# Victoria Legal Aid 2023–24 quarter four report April – June 2024

## Message from the CEO

This year’s National Reconciliation Week theme, *Now More than Ever*, was a reminder of how important our efforts are to improve the outcomes for First Nations clients. We were fortunate to hear from Andrew Jackomos PSM, proud Yorta Yorta and Gunditjmara man and inaugural member of Victoria's Treaty Authority, on the path to treaty and the work of the Authority. We understand the role we play in supporting reconciliation, the need to reflect on our shortcomings and be led by Aboriginal Community Controlled Organisations in the sector as we move towards our goal of self-determination.

We welcome the [reforms of the Youth Justice Bill](https://www.legalaid.vic.gov.au/reducing-youth-offending-and-reducing-harm-children) that focus on caution and diversion and ensuring children and young people have the right support. These changes recognise that children have a distinct capacity for positive change and will make a positive difference to children and young people. We are, however, disappointed with the state government’s decision to abandon its commitment to raise the age of criminal responsibility to 14. The [Yoorrook for Justice report](https://yoorrookforjustice.org.au/) called for transformational change of the justice system including raising the age of criminal responsibility to 14. We maintain our strong support for the need to raise the age without delay. Doing so is the best way to support children to develop positive behaviours and would contribute to addressing the systemic racism which leads to the over criminalisation of First Nations children, and children from communities of colour.

Our Horsham office recently [celebrated 20 years of operation](https://www.legalaid.vic.gov.au/recognising-20-years-service-wimmera). In that time, the office has seen significant growth, doubling in size since it first opened its doors in 2004 and now a vital part of the local community. The office is an example of VLA’s commitment to regional service delivery and ensuring disadvantaged people can access the right services across all of Victoria. In line with this, we recently relocated our [Mildura](https://www.legalaid.vic.gov.au/our-new-office-mallee-supports-easier-access-justice) office to new dedicated premises to provide easier access and better supports for clients. We were pleased the Attorney-General could open the office with our partners. We have also commenced the process of expanding our services in [Wodonga](https://www.legalaid.vic.gov.au/were-establishing-new-victoria-legal-aid-service-wodonga) to meet much needed demand in North-East Victoria, working closely with the local CLC and panel practitioners.

An [evaluation of the Youth Citizenship in the West pilot program](https://www.legalaid.vic.gov.au/strengthening-sense-belonging-through-citizenship) was launched in April 2024. The pilot program, run in collaboration with WEstjustice and other partners in the Western Suburbs, aims to support refugees in Melbourne’s west apply for Australian citizenship. The evaluation found the program has exceeded expectations and has had a significant impact on people’s lives, and that there is a clear need to continue the program and expand to other locations across the state.

The independent review of the National Legal Assistance Partnership (NLAP) is an important recognition of the continued under resourcing of the legal assistance sector. The review highlights the need for better support for the sector and the needs of people experiencing disadvantage in civil and family law, especially women and children experiencing family violence. VLA continues to call for a properly funded NLAP to help deliver much needed services as we work with National Legal Aid, the Attorney-General, and the legal assistance sector to deliver on the recommendations.

**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 experience barriers to accessing justice. We provide a mix of early intervention and preventative services, high‑intensity legal services, and non-legal specialist resolution and advocacy services.

## Client services

In quarter four, we saw 14,963 unique clients (Table 1.1). This is an 11 per cent decrease from quarter three. Clients are only counted the first time they receive a legal assistance service in a financial year even though some clients may receive multiple services throughout the year. As a result, our unique client count is highest at the start of the financial year and decreases as the year progresses.

Grants of Legal Assistance were six per cent higher than last quarter, including more grant extensions and court ordered funding requests administered as at the end of the financial year. However, the number of grant approvals were still fewer than forecasted, with our lawyers observing that cases are getting increasingly complex rather than there being a reduction in workload.

Duty lawyer services were seven per cent higher than last quarter, with more duty lawyer services delivered as court backlogs were cleared. However, the number of services delivered was still lower than expected. We will continue to meet the demand for our services within the courts, however, we are anticipating that court activity will be reduced in quarter one 2024-25 due to external demand drivers.

Legal Advice and Minor Work Sessions provided during the quarter were at a similar level to quarter three. However, as VLA continues to focus more on early intervention work, we are expecting to assist more clients earlier in their legal issues in quarter one 2024-25 to more effectively and efficiently resolve their matters.

Table 1.1 Unique client count and services

|  |  |  |  |
| --- | --- | --- | --- |
| **Clients and Client Services** | **Q3** | **Q4** | **Q1 2024–25** |
| **2023-24** | **2023-24** | **projection** |
| Unique Clients1  | 16,760 | 14,963 | 32,029 |
| Legal Advice and Minor Work Sessions   | 8,981 | 8,925 | 10,661 |
| Duty Lawyer Services | 22,406 | 23,943 | 22,118 |
| Grants of Legal Assistance  | 9,873 | 10,480 | 10,641 |

 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 financial 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.

## Community services

## Community information and education services

In 2023–24, our Legal Help phone line and webchat remained key entry points for Victorians seeking legal assistance. The number of Legal Help sessions decreased by 11 per cent from last quarter, with the combined wait time also slightly increasing by 1:30 minutes (Table 1.2) but still meeting our external performance target. This was due to continued short-term work to modernise our Legal Help service to make it easier to reach us and to respond better to people who need assistance the most. For instance, we designed and ran a trial service to provide legal advice by webchat to people experiencing or using family violence. The trial’s evaluation showed a high level of satisfaction, with clients telling us that they found the service safer, easier to use, more convenient and more useful than receiving advice by phone or in person. The evaluation also showed that the service supported a higher proportion of women and people from culturally diverse backgrounds than our phone advice service.

Outside of Legal Help, we also delivered 7,424 information sessions (11 per cent more than in 2022‑23). These were mainly provided face-to-face at our offices or through Help Before Court.

VLA provided 84 Community Legal Education (CLE) sessions (Table 1.2) in quarter four, which reflects a strong end to the financial year with several sessions booked. We will continue to actively reach out and engage with community organisations and education providers in quarter one 2024-25, however, we are anticipating fewer sessions to be delivered due only to an expected shortage of staff.

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. During the year, we updated our performance measure to ‘Engaged sessions of legal information website pages’ (Table 1.2), which counts sessions that last longer than ten seconds or where a user has been actively engaged with the content. We saw an increase of two per cent from quarter three. There is currently not enough historical data available yet to make quarterly projections for this new measure.

Table 1.2 Community information and education services

|  |  |  |  |
| --- | --- | --- | --- |
| **Services** | **Q3** | **Q4** | **Q1 2024–25** |
| **2023-24** | **2023-24** | **projection** |
| Number of Legal Help sessions delivered  | 38,457 | 34,250 | 28,447 |
| Combined average wait time (minutes)  | 8.23 | 9:58 | 15:00 |
| Information sessions  | 32,388 | 33,969 | 25,246 |
| Community Legal Education sessions  | 36 | 84 | 23 |
| Engaged sessions2 of legal information website pages  | 280,977 | 287,044 | N/A |

2 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.

## Specialist resolution and advocacy services

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 required to opt out of our Independent Mental Health Advocacy (IMHA) service. Since this opt-out commenced in September last year, there has been an increase in demand for our services. IMHA is also now present in Melbourne and eight other locations around Victoria. It also has a team of First Nations advocates working closely with the Victorian Aboriginal Legal Service, increasing access for First Nations consumers.

In quarter four, there was a 21 per cent increase in the number of information and referral sessions and a nine per cent increase in advocacy and self-advocacy services (Table 1.3). The forecast for quarter one 2024-25 has been projected based on the latest demand.

Independent Family Advocacy and Support (IFAS) provides non-legal advocacy to parents and primary carers navigating the early stages of the child protection system. This non-legal service helps achieve better justice outcomes by diverting families from the court system in child protection matters.

In quarter four, IFAS information and referral sessions were 18 per cent higher than last quarter and advocacy and self-advocacy services were 14 per cent higher (Table 1.3). The increase in demand for services stemmed from greater promotion of IFAS services within the community, including several education sessions that were run during the quarter. Latest demand levels have been used as an indicative forecast for quarter one 2024-25, as planning for the IFAS expansion in 2024-25 are still in progress.

Table 1.3 Specialist resolution and advocacy services

|  |  |  |  |
| --- | --- | --- | --- |
| **Specialist resolution and advocacy services** | **Q3** | **Q4** | **Q1 2024–25** |
| **2023-24** | **2023-24** | **projection** |
| IMHA information and referral sessions | 13,730 | 16,651 | 16,000 |
| IMHA advocacy and self-advocacy | 12,602 | 13,782 | 13,000 |
| IFAS information and referral sessions  | 854 | 1,004 | 1,000 |
| IFAS advocacy and self-advocacy | 730 | 834 | 800 |

## Financial Summary

In quarter four, our consolidated operating position was a surplus of $4.7 million. The result was impacted by the timing of specific purpose and initiative funding, which was reported as a surplus this year. There are many drivers for the surplus including the late timing of funding advice received during the year and alignment with court activity which may span multiple years. These surplus funds remain committed to meeting service obligations in future years and contribute to the projected deficit in 2024-25. Demand for our core services continue to exceed our base funding levels, with a base funding deficit also projected in the quarter one 2024-25.

Our cash balance remains higher than expected and in the short term we will use these funds to meet current demand. Our cash reserves are not discretionary and need to be carefully managed to ensure we can continue to meet our existing commitments. This includes grants of legal assistance of up to $72 million which have already been approved and committed to, but where the work has not been completed. In addition, the cash balance is also required for the replacement of assets to ensure VLA can continue to meet service demands and protect the safety and well-being of staff.

We project current cash balances will be sufficient to meet the projected deficit in 2024-25. However, long-term projections continue to highlight that base funding is insufficient to meet projected demand. Further analysis will be undertaken on the impact of our continued early intervention initiatives and the legislative changes (for example, changes to bail law) on the level of demand. Without additional funding, we will need to consider service reductions, whilst carefully managing our cash reserves. Any service reductions would be for court-based services, following consultation with sector partners.

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

|  |  |  |  |
| --- | --- | --- | --- |
| **Revenue**  | **Q3** | **Q4** | **Q1 2024–25** |
| **2023-24** | **2023-24** | **projection** |
| Commonwealth Government – grants  |  25,494  | 31,141 | 26,017 |
| State Government – grants  |  51,776  | 52,626 | 48,846 |
| Public Purpose Fund - grants |  14,950  | 14,950 | 12,850 |
| Case revenue  |  544  | 1,435 | 1,016 |
| Other income  |  1,602  | 1,607 | 1,375 |
| **Total revenue**  |  **94,366**  | **101,759** | **90,104** |

Table 2.2 Total expenditure breakdown ($’000)

|  |  |  |  |
| --- | --- | --- | --- |
| **Expenditure**  | **Q3** | **Q3** | **Q4 2024–25** |
| **2023-24** | **2023-24** | **projection** |
| Case expenditure  | (29,968) | (34,801) | (31,699) |
| Community Legal Centre payments  | (18,514) | (18,155) | (16,631) |
| Staff costs  | (32,820) | (35,019) | (36,765) |
| Administration  | (6,350) | (7,708) | (6,886) |
| Depreciation and Revaluation  | (568) | (1,389) | (756) |
| **Total Expenditure**  | **(88,220)** | **(97,072)** | **(92,737)** |