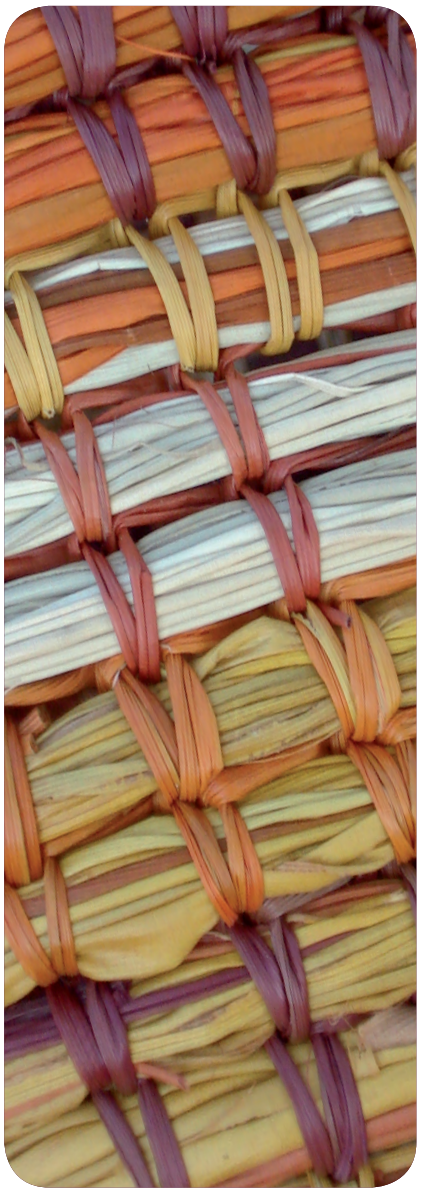
Northern Territory Legal Aid Commission



Annual Report 2012 - 2013

Northern Territory Legal Aid Commission

The Hon John Elferink
Attorney-General and Minister for Justice
Parliament House
State Square
DARWIN NT 0800

Dear Attorney General

I am pleased to present to you the Northern Territory Legal Aid Commission's Annual Report for the year ended 30 June 2013.

Once again the Board of the Commission has been impressed with the continuing hard work and dedication of the staff of the Commission. The staff have continued to build the reputation of the Commission as an excellent legal practice, providing high level legal services to clients all across the Northern Territory. Under the very capable leadership of Ms Suzan Cox QC, the continued provision of these sought after legal services has been a credit to all staff, both administrative and legal. I thank them for their continuing dedication.

We are also grateful for the continued funding of various arms of the service, particularly supporting the legal needs of survivors of domestic violence. People who use our services are often in desperate and vulnerable times of their life, whether in custody or detention, in need, or at the breakdown of their family. The ability of the community to assist by providing legal advice and assistance at these times of crisis is an important one.

It is also with much sadness that, shortly after the reporting period of this annual report, our longest serving Board member, Ms Jane Large, who had retired in May 2013, passed away after a short illness. Ms Large was first appointed on 29 June 1990 and her expertise, calm counsel and valued advice, particularly around financial matters, will be very much missed.

I would also like to thank our community representative, Mr Peter Vaughan, from Alice Springs, who resigned his Commission in October 2013 to take up opportunities with his family on Thursday Island. Mr Vaughan was also a valued member of the Commission who never failed in his remit to bring the views of the community and the possible impacts on the community of the changes in the provision of any of our services.

I repeat my words from last year, the benefits of a well-managed and well-resourced legal aid service for the justice system are numerous. I am confident that despite increasing need and constrained resources, the Commission has again provided these services efficiently and effectively for the year 2012-2013.

Yours faithfully

Elizabeth Morris
Chair
Northern Territory Legal Aid Commission

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Vision and Values

Vision:

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

Charter:

"To ensure that people in the NT, particularly those who are disadvantaged, understand and have access to help to protect and enforce their legal rights and interests".

Values:

Justice:	Fairness and equity valuing diversity.
Integrity:	Performing our functions with respect, dignity, compassion and honesty.
Professionalism:	Committed to the rule of law, ethical standards and continuous review and improvement to ensure quality service.
Sustainability:	Working sustainably to ensure the well being of our staff and clients.

Commission Offices

DARWIN

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

PALMERSTON

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

KATHERINE

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

TENNANT CREEK

Shop 3, 163 Paterson Street, TENNANT CREEK NT 0860
PO Box 794, TENNANT CREEK NT 0861
Fax (08) 8962 2439

ALICE SPRINGS

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

Legal Aid Helpline:
1800 019 343

Office hours:
Monday - Friday 8.00 am - 4.30 pm

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

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

Director's Report

I am delighted to present the 2012-2013 Director's Report.

Each day across the NT, in each of the Commission offices in Alice Springs, Tennant Creek, Katherine, Palmerston, Darwin and in the community our staff provide legal information, advice, family dispute resolution and representation to assist people to know about and exercise their legal rights.

Over the last reporting year we have continued to place a high emphasis on addressing legal problems at an early stage so as to expedite resolution. Last year we established the Legal Aid Helpline to provide a comprehensive legal information and seamless referral service to assist people with legal issues. This service has been a resounding success with 5,361 people this year (a 44% increase on last year) accessing Helpline assistance. I thank the dedicated Helpline staff for their work in providing this valuable service.

We have now almost completed the implementation of our 2011-2014 Strategic Plan and built on our previous achievements. We have a permanent solicitor in our Tennant Creek Office which was necessary as a result of the increase in court sitting days there. Previously our Alice Springs lawyers drove the 1,016 kilometre round trip each month. By having a permanent solicitor we have been able to provide better access to justice for the relatively isolated Tennant Creek community and the Barkly Region. I thank the Tennant Creek Office for their professional service to both Tennant Creek and the outlying remote communities in the area.

Our Katherine Office has experienced an increase in criminal law matters (22%) and we are assessing how best to accommodate the increased work load. The Katherine Office is also a small office which punches well above its weight with a steadfast professional and administrative team. I thank all staff in our Katherine Office for their hard work over this last year.

Our Alice Springs Office is a busy regional legal practice which over the last year has experienced an increase in the provision of Family law services of which 40% was for Indigenous clients. The office also continues to assist Indigenous clients charged with serious indictable offences and to work in close collaboration with the Central Australian Aboriginal Legal Service. I congratulate the managing solicitor of our Alice Springs practice, Russell Goldflam,

who contributes his extensive knowledge and experience of legal issues in central Australia to the Commission and advocates on the policy issues that impact on our work with the Alice Springs community. He continues to inspire and lead his dedicated team.

Domestic violence in the NT is widespread and a serlous policy area for appropriately targeted legal services. The Domestic Violence Legal Service team are often confronted by damaged, vulnerable and distraught clients seeking their assistance and protection. The Commission was successful in obtaining ongoing and increased funding for the Domestic Violence Legal Service from the NT Government which will fund this essential service for the next three years. The service is highly valued by the courts as well as the people they help. It is an area of legal practice that requires particular skills and resilience. We are very fortunate to have such an effective and well qualified team. I thank them for all their hard work over the year.

In Darwin we have the largest family law practice in the NT. This year our Family Dispute Resolution Program has had a significant increase in the number of services provided, largely due to the commencement of dispute resolution in property matters. This Program provides an important avenue to assist families to resolve disputes by agreement rather than escalating a matter through court proceedings.

An increase in child protection matters has occurred during the reporting period which has had a financial impact on our Territory funding. This will need close monitoring if we are to continue to be able to provide representation in this vital area as well as to continue to provide assistance to separating families. The Commission has to constantly prioritise our finite funds to assist the most vulnerable and where we can do the most good.

The Darwin criminal law practice, in addition to providing duty solicitor services, advice and representation in Darwin courts has continued to travel to Nhulunbuy, Groote Eylandt, Borroloola, Nguiu, Wadeye and other remote bush courts to represent clients.

In September 2012 Ian Read of our Darwin Office was appointed Senior Counsel and I congratulate him on his appointment which recognises his standing as an advocate. The Commission appreciates his long service to the Commission in representing disadvantaged clients.

One of our duties under the *Legal Aid Act (NT) 1990* is to initiate and carry out programs designed to promote understanding by the public of their rights, powers, privileges and duties under the laws in force in the NT. In order to give wider access to this aspect of our business the Commission now has a Facebook page and You Tube channel. The Commission completed a collaborative project with the National Association of Community Legal Centres and other NT legal service providers in consultation with Territory Housing and in May launched a DVD, "Renting in Communities". The DVD has been distributed in 6 languages and this year alone the English video on you tube has been viewed over 120 times. The Family Law Section has also delivered regular "Kids Come First" information sessions for separating families to clients of the Family Relationships Centre in Darwin.

Other collaborative projects completed this year include the Commission's partnership with James Cook University in the Indigenous Legal Needs Project in the NT and the Report into Legal Need in the Northern Territory by the Law and Justice Foundation of NSW. The findings of this research will be important to informing the future allocation of scarce legal aid funds.

The Commission appreciates the financial support provided by the NT and Federal Governments. The National Partnership Agreement on Legal Assistance Services (NPA) operates from July 2010-June 2014 and establishes the level of Commonwealth funding for legal aid commissions with extensive reporting requirements against a new system of accountability. The Commonwealth has engaged Allens Consulting Group to undertake a review of the NPA and the Commission has provided input to the Review.

During this year KPMG undertook and finalised a follow on review of the implementation of the 2011 review of the Commission. This review acknowledged some key changes since the previous review and found that the Commission continues to do a good job with limited resources and in a challenging environment.

The Commission is currently negotiating a new funding agreement with the NT Government. The base revenue is not keeping pace with the increases in operating costs and complexity of many legally assisted cases. Expensive criminal cases cannot be predicted with any certainty and despite the stringent controls imposed on expenditure this can seriously impact on our base funding.

We are grateful to the private practitioners who undertake our legal work at reduced fees and I thank them. I also thank the private profession for the unpaid assistance they give to the Commission by being on our Review Committees and the Contingency Legal Aid Fund Committee.

It is with sadness that I farewell friends of the Commission. I would like to thank Jane Large who was a Commissioner from when the NTLAC was established and who retired in May. Jane has always been a great supporter of legal aid and has devoted her time and energy to the business of the Commission for 23 years. The Commission's Deputy Director of 6 years, Meredith Harrison also retired in June. Meredith had a long legal career in the NT and the Commission thanks her for the important contribution she made to legal aid in the Territory, both as a former Commissioner and as Deputy Director. Both will be missed.

SUZAN COX QC
DIRECTOR
Northern Territory Legal Aid Commission

Our Charter

Our charter is to ensure that people in the NT, particularly those who are disadvantaged, understand and have access to help to protect and enforce their legal rights and interests.

We do this by providing a range of services including:

- community legal education
- information and referral
- legal advice, assistance and advocacy
- dispute resolution
- duty lawyer and
- legal representation

We also provide policy and law reform advice to government to ensure that the interests of disadvantaged people are taken into account in the framing of laws that affect them.

We work co-operatively with the community and with other service providers to ensure that people know about and have access to appropriate services, including our services and other services that can assist them to resolve underlying problems that contribute to their legal problems.

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

In July 2010 Commonwealth funding for the period 2010/11 to 2013/14 financial years was established and is set out in the National Partnership Agreement between the Commonwealth and the States and Territories.

As at 30 June 2013 the Commission and the Northern Territory Government were finalising the terms of a funding agreement.

The Commissioners

Commissioners' Role

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

ELIZABETH MORRIS
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.

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.

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. Retired May 2013.

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 behaviour. 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.

ANNE BRADFORD

Anne joined the Department of the Attorney-General and Justice in July 2008, as the Deputy Chief Executive. Previous appointments were held in Defence, Attorney-General's Department, Health and Aged Care and the Education (Secondary) sector. Anne holds a Master of Education (Professional Practices), a Bachelor of Education (Secondary), a Diploma in Training and Assessment Systems and a Diploma of Management. She is a Graduate of the Australian Institute of Company Directors, Fellow of the Australian Institute of Management and a chartered member of the Australian Human Resources Institute.

In 2012 Anne was appointed Chair of both NT Procurement Review Boards and a member of the Government Procurement Council. In 2010 she was appointed Chair of the NT Community Benefit Fund and a Commissioner of the Northern Territory Legal Aid Commission. In 2006 Anne won the National Telstra Women's Hudson Award for Community and Government and the Northern Territory Telstra Business Woman of the Year award. Anne was awarded the Professional Manager of the Year (Public Sector) for the NT in 2003.

JULIE FRANZ

Julie Franz was appointed as a Commissioner in 2012 after a staff election. She has worked at the Northern Territory Legal Aid Commission for the last 9 years and is the supervising solicitor for the Grants and Assignments. Prior to this she spent 8 years working as a solicitor in the Criminal Law Section. She has board member and governance experience with a diverse range of community organisations.

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's Role

Established in accordance with Section16 of the *Legal Aid Act (NT) 1990.*

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

Membership of the Committee

Director

Deputy Director

LAW SOCIETY NOMINEES:

A. Young	C. Spurr
D. McConnell	M. Spazzapan
E. Terrill	G. McMaster
P. Cheong	J. Stirk
S. Lee	S. Stewart

COMMISSION APPOINTEES:

S. Reddy

Statistical Information

The demands on the fund have been:

Applications	12/13	11/12	10/11	09/10	08/09
Received	**28**	20	21	9	13
Approved	**21**	15	17	6	11
Withdrawn	**6**	2	1	1	2
Refused	**1**	2	2	2	0
To be Decided	**0**	1	1	0	0

Since the fund commenced in March 1993 there have been a total of 403 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 (NT) 1990*. 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 2012-2013 the Review Committee met on 10 separate occasions to review 11 client requests. The outcome of their deliberations was that 2 decisions were varied in favour of the applicant, and 0 decisions pending.

Membership of the Committee

(Members Participating during the Financial Year 12-13)

Private Legal Practitioner	T. Pritchard	M. Johnson
	B. Piper	K. Norrington
	R. Lawford	T. Marris
	B. O'Loughlin	J. Adams
	D. Story	P. Maley
	P. Elliott	A. Woodcock
Independent person with relevant experience	C. Perry	P.Timney
	G. McDonald	D. Kelly
	P. Collins	W. Morton
	J. Sharp	
Officer of the Commission	M. Harrison	S. Cox QC
	J. Franz	C. Baker
	I. Read SC	H. Blundell
	A. Abayasekara	J. Palavra
	F. Hussin	C. Snell
	F. Kepert	N. MacCarron
	C. McConnel	A. Hey
	S. Bolton	M. Robinson
	S. McMaster	C. Wyatt
	C. Faulkner	M. Sgarbossa
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 (NT) 1990.*

The Northern Territory Legal Aid Commission is independent of the Territory and Commonwealth Governments. In fact, the *Legal Aid Act (NT) 1990* 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 Northern Territory 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.

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 *Legal Aid Act (NT) 1990* 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 (NT) 1990* 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 criminal law, family law, civil law - judicial review, policy, early intervention and prevention, and it also auspices an independent Domestic Violence Legal Service. Early intervention, advice and assistance services are 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, 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 Law (including a duty lawyer service);
- Civil Law - Judicial Review;
- Family Dispute Resolution Program;
- Policy, Early Intervention and Prevention;
- Assignments;
- Corporate Services.

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.

The Legal Aid Helpline has been established and operates out of this office.

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 legal advice and representation to the people of the Barkly region in criminal, family and civil law.

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.

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.

Solicitors also attend at the Alice Springs gaol/hospital to provide advice and representation as required.

Organisational Structure and Objectives

Director

Overall Objectives:

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

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.

Family Legal Practice

Overall Objectives:

- Provide assistance in relation to family law, children's matters, 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.

Civil Legal Practice - Judicial Review

The judicial review section of the Commission ceased during the 12/13 year.

The increase in immigration detention facilities in Darwin since 2010 and the Plaintiff *M61* and *M69* decisions by the High Court in December 2010 increased the demand on NTLAC services by people in immigration detention. NTLAC met this demand on a short term basis since May 2011 at a significant financial cost.

The Commission requested additional funding to enable it to continue to deliver this service. A limited one off additional funding grant was made to NTLAC in 2012 in recognition of these increased demands, however no further additional funds were available to enable this work to continue.

Due to funding constraints the Commission wound up its services in this area and ceased new grants of aid to assist adult offshore asylum seekers in judicial review claims in May 2012. Existing recipients of a grant of aid continued to receive aid and assistance until their matter was determined, if their hearing was prior to 30 August 2012.

Policy, Early Intervention and Prevention Practices

Overall Objectives:

- Pursuant to the National Partnership Agreement provide a legal assistance system that is integrated, efficient and cost effective for disadvantaged Australians in accordance with Commonwealth legal aid service priorities:
  - Early resolution of legal problems;
  - Targeting assistance to those at risk of social exclusion;
  - Cooperation and collaboration between legal assistance providers and other service providers;
  - National response to challenges and pressures in the legal assistance sector.

Policy

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.

Community Legal Education

Objectives:

- Provide access to information about the law as it affects people living in the Northern Territory;
  - Produce plain English resources to educate and inform people about various legal topics, both in written form, on-line and audio visual;
  - Conduct information sessions for the public and/or service providers on particular areas of law and access to services provided by the Commission;
  - Promote and enhance awareness of services provided by the Commission, through a range of technologies including newspaper, radio, social media and merchandise;
  - Network with a range of organisations and groups to ensure comprehensive understanding of the Commission's services;
  - Participation in the National Legal Aid CLE Working Group and the production of national resources.

The Commission is involved in a large range of CLE activities:

- Continued co-ordination of the NT CLE Network, involving justice and related agencies in the NT.
- Activities and education sessions about human rights in remote communities.
- Publication of written resources available in hard copy and on the commission's website.
- Assisted with the NT launch of the 'Indigenous Legal Needs Report 2012'
- Utilising social media tools such as Facebook and YouTube effectively to distribute high quality and relevant legal information to the public.
- Delivering presentations on using social media and advertising campaigns in community legal education to the NT Community Legal

Education Network, National Legal Aid Community Legal Education Working Group and the Legal Services Commission of South Australia.

- National Youth Week Activities including a social media campaign aimed at educating young people about their legal rights and responsibilities and heavily promoted our new youth focused publication 'At what age can I? The laws affecting young people in the NT (2013)'.
- National Law Week – where we took a leading role in facilitating activities during law week on behalf of the Northern Territory Community Legal Education Network. These activities included a 'Know Your Rights' information session and barbecue in Raintree Park, Darwin CBD and a talk about National Law Week and its activities on the Top End Aboriginal Bush Broadcasting Association (TEABBA).
- Presentations to school classes and other target audiences about the laws affecting the relevant group.
- Presentations to staff at different community agencies, specifically explaining what services NT Legal Aid Commission provides and how to access. An emphasis has been on the promotion of the Legal Aid Helpline. Some of the agencies presented to include – The Council of the Ageing, the North Australian Aboriginal Family Violence Legal Service and AnglicareNT.

NTLAC co-presented training for Night Patrol staff from Mataranka, Jilkminggan and Minyerri with NAAJA and NAFVLS

- Continuing Professional Development (CPD) Sessions to NT CLE Network on community legal education skills.
- Delivering several community legal education sessions in remote communities as part of the NT Legal Aid Commission Indigenous Outreach Project. These sessions included education sessions at the schools, information sessions about housing rights, consumer rights, wills and estates, rights with police, making complaints and domestic violence orders. Many of these sessions were conducted where possible in partnership with other services, for example, the Top End Outreach Team co-presented with NAAJA and NAAFVLS at a training day for Night Patrol Officers from Mataranka, Jilkminggan and Minyerri in April 2013.
- Co-ordinating a working group of representatives from different National and Northern Territory legal services to develop a culturally appropriate film and audio resource in 6 different Aboriginal languages about 'rights when renting from Territory Housing' in remote communities. This project demonstrated a significant way that legal services can work together to produce quality materials in areas of significant need.
- Running various information stalls at high profile and relevant community events including:
  - Northern Territory National Youth Conference 2012;

- NAIDOC Family Day at the Waterfront 2012;
- World Refugee Day 2013;
- Seniors Info Day, Palmerston and Darwin City Council 2012;
- Law Week Information Day;
- International Human Rights Day 2012.

Legal Aid at the first NT youth conference

Indigenous Outreach

Objectives:

- The NTLAC Indigenous Outreach Program was funded under the NT Emergency Response Funding and is now funded under Stronger Futures. The Project has met a range of objectives, including:
- Provide information sessions, referral, education workshops, legal advice and minor assistance to people in prescribed communities throughout the NT;
- Network and liaise with other agencies to determine areas of need based on existing service delivery;
- Participate in interagency visits to communities where particular needs have been identified.

NTLAC Outreach Service attended a forum in Katherine about Legal Issues and Money Matters and followed this with a community visit.

The project is highly collaborative and vital to enhancing access to justice in remote Indigenous communities. During this year the project focused on specific regions which do not receive legal services from other providers, including Katherine and Barkly Regions of the NT.

The following case studies demonstrate the powerful impact that legal assistance services can have on the lives of individuals, their family and community.

Warrants

Outstanding warrants can impact on the ability of people to participate fully in society including to seek gainful employment. This is a common theme in remote communities in the NT which court does not access regularly:

J from (remote community) called the NTLAC Helpline and was referred to an outreach lawyer. J had a warrant on historical charges. He had been worried about the police charges for three years.

We assisted in vacating the warrant and entered into negotiations on his behalf with the prosecution. Most charges were withdrawn but police would not remove charges that related to the possession and illegal possession of a firearm. J has dealt with those charges now and the matter is finalised with J receiving small fines. The client told the Indigenous Community Liaison Officer that he now has a job offer with a road crew in the region. He now has the opportunity of earning a good income for himself and his family. He does not have to worry about being arrested.

Consumer Issues

In March 2013 NTLAC visited a remote community with the Australian Competition and Consumer Commission, Australian Securities and Investment Commission ('ACCC') and North Australian Aboriginal Justice Agency to run a community forum on "Know Your Rights with Money Matters". We talked about a number of topics, including unsolicited door to door sales in the community. A lady spoke to us privately about having signed up to an agreement to pay for photos. The single mother of five children was paying $70 a fortnight through a Centrelink deduction (her only income) for photos in excess of $5,000. She had already paid more than $500. NTLAC arranged for the contract to be cancelled and referred the matter to the ACCC for investigation.

Wills

Following a request for advice and assistance earlier this year in relation to a burial matter, the community asked us to run CLE to help community members understand legal issues around death such as wills and deceased estates. We returned in March and ran a community yarning circle about wills, gave minor advice and assisted 6 clients make appointments with the public trustee to prepare a simple will over the phone.

Culturally and Linguistically Diverse Communities (CALD)

Objectives:

- Provide information and access to the law to people from a refugee or migrant background;
- Meet with a range of community groups to deliver targeted information and education sessions;
- Work in partnership with other services working with the various client groups;
- Participate in community activities and events to educate and promote access to the Commission's services;
- Deliver outreach services to the communities through the Multicultural Council.

World Refugee Day Legal services basketball quiz 2013

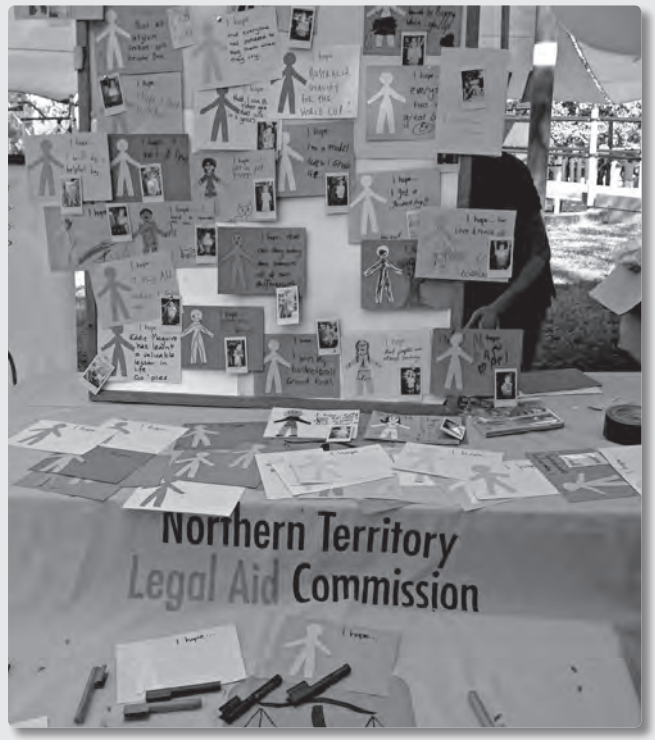
The CALD project is staffed part time by a Multicultural Educator and a solicitor. The CALD project maintains strong relationships with CALD communities and with key services and networks. The Project shares resources and activities with other services, including Top End Women's Legal Service (TEWLS), Darwin Community Legal Service (DCLS) Anglicare, Melaleuca, Multi-cultural Council of the NT (MCNT) and Charles Darwin University (CDU).

Outreach

Weekly outreach sessions were held at the CDU Migrant English classes so as to access CALD clients where they are most in need of information and referral.

The CALD project also worked with other services at a range of public events including: World Refugee Day (with TEWLS and DCLS); Multicultural forum (Centrelink, Melaleuca, DCLS)

The *What's the Law* education kit is an initiative of Australian Legal Aid Commissions through National Legal Aid. This educational DVD has ten simple stories in basic English dealing with the most common legal issues experienced by recently arrived migrants



World Refugee Day family activity on human rights

and refugees. The DVD is suitable for use with adult ESL learners or education sessions for groups with limited English language skills. There are student activity sheets to support each story and teacher answer sheets. This DVD was produced by National Legal Aid. The education kit is available at no charge, which includes the DVD with all 10 stories and accompanying activity sheets and resources. NTLAC uses this resource as the basis of CLE sessions in Migrant English classes at CDU. These are delivered in partnership with the TEWLS and DCLS. The project also delivers regular CLE sessions introducing the legal system to new arrivals on humanitarian visas for Melaleuca Refugee Centre's settlement orientation program.

Community Legal Guides Project

The popular annual Harmony day lunch was held in March where staff shared food, and celebrated our diversity. Professional development sessions on best practice in working with CALD clients have been provided for helpline staff, Grants and assignments, Family section and staff of Alice Springs office. The CALD project is now seen as a valuable resource by staff in the Commission when navigating the complexities of working with CALD clients, services and interpreters.

A successful partnership with Anglicare's Refugee and Migrant Settlement Service gained funding to deliver the first ever "Community Legal Guides Program" training key people from 2 emerging refugee communities in information and referral strategies for the legal system. The 8 participants undertook over 30 hours of training delivered by the CALD project with presentations from DCLS, TEWLS, ACCC, Working Women's centre, NT Parliament, NT Electoral Commission, and NTLAC family law section. This project worked in a two-fold way: to provide information and links for community members about their legal rights and avenues for assistance and to facilitate the delivery of quality community legal education by a range of legal sector organisations to the communities.

Legal Information and Referral

Legal Aid HELPLINE 1800 019 343

The Legal Aid Helpline and call centre was developed under the National Partnership Agreement and as part of the Commission's Information and Referral Strategy.

The Legal Aid Helpline continues to provide assistance to people who have a legal problem. The service operates during business hours and is accessible to anyone throughout Australia. Callers to the service are able to speak with a paralegal to discuss their problem and obtain information, receive referral to other helpful services and if required, make an appointment to obtain free legal advice. The service continues to expand the volume of service delivery with 5,361 callers being provided with assistance during 2012-2013, an increase of 44% from the previous year.

Information in relation to other services which can assist is also available through the Commission's website and referrals are provided by staff of NTLAC to clients in relation to services which can assist them including by phone and in person.

Legal Aid staff distributing copies of '*At What Age Can I*' during Law Week 2013.

Top End Family Law and Pathways Network

Australian Government | Family Law PATHWAYS NETWORK | TOP END

The NT Legal Aid Commission received funding from the Commonwealth Attorney General's Department as the Auspice Agency for the Top End Family Law Pathways Network. The Commission employs the Network Coordinator. The Network facilitates regular meetings of service providers working in the family law sector. The Network produces a quarterly Calendar of Programs for Families, and regularly distributes sector relevant information to Network members. These major projects were completed during the year:

- ***Understanding and Managing High Conflict Personalities in a Family Law Setting***

  Megan Hunter of the High Conflict Institute in the USA travelled to Australia to provide High Conflict Personality training to several Family Law Pathways Networks. Megan is a renowned trainer and public speaker with a wealth of experience in conflict, family law and child support. We were fortunate to have Megan come to Darwin to provide a one day workshop. High Conflict People (HCPs) regularly feature in the types of cases litigated in the Family Law Courts. Often one of the parents, sometimes both, exhibit high conflict personality traits that escalate and prolong conflict. HCPs may have a diagnosable personality disorder, eg borderline, narcissistic or antisocial personality disorder, or may manifest some of the traits of such disorders. Either way, a HCP's patterns of behaviour are driven by intense and dysfunctional emotional pathways that are relatively fixed and enduring. Changing a HCP's attitudes and core personality traits is difficult. The best solution will generally be to focus on understanding a HCP's thoughts and tendencies so as to work with them as effectively as possible. The workshop was well supported by the legal and social science sector with the workshop booked out. Attendees also took the opportunity to purchase a range of publications produced by the High Conflict Institute.

- ***Moving Beyond Family Conflict – A Guide to Family Dispute Resolution in the Northern Territory***

  This web and DVD resource was officially launched in December 2012. The resource provides information to people about their options for family dispute resolution in the NT. The resource contains 7 chapters and has information on different types of family dispute resolution available, different outcomes that can be achieved, what happens when agreement cannot be reached, as well as information on other support services to assist families. A pamphlet also provides a snapshot of family dispute resolution service contacts and parenting order program contacts. The resource is available on the Commission's website.

Assignments

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.

Family Dispute Resolution

Overall Objectives:

- Coordinate the Family Dispute Resolution Services of the Commission:
- Coordinate training and accreditation in FDR, for relevant practitioners and Chairpersons;
- Liaise with key stakeholders to ensure high levels of collaboration with relevant agencies and promote the Commission;
- Evaluate and ensure quality assurance practices are implemented.
- Explore opportunities to enhance the Family Dispute Resolution Program:
- Develop a child inclusive process;
- Consider mechanisms to expand the access of the Program to people in regional and remote NT.

Corporate Services

Overall Objectives:

- Provide the infrastructure within the Commission so that legal services are provided to the people of the Northern Territory in an efficient and effective manner.
- 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 2013 the following persons were employed:

Director	Suzan Cox QC, BA LLB, LLM
Personal Assistant	Jodie Bawden
Acting Deputy Director	Fiona Hussin, LLB

Darwin

Criminal Law Practice

Managing Solicitor	Vacant
Senior Solicitor	Ian Read SC, LLB BEc
Solicitors	Ambrith Abayasekara BCom LLB
	Helena Blundell BA LLB
	Fiona Kepert BA LLB (Hon)
	Chrissy McConnel LLB
	Shane McMaster LLB
	Camille Carey LLB GDLP
	Thomas Kaye BA LLB GDLP
	Nicola MacCaarron BA (Hons) MA LLB GDLP
	Caroline Snell BA, LLB GDLP
Research Assistant	Simon Lapinski
Crime Section Supervisor	Haley Richardson
Legal Secretary	Mark Wright

Family Law Practice

Managing Solicitor	Jaquie Palavra Dip of law (SAB)
Solicitors	Sally Bolton BA LLB (Hons)
	Rebecca Sharkey BA LLB (Hons) *(on Maternity Leave)*
	Corrina Faulkner BIS, MSc, LLB, GDLP
	Anneleise Hey B.Sc/LLB (Hons)
	Maurice Sgarbossa BA, BSW (Distinction), LLB, GDLP
Legal Secretaries	Laura Sullivan
	Georgina Kokkinidis
Administrative Support	MacGregor Cookson
	Kate Sofocleous

Policy, Early Intervention and Prevention Practices

Indigenous Community Liaison	Michael Petterson
Outreach Solicitor	Seranie Gamble BSocSci LLB Mst
Community Legal Education Officer	Melainie Robinson LLB, GDLP
Multicultural Educator	John Jablonka BA

Assignments Practice

Supervising Solicitor, Grants and Assignments	Julie Franz LLB
Grants Manager	Tina Baylis
Administrative Support	Ashton Sealy
	Emma Schluter

Family Dispute Resolution (FDR)

Supervising Solicitor Family Dispute Resolution	Claire Wyatt BA LLB
Conference Coordinator	Chloe Coleman-Harty

Corporate Services

BUSINESS SERVICES

Finance Manager	Barbara Lelli CPA
Human Resource Manager	Leeanne Morris BBus
Finance & Corporate Support Services	Karen Markos
	Jeanon Cubillo
	Amanda Bamford
	Randall Manoharan BSBA
IT Engineer	Robert Goldsmith Dip IT
Projects	Sue Reddy
Administration Support	Lucia Vorrasi
	Nada Ruger

LIBRARY SERVICES

Library and Information Coordinator	Helen Edney BA Lib&InfoSc

Palmerston

Manager - Information & Referral Services	Melinda Schroeder
Administrative Support	Monica Settele Dip Lib Tech
	Melissa Kirstenfeldt
Legal Aid Helpline	Amy Dargan
	Claire Haughey

Katherine

Managing Solicitor	Phillipa Jones LLB (Hons)
	Thomasin Opie BA LLB *(on Maternity Leave)*
Legal Secretaries	Casie Lamb
	Bianca Aloisi

Tennant Creek

Managing Solicitor	Kevin Banbury BDip LLBG
Indigenous Community Liaison	Digby Horwood
Administrative Assistant	Kobie Dickson

Alice Springs

Managing Solicitor	Russell Goldflam BA BLEGS (Hons), Grad Dip E
Solicitors	Carly Ingles BA LLB (Hons) *(on Maternity Leave)*
	Rennie Anderson BA LLB
	Clement Ng BA LLB, Grad Dip LP
	Rowena Petrenas LLB BCom
	Amelia Beech BA LLB
Legal Secretaries	Anne Coleman
	Wendy Vismans
Administrative Support	Verity Jenkins
	Teodora Yaneva *(on Maternity Leave)*

Domestic Violence Legal Service

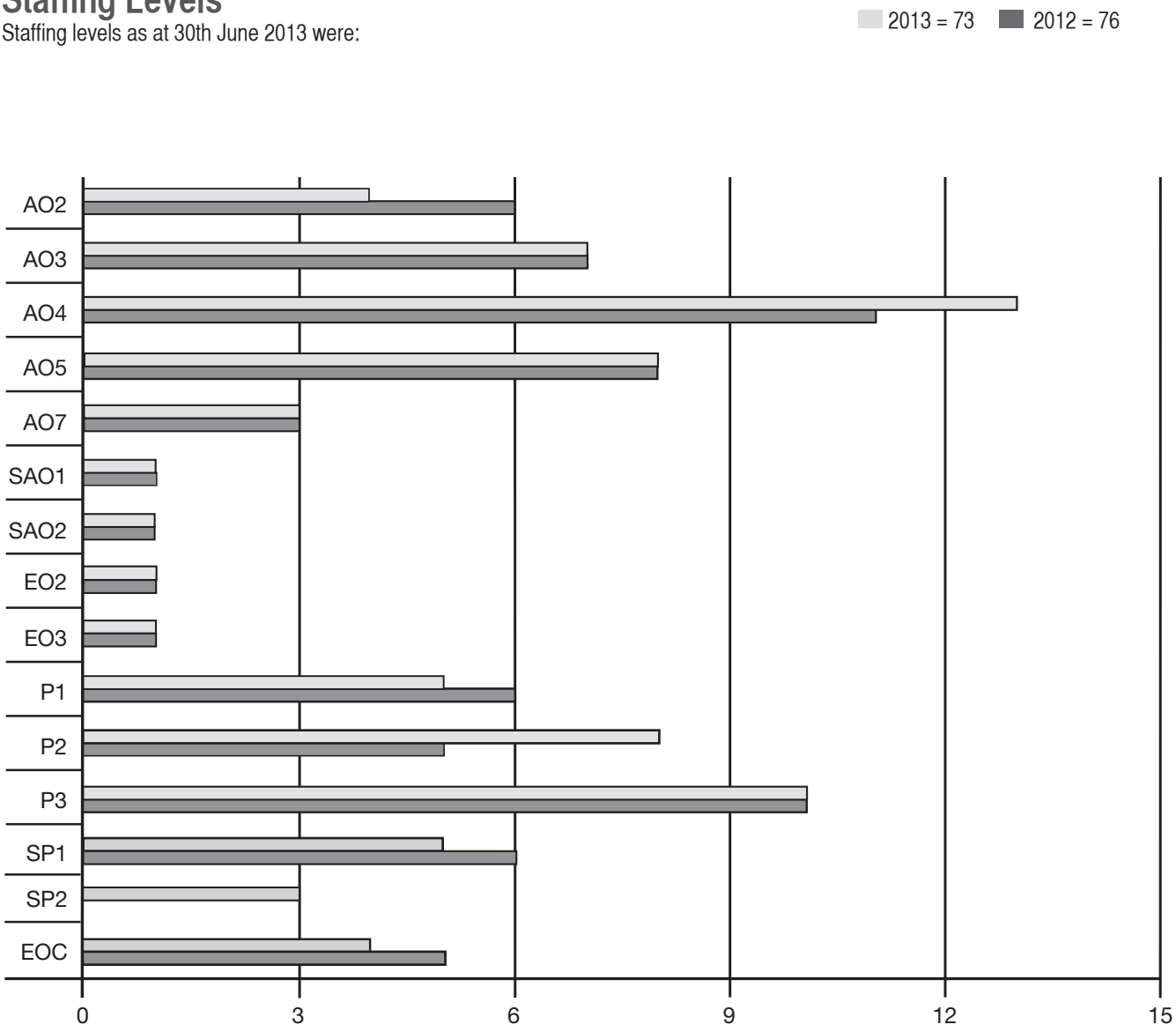
Managing Solicitor	Annabel Pengilley BA LLB
	Sue Phoo LLB BSc *(on Maternity Leave)*
Solicitors	Kelly Goodwin LLB
Legal Secretary	Denise Oliver

Volunteers

Under Section 8 of the *Legal Aid Act (NT) 1990* 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" 4 volunteers.

Staffing Levels

Staffing levels as at 30th June 2013 were:



AO - Administrative Grades; **SAO** - Senior Administrative Grades, **EOC** - Executive Grades; **P** - Professional Grades, **SP** - Senior Professional Grades (Legal Officers). All legal officers are on employment contracts.

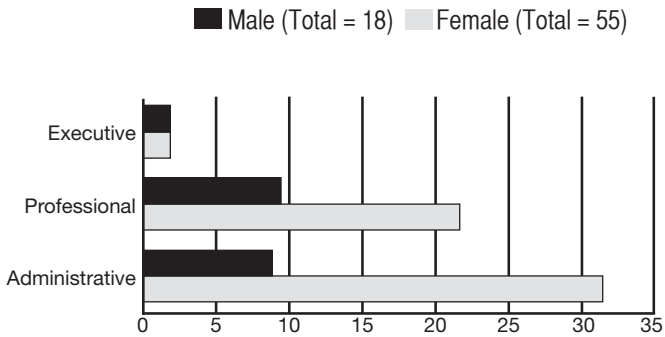
Resignations/Leave Without Pay

During the year 14 people left the Commission's employment.

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:

- Criminal Lawyers Association of the Northern Territory, President
- Criminal Lawyers Association of the Northern Territory, Vice President
- Criminal Lawyers Association of the Northern Territory, Treasurer
- Katherine Women's Crisis Centre, Secretary
- Law Society NT, Member
- Law Society NT, Councillor
- Law Society NT Family Law Committee, Member
- Law Society NT Social Justice Committee, Chair
- Making Justice Work campaign, Member
- Menzies School of Health Human Research Ethics, Committee Member
- North Australian Aboriginal Justice Agency, Chairperson
- NT Community Legal Education Network, Member
- People's Alcohol Action Coalition, Member
- Top End Women's Legal Service Management Committee, Member
- Top End Women's Legal Service Management Committee, Secretary
- YMCA (Central Australia) Incorporated, Board Member

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:

- 4WD Direct - 4X4 Driving Course
- AIJA Conference - Doing Justice For Young People
- Amovida - Accidental Counsellor
- Anti-Discrimination Commission-Train The Trainer
- AUSIT Mini Conference - Do You Hear Me?
- Austlii - Online Legal Research - Unsw
- Australian Law Librarians' Association Conf 2012
- AVERT DV Training - Relationship Australia
- CLANT Conference Bali
- CPA Australia - CPA Congress 2012
- CPD - Aboriginal Customary Law Asp 17/04
- CPD - Accounting Concepts And Principles
- CPD - Accounting Experts In Litigation
- CPD - Advocacy Workshop
- CPD - Advocacy Workshop - Law Society NT
- CPD - Clients - Handle With Care - Law Society NT
- CPD - Complaints Against Police
- CPD - Conflicts Of Interest
- CPD - Constitutional Transition of the NT Judiciary
- CPD - CPD and you
- CPD - CPD And You - Implications Of The Recent Changes
- CPD - Cross Examination - the hardest thing
- CPD - Cross Examination - the hardest thing Pt 2
- CPD - Employment Law Update
- CPD - Ethics & Evidence ASP
- CPD - Evidence (National Uniform Leg.) Act (NT)
- CPD - Family Law Refresher
- CPD - From Human Rights to the High Seas
- CPD - L&L Professional Conduct
- CPD - Lunch & Learn
- CPD - Navigating The Family Mediation Process
- CPD - Personal Injuries for Beginners - Law Soc
- CPD - Pithy Pleas
- CPD - Pleadings
- CPD - Prop Conveyancing & Leasing ASP
- CPD - Property, conveyancing and leasing
- CPD - Resilience, Professional Courtesy & Personal
- CPD - Risky Business - Law Society NT
- CPD - Time Mastery for Lawyers and Accountants
- CPD - Understanding & Managing High Conflict
- CPD - Wills and Estates
- CPD - 10 Things You Don't Know About Parole-Law
- CPD - Pithy Pleas-Essentials Of Effective Sentencing

- Cross Cultural - Morning Star Indegenous Inservices
- DCLS - Identifying Legal Issues for Clients
- Elder Abuse - AAG NT
- Evaluating Your Project - NTCOSS
- Excel Intermediate - DHRCA
- First Aid Training - St Johns Ambulance
- FRSA - Positive Impact - Showcasing the evidence
- Grants Working Group
- LAC NSW - Advocacy Skills in Family Law
- Law Society - 2012 Mental Health Week Breakfast
- Law Society - 2013 Advocacy Workshop
- Mental Health First Aid
- NACLC Conference
- NSCA - WHS Harmonisation Workshop
- NTCOSS - Advocacy & Campaigning Workshop
- NTCOSS - Conference
- Somerville - Predict Assess & Respond to (PART)
- Talk Workshop
- Trips
- Uluru Criminal Law Conference
- Understanding & Managing High Conflict - Pathways
- Using Loss & Grief to Work Effectively - AIFLAG
- Word Introduction - DHRCA
- Work More Easily With Difficult Clients

Occupational Health and Safety

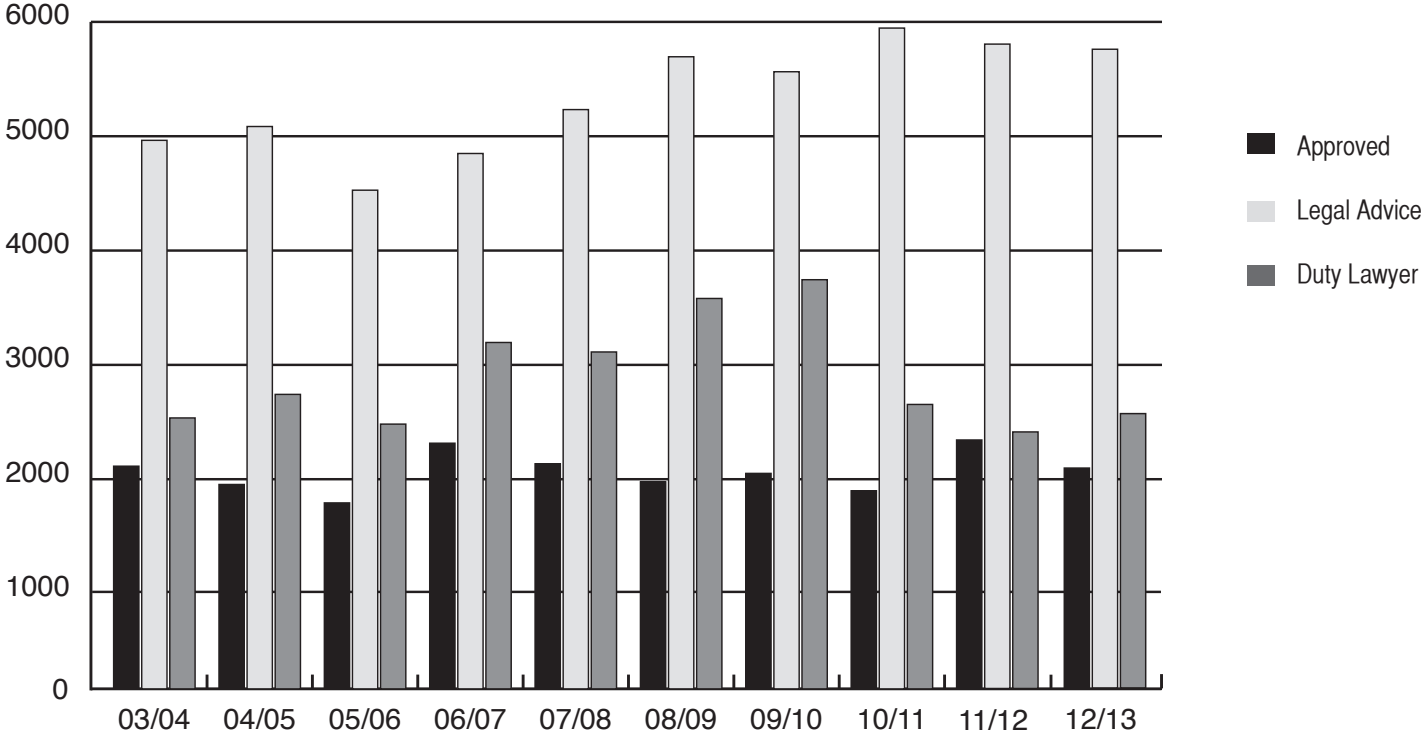
A tobacco free environment exists. Employees are encouraged to adopt safe working practices. The Commission encourages and promotes a healthy work-life balance.

Achievements

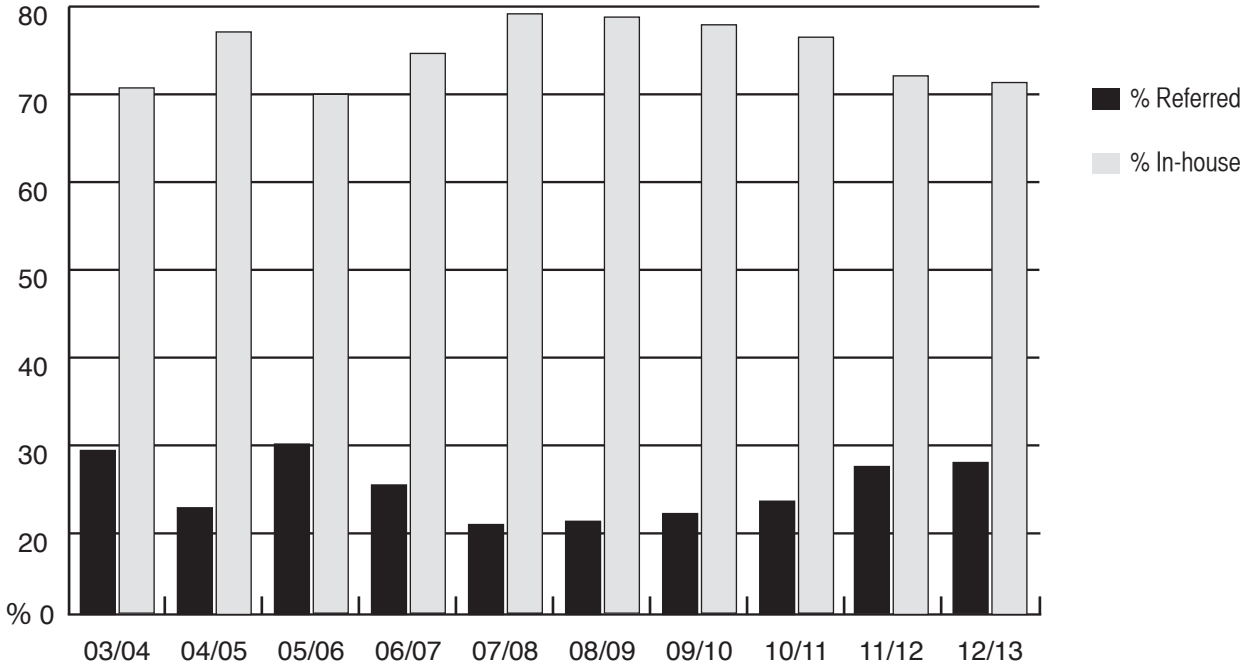
During the year:

- 2,425 applications for aid were received.
- 2,086 applications for aid were approved.
- 604 approved applications for aid were referred to private practitioners.
- 1,482 approved applications for aid were handled by Commission staff.
- 5,795 persons received free legal advice.
- 2,565 persons received advice and/or were represented by Duty Lawyers.
- 5,361 persons accessed the free telephone legal information service.

Prior Years Comparative



Referred: In-house Matters



Performance

Performance Indicators 2008-2013

	08/09	09/10	10/11	11/12	12/13
Population	223,100	228,500	229, 200	233, 300	**237,800**
Estimated No. of Clients	15,204	14,201	13,037	14,230	**15,807**
Per 1000 head of population					
Legal Advice Provided	25.53	24.35	25.94	24.90	**24.37**
Duty Lawyer Services	16.05	16.39	11.58	10.41	**10.79**
Applications for Legal Aid					
Received	10.33	10.22	9.35	10.95	**10.20**
Approved	8.86	8.98	8.29	9.73	**8.77**
Refused	1.26	1.02	1.04	1.17	**1.40**
Telephone Legal Information Clients	17.71	12.43	11.07	15.95	**22.54**
Estimated Clients	68.15	62.15	56.88	60.99	**66.47**

Output Statistics

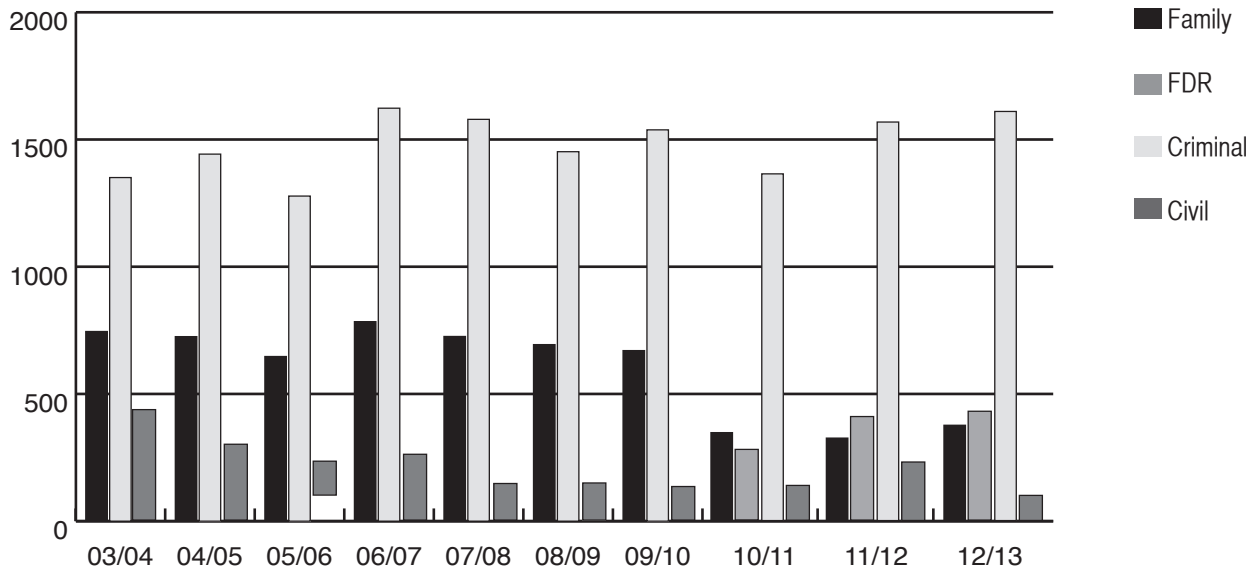
Summary of Major Activities

	08/09	09/10	10/11	11/12	12/13
Legal aid service					
Applications for Aid:					
Received	2,305	2,336	2,142	2,555	**2,425**
Approved	1,977	2,051	1,899	2,271	**2,086**
Refused	280	233	239	273	**332**
Free Legal Advice Sessions	5,695	5,564	5,946	5,809	**5,795**
Duty Lawyer Services	3,581	3,745	2,654	2,428	**2,565**
Telephone Information Clients	3,951	2,841	2,538	3,722	**5,361**
Payments to private practitioners (includes disbursements)					
Referred Cases					
Family	475,652	558,228	477,985	571,692	**498,417**
Criminal	475,317	419,353	124,815	633,012	**1,053,354**
Civil	174,918	161,156	218,107	294,631	**196,057**
Domestic Violence	32,017	10,390	0	0	**0**
Duty Solicitor	113,900	112,341	143,000	114,000	**112,675**
Locums	61,963	93,811	127,681	143,825	**80,861**
Conflict Advice	39,850	36,290	38,848	37,170	**36,617**
Disbursements on inhouse cases					
Family	46,008	49,055	48,768	63,822	**33,672**
Criminal	445,823	434,329	219,791	213,156	**93,722**
Civil	6,600	23,026	44,095	441,572	**161,792**
Domestic Violence	1,213	0	0	0	**0**
TOTAL	**1,873,261**	**1,897,979**	**1,443,090**	**2,512,880**	**2,267,167**

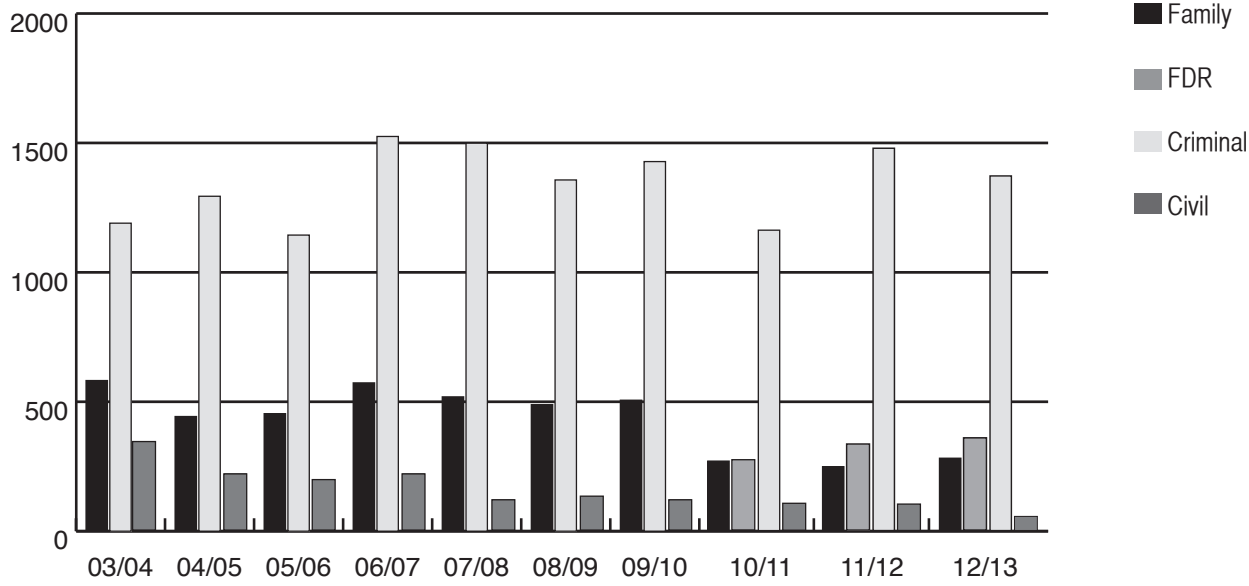
	08/09	09/10	10/11	11/12	12/13
Applications approved and referred to private practitioners					
Family	237	273	137	141	**149**
FDR	0	0	165	202	**209**
Criminal	99	118	98	203	**200**
Civil	70	65	49	84	**46**
Domestic Violence	16	0	0	0	**0**
TOTAL	**422**	**456**	**449**	**630**	**604**
Applications approved and handled by commission staff					
Family	223	233	124	115	**138**
FDR	0	0	96	129	**153**
Criminal	1,258	1,310	1,174	1,281	**1,170**
Civil	61	52	56	116	**21**
Domestic Violence	13	0	0	0	**0**
TOTAL	**1,555**	**1,595**	**1,450**	**1,641**	**1,482**
Free advice sessions					
Family	1,905	1,954	1,174	1,774	**1,954**
Criminal	1,520	1,611	2,319	1,855	**1,888**
Civil	1,949	1,999	1,903	2,180	**1,953**
Domestic Violence	321	0	0	0	**0**
TOTAL	**5,695**	**5,564**	**5,946**	**5,809**	**5,795**
Duty lawyer services					
Family					
Advice Only	35	36	8	15	**17**
Advice and Representation	332	387	200	237	**112**
Other	3	4	1	0	**4**
Criminal					
Advice Only	257	344	109	84	**183**
Advice and Representation	2,486	2,721	2,277	2,071	**2,241**
Other	14	14	14	11	**5**
Domestic Violence	203	0	0	0	**0**
Civil					
Advice Only	8	3	1	2	**0**
Advice and Representation	243	235	44	8	**3**
Other	0	1	0	0	**0**
TOTAL	**3,581**	**3,745**	**2,654**	**2,428**	**2,565**

Applications for Aid

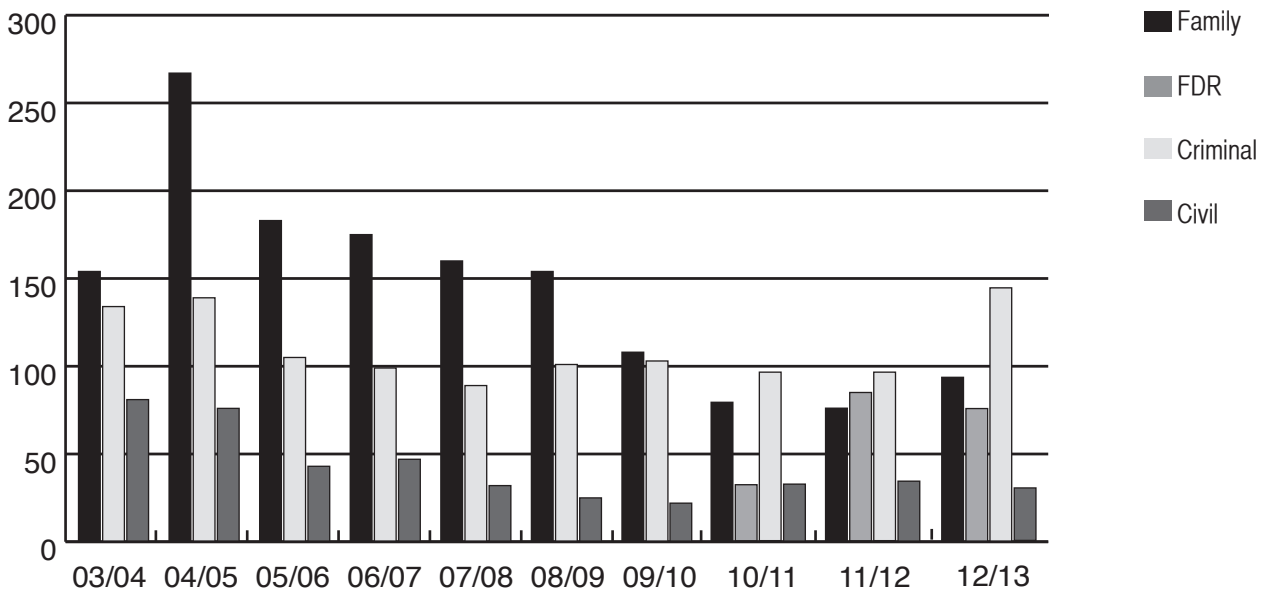
RECEIVED



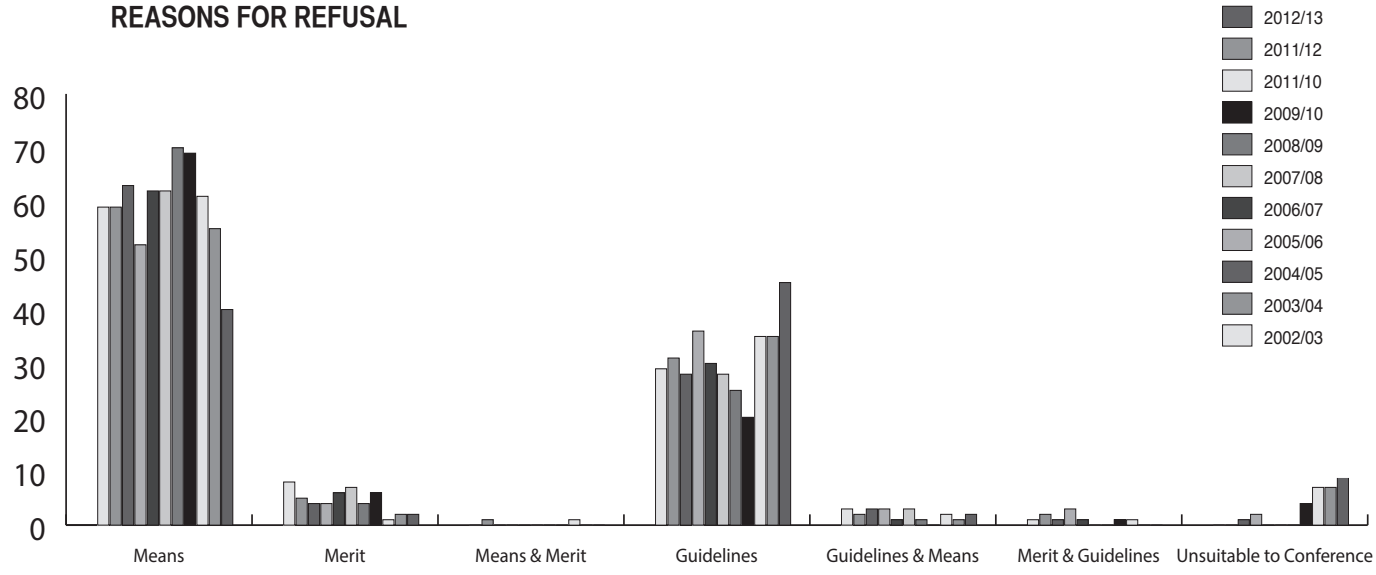
APPROVED



REFUSED



REASONS FOR REFUSAL



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: 1800 019 343

Fax: (08) 8999 3099

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

	08/09	09/10	10/11	11/12	12/13
Applications Received	14	20	27	19	**24**
Applications Approved	13	19	26	18	**24**
Applications Pending	0	0	0	0	**0**
Referred to another agency	1	0	1	0	**0**
Fees Waived	11	14	19	17	**23**

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

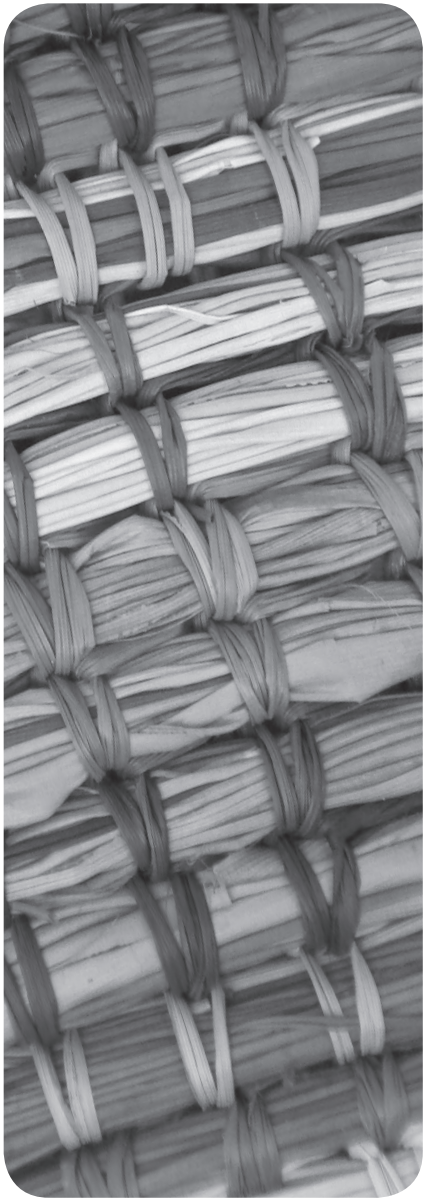
	08/09	09/10	10/11	11/12	12/13
Summary of major activities					
Total services provided					
Applications for Aid:					
Received	19	172	124	149	**152**
Approved	19	172	124	149	**148**
Refused	0	0	0	0	**4**
Free Legal Advice Sessions	49	465	515	497	**556**
Duty Lawyer Services	33	388	398	575	**532**

Financial Performance

This year the Commission's operations resulted in a deficit of $46,967.
The table below shows the percentage distribution of expenditure incurred and revenue earned from 2005-2013.

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
EXPENDITURE								
PERSONNEL COSTS	44.33	45.61	47.41	52.53	54.51	56.71	56.52	**57.72**
ADMINISTRATION COSTS	18.90	19.86	22.13	22.19	22.24	22.52	19.80	**19.85**
LEGAL COSTS	33.64	29.45	25.12	20.91	19.26	17.39	21.06	**19.86**
MINOR ASSETS	1.81	2.24	2.66	1.47	1.40	1.23	1.20	**1.18**
DEPRECIATION	1.32	2.84	2.68	2.90	2.59	2.15	1.42	**1.39**
TOTAL EXPENDITURE	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**	**100.00**
REVENUE								
COMMONWEALTH	43.99	44.08	40.00	41.17	41.34	42.74	35.39	**34.37**
NT GOVERNMENT	39.85	40.86	37.47	39.27	39.41	39.28	42.72	**42.08**
COMMONWEALTH OTHER	4.97	3.52	13.85	11.13	10.03	9.52	13.32	**6.67**
NT GOVERNMENT OTHER	3.13	3.09	2.72	3.77	4.50	4.48	3.83	**10.49**
TOTAL GOVERNMENT FUNDING	**91.94**	**91.55**	**94.04**	**95.34**	**95.28**	**96.02**	**95.26**	**93.61**
CONTRIBUTIONS AND RECOVERED COSTS	5.24	5.39	2.82	2.26	3.31	2.00	3.2	**5.30**
INTEREST EARNED	2.56	2.88	2.85	2.09	1.21	1.33	1.08	**1.02**
OTHER	0.26	0.18	0.29	0.31	0.20	0.65	0.46	**0.07**
TOTAL SELF-GENERATED	**8.06**	**8.45**	**5.96**	**4.66**	**4.72**	**3.98**	**4.74**	**6.39**

Northern Territory
Legal Aid Commission



Financials 2012 - 2013

GENERAL PURPOSE FINANCIAL STATEMENTS

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Auditor-General

Independent Auditor's Report to the Attorney-General

Northern Territory Legal Aid Commission

Year Ended 30 June 2013

I have audited the accompanying financial report of the Northern Territory Legal Aid Commission, which comprises the statement of financial position as at 30 June 2013, statement of profit or loss and comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, accompanying notes to the financial statements for the year ended 30 June 2013.

The Director's Responsibility for the Financial Report

The Director of the Northern Territory Legal Aid Commission is responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards and for such internal controls as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

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. Those Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about 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.

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

Auditor-General

Auditor's Opinion

In my opinion, the financial report presents fairly, in all material respects, the financial position of the Northern Territory Legal Aid Commission as at 30 June 2013, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards.

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

15 November 2013

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

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 2013, 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.

Dated this 14th day of November 2013.

Suzan Cox QC
Director

Fiona Hussin
Deputy Director

STATEMENT OF COMPREHENSIVE INCOME
YEAR ENDED 30 JUNE 2013

	Notes	2013 $	2012 $
Revenue	2	**11,368,941**	10,880,259
Depreciation Expense		**(158,182)**	(169,319)
Salaries and Employee Benefits Expense		**(6,589,586)**	(6,743,507)
Legal Expense		**(2,267,167)**	(2,512,881)
Administration Expense		**(1,313,480)**	(1,389,558)
Other Expenses		**(1,087,493)**	(1,115,291)
Total Expenses	3	**(11,415,908)**	(11,930,556)
Net loss for the period		**(46,967)**	(1,050,297)
Other comprehensive income			
Revaluation of property plant and equipment		**0**	274,960
Total comprehensive income (loss) for the period		**(46,967)**	(775,337)

Total comprehensive income (loss) for the period is attributable to the owner.

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

STATEMENT OF FINANCIAL POSITION
AT 30 JUNE 2013

	Notes	2013	2012
		$	$
CURRENT ASSETS			
Cash and cash equivalents	4	**702,505**	845,521
Trade receivables	5	**209,096**	127,665
Investments	6	**1,250,000**	744,269
Other receivables	7	**202,479**	213,981
TOTAL CURRENT ASSETS		**2,364,080**	1,931,436
NON-CURRENT ASSETS			
Property, plant and equipment	8	**1,152,105**	1,239,727
TOTAL NON-CURRENT ASSETS		**1,152,105**	1,239,727
TOTAL ASSETS		**3,516,185**	3,171,163
CURRENT LIABILITIES			
Trade and other payables	9	**681,102**	377,074
Provisions	10	**1,129,811**	1,083,046
TOTAL CURRENT LIABILITIES		**1,810,913**	1,460,120
NON-CURRENT LIABILITIES			
Provisions	10	**338,539**	297,343
TOTAL NON-CURRENT LIABILITIES		**338,539**	297,343
TOTAL LIABILITIES		**2,149,452**	1,757,463
NET ASSETS		**1,366,733**	1,413,700
EQUITY			
Retained Earnings (Deficit)	17	**165,010**	(387,237)
Reserves	16	**1,201,723**	1,800,937
TOTAL EQUITY		**1,366,733**	1,413,700

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 2013

	Notes	2013	2012
		$	$
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash Receipts in the course of operations		**529,470**	422,780
Interest received in the course of operations		**116,051**	118,019
Grants received in the course of operations		**10,653,491**	10,328,711
Cash Payments in the course of operations		**(10,854,360)**	(11,436,732)
NET CASH FLOWS FROM/(USED IN) OPERATING ACTIVITIES	13	**444,652**	(567,222)
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for property, plant and equipment		**(81,937)**	(51,476)
Net (Payments)/Receipts for investments		**(505,731)**	686,451
NET CASH FLOWS (USED IN)/FROM INVESTING ACTIVITIES		**(587,668)**	634,975
Net (decrease)/increase in cash and cash equivalents		**(143,016)**	67,753
Cash and cash equivalents at the beginning of the period		**845,521**	777,768
Cash and cash equivalents at the end of the period	4	**702,505**	845,521

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 2013

	Notes	Reserves	Retained Earnings	Total
		$	$	$
Balance at 30 June 2011		**2,433,557**	**(244,520)**	**2,189,037**
Loss for the year		0	(1,050,297)	(1,050,297)
Other comprehensive income		274,960	0	274,960
Total comprehensive income		274,960	(1,050,297)	(775,337)
Transaction with owners in their capacity as owners:		0	0	0
Transfer from Reserves		(907,580)	907,580	0
Balance at 30 June 2012	16 & 17	**1,800,937**	**(387,237)**	**1,413,700**
Loss for the year		0	(46,967)	(46,967)
Other comprehensive income		0	0	0
Total comprehensive income		0	(46,967)	(46,967)
Transaction with owners in their capacity as owners:		0	0	0
Transfer from Reserves		(599,214)	599,214	0
Balance at 30 June 2013		**1,201,723**	**165,010**	**1,366,763**

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 2013

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. The Commission is considered a not-for-profit entity for financial reporting purposes.

a) Principal Place of Business

The Commission holds its principal place of business at Level 6, 9-11 Cavenagh Street, Darwin.

b) Number of Employees

The Commission had 73 employees as at 30 June 2013 (2012 – 76 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 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, except for the cash flow information, have been prepared using the accrual basis of accounting applying the historical cost convention and the going concern assumption. The Commission will continually review its operations, levels of service and monitor increased service demands to enable it operate within its funding parameters.

(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.

Standards and Interpretations affecting amounts, presentation and disclosure reported in the current period

The following new and revised Standards and Interpretations have been adopted in the current year and have only affected the presentation and disclosure of these financial statements. Their adoption has not had any significant impact on the amounts in these financial statements.

Amendments	Title	Year adopted by the Commission
AASB 2011-9	Amendments to Australian Accounting Standards - Presentation of Items of Other Comprehensive Income	30 June 2013

Standards and Interpretations in issue not yet adopted

The following new and revised Standards and Interpretations have recently been issued or amended but are not yet effective. The Commission will apply these standards if there's any relevance to its financial statements for the annual reporting periods beginning on or after the effective dates.

Amendments	Title	Effective on or after	Financial year expected to be applied
AASB 9 'Financial Instruments (December 2010)' **AASB 2010-7** **AASB 2012-6**	Amendments to Australian Accounting Standards arising from AASB 9	1 January 2015	30 June 2016
AASB 13 'Fair Value Measurement' **AASB 2011-8**	Amendments to Australian Accounting Standards arising from AASB 13	1 January 2013	30 June 2014
AASB 119 'Employee Benefits (2011)' **AASB 2011-10**	Amendments to Australian Accounting Standards arising from AASB 119 (2011) and AASB 2011-11 Amendments to AASB 119 (September 2011) arising from Reduced Disclosure	1 January 2013	30 June 2014
AASB 124 'Related Party Disclosures' **AASB 2011-4**	Amendments to Australian Accounting Standards to Remove Individual Key Management Personnel Disclosure Requirements	1 July 2013	30 June 2014
AASB 2012-2	Amendments to Australian Accounting Standards – Disclosures – Offsetting Financial Assets and Financial Liabilities (Amendments to AASB 7)	1 January 2013	30 June 2014

Amendments (Cont'd)	Title	Effective on or after	Financial year expected to be applied
AASB 2012-3	Amendments to Australian Accounting Standards – Offsetting Financial Assets and Financial Liabilities (Amendments to AASB 132)	1 January 2014	30 June 2015
AASB 2012-5	Amendments to Australian Accounting Standards arising from Annual Improvements 2009–2011 Cycle	1 January 2013	30 June 2014

It is expected that there will be no material financial impact from the application of these standards as they are primarily disclosure related.

d) 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).

e) Cash

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

f) 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.

g) 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).

h) 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.

i) 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.

j) 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.

k) 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	**2013**	2012
Buildings	**10%**	10%
Leasehold Improvements	**30%**	30%
Plant & Equipment	**20% - 33%**	20% - 33%

l) 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. 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.

m) 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. From 2013/14 the Commission will contribute 9.25% 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.

n) 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.

o) Reserves

The Commission maintains reserves that are funded by cash and investments. The fund reserves are as follows:

- Property, Plant and Equipment Reserve

This reserve is used to record funds set aside for the purchase, replacement and maintenance of the Commission's property, plant and equipment which will include information technology.

- Assets Revaluation Reserves

This reserve is used to record increments and decrements on the revaluation of non-current assets. The reserves may also be adjusted as a result of asset impairment adjustments.

- Commonwealth Reserves

This reserve is used to recognised excess funds from Commonwealth Government grants. The reserves may be adjusted when the excess funds are used during the period.

p) 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.

q) Leases

Leases are classified at their inception as either operating or finance leases based on the economic substance of the agreement so as to reflect the risks and benefits incidental to ownership.

The Commission enters into operating leases for office accommodation. Rentals payable under operating leases are charged to the statement of profit or loss and other comprehensive income on a straight-line basis over the term of the relevant lease. Benefits received and receivable as an incentive to enter into an operating lease are also spread on a straight-line basis over the lease term.

r) 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 statement of financial position.

Cash flows are included on the Statement of Cash Flow 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.

s) 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.

t) 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

		2013	2012
		$	$
Grant revenue from	- NT	**5,201,643**	5,064,643
	- Commonwealth	**4,547,803**	4,511,000
	- Others	**892,543**	787,784
Rendering of services revenue	- Client contributions	**148,939**	152,195
	- Recovered costs	**453,879**	196,111
Other revenue	- Interest	**116,051**	118,019
	- Others	**8,083**	50,507
		11,368,941	10,880,259

3. Expenses

Depreciation expense		**158,182**	169,319
Salaries and employee benefits expense		**6,589,586**	6,743,507
Administration costs		**1,313,480**	1,389,558
Legal costs		**2,267,167**	2,512,881
Other expenses	- Minor assets	**134,587**	142,891
	- Operating lease expenditure	**952,906**	972,400
		11,415,908	11,930,556

4. Cash and Cash Equivalents

	2013	2012
	$	$
Cash on hand	**1,450**	1,450
Cash at bank	**691,055**	834,071
Advance account	**10,000**	10,000
	702,505	845,521

5. Trade Receivables

Current		
Trade Debtors	**132**	1,962
Less Provision for Doubtful Debts	**(132)**	0
	0	1,962
Recoveries Receivable	**209,556**	88,567
Less Provision for Doubtful Debts	**(460)**	(1,540)
	209,096	87,027
GST Receivable	**0**	38,676
	209,096	127,665
The aging of the receivables are as follows:		
- up to 3 months	**36,436**	56,766
- 3 to 12 months	**168,132**	51,887
- 1 to 2 years	**4,660**	8,663
- 2 to 4 years	**405**	11,889
- more than 4 years	**55**	0
	209,688	129,205
The aging of provision for doubtful debts are as follows:		
- 3 months to 2 years	**132**	1,320
- 2 to 4 years	**460**	220
- more than 4 years	**0**	0
	592	1,540
Movements of Provision for Doubtful Accounts are as follows:		
Beginning balance	**1,540**	22,462
Doubtful expenses during the year	**0**	0
Accounts written-off	**0**	0
Recovery	**(948)**	(20,922)
Ending balance	**592**	1,540

6. Investments

	2013	2012
	$	$
Current		
Term Deposits	**1,250,000**	0
Bank Bills	**0**	**744,269**
The term deposits and bank bills are held with commercial banks.	**1,250,000**	**744,269**

7. Other Receivables

Prepayments-	- Insurances	**89,575**	95,018
	- Rent	**70,095**	72,523
	- Salaries	**3,291**	6,314
	- Other	**36,742**	37,336
Accrued revenue		**2,776**	2,790
		202,479	213,981

8. Property, Plant and Equipment

Freehold land at fair value	**350,000**	350,000
	350,000	350,000
Buildings – at fair value	**700,094**	700,094
Less: Accumulated depreciation	**(187,094)**	(130,094)
	513,000	570,000
Leasehold improvements – at cost	**725,482**	776,600
Less: Accumulated depreciation	**(569,697)**	(554,025)
	155,785	222,575
Plant and equipment – at cost	**750,382**	793,964
Less: Accumulated depreciation	**(617,062)**	(696,812)
	133,320	97,152
Total property, plant and equipment – net book value		
Cost	**1,475,864**	1,570,564
Fair value	**1,050,094**	1,050,094
	2,525,958	2,620,658
Accumulated depreciation	**(1,373,852)**	(1,380,931)
	1,152,105	1,239,727

8. Property, Plant and Equipment (cont'd)

	2013	2012
	$	$
(a) Reconciliations		
Freehold Land		
Carrying amount at beginning of year	**350,000**	290,000
Net amount of revaluation increments	**0**	60,000
Carrying amount at end of year	**350,000**	350,000
Buildings		
Carrying amount at beginning of year	**570,000**	394,231
Net amount of revaluation decrements	**0**	214,960
Additions	**0**	0
Depreciation	**(57,000)**	(39,191)
Carrying amount at end of year	**513,000**	570,000
Leasehold Improvements		
Carrying amount at beginning of year	**222,575**	258,664
Additions	**5,700**	51,476
Disposals	**(5,741)**	0
Depreciation	**(66,749)**	(87,565)
Carrying amount at end of year	**155,785**	222,575
Plant and Equipment		
Carrying amount at beginning of year	**97,152**	139,715
Additions	**76,237**	0
Disposals	**(5,636)**	0
Depreciation	**(34,432)**	(42,563)
Carrying amount at end of year	**133,321**	97,152

(b) Valuations

The fair values of freehold land and buildings have been determined by reference to direct valuations, based upon independent valuations obtained from the Australian Valuation Office dated 27 June 2012. 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

	2013	2012
	$	$
Current		
Accounts payable and accrued expenses	**681,102**	377,074
Total Payables	**681,102**	377,074

10. Provisions

Current			
Employee benefits			
	- Annual Leave	**478,515**	466,844
	- Long Service Leave	**475,173**	455,565
	- Leave Loading	**87,662**	84,116
		1,041,351	1,006,525
Fringe Benefits Tax		**34,411**	21,890
Super contribution and others		**54,050**	54,631
		1,129,811	1,083,046
Non-Current			
Employee benefits			
	- Annual Leave	**209,435**	108,121
	- Long Service Leave	**129,104**	189,222
		338,539	297,343

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 2013 total superannuation expended amounted to $529,556 (at 30 June 2012 - $521,283).

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 2013 the trust account had a balance of $6,591 (2012 - $28,209).

13. Cash Flow Statement

	2013	2012
	$	$
Reconciliation of net cash used in operating activities to operating profit		
Operating profit/(loss)	**(46,967)**	(1,050,297)
Depreciation	**158,182**	169,319
Loss on disposal of assets	**11,377**	0
Provision for (recovery of) Bad debts	**0**	(20,922)
Increase/(Decrease) in provisions	**87,961**	240,958
Increase/(Decrease) in creditors	**304,028**	83,547
Decrease/(Increase) in receivables	**(81,431)**	44,889
Decrease/(Increase) in prepayments (non-capital)	**11,502**	(34,716)
Net cash flows from/(used in) operating activities	**444,652**	(567,222)

14. Expenditure Commitments

Building lease expenditure commitments		
Operating leases (non-cancellable)		
- not later than one year	**960,448**	976,048
- later than one year but not later than five years	**82,257**	1,043,820
Grants In Aid	**740,026**	808,896
Aggregate lease expenditure and Grants in Aid contracted for at balance date but not provided for	**1,782,731**	2,828,764

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. The details of the funds are as follows:

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

		2013	2012
		$	$
Opening balance		**863,140**	856,706
Income:	Interest earned	**29,049**	38,844
	Client contributions	**2,200**	1,980
	Cost recovered	**79,218**	27,862
		110,467	68,686
Expenditure:	Disbursements	**161,396**	60,283
	Bank charges	**230**	1,969
		161,626	62,252
Cash balance at year end		**811,981**	863,140
Less - Clients/grants approved but not paid at year end		**(258,718)**	(93,132)
Net funds available		**553,263**	770,008

16. Reserves

Property, Plant & Equipment Reserve	**200,000**	200,000
Asset Revaluation	**436,154**	436,154
Commonwealth Reserves	**565,569**	1,164,783
	1,201,723	1,800,937
Movements in reserves:		
(a) Property, Plant & Equipment Reserve (funded)		
Balance at the beginning of the year	**200,000**	200,000
Transfer from accumulated funds	**0**	0
Balance at the end of the year	**200,000**	200,000

16. Reserves (cont'd)

	2013	2012
	$	$
(b) Asset Revaluation		
Balance at the beginning of the year	**436,154**	161,194
Revaluation increments on revaluation of:		
- land	**0**	60,000
- buildings	**0**	214,960
Balance at the end of the year	**436,154**	436,154
(c) Commonwealth Reserve		
Balance at the beginning of the year	**1,164,783**	2,072,363
Redistribution from Accumulated funds	**(599,214)**	(907,580)
Balance at the end of the year	**565,569**	1,164,783

17. Retained Earnings

The Commission is primarily funded by the Northern Territory Government and the Commonwealth Government. Commonwealth funding is attributed to matters that arise from Commonwealth legislation and Northern Territory Government funding is attributed to matters that arise from Northern Territory legislation. Of the reserve amount, $157,269 was used and expended in 2013 for Commonwealth related program activities ($907,580 in 2012). As such, the amount was transferred to accumulated funds from the Commonwealth Reserve. The Commonwealth approved the use of Commonwealth Reserves in the amount of $441,946 to recover a Northern Territory deficit that was reflected, in part, in the Retained Earnings Account. Therefore, the amount was transferred from Commonwealth Reserves to Accumulated Funds.

	2013	2012
	$	$
Equity at beginning of year	**(387,237)**	(244,520)
Net Loss	**(46,967)**	(1,050,297)
Transfer from Reserves	**599,214**	907,580
Equity at end of year	**165,010**	(387,237)

18. Financial Instruments

A financial instrument is a contract that gives rise to a 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 described 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	
	2013	2012	**2013**	2012
	$'000	$'000	**$'000**	$'000
Financial assets				
Cash	**703**	846	**703**	846
Receivables - trade (net)	**209**	128	**209**	128
Term Deposits	**1,250**	-	**1,250**	-
Commercial bills	**-**	744	**-**	744
Other Receivables	**202**	214	**202**	214
Advance to Contingency Fund	**0**	0	**0**	0
TOTAL FINANCIAL ASSETS	**2,364**	1,932	**2,364**	1,932
Financial liabilities				
Accounts payable and accruals	**681**	377	**681**	377
TOTAL FINANCIAL LIABILITIES	**681**	377	**681**	377

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 2013					
Trade and other payables	681	-	-	-	681
30 June 2012					
Trade and other payables	377	-	-	-	377

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

Financial Instrument	Floating Interest		Non-Interest Bearing		Total Carrying Amount as per the Balance Sheet		Weighted Average Effective Interest Rate	
	2013 $'000	2012 $'000	**2013 $'000**	2012 $'000	**2013 $'000**	2012 $'000	**2013 %**	2012 %
Financial assets								
Cash	**703**	846	**-**	-	**703**	846	**3.14%**	4.26%
Receivables - trade (net)	**-**	-	**209**	128	**209**	128	**-**	-
Term Deposits	**1,250**	-	**-**	-	**1,250**	-	**3.28%**	-
Commercial bills	**-**	744	**-**	-	**-**	744	**3.14%**	4.54%
Other Receivables	**-**	-	**202**	214	**202**	214	**-**	-
Advance to Contingency Fund	**-**	-	**-**	-	**-**	-	**-**	-
TOTAL FINANCIAL ASSETS	**1,953**	1,590	**411**	342	**2,364**	1,932	**-**	-
Financial liabilities								
Accounts payable and accruals	**-**	-	**681**	377	**681**	377	**-**	-
TOTAL FINANCIAL LIABILITIES	**-**	-	**681**	377	**681**	377	**-**	-

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 2013		
Financial Assets - Cash and cash equivalents	7	(7)
Financial Assets – Short-term investments	13	(13)
Net sensitivity	20	(20)
30 June 2012		
Financial Assets - Cash and cash equivalents	8	(8)
Financial Assets – Short-term investments	8	(8)
Net sensitivity	16	(16)

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 2013 (2012 – $nil).

21. Additional Disclosures

(i) Commissioners

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

- S Cox QC
- J Large (resigned 10 May 2013)
- E Terrill
- E Morris
- P Vaughan
- J Franz
- A Bradford

(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.

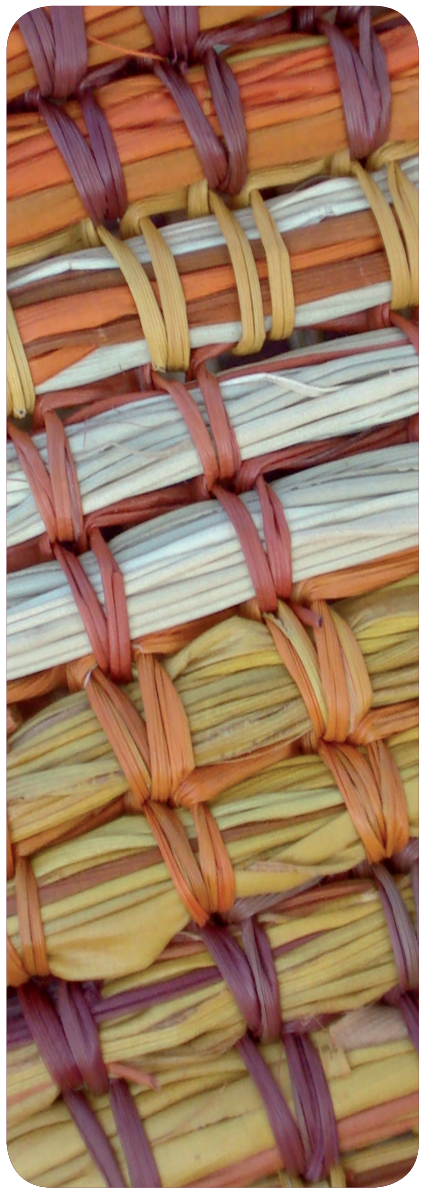
22. Remuneration of commissioners

The following sitting fees were in respect of the year ended 30 June 2013:

- J Large $679
- E Terrill $633
- P Vaughan $811

23. Auditor's Remuneration

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

	2013	2012
	$	$
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	**27,368**	25,187
	27,368	25,187

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