clients are required to travel and to attend court is often an issue in communities without access to reliable, affordable transport.
- The NTER restrictions on alcohol in prescribed communities have been confusing for many people affected by the changes.
- There have been many issues arising out of income management. The Commission works closely with the Aboriginal Legal Services which are specifically funded to assist people in prescribed communities with welfare rights issues and provide strong leadership in advocating in relation to this area.
- Inadequate and poor standard of housing has been raised as an issue of concern almost universally in communities and town camps visited. In light of housing reforms, there is uncertainty about the remedies available to tenants under the *Residential Tenancies Act.*

Activities, Training and Presentations

The Commission was involved in the Law Week Activities commencing 17 May, including the launch of Law Week in Raintree Park and the Schools Forum at the Supreme Court.

The Commission participated in Youth Week 2010 by having an information stall at the opening event in Palmerston and sharing a stall with DCLS for the closing event in Darwin city.

Legal Information Line staff have undertaken training on a monthly basis on a range of topics which will enhance their ability to assist callers of the Legal Information Line.

CLE staff attended the Cairns Best Practice Conference 29 – 31 July 2009 and facilitated a workshop in relation to Community Legal Education delivery to Aboriginal and Torres Strait Islander audiences. We were honoured to have present at the workshop representatives of the Torres Strait Islander community; ATSILS Queensland; Victorian Aboriginal Legal Service; and the Australian Government Attorney-General's Department.

The Commission continued to coordinate the NT CLE Network which brings together agency representatives working in the area of Community Legal Education. A major focus of the network during the year was mandatory reporting for domestic violence and child abuse and concerns about how to ensure there was access to information about these new laws. During the year a Central Australian Network was established with the support and encouragement of the NT Network.

Policy and law reform

The Commission continued to engage in policy activities and law reform issues as relevant to the legal service sector in the NT. Some of the key areas of involvement include:

- Ongoing communications with the North Australian Aboriginal Justice Agency to discuss common issues, including brief-out protocols.
- Submission to the Senate Community Affairs Committee regarding the Social Security and Other Legislation Amendment (Welfare Reform and Reinstatement of Racial Discrimination Act) Bill 2009.
- Submission to the NT Child Protection Inquiry.
- Collaboration on a proposal for a Tenancy law service which has been submitted to the NT Government.

Information Act 2003 (NT)

The following information is held by the Commission:

Publications information	Personal information	Other information
NTLAC Guidelines and Scale of Costs	Client	Financial
NTCLAF Guidelines	Personnel	Statistical
Community Legal Education		Policies
Booklets (various topics)		Manuals
Pamphlets (various topics)		Administration
Annual Reports		Law Reform

Publications are available upon request free of charge.

Access to other information, including personal information must be made on the appropriate application form obtainable from and returnable to:

The information officer

Northern Territory Legal Aid Commission
6th Floor, 9-11 Cavenagh Street, Darwin

Postal: Locked Bag 11, Darwin NT 0801

Telephone: (08) 89993000

Fax: (08) 89993099

NB: Applications must be accompanied by proof of identity (eg. Passport, Drivers' Licence etc). To facilitate the identity check, applications may be lodged in person at any of the Commission's offices listed below. The Application form will be forwarded to the Information Officer in Darwin, if the local office is unable to assist.

DARWIN
6th Floor, 9-11 Cavenagh Street

PALMERSTON
Shop 6, Goyder Centre, 25 Chung Wah Terrace

KATHERINE
20 Second Street

TENNANT CREEK
Shop 3, 163 Paterson Street

ALICE SPRINGS
77 Hartley Street

Fees

Access to or correction of personal information	No Fee
Access to published information	No fee
Access to information other than	A $30.00 fee and a 60¢ per page charge for photocopying of documents of more than 20 pages may apply

Applications

	05/06	06/07	07/08	08/09	09/10
Applications Received	10	1	2	14	20
Applications Approved	8	1	2	13	19
Applications Pending	0	0	0	0	0
Referred to another agency	2	0	0	1	0
Fees Waived	8	1	2	11	14

Domestic Violence Legal Service

Overall objectives:

Effective from April 2009

The Territory now funds the Commission to operate, outside of its family law practice, a separate independent domestic violence legal service. This enables the Commission to offer a greater range of family law services to clients inhouse. The managing solicitor of the Service is provided with guidance, support and supervision by the Deputy Director of the Commission as required. To avoid conflicts the Service maintains its own client database independent of the Commission's client database.

The Service provides information, referrals, advice clinics, a duty lawyer service and legal representation. The Service also participates in relevant forums, community legal education and policy input.

Output statistics

	08/09	09/10
Summary of major activities		
Total services provided		
Applications for Aid:		
Received	19	172
Approved	19	172
Refused	0	0
Free Legal Advice Sessions	49	465
Duty Lawyer Services	33	388

Northern Territory
Legal Aid Commission

Financials 2009 - 2010

FINANCIAL PERFORMANCE

This year the Commission's operations resulted in a deficit of $849,866
The table below shows the percentage distribution of expenditure incurred and revenue earned from 2002-2010.

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
EXPENDITURE								
PERSONNEL COSTS	46.88	47.46	45.14	44.33	45.61	47.41	52.53	54.51
ADMINISTRATION COSTS	12.65	17.83	19.44	18.90	19.86	22.13	22.19	22.24
LEGAL COSTS	36.60	31.71	34.42	33.64	29.45	25.12	20.91	19.26
MINOR ASSETS	1.97	1.78	0.11	1.81	2.24	2.66	1.47	1.40
DEPRECIATION	1.90	1.22	0.89	1.32	2.84	2.68	2.90	2.59
TOTAL EXPENDITURE	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**
REVENUE								
COMMONWEALTH	39.65	40.29	43.05	43.99	44.08	40.00	41.17	41.34
NT GOVERNMENT	39.85	38.54	33.12	39.85	40.86	37.47	39.27	39.41
COMMONWEALTH OTHER	5.65	8.25	13.00	4.97	3.52	13.85	11.13	10.03
NT GOVERNMENT OTHER	0.00	2.72	3.40	3.13	3.09	2.72	3.77	4.50
TOTAL GOVERNMENT FUNDING	**85.15**	**89.80**	**92.57**	**91.94**	**91.55**	**94.04**	**95.34**	**95.28**
CONTRIBUTIONS AND RECOVERED COSTS	8.99	6.52	4.82	5.24	5.39	2.82	2.26	3.31
INTEREST EARNED	3.05	2.70	2.36	2.56	2.88	2.85	2.09	1.21
OTHER	2.81	0.98	0.25	0.26	0.18	0.29	0.31	0.20
TOTAL SELF-GENERATED	**14.85**	**10.20**	**7.43**	**8.06**	**8.45**	**5.96**	**4.66**	**4.72**

GENERAL PURPOSE FINANCIAL STATEMENTS

Auditor General's report	42
Statement by Directors	43
Statement of comprehensive income	44
Statement of financial position	45
Statement of cash flow	46
Statement of changes in equity	47
Notes to the financial statements	48-68

Auditor-General

Independent Auditor's Report to the Attorney-General

Northern Territory Legal Aid Commission

Year Ended 30 June 2010

I have audited the accompanying financial report of Northern Territory Legal Aid Commission, which comprises the statement of comprehensive income, statement of financial position, statement of changes in equity and statement of cash flow and accompanying notes to the financial statements for the year ended 30 June 2010.

The Responsibility of the Director for the Financial Report

The Director of Northern Territory Legal Aid Commission is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations). This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Director, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Auditor's Opinion

In my opinion, the financial report presents fairly, in all material respects, the financial position of Northern Territory Legal Aid Commission as of 30 June 2010, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations).

F McGuiness
Auditor-General for the Northern Territory
Darwin, Northern Territory

6 December 2010

Level 12 Northern Territory House 22 Mitchell Street Darwin 0800 Tel: 08 8999 7155 Fax: 08 8999 7144

STATEMENT BY DIRECTORS

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

(a) the accompanying general purpose financial statements of the Commission present fairly the Commission's financial position as at 30 June 2010, and its performance for the year ended on that date in accordance with Accounting Standards and other mandatory professional reporting requirements;

(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 become due and payable; and

(c) at the time of signing, we are not aware of any circumstances that would render the particulars included in the financial statements misleading or inaccurate.

Signed in Darwin this 29th day of November 2010.

Suzan Cox QC
Director

Meredith Harrison
Deputy Director

STATEMENT OF COMPREHENSIVE INCOME
YEAR ENDED 30 JUNE 2010

	Notes	2010	2009
		$	$
			(As Restated)
Revenue	2	**9,004,803**	8,752,784
Depreciation expense	3	**(254,697)**	(256,109)
Salaries and employee benefits expense		**(5,371,781)**	(4,642,140)
Legal Expense		**(1,898,380)**	(1,848,034)
Administration Expense		**(1,390,552)**	(1,289,942)
Other expenses		**(939,259)**	(800,512)
Net loss for the period		**(849,866)**	(83,953)
Other comprehensive income and equipment		**0**	0
Total comprehensive income (loss) for the period		**(849,866)**	(83,953)

Profit and total comprehensive income for the period are attributable to the owner.

The Statement of Comprehensive is to be read in conjunction with the notes to the financial statements.

STATEMENT OF FINANCIAL POSITION
AT 30 JUNE 2010

	Notes	2010 $	2009 $	1 July 2008 $
CURRENT ASSET				
Cash and cash equivalents	4	**1,507,027**	1,627,385	1,853,747
Trade receivables	5	**68,177**	95,012	103,357
Investments	6	**1,433,679**	1,438,961	1,408,266
Other receivables	7	**142,496**	187,337	188,736
TOTAL CURRENT ASSETS		**3,151,379**	3,348,695	3,554,106
NON-CURRENT ASSETS				
Property, plant and equipment	8	**1,185,534**	1,416,951	1,327,453
Other	15	**0**	200,000	200,000
TOTAL NON-CURRENT ASSETS		**1,185,534**	1,616,951	1,527,453
TOTAL ASSETS		**4,336,913**	4,965,646	5,081,559
CURRENT LIABILITIES				
Trade and other payables	9	**333,567**	216,746	358,794
Provisions	10	**857,505**	728,734	654,794
TOTAL CURRENT LIABILITIES		**1,191,072**	945,480	1,013,588
NON-CURRENT LIABILITIES				
Provisions	10	**189,460**	213,919	177,770
TOTAL NON-CURRENT LIABILITIES		**189,460**	213,919	177,770
TOTAL LIABILITIES		**1,380,532**	1,159,399	1,191,358
NET ASSETS		**2,956,381**	3,806,247	3,890,201
EQUITY				
Retained Earnings	17	**2,044,571**	1,333,989	1,417,942
Reserves	16	**911,810**	2,472,258	2,472,259
TOTAL EQUITY		**2,956,381**	3,806,247	3,890,201

The Statement of Financial Position is to be read in conjunction with the notes to the financial statements.

STATEMENT OF CASH FLOW
YEAR ENDED 30 JUNE 2010

	Notes	2010 $	2009 $
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash Receipts in the course of operations		**342,330**	233,736
Interest received in the course of operations		**109,231**	182,725
Grants received in the course of operations		**8,624,918**	8,346,067
Cash Payments in the course of operations		**(9,378,839)**	(8,611,657)
NET CASH FLOWS FROM/(USED IN) OPERATING ACTIVITIES	13	**(302,360)**	150,871
CASH FLOWS FROM INVESTING ACTIVITIES			
Net (Payments)/Proceeds for property, plant and equipment		**(23,280)**	(346,537)
Net (Payments)/Receipts for investments		**205,282**	(30,695)
NET CASH FLOWS (USED IN)/FROM INVESTING ACTIVITIES		**182,002**	(377,232)
Net (decrease)/increase in cash and cash equivalents		**(120,358)**	(226,362)
Cash and cash equivalents at the beginning of the period		**1,627,385**	1,853,747
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD	4	**1,507,027**	1,627,385

The Statement of Cash flow should be read in conjunction with the notes to the financial statements.

STATEMENT OF CHANGES IN EQUITY
YEAR ENDED 30 JUNE 2010

	Notes	Reserves	Retained Earnings	Total
		$	$	$
Balance at 30 June 2008		**2,472,257**	**1,341,377**	**3,813,635**
Changes in accounting policy		0	76,566	76,566
Balance at 30 June 2008, As Restated		**2,472,257**	**1,417,943**	**3,890,200**
Loss for the year		0	(83,953)	(83,953)
Other comprehensive income		0	0	0
Total comprehensive income		0	(83,953)	(83,953)
Transaction with owners in their capacity as owners:				
Transfer from reserves		0	0	0
Balance at 30 June 2009, As Restated	16 & 17	**2,472,257**	**1,333,990**	**3,806,247**
Loss for the year		0	(849,866)	(849,866)
Other comprehensive income		0	0	0
Total comprehensive income		0	(849,866)	(849,866)
Transaction with owners in their capacity as owners:				
Transfer from Reserves		(1,560,447)	1,560,447	0
Balance at 30 June 2010		**911,810**	**2,044,571**	**2,956,381**

The Statement of Changes in Equity should be read in conjunction with the notes to the financial statements.

NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED 30 JUNE 2010
1. Summary of significant accounting policies

The Northern Territory Legal Aid Commission (the "Commission") was established on 11 June 1990 by the Legal Aid Act 1990. The function of the Commission is to provide legal assistance in accordance with this Act. The Commission commenced its activities on 1 July 1990.

a) Principal place of Business

The Commission holds its principal place of business at 9-11 Cavenagh Street, Darwin.

b) Number of Employees

The Commission had 65 employees as at 30 June 2010 (2009 – 61 employees).

c) Basis of accounting

The financial report is a general purpose financial report which has been prepared in accordance with the requirements of Australian Accounting Standards and interpretation issued by the Australian Accounting Standards Board that apply for the reporting period.

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

(i) The accounts have been prepared using the accrual basis of accounting applying the historical cost convention and the going concern assumption.

(ii) Cost in relation to assets represents the amount incurred or the fair value of the asset given in exchange adjusted to recoverable amount where necessary. In determining recoverable amount the expected net cash flows have been discounted to their present value.

(iii) Where necessary, comparative information has been reclassified to achieve consistency in disclosure with current financial year amounts and other disclosures.

(iv) The financial report is presented in Australian dollars and all values are rounded to the nearest dollar.

d) Statement of Compliance

Australian Accounting Standards require a statement of compliance with International Financial Reporting Standards (IFRSs) to be made where the financial report complies with these standards. Some Australian Accounting Standards contain requirements specific to not-for-profit entities that are inconsistent with IFRS requirements. NT Legal Aid Commission is a not for profit entity and has applied these requirements, so while this financial report complies with Australian Accounting Standards it cannot make this statement.

Changes in Accounting Policy

During the financial year ended 30 June 2010, the Commission changed its accounting policy in relation to unbilled grant in aid liabilities. Grant in aid liabilities represent the amounts owed to private practitioners for legal work undertaken on behalf of the Commission. The value of the work completed by private practitioners as at reporting date but not invoiced to the Commission, was previously recognised as a provision based on a percentage carried forward from the 05/06 year as an estimate. The Commission has now elected to recognise these liabilities as an accrual for the invoices received between year end and mid-July. This change has been implemented as the directors are of the opinion that will provide more relevant information and result in more accurate carrying value of accruals and commitments relating to Grant in aid liabilities at the end of the reporting period. The aggregate effect of the change in accounting policy on the annual financial statements for the year ended 30 June 2010 are as follows:

	2010			2009		
	Previous Policy	**Adj**	**Revised Policy**	Previous Policy	Adj	Revised
	$	$	$	$	$	$
Statement of Comprehensive Income						
Legal Expenses	1,898,380		1,898,380	1,873,261	(25,227)	1,848,034
Net Profit / (Loss) for the year	(849,866)		(849,866)	(109,180)	25,227	(83,953)
Statement of Financial Position						
Provisions - Grants in Aid	0		0	101,793	(101,793)	0
Retained Earnings	2,044,571		2,044,571	1,232,196	101,793	1,333,989

	1 July 2008		
	Previous Policy	Adj	Revised Policy
	$	$	$
Statement of Financial Position			
Provisions - Grants in Aid	76,566	-76,566	0
Adjustments of opening retained earnings	1,341,376	76,566	1,417,942
Notes to Financial Statements			
Commitments - Grants in Aid	504,473	-504,473	0

As the Commission has retrospectively applied a change in an accounting policy and made a retrospective restatement of items in the financial statements, an additional statement of financial position as at the beginning of the earliest comparative period, being 1 July 2008, has been disclosed within the financial statements.

Adoption of New Australian Accounting Standard Requirements

The following new and revised Standards and Interpretations have not resulted in significant changes other than the presentation of the financial statements.

Amendments	Title
AASB 7 (revised) and AASB 2009-2	Amendments to Australian Accounting Standard – Financial instruments: Disclosures
AASB 101 (revised), AASB 2007-8 and 2007-10	Amendments to Australian Accounting Standard – Presentation of financial statements

The following new and revised Standards and Interpretations have recently been issued or amended but are not yet effective; however, are available for early adoption. The Commission has elected early adoption for the reporting period ended 30 June 2010. There is no financial impact from the early adoption as the standard relates purely to disclosure.

Amendments	Title	Effective on or after
AASB 124 (Revised) and AASB 2009-12	Related Party Disclosures revised standard and the consequential amendments to other standards resulting from its issue.	1 January 2011
AASB 8 (as amended) and AASB 2009-12	Operating Segments as amended and the consequential amendments to other standards resulting from its issue.	1 January 2011

The following new and revised Standards and Interpretations have recently been issued or amended but are not yet effective and have not been adopted for the reporting period ended 30 June 2010. It is expected that there will be no material financial impact from the application of these standards.

Amendments	Title	Effective on or after
AASB 2009-5	Further amendments to Australian Accounting Standards arising from the Annual Improvements Process	1 January 2010
AASB 2009-8	Amendments to Australian Accounting Standards – Group Cash-Settled Share-based Payment Transactions	1 January 2010
AASB 2009-13	Amendment to Australian Accounting Standards arising from Interpretation 19	1 July 2010
AASB 2009-14	Amendments to Australian Interpretation – Prepayments of a Minimum Funding Requirement	1 January 2011
AASB 9 (revised) and AASB 2009-11	Financial Instruments revised standard and the consequential amendments to other standards resulting from its issue.	1 January 2013

e) Changes in Accounting Policies

The accounting policies adopted in the current period, other than grant in aid liabilities, are consistent with those of the previous year.

f) Government appropriation and grants

Government appropriation and grants are recognised in the Income Statement at the time of their receipt. All revenue is stated net of the amount of Goods and Services Tax (GST).

g) Cash

For the purposes of the Cash Flow Statement, cash includes cash on hand and in banks, and money market investments readily convertible to cash within two working days.

h) Financial Assets

The Commission classifies its financial assets in the following categories:

- 'financial assets at fair value through profit or loss',
- 'held-to-maturity investments', and
- 'loans and receivables'.

The classification depends on the nature and purpose of the financial assets and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon 'trade date'.

Effective interest method

The effective interest method is a method of calculating the amortised cost of a financial asset and of allocating interest income over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash receipts through the expected life of the financial asset, or, where appropriate, a shorter period. Income is recognised on an effective interest rate basis.

Financial assets at fair value through profit or loss

Financial assets classified as held for trading are included in the category "financial assets at fair value through profit or loss". These are classified as held for trading if they are acquired for the purpose of selling in the near term with the intention of making a profit. Gains or losses on financial assets held for trading are recognised in profit or loss and the related assets are classified as current assets in the balance sheet.

Held-to-maturity investments

Non-derivative financial assets with fixed or determinable payments and fixed maturity dates that the Commission has the positive intent

and ability to hold to maturity are classified as held-to-maturity investments. Held-to-maturity investments are recorded at amortised cost using the effective interest method less impairment, with revenue recognised on an effective yield basis.

Loans and receivables

Trade receivables, loans and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. They are included in current assets, except for maturities greater than 12 months after the balance sheet date. These are classified as non current assets. Loans and receivables are measured at amortised cost using the effective interest method less impairment. Interest is recognised by applying the effective interest rate to the relevant balances.

Impairment of financial assets

Financial assets are assessed for impairment at each balance date.

Financial assets held at amortised cost - If there is objective evidence that an impairment loss has been incurred for loans and receivables or held to maturity investments held at amortised cost, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the Income Statement.

i) Financial Liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or 'other financial liabilities.' Financial liabilities are recognised and derecognised upon 'trade date'.

Financial liabilities at fair value through profit or loss

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

Other financial liabilities

Other financial liabilities are initially measured at fair value, net of transaction costs.

Other financial liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

j) Contingent Assets and Liabilities

Contingent Assets and Contingent Liabilities are not recognised in the Balance Sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of an asset or liability or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

k) Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken.

l) Property, plant and equipment

Freehold land and buildings on freehold land are measured on a fair value basis.

All other classes of property, plant and equipment are measured at cost. Cost is determined as the fair value of the asset given as consideration plus incidental costs in getting the asset ready for use.

The carrying amount of property, plant & equipment is reviewed annually to ensure it is not in excess of the recoverable amount of these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the assets employment and subsequent disposal. The expected net cash flows have been discounted to their present values in determining recoverable amounts.

Property, plant and equipment purchased for less than $2,000 during the year have been expensed.

m) 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 and are measured at cost.

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 useful lives are:

Fixed Assets	**2010**	2009
Buildings	**10 years**	10 years
Leasehold Improvements	**3 years**	3 years
Plant & Equipment	**2.5 – 5 years**	2.5 – 5 years

n) Employee benefits

Provision is made for the Commission's liability for employee benefits arising from services rendered by employees to balance sheet date. Employee benefits expected to be settled within one year together with entitlements arising from wages and salaries and annual leave have been measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled.

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, related on costs, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currencies that match, as closely as possible, the estimated future cash outflows.

o) Superannuation arrangements

Contributions made by the Commission to employee superannuation funds are expensed.

Employee's Superannuation entitlements are provided through the NT Government and Public Authorities Superannuation Scheme (NTGPASS) and non-government employee nominated schemes for those employees commencing on or after 10 August 1999.

The Commission contributes 9% on behalf of the majority of employees. Any liability for superannuation is met directly by the NT Government and the entity has and will continue to have no other direct superannuation liability.

p) Income tax

The Northern Territory Legal Aid Commission is a public authority within the meaning of Section 50-25 of the Income Tax Assessment Act 1997 and its income is exempt under the provisions of that Act.

q) Reserves

The Commission maintains reserves that are funded by cash and investments.

The funded reserves are:

- NT Expensive Civil Cases Reserve
- Information Technology Development and Replacement Reserve
- NT Expensive Criminal Cases Reserve
- Premises Replacement & Maintenance Reserve

The asset revaluation reserve is used to record increments and decrements in the value of non-current assets.

r) Revenue recognition

Revenue is recognised to the extent that it is probable that the economic benefits will flow to the entity and the revenue can be reliably measured. The following specific recognition criteria must also be met before revenue is recognised:

Rendering of services

Where the contract outcome can be reliably measured, control of the right to be compensated for the services and the stage of completion can be reliably measured. Stage of completion is measured by reference to labour hours incurred to date as a percentage of total estimated labour hours for each contract.

Where the contract outcome cannot be reliably measured, revenue is recognised only to the extent that costs have been incurred.

Interest

Interest revenue is recognised when control of the right to receive the interest payment passes.

s) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of GST except:

- Where the GST incurred on a purchase of goods and services is not recoverable from the taxation authority, in which case the GST is recognised as part of the cost of acquisition of the asset or as part of the expense item as applicable; and

- Receivables and payables are stated with the amounts of GST included.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of the receivables and payables in the Balance Sheet.

Cash flows are included on the Cash Flow Statement on a gross basis and the GST component of cash flows arising from investing and financing activities, which is recoverable from, or payable to, the taxation authority, are classified as operating cash flows.

t) Critical accounting estimates and judgements

Estimates and judgements incorporated into the financial report are based on historical knowledge and best available current information. Estimates assume a reasonable expectation of future events and are based on current trends and economic data, obtained both externally and within the Commission.

u) Economic Dependence

The Commission is funded predominantly by annual appropriations from 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.

2. Revenue

		2010 $	2009 $
Grant revenue from	- NT	**3,954,000**	3,767,398
	- Commonwealth	**4,546,899**	4,530,028
	- Others	**79,178**	47,242
Rendering of services revenue			
	- Client contributions	**112,155**	66,406
	- Recovered costs	**185,339**	131,608
Other revenue	- Interest	**109,231**	182,725
	- Others	**18,001**	27,377
		9,004,803	8,752,784

3. Expenses

Depreciation expense		**254,697**	256,109
Salaries and employee benefits expense		**5,371,781**	4,642,140
Administration costs		**1,389,140**	1,289,942
Legal costs		**1,898,380**	1,848,034
Other expenses	- Minor assets	**138,298**	129,541
	- Operating lease expenditure	**802,373**	670,971
		9,854,669	8,836,737

4. Cash and cash equivalents

	2010 $	2009 $	1 July 2008 $
Cash on hand	**1,450**	1,350	1,050
Cash at bank	**1,495,577**	1,616,035	1,842,697
Advance account	**10,000**	10,000	10,000
	1,507,027	1,627,385	1,853,747

5. Trade receivables

	2010	2009	1 July 2008
	$	$	$
Current			
Trade debtors	**3,452**	69,847	12,682
Less Provision for Doubtful Debts	**0**	0	0
	3,452	69,847	12,682
Recoveries Receivable	**49,052**	12,390	20,569
Less Provision for Doubtful Debts	**0**	0	(3,026)
	49,052	12,390	17,543
Interest Receivable	**0**	0	12,890
GST Receivable	**15,673**	12,775	60,242
Other Receivable	**0**	0	0
	68,177	95,012	103,357
The aging of the receivables are as follows:			
- up to 3 months	**55,804**	79,186	93,622
- 3 to 12 months	**10,870**	13,661	7,941
- 1 to 2 years	**400**	2,165	1,009
- 2 to 4 years	**1,103**	0	3,596
- more than 4 years	**0**	0	0
	68,177	95,012	106,168
The aging of provision for doubtful debts are as follows:			
- 2 to 4 years	**0**	0	2,911
- more than 4 years	**0**	0	115
	0	0	3,026

6. Investments

Current			
Westpac Banking Commission Bills – at cost	**1,433,679**	1,438,961	1,408,266

7. Other receivables

		2010	2009	1 July 2008
		$	$	$
Prepayments-	- Insurances	**26,843**	104,566	101,210
	- Rent	**57,993**	47,852	32,594
	- Salaries	**12,166**	2,601	7,297
	- Other	**36,358**	27,490	32,928
Accrued revenue		**9,136**	4,828	14,707
		142,496	187,337	188,736

8. Property, plant and equipment

Freehold land at fair value	**290,000**	290,000	290,000
	290,000	290,000	290,000
Buildings – at fair value	**674,545**	665,185	660,094
Less: Accumulated depreciation	**(236,578)**	(187,705)	(134,511)
	437,967	477,480	525,583
Leasehold improvements – at cost	**683,528**	695,092	417,687
Less: Accumulated depreciation	**(385,028)**	(264,799)	(155,830)
	298,500	430,293	261,857
Plant and equipment – at cost	**756,348**	785,223	729,383
Less: Accumulated depreciation	**(597,280)**	(566,045)	(479,370)
	159,068	219,178	250,013
Total property, plant and equipment – net book value			
Cost	**1,439,875**	1,480,315	1,147,070
Fair value	**964,545**	955,185	950,094
	2,404,420	2,435,500	2,097,164
Accumulated depreciation	**(1,218,886)**	(1,018,549)	(769,711)
	1,185,534	1,416,951	1,327,453

8. Property, plant and equipment (continued)

	2010	2009	1 July 2008
	$	$	$
(a) Reconciliations			
Reconciliations of the carrying amounts of each class of property, plant and equipment are set out below:			
Freehold Land			
Carrying amount at beginning of year	**290,000**	290,000	280,000
Net amount of revaluation increments	**0**	0	10,000
Carrying amount at end of year	**290,000**	290,000	290,000
Buildings			
Carrying amount at beginning of year	**477,480**	525,583	215,871
Net amount of revaluation decrements	**0**	0	-129,892
Additions	**9,360**	5,091	463,649
Depreciation	**-48,873**	-53,194	-24,045
Carrying amount at end of year	**437,967**	477,480	525,583
Leasehold Improvements			
Carrying amount at beginning of year	**430,293**	261,857	104,302
Additions	**0**	285,606	246,644
Disposals	**-3,381**	-930	0
Depreciation	**-128,412**	-116,240	-89,089
Carrying amount at end of year	**298,500**	430,293	261,857
Plant and Equipment			
Carrying amount at beginning of year	**219,177**	250,013	375,150
Additions	**18,345**	55,840	0
Disposals	**-1,043**	0	-1,928
Depreciation	**-77,412**	-86,675	-123,209
Carrying amount at end of year	**159,067**	219,178	250,013

(b) Valuations

The fair values of freehold land and buildings have been determined by reference to direct valuations, based upon independent valuations previously obtained from the Australian Valuation Office dated 29 May 2008. Such valuations are performed on an open market basis, being the amounts for which the assets could be exchanged between a knowledgeable willing buyer and a knowledgeable willing seller in an arm's length transaction at the valuation date.

9. Trade and other payables

	2010	2009	1 July 2008
	$	$	$
Current			
Accounts payable and accrued expenses	**333,567**	216,746	358,794
Total Payables	**333,567**	216,746	358,794

10. Provisions

Current				
Employee benefits				
	- Annual Leave	**371,059**	321,343	289,595
	- Long Service Leave	**375,840**	313,503	291,363
	- Leave Loading	**61,597**	57,193	42,770
		808,496	692,039	623,728
Fringe Benefits Tax		**14,591**	7,165	8,705
Super contribution		**34,418**	29,530	22,361
		857,505	728,734	654,794
Non-Current				
Employee benefits				
	- Annual Leave	**104,713**	142,386	53,097
	- Long Service Leave	**84,747**	71,533	124,673
		189,460	213,919	177,770

11. Superannuation commitments

Employees' superannuation entitlements are principally provided through the Northern Territory Government and Public Authorities Superannuation Scheme (NTGPASS). 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. NTSSS benefits are entirely employer funded and do not require employee contributions. As at 30 June 2010 total superannuation expended amounted to $427,242 (at 30 June 2009 - $386,868).

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

12. 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 disclosed by way of note. 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 2010 the trust account had a balance of $nil (2009 - $13).

13. Cash flow statement

	2010	2009
	$	$
Reconciliation of net cash used in operating activities		
to operating profit Operating profit/(loss)	**(849,866)**	(83,953)
Depreciation	**254,697**	256,109
Donated assets	**0**	930
Increase/(Decrease) in provisions	**104,312**	110,089
Increase/(Decrease) in creditors	**116,821**	(142,048)
Decrease/(Increase) in receivables	**26,835**	8,345
Decrease/(Increase) in prepayments (non-capital)	**44,841**	1,399
Net cash flows from/(used in) operating activities	**(302,360)**	150,871

14. Expenditure commitments

Building lease expenditure commitments		
Operating leases (non-cancellable)		
- not later than one year	**762,275**	508,367
- later than one year but not later than five years	**2,959,615**	47,327
Grants In Aid	**516,160**	568,652
Aggregate lease expenditure and Grants in Aid contracted for at balance date but not provided for	**4,238,050**	1,124,346

15. Other non-current assets - 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. In 1997, the Commission contributed a further $200,000 to the Contingency Legal Aid fund which is due and payable on demand to the Commission. The amount was repaid to the Commission during the year.

As at the 30 June the financial position of the fund which is managed by the Commission was as follows:

		2010	2009
		$	$
Opening balance		**932,321**	930,261
Income:			
	Interest earned	**67,017**	44,197
	Client contributions	**1,100**	1,100
	Cost recovered	**74,873**	15,282
	Contingency fees	**8,401**	3,131
		151,391	63,710
Expenditure:			
	Disbursements	**244,206**	61,641
	Bank charges	**10**	9
		244,216	61,650
Cash balance at year end		**839,496**	932,321
Less - Clients/grants approved but not paid at year end		**(36,789)**	(110,327)
Net funds available		**802,707**	821,994

16. Reserves

	2010	2009
	$	$
NT Expensive Civil Cases Reserve	**350,000**	350,000
Information Technology Development and Replacement Reserve	**200,616**	200,616
NT Expensive Criminal Cases Reserve	**0**	1,560,448
Premises Replacement & Maintenance Reserve	**200,000**	200,000
Asset Revaluation	**161,194**	161,194
	911,810	2,472,258
Movements in reserves:		
(a) NT Expensive Civil Cases Reserve (funded)		
Balance at beginning of year	**350,000**	350,000
Redistribution to NT Expensive Criminal Cases Reserve	**0**	0
Redistribution from Employee Entitlements reserve	**0**	0
Balance at end of year	**350,000**	350,000
(b) Information Technology Development and Replacement Reserve (funded)		
Balance at beginning of year	**200,616**	200,616
Transfer from accumulated funds	**0**	0
Balance at end of year	**200,616**	200,616
(c) NT Expensive Criminal Cases Reserve (funded)		
Balance at beginning of year	**1,560,448**	1,560,448
Redistribution from NT Expensive Civil Cases Reserve	**0**	0
Redistribution from Premises Replacement and Maintenance Reserve	**0**	0
Transfer to accumulated funds	**(1,560,448)**	0
Balance at end of year	**0**	1,560,448
(d) Premises Replacement & Maintenance Reserve (funded)		
Balance at the beginning of the year	**200,000**	200,000
Redistribution to NT Expensive Criminal Cases Reserve	**0**	0
Transfer from accumulated funds	**0**	0
Balance at the end of the year	**200,000**	200,000

16. Reserves (cont'd)

	2010	2009
	$	$
Movements in reserves (cont'd):		
(e) Asset Revaluation		
Balance at the beginning of the year	**161,194**	161,194
Revaluation increments on revaluation of:		
- land	**0**	0
- buildings	**0**	0
Balance at the end of the year	**161,194**	161,194

17. Retained Earnings

Equity at beginning of year	**1,333,989**	1,417,942
Net Loss	**(849,866)**	(83,953)
Transfer from Reserves	**1,560,448**	0
Equity at end of year	**2,044,571**	1,333,989

18. Financial instruments

A financial instrument is a contract that gives rise to financial asset of one entity and a financial liability or equity instrument of another entity. Financial instruments held by the Commission include cash and short-term monetary investments, receivables and payables. The Commission has limited exposure to financial risk as describe below.

Credit Risk

Credit risk represents the loss that would be recognised if counterparties failed to perform as contracted. The credit risk on financial assets of the Commission that have been recognised on the balance sheet is the carrying amount net of any provision for doubtful debts. The Commission has a minimal concentration of credit risk as it undertakes transactions with a large number of customers and counterparties. There are no major concentrations of credit risk on trade debtors due from customers within particular industries. In respect of any dealings with organisations external to Government, the Commission has adopted a policy of dealing with credit worthy organisations and obtaining sufficient collateral or other security where appropriate, as a means of mitigating the risk of financial loss from defaults.

Net Fair Value

The carrying amount of the financial assets and financial liabilities recorded in the financial statements approximates their net fair values.

Where differences exist, these are not material.
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		
	2010	2009	1 July 2008	**2010**	2009	1 July 2008
	$'000	$'000	$'000	**$'000**	$'000	$'000
Financial assets						
Cash	**1,507**	1,627	1,854	**1,507**	1,627	1,854
Receivables - trade (net)	**68**	95	103	**68**	95	103
Westpac Banking Corporation Bills	**1,434**	1,439	1,408	**1,434**	1,439	1,408
Prepayments	**142**	187	189	**142**	187	189
Advance to Contingency Fund	**0**	200	200	**0**	200	200
TOTAL FINANCIAL ASSETS	**3,151**	3,548	3,754	**3,151**	3,548	3,754
Financial liabilities						
Accounts payable and accruals	**334**	217	359	**334**	217	359
TOTAL FINANCIAL LIABILITIES	**334**	217	359	**334**	217	359

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.

Liquidity Risk

Liquidity risk is the risk that the Commission will not be able to meet its financial obligations as they fall due. The Commission's approach to managing liquidity is to ensure that it will always have sufficient liquidity to meet liabilities when they fall due.

The maturity profiles of undiscounted financial liabilities are as follows:

	1 year or less $'000	**> 1 year and < 5 years $'000**	**> 5 years $'000**	**No term $'000**	**Total $'000**
30 June 2010					
Trade and other payables	334	-	-	-	334
30 June 2009					
Trade and other payables	217	-	-	-	217
1 July 2008					
Trade and other payables	359	-	-	-	359

Interest Rate Risk

Interest rate risk is the risk of financial loss and/or increased cost due to adverse movements in the values of financial assets and liabilities as a result of changes in interest rates. The Northern Territory 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			Non-interest Bearing			Total carrying amount as per the balance sheet			Weighted average effective interest rate		
	2010	2009	1Jul 2008	**2010**	2009	1Jul 2008	**2010**	2009	1Jul 2008	**2010**	2009	1Jul 2008
	$,000	$'000		**$'000**	$,000		**$,000**	$'000		**%**	%	
Financial assets												
Cash	**1,507**	1,627	1,854	**-**	-	-	**1,507**	1,627	1,854	**3.46**	4.66	7.00
Receivables - trade (net)	**-**	-	-	**68**	95	103	**68**	95	103	**-**	-	-
Westpac Banking Corporation Bills	**1,434**	1,439	1,408	**-**	-	-	**1,434**	1,439	1,408	**3.68**	5.61	6.73
Prepayments	**-**	-	-	**142**	187	189	**142**	187	189	**-**	-	-
Advance to Contingency Fund	**-**	-	-	**-**	200	200	**0**	200	200	**-**	-	-
TOTAL FINANCIAL ASSETS	**2,941**	3,066	3,262	**210**	482	492	**3,151**	3,548	3,754	**-**	-	-
Financial liabilities												
Accounts payable and accruals	**-**	-		**334**	217	359	**334**	217	359	**-**	-	-
TOTAL FINANCIAL LIABILITIES	**-**	-		**334**	217	359	**334**	217	359	**-**	-	-

The Commission has no fixed interest financial instruments.

Interest Rate Risk Sensitivity Analysis

The following table demonstrates the Commission's sensitivity to movement in interest rates in relation to the value of interest bearing financial assets and liabilities.

	Profit or Loss and Equity	
	100 Basis Points Increase $'000	100 Basis Points Decrease $'000
30 June 2010		
Financial Assets - Cash and cash equivalents	15	(15)
Financial Assets – Short-term investments	14	(14)
Net sensitivity	29	(29)
30 June 2009		
Financial Assets - Cash and cash equivalents	16	(16)
Financial Assets – Short-term investments	14	(14)
Net sensitivity	30	(30)
1 July 2008		
Financial Assets - Cash and cash equivalents	18	(18)
Financial Assets – Short-term investments	14	(14)
Net sensitivity	32	(32)

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.

20. Contingent assets/liabilities

There were no known contingent assets or contingent liabilities of a significant nature at 30 June 2010 (2009 – NIL).

21. Additional disclosures

(i) Commissioners

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

- S Cox QC
- D Farquhar
- J Large
- E Terrill
- E Morris
- P Vaughan
- H Richardson

(ii) Transactions with Commissioners

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

22. Remuneration of commissioners

The following sitting fees were in respect of the year ended 30 June 2010;

- D Farquhar $297
- J Large $280
- E Terrill $367
- P. Vaughan $337

23. Auditor's remuneration

The auditor of the Commission is the Auditor-General for the Northern Territory.

	2010	2009
	$	$
Amounts paid, or due and payable to the NT Government for services provided by the Northern Territory Auditor-General for:		
-Audit of the Commission financial statements	**22,705**	23,100
-Other services in relation to the Commission		
-Acquittal	**8,418**	5,945
	31,123	29,045

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