# Victoria Legal Aid 2023–24 Quarter Two Report October – December 2023

## Message from the CEO

In November, Victoria Legal Aid (VLA) hosted the launch of Impact Economics’ [Justice on the Brink](https://www.nationallegalaid.org/resources/justice-on-the-brink/) report commissioned by National Legal Aid. The report highlighted the pressure that the Legal Assistance sector is under from rising demand whilst the sector remains chronically underfunded. Legal assistance is more than just the legal and non-legal services presented in this report. It includes early intervention work, referrals and support, as well as identifying systemic issues such as our successful challenge over the lawfulness of [Robodebt](https://www.legalaid.vic.gov.au/learning-from-the-failures-of-robodebt). Demand for legal aid is being driven by population growth and increasing legal need, with new data showing that the number of people accessing Legal Aid Commission websites, such as VLA’s), has doubled or tripled in recent years.

Two staff in our Geelong officer were recent winners in the [Career Trackers 2024 Awards](https://careertrackers.org.au/gala-awards/), which are a celebration of First Nations excellence in the community. Aboriginal Community Engagement Officer Renee Henderson was awarded Intern of the Year and Deputy Managing Lawyer Marie Casey took out the Intern Manager of the Year. We are committed to supporting First Nations peoples and are looking to better understand what self-determination means for our everyday practice. This process will be led by First Nations staff, stakeholders, and community members. The importance of a diverse workforce is essential to achieving services that are culturally safe and responsive for our clients. First Nations staff bring unique knowledge, skills and expertise to our workforce and understand the needs and aspirations of the First Nations community.

We recently held a Family Law Forum where more than 200 people attended the day-long seminar either in-person or online to hear from experts to explore the latest family law issues, including recent landmark case decisions, making a recovery order application, and applying to the Family Law Property Program. Most parents on the receiving end of child support payments feel significantly or completely controlled through the scheme, prompting calls for major reform. At the Forum, we heard that of 540 single parents surveyed, four out of five said they felt the Child Support Scheme was being used to control them. The majority of those surveyed had experienced family violence and for most, the violence began during their relationship and continued after separation. The most common form of abuse was financial abuse, occurring over years or even decades, including through the withholding of [child support payments](https://www.legalaid.vic.gov.au/stopping-weaponisation-child-support).

We welcome additional proposed amendments to the *Family Law Act (1975)* that would make it easier for victim-survivors of family violence to get fairer outcomes in disputes over property. We believe that laws must be strengthened to better support victim-survivors of family violence when separating and dividing assets. We have made a [submission](https://library.vla.vic.gov.au/#record/66193) to the Attorney-General’s Department on the Family Law Amendment Bill. As lawyers in some of the most complex family law matters, we see opportunities to improve how the law can help separating families and ensure the safety of victim-survivors of violence. While we support the policy intent behind the proposed changes, we have made some suggestions for changes to the exposure draft, including to clarify when economic and financial abuse should be considered in property matters and to reduce repetition.

**Louise Glanville**
Chief Executive Officer

## Client and Community Services

Our services are targeted to people facing disadvantage who have the greatest legal need. We tailor our services to people’s diverse needs and capabilities and recognise that many people and communities experience barriers to accessing justice. We provide a mix of high intensity legal services, early intervention and preventative services, and non-legal specialist resolution and advocacy services.

## Client Services

In quarter two 2023–24 we saw 21,174 unique clients (Table 1.1). This is a 28 per cent decrease from quarter one. Clients are counted the first time they receive a legal assistance service in a financial year and are not counted again even if they receive ongoing or future services in the same financial year. Due to the way that clients are counted, the results for our unique client count are always highest in quarter one and then decreases in the following quarters, as reflected in the current quarter and the quarter three projection.

We have seen an overall increase of client services by eight per cent compared to the previous quarter. There was a 17 per cent increase in the number of Duty Lawyer Services in quarter two compared to the previous quarter. It is, however, important to note that in 2023 we identified some inconsistencies with how we collect data during the transition from legacy systems that contributed to some underreporting of our services. The issues are expected to be resolved during 2024. In the interim, we have made some adjustments to the reported duty lawyer services.

There was a slightly lower number of Grants of Legal Assistance, with a decrease of six per cent in quarter two compared to the previous quarter. This was largely led by lower grant approvals for Child Protection due to recruitment challenges within the system. Grants approvals for Parenting Disputes were also lower in the current quarter due to an increased complexity of cases along with internal staff vacancies. We continue to process and approve grants of legal assistance as they are received.

**Table 1.1** **Unique client count and services**

|  |  |  |  |
| --- | --- | --- | --- |
| **Clients and Client Services** | **Q1****2023-24** | **Q2****2023-24** | **Q3 2023-24 projection** |
| Unique clients[[1]](#footnote-2) | 29,719 | 21,174 | 17,000 |
| Legal Advice and Minor Work sessions  | 8,904 | 9,211 | 9,000 |
| Duty Lawyer Services | 22,456 | 26,156[[2]](#footnote-3) | 23,000 |
| Grants of Legal Assistance | 10,360 | 9,745 | 11,000 |

## Community Services

As part of our Digital Legal Aid program, we have transitioned our Legal Help services onto a new delivery platform, Genesys, to help deliver better quality services and long-term efficiencies. The platform has continued to help improve the delivery of Legal Help Services in quarter two. The number of Legal Help sessions remained steady from quarter one (Table 1.2), while the wait time significantly reduced to 6:27 minutes.

In quarter two 2023–24 we provided 45 Community Legal Education (CLE) sessions (Table 1.2), a 27 per cent decrease. We are also projecting lower results for this measure in Q3. The community organisations and education providers we work with schedule fewer events as we near the end of the calendar year and the beginning of the next due to the summer holidays. Many of the education providers we work with do not return until February and are slow to schedule events at the beginning of the school year. Community organisations are often closed during January. We expect service figures to increase for this measure in quarter three and four.

Google has been making changes to the way they track user data, which has had a flow on impact on the analytics available to measure our website performance. We updated our performance measure to ‘Engaged sessions of legal information website pages’ in 2023-24 (Table 1.2), which counts sessions that last longer than ten seconds or where a user has been actively engaged with the content. There is currently not enough historical data available for this new measure to be able to make quarterly projections.

### Table 1.2 Community information and education services

|  |  |  |  |
| --- | --- | --- | --- |
| **Community information and education Services**  | **Q1****2023-24** | **Q2****2023-24** | **Q3 2023-24 projection** |
| Number of Legal Help sessions delivered | 37,564 | 37,400 | 35,000 |
| Combined average wait time (minutes) | 8:00 | 6:27 | 9:00 |
| Information sessions | 32,046 | 31,515 | 29,000 |
| Community Legal Education sessions | 62 | 45 | 35 |
| Engaged sessions[[3]](#footnote-4) of legal information website pages | 260,525 | 262,716 | N/A |

VLA provides specialist non-legal services that help people advocate for themselves and inform people and communities of their rights when it comes to both the mental health and the child protection systems. People undergoing compulsory mental health treatments are now required to opt-out of our Independent Mental Health Advocacy (IMHA) service, rather than the old service model that was opt-in. This has led to a large increase in demand for these services. There was a 93 per cent increase in the number of IMHA information and referral sessions, and a 108 per cent increase in advocacy and self-advocacy services (Table 1.3). We anticipate that these results will continue to increase in quarter three, however due to the changed nature and continued expansion of this service it is difficult at this time to project these services for quarters three and four.

The quarter two results for the Independent Family Advocacy and Support services are lower than quarter one due to lower staffing levels due to annual leave and vacant positions. Similar to CLE, the summer and school holidays impact these services and there are fewer child protection reports made. We expect to see these service increase in quarter three when Child Protection officers will resume their normal engagement with our advocates, and our advocates will have all returned from leave. Vacant rolls are also anticipated to be filled in quarter three.

### Table 1.3 Specialist resolution and advocacy services

| **Specialist resolution and advocacy services** | **Q1****2023-24** | **Q2****2023-24** | **Q3 2023-24 projection** |
| --- | --- | --- | --- |
| IMHA information and referral sessions | 5,563 | 10,714 | N/A |
| IMHA advocacy and self-advocacy | 4,745 | 9,873 | N/A |
| IFAS information and referral sessions  | 564 | 533 | 1200 |
| IFAS advocacy and self-advocacy | 768 | 534 | 1400 |

## Financial Summary

Our consolidated operating position for quarter two in 2023–24 was a surplus of $2.9 million. The operating position was driven solely by a surplus in initiative funding. Initiative funding has become a more significant percentage of our overall funding. There is often a timing difference between when the funding is received and when the expenditure is incurred largely aligned with court activity which can span multiple years resulting in a surplus in the first year of funding. This funding is fully committed to deliver these initiatives. In quarter three we have forecast a similar result as in quarter two, due to the timing of project funding received from the Public Purpose Fund and a projected increase in interest revenue due to higher-than-expected interest rates, offset by increased expenditure due to the committed initiative expenditure and court activities.

Analysis shows demand for services still exceeds our base funding levels with a projected base funding shortfall for the financial year. Our cash balance remains unusually high due to reduced court activity during the pandemic, and in the short term, we will use these funds to meet current demand. Our cash reserves need to be carefully managed to ensure we can continue to meet our existing grant commitments which span multiple years aligned with court activity.

Long-term projections continue to highlight that base funding is insufficient to meet the projected demand. Without additional funding, we will need to consider service reductions. Any service reductions would be for court-based services, following consultation with sector partners. We continue to work with the Victorian Department of Justice and Community Safety to resolve these financial sustainability challenges.

### **Table 2.1 Total revenue breakdown ($’000**)

|  |  |  |  |
| --- | --- | --- | --- |
| **Revenue** | **Q1****2023-24** | **Q2****2023-24** | **Q3 2023-24 projection** |
| Commonwealth – grants | 23,518 | 24,735 | 25,421 |
| ECCCF income | 0 | 0 | 0 |
| State – grants | 45,523 | 50,265 | 51,660 |
| Public Purpose Fund | 10,975 | 9,925 | 14,950 |
| Case revenue | 1,004 | 1,337 | 1,279 |
| Other income | 1,462 | 1,799 | 1,247 |
| **Total revenue** | **82,282** | **88,062** | **94,557** |

### Table 2.2 Total expenditure breakdown ($’000)

|  |  |  |  |
| --- | --- | --- | --- |
| **Expenditure** | **Q1****2023-24** | **Q2****2023-24** | **Q3 2023-24 projection** |
| Case expenditure (including ECCCF) | (30,263) | (30,599) | (32,055) |
| Community Legal Centre payments | (15,222) | (14,941) | (18,155) |
| Staff costs | (30,543) | (32,858) | (34,277) |
| Administration | (5,998) | (6,130) | (7,709) |
| **Total expenditure** | **(82,027)** | **(84,528)** | **(92,196)** |
| Depreciation and Revaluation | (568) | (574) | (731) |
| **Total Expenditure** | **(82,595)** | **(85,102)** | **(92,927)** |

1. A unique client is an individual who has accessed one or more of our legal services and with whom a client lawyer relationship was formed. We count our unique clients the first time we see them in the year. This definition does not include those clients who received information over the phone or via our online web chat (Legal Help), from our website, in person at a court counter or those who attended one of our community legal education sessions. [↑](#footnote-ref-2)
2. This figure has been adjusted by 3,719 duty lawyer services. [↑](#footnote-ref-3)
3. Engaged sessions are when a website session lasts longer than ten seconds, when a session includes at least one conversion, or when a session includes two or more page views. [↑](#footnote-ref-4)