LAW AND JUSTICE FOUNDATION OF NEW SOUTH WALES

Annual Report

2013

22 November 2013

The Hon. Greg Smith SC
Attorney General of NSW
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Attorney

I present to you a copy of the Annual Report of the Law and Justice Foundation of NSW for the financial year 2012–2013.

This report has been prepared in accordance with the *Law and Justice Foundation Act 2000* (NSW) and approved by the Foundation's Board of Governors.

I would be grateful if you could arrange for the tabling of the report in both Houses of Parliament as soon as practicable.

Yours sincerely

Paul Stein
Chair
Board of Governors

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Our organisation

About the Foundation

Who we are

The Law and Justice Foundation of NSW is an independent, statutory, not-for-profit organisation established in 1967 to improve access to justice for the people of NSW. It is incorporated in NSW by the *Law and Justice Foundation Act 2000* (NSW).

Our purpose

Our purpose is to advance the fairness and equity of the justice system, and to improve access to justice for socially and economically disadvantaged people.

What we believe

The Foundation's purpose is underpinned by the following beliefs:

- a fair and equitable justice system is essential for a democratic, civil society
- reform should, where possible, be based on sound research
- people need accurate, understandable information to have equitable access to justice
- community support agencies and non-government organisations play a critical role in improving access to justice for disadvantaged people.

What we do

- Identify legal and access to justice needs, particularly of socially and economically disadvantaged people.
- Identify effective legal system reforms and access to justice initiatives through evaluation and research.
- Improve access to justice through:
  - contributing to the availability of understandable legal information
  - supporting projects and organisations that improve access to justice
  - disseminating information about access to justice and effective reforms and initiatives.

Our goals and objectives

Goal 1: Identify legal and access to justice needs through rigorous, evidence-based research and the analysis of information from internal and external sources

1.1 Develop a sustained assessment of legal and access to justice needs, particularly of socially and economically disadvantaged people (the A2JLN Program)

1.2 Respond to emerging access to justice issues in NSW

Goal 2: Identify effective reforms, initiatives and programs to address legal needs

2.1 Critically examine key concepts and strategies and their application to the public legal assistance context

2.2 Identify, assess and report on what is known about the 'effectiveness' of particular strategies

2.3 Build the research and evaluation evidence base

2.4 Promote and support a culture of evaluation and evidence-based practice in the legal assistance sector

Goal 3: Improve access to justice through the support and conduct of selected projects, community legal education and referral programs, and the dissemination of data, analysis and information

3.1 Support projects – the Grants Program

3.2 Facilitate legal sector relationships and coordination

3.3 Community legal education and referral program

3.4 Disseminate data, analysis and information to improve access to justice

Goal 4: Optimise the capacity and capabilities of the Foundation through cost-effective resource and information management

4.1 Develop the information management capabilities of the Foundation

4.2 Manage resources efficiently and cost-effectively

The Board of Governors

The Board consists of eight members who are appointed for a term of three years. The Board determines policies for the implementation of the objects of the Foundation. The Director conducts and manages the affairs of the Foundation in accordance with the directions of the Board. Board members at 30 June 2013 were as follows:

The Hon. Paul Stein AM QC is the Chair of the Law and Justice Foundation Board of Governors. He became a Judge in 1983 and was appointed to the Land and Environment Court in 1985. In 1997 he was appointed to the Court of Appeal where he remained until his retirement in 2004. He has undertaken a number of reports and reviews for the Government, and is the former Chair of the Board of the Environmental Protection Authority. He has chaired committees and associations, in particular the Council of the Community Justice Centres and the National Consumer Affairs Advisory Council. He has contributed articles and papers on environmental, administrative and consumer law, as well as human rights and discrimination.

Jason Behrendt is an Aboriginal solicitor at Chalk and Fitzgerald Lawyers and Consultants specialising in advising Aboriginal corporations and land councils in relation to land rights, native title and Commonwealth and State environmental legislation. Prior to this he worked with the Human Rights and Equal Opportunity Commission, reporting on the operation of the *Native Title Act 1993*.

Geraldine Daley is a Director of the Incorporated Legal Practice Colin Daley Quinn. She is a Graduate of the Australian Institute of Company Directors. Geraldine was a Law Society Councillor from 2001 to 2010 and served on a number of committees during this time. She is a Solicitor Advocate, a Dispute Resolution Practitioner and an Administrative Decision Maker.

The Hon. Shaoquett Moselmane MLC was elected to the Legislative Council of the NSW Parliament in December 2009. Prior to his election to the NSW Parliament, he was the Mayor of Rockdale City Council and ran his own legal practice. Shaoquett has a long-standing involvement with multicultural communities throughout NSW.

Geoff Mulherin CSC has been Director of the Foundation since November 2000.

The Hon. Kevin Rozzoli AM is the Chair of the Foundation's Investment Sub-Committee. He was the member for the NSW electorate of Hawkesbury from 1973 until his retirement from politics in 2003, and from 1988 to 1995, he was the Speaker of the Legislative Assembly. Kevin was admitted to the NSW Bar in 1985. He is an Associate of the Centre for Democratic Institutions (ANU), and on the Board of a number of not-for-profit organisations including the Public Interest Advocacy Centre, Environmental Defenders Office, and the Australasian Study of Parliament Group. For the past 30 years Kevin has been Chair of the Haymarket Foundation.

John Sheahan SC has been in practice at the bar since 1985, and appointed as senior counsel in 1997. His principal areas of practice are corporate law, competition, and banking and finance. In 2004 he was Counsel Assisting the Special Commission of Inquiry into certain transactions involving James Hardie. He is a past President of the Public Interest Law Clearing House and currently a member of the Board of the Haymarket Foundation.

Professor Julie Stubbs is a criminologist and Professor in the Faculty of Law at the University of NSW and was appointed to the Board on 11 February 2013. She was previously Professor of Criminology at the University of Sydney, where she had been Director of the Institute of Criminology. Before becoming an academic, Julie was a senior researcher with the NSW Bureau of Crime Statistics and Research.

Message from the Chair

Legal Needs Survey – a highlight

Without doubt, a highlight of the 2012–2013 year was the launch of the Legal Australia-Wide (LAW) Survey, at the national level and also in each state and territory. For the Foundation's staff, the launch of the reports recognised the enormous amount of work they had committed to the project, the survey preparation, the fieldwork, analysing the data and writing nine substantial reports, plus a range of shorter supporting reports to communicate the results. For the sector, of course, the release of the LAW Survey reports had much greater significance, providing powerful resources for policy makers and service providers as they seek to meet the legal needs of the Australian community and of disadvantaged people in particular.

The LAW Survey is the most comprehensive and rigorous study of its kind ever conducted in Australia and the largest anywhere in the world. For the first time we have quality data concerning the legal problems that people experience, the actions they take and where they go for advice when they have those problems, the barriers they face to obtaining advice, and the outcomes they achieve.

However, the LAW Survey is valuable not just because of the data and analysis it provides us, but also because of the comparisons it now allows us to make. For example, by undertaking analyses at the state and territory levels as well as at the national level, we now have the means to make some important contrasts between jurisdictions. Given the differing socio-demographic circumstances, differing laws and services, as well as differing political cycles, the LAW Survey helps us to look behind some of the assumptions that often underpin legal service policy, planning and delivery. What we find is that there are remarkable similarities in many of the key survey findings across all Australian jurisdictions. We can learn much from the similarities, as well as from the differences.

For the first time also we can make soundly-based comparisons between the Australian results and the results from similar surveys conducted over the last 10 years or so in 15 countries internationally – not all of them similar in socio-demographic terms, not all of them with Common Law origins. We therefore are able to make useful comparisons about legal needs, about different people's vulnerability to legal problems, about strategies taken to address those problems, and about other factors relevant to the meeting of legal need.

This, of course, provides great potential for identifying common themes and trends. As with our internal Australian comparisons, we find there are remarkable similarities between the Australian picture of legal need and the pictures revealed in other countries. Thus, by virtue of the Foundation's work, the Australian legal assistance sector now has important points of comparison with countries such as Canada, the United Kingdom and elsewhere, through which we have a far sounder basis for identifying themes and directions for policy and service delivery development.

There is still much to learn about the legal needs of the Australian community and disadvantaged groups in particular, and the data from the LAW Survey provides a unique resource which the Foundation has begun to interrogate further to gain additional insights to assist the work of the sector.

The publication of the LAW Survey reports also provided added impetus to expand our other research in identifying what works to address legal needs. Already it is clear that there is a general lack of quality, evidence-based research and evaluation material to inform decision making about best practice legal service delivery. If we are to be effective at identifying what meets the legal needs of the community, this lack of good evidence must be addressed.

The Foundation intends to do what we can to address the lack of evidence by investing an increasing amount of effort to this task. The Foundation is, of course, already proceeding down that path and is increasing the research effort devoted to this goal. Furthermore, during 2012–2013 the Board decided that the Foundation's grants program would give some priority to projects from which lessons could be learned about what strategies might be useful in addressing legal needs.

Achieving the Foundation's statutory mandate

The remainder of this Annual Report highlights in brief detail how this important research work is, nevertheless, just part of the way the Foundation works to achieve its

statutory objects and thus contributes valuably to the achievement of s292 of the *Legal Profession Act 2004*. I will let the details speak for themselves, but let me highlight a few approaches that underpin our commitment to those statutory obligations.

Firstly, the Foundation remains strongly focused on ensuring all our activities and resource usage align with the statutory mandate provided to us by the *Law and Justice Foundation Act 2000* (NSW). Our strategic and business planning processes ensure that we identify what needs to be done to achieve those objects, and that each of our strategies, projects and activities head in that direction.

Secondly, we work within and value most sincerely our independent status afforded by our Act. We take a very mature approach to this independence, intending to be credible and trusted, and to use our expertise to contribute to the development of a fair, equitable and accessible justice system. Our independence has allowed us to embark upon some very important projects such as the LAW Survey, to undertake pioneering work with legal service provider data, and to develop the 'What Works' research program. All of these initiatives are, or will be, of long-term benefit to the sector.

Thirdly, our independence does not limit our ability to collaborate and the Foundation works with many agencies in the sector to achieve desired results. Indeed, we believe it is the Foundation's independence, rigour and credibility that contribute to our ability to work with and between government, the community sector and the private sector. We then deliver research findings and other services — often consistent with anecdotal evidence but sometimes not — and in an impartial way.

Fourthly, in all our work, but especially in our research work, we continue to be committed to high quality, evidence-based approaches. In order to be credible and trusted, we need to be committed to the best available evidence and the best available methodologies to obtain that evidence, and I think we do that.

Financial support

The Foundation's operations are underpinned by the income we receive. Critically, for the Foundation to be independent and to be able to achieve our statutory objects, we rely on the core funding we receive from the Public Purpose Fund (PPF). We are very thankful for the specific project funding we receive from time to time, such as from the Commonwealth Attorney-General's Department (for example, to assist in our studies into the availability of lawyers in rural, regional and remote areas); and, of course, the substantial funding support we received from National Legal Aid which enabled us to undertake the national LAW Survey. Nevertheless, the ability of the Foundation to undertake the complex Access to Justice and Legal Needs Program, the demanding legal needs surveys, the Data Digest project, and what will be a ground breaking 'What Works' research program, depends largely upon the core funding the Foundation receives from the PPF.

The Foundation is very thankful to the PPF Trustees for their ongoing support of the work we do. As always, we remain keen in whatever financial circumstances to work as efficiently and effectively as possible with the resources allocated to us to achieve the intent of our Act. We understand the challenges facing the PPF Trustees in the present environment but unfortunately, over the last two years, the Foundation has been affected by

From left: Geoff Mulherin, Director, Law and Justice Foundation of NSW; Bill Grant OAM, CEO, Legal Aid NSW; The Hon. Greg Smith SC MP, Attorney General NSW, Dr Christine Coumarelos, Principal Researcher, Law and Justice Foundation of NSW.

substantial cuts to our core funding, and I would like to touch on the impact of this on the Foundation and our plans to manage this.

During this financial year, our income reduced in the order of around 10%, which appears comparable to the reductions to similar recipients of funds from the PPF. Unfortunately for the Foundation, that reduction came on top of a substantial reduction the previous year which appeared larger than reductions for other comparable recipient organisations. The Board has sought clarification from the PPF Trustees as to whether or not our modest reserves impacted upon the PPF decision to reduce our funding, although our enquiries have not been answered.

The Foundation has prudently maintained a modest level of reserves to facilitate the long term nature of many of our projects. Following the impact of the global financial crisis the Foundation reviewed its Reserves and Investment Policies and I am pleased to report that our investments have performed very well during the reporting year, building on sound investment performance in the previous two years. The income from these investments, however, is not sufficient to replace the reduction in core income that we have experienced over the last couple of years and consequently, during this year, the Board resolved to expend a portion of the Foundation's reserves for the next two years (2013–2014; 2014–2015) in order to maintain our operations at a level approaching, but still less than, the level in 2012–2013. In essence, over the next two financial years the Foundation will expend around a quarter of its reserves, by which time we hope the PPF Trustees will be in a position to provide clearer guidance as to the potential level of ongoing funding that the Foundation may receive in the future. When we have an indication of a likely ongoing funding level, the Foundation will adjust its operations to that level.

Of course, the 'ongoing' level will determine the scope of work possible for the Foundation. I must point out that if the current level of PPF funding per annum — a little over $1.6 million — was to continue, then the Foundation would not be able to deliver the full range of activities that it does at present. In this event, the Foundation's ability to provide policy makers and service providers with an important source of research, analysis and project support would be significantly restricted.

Conclusion

In sum, 2012–2013 has been both an exciting and challenging year. We are pleased that we have continued to be effective with our resources and that we continue to produce landmark work, such as the LAW Survey, which will have long-lasting impact in the sector. Again, I thank the PPF Trustees and the Attorney General for their support of the work that we do, and I do hope that we are able to continue to provide the full range of valuable services and resources to the New South Wales community as our Act asks us to do.

It has been a pleasure to continue to serve as the Chair of the Board of the Foundation and to work with the staff, the Board members and the partners of the Foundation. The projects we do take constant commitment, dedication and sometimes a unique commitment to attention to detail. For all the work the Foundation has undertaken during the year, I would particularly like to thank the staff for their commitment to producing the high quality work that they do. I would also like to thank the Director and my fellow Board members for their commitment to the goals of the Foundation. My thanks also go to all the individuals and agencies that have supported us throughout the year in a range of ways. The Foundation can only achieve what it does with the support of others and we are most grateful for your help. Of course, I give special thanks again to National Legal Aid for their support of the LAW Survey.

Finally, already the new reporting year has begun and the Foundation is hard at work with its continuing programs and new endeavours. I encourage everyone to take an interest in the valuable work of the Foundation.

Paul Stein
Chair
Board of Governors
November 2013

Message from the Director

As the Chair has already mentioned, a highlight for the year was the launch of the Legal Australia-Wide Survey (LAW) Survey, and of the separate reports for each state and territory jurisdiction. Elsewhere in the report this is covered in more detail, and the Chair has highlighted the significance of this work. But that highlight, from an operational level at the Foundation, has also served as a transition point for what continued to be an exciting and demanding year in 2012–2013.

Under the various goals and strategies, the rest of this report provides brief detail about the specific projects we have undertaken in 2012–2013, and the outcomes we have achieved. However, there are a number of points I would like to make to provide perhaps a little more context to the work and achievements of the Foundation during the year.

LAW Survey – a turning point

Following the launch of the main reports of the LAW Survey there has been an important change in some aspects of the research operations of the Foundation. After a lengthy commitment to an enormous, complex and demanding project, we have now begun a new phase of interrogating the LAW Survey data to undertake new, fine-grained analyses exploring under-researched areas of legal need, including the legal needs of hard-to-reach demographic groups, and of the impact of under-researched legal issues. Rather than publish these new analyses in large reports, our focus has turned to producing quicker turnaround outputs in response to the findings from this further analysis. To support this change, during the year we launched a new series of short (2–3 page) papers: the *Updating Justice* series. Initially these provided short excerpts or summaries of key themes from the main survey reports, but as the year progressed, these became an important means of communicating (sometimes in 'working paper' form) the new findings from the fresh analyses of the LAW Survey data. Already by the end of the 2012–2013 year we had published 25 excerpt/summary papers, as well as 'follow-on' working papers. These examined in more detail the legal needs of people with different types of mental and physical illness or disability, the legal needs of homeless people and others in disadvantaged housing circumstances, and the heightened vulnerability of people with multiple disadvantage to legal problems. By the end of the reporting year, further analysis was already underway into the experience and response to legal problems in remote areas of Australia, the needs of young people, Indigenous people and people from non-English speaking backgrounds, as well as a range of other areas which, by virtue of this large data set, can now be examined in more detail and so can provide new insight to the sector. Given the complexity of the work the Foundation does, and the rigour that must underpin our evidence-based approach, the Foundation will always be committed to thorough and sound methodological analysis and the full reporting of this analysis in key reports. Nevertheless, we must always look for the most effective ways to communicate the results and these *Updating Justice* papers, with their quick turnaround approach, and in circulation via email 'Research Alerts', has been an important transition for the Foundation this year.

The second important development at the operational level that has followed the release of the LAW Survey reports has been the start of a gradual increase of resources and effort towards our second key goal to identify what strategies 'work' to address legal needs. This, of course, is the logical next step following from the identification of legal needs, and our approach involves a range of strategies including identifying what is already known to address specific legal needs.

Our work in this area has been slowly growing but is already having some significant impact. For example, in late 2012, the Foundation published a discussion paper (*Justice Issues* Paper 16) on the effectiveness of public legal assistance services. By the end of the reporting year, we had commenced work on a second discussion paper concerning early intervention in the context of legal assistance services. These discussion papers grapple with concepts that while almost ubiquitously used in much of the legal services policy and literature, are often not well defined, and sometimes misunderstood. Through these papers we hope to add some clarity to these key concepts which are essential in the planning and delivery of services to address legal needs.

Another key strategy as part of this research goal is to undertake evaluations of new and innovative legal assistance services. The Foundation has been fortunate to be able to undertake work on this strategy through our research alliance with Legal Aid NSW. We are very thankful to the Legal Aid NSW for their willingness to enter into this alliance. Through this alliance we have been able to work with Legal Aid managers and staff, providing training and the development of evaluation tools to assist Legal Aid to implement sound evaluation strategies, and working with them to evaluate new Legal Aid services. During this year the evaluation of the Legal Aid NSW Family Law Early Intervention Unit Duty Lawyer Service and of Legal Aid's outreach services have been excellent opportunities to collaboratively learn lessons and develop evaluative expertise.

One of the reasons for the effectiveness of the Access to Justice Legal Needs program (Goal 1) has been that after an initial exploration phase we were able to develop an integrated program of research projects which all contributed to the overall aim. We need to develop a similar approach in our 'What Works' strategy. We anticipate that by the end of the next reporting year (2013–2014), after we have completed a range of 'transition' research initiatives, we will have developed a framework for this integrated research program.

Data

A key element of the Foundation's research program has always been the innovative use of data to inform and underpin our research. As has been reported for a number of years, the Foundation has been a pioneer in this area in a range of ways, not only through the legal needs survey work, but also through projects such as the Data Digest Online (DDO) and now the broader Legal Assistance Services Data Digest (LASDD). In the LASDD/DDO we have pioneered the collection and harmonisation of data from a number of legal service providers to learn what we can about legal need and response to that need. The impact of those initiatives is readily seen. The key recommendations around data collection and usage in the Commonwealth's 2009 *Strategic Framework for Access to Justice in the Federal Civil Justice System* report and the establishment of the Commonwealth Attorney-General's Department's Evidence Base for the Civil Justice System project (of which the Foundation has been an active member since its inception), are in part a result of this work of the Foundation.

Over the last few years, there has been a growing revolution generally in the production of and use of data. Phrases such as 'big data' and 'e-government' are common in the UK, the US and now Australia, with many initiatives commencing or being considered to provide greater access to large data sets. Our legal needs research has highlighted many things, but particularly the integrated nature of the problems (legal and non-legal) people face, as well as the increased vulnerability of certain groups to legal and non-legal problems. The linkage and combination of data from legal and non-legal sources therefore has the potential to be a new key direction in our research as we try to learn more about legal needs and also ways to address them. During the reporting year we began to look at an approach to the potential broader use of data to identify how the Foundation can use 'big data' to more effectively contribute to the achievement of our objects.

Resources

Of course, all of what we do requires resources. As the Chair mentioned in his message, we are very thankful for the support we receive from the PPF, the Attorney-General and others. The Chair has addressed the issue of our core funding, and that core funding remains essential to providing the stability and flexibility for the Foundation to undertake the innovative and ground-breaking projects that we do. At a practical level, we are extremely conscious of seeking the most effective ways to use our resources. The Investment Sub-Committee of the Foundation's Board has taken a very engaged approach to ensuring that the Foundation's investment policy is soundly based on the achievement of the overall reserves policy and that our resources are responsibly and effectively invested so that we can supplement our core PPF income in a sustainable way.

Grants

The Foundation's Grants program continues to provide important support to key projects that are likely to make a difference to improving access to justice for the people of NSW. The Foundation is evidence-based and rigorous in our assessment of grant applications, and I am confident that the approval of a grant by the Foundation's Board means that there is a very high likelihood that the project will be successful. This year, the Foundation was able to support important projects that supported or established court support programs, homeless people services, outreach services to people in rural and regional areas and to Indigenous people, pro bono services to newly arrived migrants, assisted people with dementia suffering financial abuse, as well as supporting research into legal needs in particular regions of NSW. We actively seek opportunities to integrate our research, grants and other work (including our legal information and referral work).

Conclusion

All in all, 2012–2013 has been an important and rewarding year for the Foundation. I thank all of the staff most sincerely for their commitment and effort throughout the year. It is great to see the range of skills and experience committed to the mandate of the Foundation and producing the quality work that we do.

I would also like to thank the Chair and the Board of the Foundation for their support and guidance. Finally, I would like to thank the many colleagues and organisations who worked with us throughout the year on a range of projects. Through our collaboration we are all able to achieve much more than we each could on our own.

Geoff Mulherin
Director
November 2013

Excerpt from the
Law and Justice Foundation Act 2000

5 Objects of Foundation

(1) The objects of the Foundation are to contribute to the development of a fair and equitable justice system which addresses the legal needs of the community and to improve access to justice by the community (in particular, by economically and socially disadvantaged people).

(2) Without limiting section 6, in attaining its objects the Foundation may do any one or more of the following:

(a) conduct and sponsor research (including inter-disciplinary research) into the law, the justice system, alternative dispute resolution and the legal profession,

(b) collect, assess and disseminate information about the justice system,

(c) conduct and sponsor projects aimed at facilitating access to justice and access to information about the justice system,

(d) promote education about the justice system.

Performance 2012–2013

The Foundation has established four goals against which it develops activities and measures its performance. The following section describes how we performed against these goals in 2012–2013.

Goal 1 — Identify legal and access to justice needs through rigorous, evidence-based research and the analysis of information from internal and external sources

Strategy 1.1: Develop a sustained assessment of legal and access to justice needs, particularly of socially and economically disadvantaged people (the A2JLN Program)

Access to Justice and Legal Needs Program (A2JLN)

The Foundation's A2JLN program is a major research program that aims to provide a rigorous and sustained assessment of legal and access to justice needs in NSW, especially of disadvantaged people. The program comprises a series of projects involving consultations and submissions, literature analysis, original survey work and qualitative and quantitative analyses.

To date, A2JLN has provided significant information regarding the legal and access to justice needs of the community, and of socially and economically disadvantaged people in particular. This information has been used by government, community and other organisations to develop policy and plan service delivery.

The program's objectives are to examine the ability of disadvantaged people to:

- obtain legal assistance, including information, basic legal advice, initial legal assistance and legal representation
- participate effectively in the legal system, including access to courts, tribunals and formal alternative dispute resolution mechanisms
- obtain assistance from non-legal early intervention and preventative mechanisms, non-legal forms of redress and community-based justice
- participate effectively in law reform processes

Importantly, the program adopts three research methodology streams to approach the issue of legal need from three different intersecting directions.

Expressed legal need

Data routinely collected by not-for-profit legal service providers such as Legal Aid NSW, LawAccess NSW and community legal centres provides a valuable source of information about the types of legal inquiries these services receive and how they vary for different communities.

Unexpressed (Unmet) legal need

Policy makers and service providers often ask whether those seeking legal assistance represent the majority of people with legal needs. Modelled on leading recent international research, the Foundation's legal needs surveys in Australia are providing the first empirical insight into both expressed and unexpressed need (that is, need for which assistance has not been sought) in the community. The Foundation's recent LAW Survey (see next page) is the largest survey of its kind conducted anywhere in the world.

Reports targeting particular disadvantaged groups and particular issues

As the first two methodologies are unlikely to adequately cover some particular disadvantaged groups or some particular issues affecting these groups, the third methodological stream of the A2JLN program includes qualitative analyses of the legal needs of selected groups and the targeted analyses of particular issues.

Legal Assistance Services Data Digest

The Legal Assistance Services Data Digest (LASDD) brings together standardised data from NSW public legal assistance services and selected ABS demographic data. It contains information on the type of legal matters about which inquiries are made, the demographic characteristics of those seeking legal assistance and the pathways that service users take to resolve their legal problems. The data is used to provide information on the pattern of expressed legal need across different geographic areas of NSW, changes in expressed legal need over time, and to identify the expressed legal need of different demographic communities.

The Data Digest Online (DDO) is a web-based application that provides access to this data for participating agencies. The DDO currently presents data by interactive tables, charts and maps. In this reporting year, the DDO was updated with the latest data sets from each agency and refinements were made to the interactive dashboards, maps and reports.

In the upcoming year, the Foundation will continue to work closely with Legal Aid NSW, Community Legal Centres NSW and LawAccess to support their use of the DDO and identify areas for further development.

Legal Australia-Wide (LAW) Survey

The LAW Survey is a large-scale national legal needs survey involving telephone interviews with a representative sample of 20,716 residents across Australia. It is the largest survey of its kind ever conducted worldwide and measured both legal need that is 'expressed' through the use of services and 'unmet' legal need. The project has been an enormous undertaking, yielding nine major reports — a report on Australia as a whole and a report on each state/territory.

The LAW Survey Australia was launched by Father Frank Brennan SJ AO on 11 October 2012 at Parliament House in Canberra. The LAW Survey NSW report was launched by The Hon. Greg Smith SC MP, Attorney General NSW and Minister for Justice, on 25 October 2012 at the Mitchell Room, State Library of NSW. The Foundation assisted the launch of the other reports in the respective states and territories.

The nine survey reports were well-received by the legal sector. A one-page summary of highlights from the Australian survey data is on the following page. Since the publication of the nine reports, the Foundation has published in excess of 20 short 'highlight' papers that focus on narrow but important elements in the main reports and greatly improve the accessibility of the wealth of information in the survey reports.

Impact of the LAW Survey

The survey reports have had immediate impact, with key national, state and territory based policies and services being informed by the findings. The LAW Survey is proving particularly powerful for the following reasons:

- It is the most comprehensive and rigorous study ever conducted in Australia that examines the legal problems that people experience, the action they take, where they go for advice, the barriers they face to obtain that advice, and the outcomes they achieve. It is a highly regarded evidence base to underpin policy development and service provision.
- By analysing the data for each jurisdiction, the LAW Survey provides the first-ever rigorous means of comparison of legal needs, responses and outcomes between the Australian jurisdictions.
- Importantly, the LAW Survey now also provides a sound basis for comparing legal needs, responses and outcomes between Australia and the other jurisdictions internationally where such survey work has been undertaken in the last few years. Learning from both what is different and what is similar policy makers and service providers can now have confidence in a broader range of research findings to inform their work.

Further analysis of LAW Survey dataset

Following publication of the initial major survey reports, work was commenced on a series of shorter follow-up papers. These papers capitalise on the unprecedented size of the LAW Survey dataset by reporting on the further fine grained, pioneering analyses to explore under-researched areas of legal need and access to justice, including the legal needs of hard-to-reach demographic groups. During 2012–2013, follow-up papers were published on:

- the legal needs of people with different types of mental and physical illness/disability
- the legal needs of homeless people and others in disadvantaged housing
- the heightened vulnerability of people with multiple disadvantage to legal problems.

During the year work also began on papers covering:

- the response to legal problems in remote Australia
- the response to legal problems by people with different types of mental and physical illness/disability
- the legal needs of young people
- the legal needs of Indigenous people
- the legal needs of people from a non-English speaking background
- criminal victimisation, offending, multiple disadvantage and civil legal problems
- income and the use of lawyers
- legal knowledge and capability.

Legal Australia-Wide Survey (LAW Survey)
Legal Need in Australia

By Christine Coumarelos, Deborah Macourt, Julie People, Hugh M. McDonald, Zhigang Wei, Reiny Iriana and Stephanie Ramsey, published by the Law and Justice Foundation of NSW, August 2012.

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An overview of findings for Australia

The LAW Survey is the most comprehensive quantitative assessment of legal needs ever conducted in Australia. It interviewed 20,716 people across all states and territories about the legal problems they experience, the actions they take, where they go for advice and the outcomes they achieve. It measures not only how many people resolve their legal problems but also how many people fail to do so. Additionally, it provides evidence of the disadvantaged groups that are particularly vulnerable to legal problems.

Key points of interest from the findings:

- The LAW Survey reports that legal problems are widespread. Half of all respondents reported experiencing a legal problem in the 12 months prior to interview, with 22% experiencing three or more legal problems.
- Based on these findings the LAW Survey estimates 8,513,000 Australians experience a legal problem in a 12-month period, including 3,736,000 experiencing three or more legal problems.
- The most common legal problems reported included consumer (21% of respondents), crime (14%), housing (12%) and government (11%) problems.
- Importantly, the LAW Survey shows that some people are particularly vulnerable to legal problems—65% of legal problems were experienced by only 9% of respondents and 85% of problems were experienced by 22% of respondents.
- People with a disability and single parents were twice as likely to experience legal problems. The unemployed and people living in disadvantaged housing also had heightened vulnerability.
- Indigenous people were more likely to experience multiple legal problems including government, health and rights related problems.
- About one-quarter of the population experience a substantial legal problem each year. Financial strain was associated with 29% of problems, stress-related illness with 20%, physical ill health with 19%, relationship breakdown with 10% and having to move home with 5%. Legal problems related to family issues had the most adverse consequences.
- The LAW Survey highlights how Australians respond to their legal problems—while they sought advice for 51% of their legal problems, they handled 31% without advice and took no action for 18%. Although taking no action appeared to be appropriate in some cases, reasons for doing nothing were often related to stress (30%) cost (27%) or not knowing what to do (21%).
- Despite the high level of legal need in the community, and among various disadvantaged groups in particular, the LAW Survey revealed there is no 'rush to law'—most people resolve or attempt to resolve their legal problems without using lawyers or the formal justice system.
- Respondents consulted a wide variety of non-legal professionals to try to resolve their problems as well as friends and family. A legal professional was used for only a minority of problems—16% of all legal problems.
- Legal problems were only rarely finalised via formal legal proceedings in a court or tribunal (3%) or via formal dispute resolution or complaint-handling processes (3%).
- Taking no action to resolve legal problems was more prevalent among some disadvantaged groups including people with a non-English main language, people with low education levels and the unemployed.
- People taking no action achieved the poorest outcomes

A holistic approach to justice

The LAW Survey shows there is considerable diversity in how people experience, handle and try to resolve legal problems. Some people experience many legal problems while others are more resilient. Some know what steps to take to address these problems, while others require considerable guidance and assistance.

Importantly, the survey demonstrates that access to justice for disadvantaged people must remain a priority. The research concludes that no single strategy will successfully achieve justice for all people. It calls for a 'holistic' approach to justice, comprising multiple, integrated strategies, to cater for the different needs within the community, and suggests tailored, targeted intensive assistance for people with complex legal and non-legal needs.

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Major A2JLN Reports to date

Access to justice background paper (2003)
Access to justice roundtable (2003)
Public consultations report (2003)

Service provider analysis

Data digest: a compendium of service usage data from NSW legal assistance and dispute resolution services, 1999–2002 (2004)
Data Digest Online: set of interactive, online reports allowing the presentation, comparison and mapping of legal assistance data, available to participating agencies through password-protected access

Quantitative surveys

Bega Valley pilot (2003)
Justice made to measure: NSW legal needs survey in disadvantaged areas (2006)
NSW Legal Needs Survey in disadvantaged areas: Campbelltown (*Justice Issues* Paper 4, 2008)
NSW Legal Needs Survey in disadvantaged areas: Fairfield (*Justice Issues* Paper 5, 2008)
NSW Legal Needs Survey in disadvantaged areas: Nambucca (*Justice Issues* Paper 6, 2008)
NSW Legal Needs Survey in disadvantaged areas: Newcastle (*Justice Issues* Paper 7)
NSW Legal Needs Survey in disadvantaged areas: South Sydney (*Justice Issues* Paper 8, 2008)
NSW Legal Needs Survey in disadvantaged areas: Walgett (*Justice Issues* Paper 9, 2008)
The legal needs of people with different types of chronic illness or disability (*Justice Issues* Paper 11, 2009)
Legal Australia-Wide Survey: legal need in Australia (2012)
Legal Australia-Wide Survey: legal need in New South Wales (2012)
Legal Australia-Wide Survey: legal need in Queensland (2012))
Legal Australia-Wide Survey: legal need in South Australia (2012)
Legal Australia-Wide Survey: legal need in Tasmania (2012)
Legal Australia-Wide Survey: legal need in the Australian Capital Territory (2012)
Legal Australia-Wide Survey: legal need in the Northern Territory (2012
Legal Australia-Wide Survey: legal need in Victoria (2012)
Legal Australia-Wide Survey: legal need in Western Australia (2012)

Qualitative research

The legal needs of older people (2004)
No home, no justice? The legal needs of homeless people (2005)
On the edge of justice: the legal needs of people with a mental illness in NSW (2006)
Taking justice into custody: the legal needs of prisoners (July 2008)
Taking justice into custody: the legal needs of prisoners – summary report (*Justice Issues* Paper 2, 2008)
By the People, for the People? Community participation in law reform (2010)
By the People, for the People? Community participation in law reform – summary report *(Justice Issues* Paper 13, 2011)

Integrated Methods

Pathways to justice: the role of non-legal services (*Justice Issues* Paper 1, 2007)
Fine but not fair: fines and disadvantage (*Justice Issues* Paper 3, 2008)
Cognitive impairment, legal need and access to justice (*Justice Issues* Paper 10, 2009)

New series: *Updating Justice*

This year the Foundation introduced a new series of short papers titled, *Updating Justice*, within which excerpts and new analyses of LAW Survey data would be published. In the 2012–2013, there were 25 papers published in the *Updating Justice* series.

Updating justice

Home is where the heart of legal need is
A working paper on homelessness, disadvantaged housing and the experience of legal problems

Christine Coumarelos and Julie People

Updating justice

Concentrating disadvantage: a working paper on heightened vulnerability to multiple legal problems

Hugh M. McDonald & Zhigang Wei

Release date	Issue No.	Excerpts/ New analyses	Title
Oct-12	1	Excerpt	Prevalence of legal problems in Australia
Oct-12	2	Excerpt	Adverse consequences of legal problems in Australia
Oct-12	3	Excerpt	Taking no action: unmet legal need in Australia?
Oct-12	4	Excerpt	Prevalence of legal problems in New South Wales
Oct-12	5	Excerpt	Adverse consequences of legal problems in New South Wales
Oct-12	6	Excerpt	Taking no action: unmet legal need in New South Wales?
Oct-12	7	Excerpt	Prevalence of legal problems in Victoria
Oct-12	8	Excerpt	Adverse consequences of legal problems in Victoria
Oct-12	9	Excerpt	Taking no action: unmet legal need in Victoria?
Oct-12	10	Excerpt	Prevalence of legal problems in Queensland
Oct-12	11	Excerpt	Adverse consequences of legal problems in Queensland
Oct-12	12	Excerpt	Taking no action: unmet legal need in Queensland?
Oct-12	13	Excerpt	Prevalence of legal problems in the ACT
Oct-12	14	Excerpt	Adverse consequences of legal problems in the ACT
Oct-12	15	Excerpt	Taking no action: unmet legal need in the ACT?
Nov-12	16	Excerpt	Legal needs of people with a disability in Australia
Dec-12	17	Excerpt	Awareness of not-for-profit legal services in Australia
Jan-13	18	Excerpt	Legal needs of single parents in New South Wales
Feb-13	19	Excerpt	How are legal problems finalised in Australia?
Feb-13	20	Excerpt	Legal needs of unemployed people in Australia
Mar-13	21	Excerpt	Seeking formal advice for legal problems in New South Wales
Apr-13	22	New analyses	Law and disorders: illness/disability and the experience of everyday problems involving the law — a working paper
Apr-13	23	New analyses	Home is where the heart of legal need is: a working paper on homelessness, disadvantaged housing and the experience of legal problems
May-13	24	New analyses	Concentrating disadvantage: a working paper on heightened vulnerability to multiple legal problems
May-13	25	Excerpt	Legal needs of Indigenous people in Australia

Communicating results

We communicate the results of our research through a number of strategies, including:

- publishing and disseminating full research reports in hardcopy and on our website
- publishing short papers, summary papers and excerpts of research reports (e.g. *Updating Justice* series) to make our research output as accessible as possible
- publishing regular email research alerts drawing attention to our research findings
- making all of the information readily accessible via our search engine, Just Search, which allows searchers to browse all reports, browse by disadvantaged group or search by keyword
- conducting targeted presentations to key stakeholders and organisations
- presenting results at conferences
- conducting fresh analysis and using this data to answer ad hoc questions from key organisations.

Strategy 1.2: Respond to emerging access to justice issues in NSW

Recruitment and retention of lawyers in regional NSW

In September 2010, the Foundation released its report *Recruitment and retention of lawyers in regional, rural and remote New South Wales*. A presentation by the authors Michael Cain and Suzie Forell to the first National Rural Regional Law and Justice Conference 2010 was published as an article in the *Deakin Law Review*, vol. 16 no. 1, 2011.

In June 2011, the Foundation received funding from the Commonwealth Attorney-General's Department to undertake a follow up study on the recruitment and retention of lawyers in remote, rural and regional NSW. The purpose of this second study was to build upon the work of the first 'RRR' lawyers study in identifying which areas of NSW are most affected by difficulties in recruiting and retaining lawyers providing public legal assistance services, and to explore the differing characteristics of these areas. In addition, this second study aimed to:

- identify changes over time in the nature of recruitment and retention problems experienced by different areas
- identify reasons for the escalation or diminution of problems in particular areas of NSW
- explore the impact of general population decline on lawyer availability in RRR NSW.

The draft report was completed in mid-2013 and provided to the Commonwealth Attorney-General's Department. The final report is expected to be published in late 2013/early 2014.

Requests for legal needs information

The A2JLN program continues to build a significant and well-regarded body of knowledge about the legal and access to justice needs of the community. Where resources allow, the Foundation endeavours to provide data and analysis in response to enquiries from the legal sector. Examples of the data we provided this year include:

- data from the LAW Survey to SACOSS to address a scoping study on the potential need and operation of a Consumer Credit Legal Service in South Australia
- data for the regular Cooperative Legal Service Delivery meetings to assist with their strategic and on-going planning.

Information analysis and external consultation

In addition to our formal program of identifying access to justice and legal needs, the Foundation continually monitors activity across the sector by:

- tracking relevant literature
- regular stakeholder consultation including regular visits to legal service providers and related organisations across NSW
- attending conferences and workshops
- maintaining relationships with frontline practitioners from government and non-government organisations.

Goal 2 Identify effective reforms, initiatives and programs to address legal needs

While we continue to build a significant and well respected body of knowledge about the legal and access to justice needs of disadvantaged people in NSW, the logical next step is to identify strategies that will meet those needs.

In 2012–2013, the Foundation continued its investigation of 'what works', with the aim of providing the legal assistance sector with high quality research and evaluation evidence regarding what is effective in addressing legal needs in the community, to support and inform their policy development, planning and operations.

While resources remain limited, we needed to expand our approaches to learn from what has been done in the past, to build upon the existing evidence base and to contribute to the development of an evaluation culture into the future.

Strategy 2.1: Critically examine key concepts and strategies and their application to the public legal assistance context

Key concepts

A number of key concepts underpin much of the literature and discussion about strategies and initiatives to effectively address legal needs. Concepts such as 'effectiveness', 'prevention' and 'early intervention' can be understood and operationalised in diverse ways and to date there is not a consistency in understanding of these concepts across the legal assistance sector.

Effectiveness

'Effectiveness of public legal assistance services: a discussion paper', Justice Issues Paper 16

This paper was published in October 2012 and explored fundamental questions regarding what is 'effective' in the public and community legal assistance sector, how it is currently measured, and future options and opportunities.

The paper contends that, in the context of evaluating legal assistance services, effectiveness refers to a causal link between an activity and an outcome. The paper then examines what this means for the evaluation of outcome effectiveness in legal service delivery. It notes that it is only through research designs which allow for precise measurement and isolation of other significant influences on outcomes that effectiveness can be accurately assessed. For this reason, research which involves appropriate sampling and an adequate comparison group will best assess the effectiveness of strategies.

Early intervention

The term 'early intervention' has become increasingly prevalent in the legal assistance services. However, there is less consensus about what it means and how this concept most constructively sits with a focus on service provision to the most disadvantaged. The Foundation is preparing a discussion paper on 'early intervention' to be published in the next financial year.

Strategy 2.2: Identify, assess and report on what is known about the 'effectiveness' of particular strategies

Systematic review

This strategy aims to systematically review existing studies and evaluation reports to identify reforms or models of legal services delivery that effectively address key legal and access to justice needs identified through the A2JLN research program and elsewhere.

To facilitate a consistent and rigorous approach to the literature, the Foundation is further refining a methodology for the systematic review and appraisal of evaluation and research in the legal assistance sector. To date, the Foundation has published:

- 'Legal assistance by video conferencing: what is known?' (*Justice Issues* Paper 15, November 2011)
- 'Outreach legal services to people with complex needs: what works?' (*Justice Issues* Paper 12, October 2009)

The effectiveness of community legal education (CLE)

During the reporting year the Foundation undertook a systematic review of research into the effectiveness of face-to-face CLE. In defining effectiveness in terms of the impact of a strategy on outcomes, over and above any other factors, this review only identified two research papers for inclusion. This was firstly because there are a limited number of evaluations of CLE which focus directly on impact in terms of outcomes, and secondly, as the methodology for doing this type of analysis is very specialised, expensive and difficult to do, limited clear evidence was available. In light of the lack of evidence, to supplement these studies the review also draws

comparative lessons from the literature on the effectiveness of health education, for which there is a greater body of rigorous outcomes research. Some valuable lessons are highlighted in the review.

Due to the limitations highlighted in the systematic review, the Foundation is also preparing a complementary paper on the evaluation of CLE, which aims to provide practical guidance for CLE practitioners. The two reports will be released together in the next financial year.

Methodology discussion paper

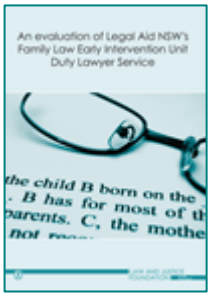
The Foundation is drafting a discussion paper on the application of systematic review methodologies to research in the legal assistance sector. There are significant challenges to the systematic application of these methodologies, in searching for relevant research, in defining, identifying and classifying 'quality' and in usefully synthesising the material for application to practice. This paper is expected to be available in late 2013.

Strategy 2.3: Build the research and evaluation evidence base

The Foundation aims to contribute to the evidence base on what works in legal service delivery, through its own research and evaluation work, often in partnership with others.

Strategic research alliance with Legal Aid NSW

The Foundation has formed a research alliance with Legal Aid NSW in order to build a strategic evidence base for the delivery of legal services to disadvantaged people in NSW. Under this alliance, the research expertise of the Foundation is being used to explore what works in legal service delivery and how best to gauge the effectiveness of different legal assistance strategies in a meaningful and sustainable way. Support is also being provided to Legal Aid NSW to build their internal capacity to integrate evaluation into project planning. The Foundation intends to use the lessons learned in evaluating legal assistance strategies with Legal Aid NSW to contribute to the monitoring and evaluation of legal assistance services more broadly.



Evaluation of the Family Law Early Intervention Unit Duty Lawyer Service

The first major project under the strategic alliance with Legal Aid NSW was the evaluation of the Family Law Early Intervention Unit (EIU) Duty Lawyer Service at Parramatta Family Law Courts. Published in November 2012, the evaluation examined the role and impact of the EIU duty service at the Parramatta Family Law Courts, focusing on the types of clients assisted by the duty service, the types of assistance provided to these clients and the potential impact of different types of assistance on the clients and the court. The report was launched on 5 March 2013 by the Commonwealth Attorney-General, The Hon. Mark Dreyfus QC MP, in the presence of the State Attorney-General, The Hon. Greg Smith SC MP.

Review of Legal Aid NSW outreach legal services

The second major project undertaken by the Foundation as part of the Legal Aid NSW alliance was a review of Legal Aid NSW's outreach legal services. The project was separated into two parts. The first stage of the review, completed in June 2013, provided a statistical overview of existing outreach services at Legal Aid NSW. The report provided data on:

- the number and types of outreach clinics provided by Legal Aid NSW, including their geographic distribution, host agencies and frequency of operation
- the amount, types of and locations of assistance through outreach (compared to in-office assistances) 2010–2012
- the client groups assisted through outreach services.

The second stage of the review, due in October 2013, draws upon the experiences of outreach service providers and partner agencies to inform a planning, monitoring and evaluation framework for outreach legal services more broadly and the ongoing development of best practice for this form of service delivery (Stage 2). This second stage includes a case study of the Mid-North Coast region of NSW.

Research partnerships

The Foundation is involved in research partnerships with various Australian universities on projects aimed at evaluating and learning lessons from existing mechanisms for meeting legal and access to justice needs.

Negotiating by the light of the law (norm forms project)

This study compares the effect of fixed rules and discretionary principles on negotiation in legal disputes. The research entailed a categorisation of rules in terms of the degree of discretion — developed following an extensive literature review — to create simulation experiments for solicitors. The study was published in September 2012.

Strategy 2.4: Promote and support a culture of evaluation and evidence-based practice in the legal assistance sector

The Foundation encourages a culture of evaluation through training provided as part of our research alliance with Legal Aid NSW, our grants program and through the publication of the JARA newsletter (see page 22).

Capacity building: evaluation master classes

Following a first seminar on evaluation for Legal Aid NSW program managers in June 2012, Foundation staff ran two 'Evaluation Master classes' for Legal Aid staff in March 2013. The aim of the evaluation workshops was to guide Legal Aid NSW project and program managers to build evaluation into planning. Legal Aid NSW staff was invited to submit projects to the workshop. Four projects were selected (two per session) and Foundation staff worked with the group to develop evaluation questions and tools, which would inform future decision making about each of these projects.

Support for Grants

Foundation researchers provide some advice and support to grant applicants and recipients on the evaluation of trials or 'pilot' programs through the grants program.

Left: Suzie Forell and Hugh McDonald (Senior Researchers, Law and Justice Foundation of NSW) conducted evaluation workshops for Legal Aid NSW. **Right:** Suzie Forell with Matilda Sbrizzi, Dina Lioumis and Beth Jarman (Legal Aid NSW Early Intervention Unit) at the launch of the Evaluation of the Family Law Early Intervention Unit Duty Lawyer Service report

Goal 3

Improve access to justice through the support and conduct of selected projects, community legal education and referral programs, and the dissemination of data, analysis and information

Strategy 3.1: Support projects – the Grants program

The Foundation's Grants Program supports innovative ideas developed at the community level to improve access to justice.

Over the past year the Grants Program attracted applications seeking funding to address issues concerning a wide range of need for legal information and early intervention. These grants will result in the delivery of new services, the production of legal information and community legal education resources and the provision of other support to a range of audiences.

Grants approved

In 2012–2013 the Foundation approved cash and in-kind grants totalling$168,568.

GENERAL

South Coast Volunteer Court Support Program

Shoalcoast Community Legal Centre
Amount: $30,303.00

PROJECT NEED: The court environment is unfamiliar to many people and is not readily understandable to those unfamiliar with the criminal justice system. Local court list days can often be the first experience of attending court for many people and a time when they need assistance, however, court staff are busy, lawyers are occupied assisting their own clients and the Duty Solicitor is stretched coping with the clients who appear on the day. The Nowra Local Court Users Group identified a need for a court support program that could assist general court users to navigate their way when attending court.

INTENDED OUTCOME: This project will pilot a program of training and ongoing support for adult volunteers who provide information, direction, referral, liaison and support to general court users on list days at Nowra Local Court.

CHILDREN AND YOUNG PEOPLE

Promoting and protecting the legal and human rights of children with cognitive disability by reducing abuse, neglect and exploitation in and around school

Centre for Children and Young People,
Southern Cross University
Amount: $39,984.00

PROJECT NEED: Students with cognitive disability are at particular risk of being victim of a range of bullying behaviours in the school environment. The current rights, legal and policy framework that surrounds children with cognitive disability across school, child protection and disability domains is fragmented and generally not well understood.

INTENDED OUTCOME: A legal, research and policy analysis that will be used to promote law reform and inform policy advocacy, in order to make schools and communities safer and more responsive to the needs of students with cognitive disability. The project will also produce a number of tailored plain language products for parents of and students with disability that provides information about their legal rights in education settings.

HOMELESS

Streetcare Video Project —'Street Voices'

Public Interest Advocacy Centre (PIAC)
Amount: $4,870.00

PROJECT NEED: Despite the numerous projects and programs that exist for those providing services to people who experience homelessness, there is an absence of training products which use the images and voices of people in this group. There is a need for both frontline workers and policy-makers to hear the first-hand narratives of their experiences, their concerns about particular issues related to homelessness and the law, their involvement in consumer participation projects, and how such initiatives have assisted them in restoring dignity and pride.

INTENDED OUTCOME: To develop a series of short, personal films, in which members of the Homeless Persons Legal Service's Consumer Advisory Committee provide narratives of their experiences of being homeless and the events that led to this, their concerns about particular issues related to homelessness and the law.

These films will be used by PIAC in their own training programs and will be available to other organisations which provide services in this area for their own training purposes.

INDIGENOUS AUSTRALIANS

Social security regional CLE and outreach clinic

Welfare Rights Centre (WRC)
Amount: $4,580.00

PROJECT NEED: Through their casework practice, WRC has identified problems that disproportionately affect Aboriginal clients in regional areas. Discussions with service providers in Dubbo, plus their own data, indicated that despite a high level of engagement between Indigenous clients and Centrelink in the region, these clients were not seeking legal advice and assistance when breached for failing to comply with Centrelink rules.

INTENDED OUTCOME: Welfare Rights Centre will conduct targeted legal education sessions for Centrelink clients in Dubbo. Training will also be provided for local service providers such as tenancy services on social security law, the Centrelink appeals process and legal referral pathways. The intention is to increase knowledge about clients' rights and provide a warm referral pathway for clients through their local services to this specialist social security legal service.

LOW INCOME

Your rights and responsibilities legal advice project

Connected Communities Neighbourhood Centre
Amount: $12,659.68

PROJECT NEED: This neighbourhood centre identified a need for legal information and advice about where to find legal help for members of the local community. Many of their clients are newly arrived refugees who are experiencing problems with tenancy, social security and family law matters. Often these clients only seek assistance once the problem has reached crisis point and they are experiencing high levels of confusion and conflict.

INTENDED OUTCOME: A series of community legal education workshops provided by local legal services. The sessions will cover topics such as tenancy, consumer and family law, for people in living in western Newcastle in public and community housing, and newly arrived refugees living in private rental in the area. The information sessions will also provide advice and contacts for legal assistance.

NEWLY ARRIVED

Pro bono legal assistance to recently arrived migrants — a pilot study

Public Interest Law Clearing House (PILCH)
Amount: $44,022.00

PROJECT NEED: In early 2011, PILCH undertook a review of the potential areas of legal need that might be addressed by pro bono legal services. This review identified services for new migrants, in particular humanitarian arrivals, as one of a number of significant areas of unmet legal need. The review recommended the development of a PILCH-coordinated pro bono legal advice service based at a settlement agency.

INTENDED OUTCOME: To design, implement and evaluate a pilot pro bono service addressing the legal needs of recently arrived migrants. The service will test the need for and take-up of services delivered in a range of ways, including advice clinics, community legal education and taking on of more complex matters for ongoing assistance.

OLDER PEOPLE

Protecting people with dementia from financial abuse

Alzheimer's Australia NSW
Amount: $22,150.00

PROJECT NEED: Alzheimer's Australia NSW regularly consults with people living with Alzheimer's disease and other forms of dementia, and their family members. This group expressed a need for improved knowledge about financial abuse of people with dementia and the practical steps that these people, and their carers, can take to minimise the risk of abuse occurring. They also sought information about how to reduce the impact when it does happen and how best to seek legal assistance.

INTENDED OUTCOME: A discussion paper, education sessions and plain language help sheet for people affected by dementia, their carers and service providers, regarding financial abuse of this group and ways to either prevent it or secure legal help when it does happen.

RURAL, REGIONAL AND REMOTE

NACLC Conference 2013

National Association of Community Legal Centres (NACLC)

Amount: $5,000.00

PROJECT NEED: Indigenous workers and those in RRR parts of NSW often have fewer opportunities to access professional development and participate in networking opportunities with workers from other community legal centres.

INTENDED OUTCOME: To assist Indigenous workers and workers from rural, regional and remote areas of NSW to attend the 2013 NACLC conference in Cairns.

Legal Needs Analysis Far South East NSW

Southern Women's Group

Amount: $5,000.00 (in-kind grant)

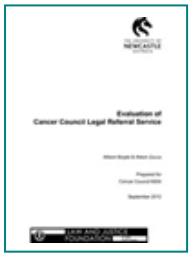
PROJECT NEED: There is anecdotal evidence of unmet and emerging legal needs in the Far South East region of NSW. Members of the Cooperative Legal Services Delivery program in this region sought data for the region that would assist them to review the services that existed and raise awareness about the gaps in service delivery.

INTENDED OUTCOME: A report for the region including an environmental scan, an analysis of data on expressed and unexpressed need and the identification of gaps in service delivery.

Grant products produced in 2012–2013

Evaluation of Cancer Council Legal Referral Service

Cancer Council NSW



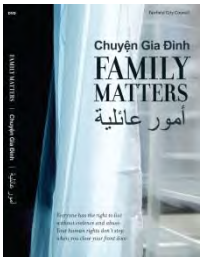
PROJECT NEED: Research conducted by the Law and Justice Foundation of NSW emphasised the fact that chronically ill patients tend to have a higher need for legal support and yet often have a lower rate of having their legal issues resolved. A scoping study conducted by the Cancer Council NSW revealed a strong need for a legal service targeted to cancer patients and their carers as legal problems were identified. As a legal referral service offered through a health promotion service this project offered unique potential to examine a range of issues around referral patterns and outcomes for clients.

OUTCOME: The Foundation provided funding for an independent evaluation of the Cancer Council NSW's Legal Referral Service. This evaluation identified referral patterns into the program, the types of legal matters being referred to participating lawyers, outcomes for clients and recommendations for increasing the program's effectiveness.

CULTURALLY AND LINGUISTICALLY DIVERSE

Family Matters DVD

Fairfield Council



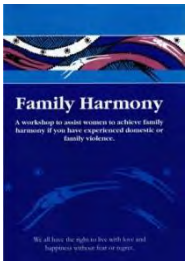
PROJECT NEED: There is evidence of under-reporting of domestic violence within some cultural groups in the Fairfield local government area and the existence of a range of myths and misconceptions about the crime of domestic violence.

OUTCOME: A DVD for Vietnamese and Arabic speaking communities, presented in plain language, which discusses and addresses myths regarding domestic violence. The DVD also explains the criminal justice process, and provides referral information for those seeking further advice and assistance. The DVD is available for use by community workers and lawyers who provide information and services to members of these cultural groups in NSW.

INDIGENOUS AUSTRALIANS/WOMEN

Family Harmony Kit

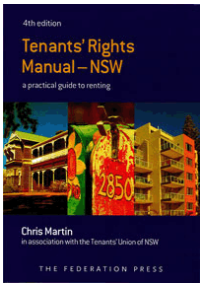
Shoalcoast Community Legal Centre



PROJECT NEED: The Centre had received many requests from Aboriginal women for culturally appropriate and plain language resources which provide information on a range of legal issues including domestic and family violence.

OUTCOME: A kit for lawyers and other frontline workers to use when delivering legal education and information to Indigenous women experiencing, or at risk of, domestic and family violence. The kit contains visual resources explaining the criminal justice process, victims' rights and how to access services for assistance.

LOW INCOME



Tenants' Rights Manual – NSW (4th edition)

Tenants' Union of NSW

PROJECT NEED: The new *Residential Tenancies Act* (2010) commenced on 31 January 2011 and constituted the first major rewrite of tenancy legislation in 20 years. As a result, the third edition of the *Tenants' Rights Manual* was out of date and there was a need for a current, authoritative, plain language guide to NSW tenancy law.

OUTCOME: A new edition of the *Tenants' Rights Manual*, available both in hardcopy and online from the Find Legal Answers website.

HOMELESSNESS

Street Care Video Project – 'Street Voices'

Public Interest Advocacy Centre (PIAC)

PROJECT NEED: Despite the numerous projects and programs that exist for those providing services to people who experience homelessness, there is an absence of training products which use the images and voices of real people who have experienced or are experiencing homelessness, or who are at risk of homelessness. There is a need for both frontline workers and policy makers to hear the first-hand narratives of their experiences, their concerns about particular issues related to homelessness and the law, their involvement in consumer participation projects, and how such initiatives have assisted them by restoring their dignity and pride.

OUTCOME: Seven short, personal films, in which members of the Homeless Persons Legal Service's Consumer Advisory Committee provide narratives of their experiences of being homeless and the events that led to this, and their concerns about particular issues related to homelessness and the law. These films are available on PIAC's YouTube channel and can be used for training purposes.

Grant seekers workshops

The Foundation conducted two workshops for intending grant applicants that provided information on the Grants application process, project development and the range of existing plain language legal products and services that could be of use to those participating. Workshop participants were assisted with identifying practical and achievable aims, developing strategies to achieve their project aim and planning a suitable evaluation strategy. The highlight of the workshops was the Q&A session with people who have previously project managed an initiative funded by the Foundation. In their interviews, people reflected on the lessons they learned in managing a grant funded project and they shared valuable reflections and insights on how to keep a project on track and deliver a successful outcome for the community. While the workshops focus on the Foundation's grants program, they also provide helpful general advice on shaping grant applications and approaching potential funders.

A joint presentation on grant funded project evaluation was provided with the Victoria Law Foundation at the National Community Legal Centres conference in Adelaide in October 2012.

Strategy 3.2: Facilitate legal sector relationships

The Foundation continues to participate in and support the work of the NSW Legal Assistance Forum (NLAF), which promotes collaboration and coordination in the provision of legal services in NSW to socially and economically disadvantaged people. The Foundation provides administrative and operational support to the NLAF Project Manager, who is based at the Foundation's office. Foundation staff also participate in a number of NLAF working groups.

NSW Legal Assistance Forum (NLAF)

The work of NLAF in 2012–2013 has focused on strategies to address recruitment of lawyers in rural, regional and remote communities in NSW, access to legal services for prisoners, housing law issues for socially and economically disadvantaged people, improving access to free employment law services for people at risk of social exclusion, fines and traffic law, and developing a legal sector response to disasters and emergencies in NSW.

Regional, rural and remote (RRR) working group

NLAF completed a stocktake of its strategies to address recruitment and retention of lawyers in RRR areas in accordance with the recommendations arising from the NSW Review of the Legal Assistance Services to the NSW Community. The stocktake outlines the progress made in relation to implementing professional development, mentoring and human resourcing initiatives and further research. NLAF members are also considering ways they use or are planning to use technology to improve access to legal services.

Prisoners Forum

The NLAF Prisoners Forum continues to enjoy a solid working relationship with Corrective Services NSW (CSNSW). Luke Grant, Assistant Commissioner, addressed an NLAF Prisoners Forum and spoke about the restructure of CSNSW and current CSNSW priorities.

The NLAF Prisoners Forum made a submission to the NSW Department of Families and Community Services on the Child Protection Legislative Reform Discussion Paper.

The Prisoners Legal Information Team (PLIT) reviewed and updated the content of the Legal Information Portal. The PLIT monitors traffic to the portal and has noted a steady increase in the use of the Portal by CSNSW staff and inmates.

Employment law services working group

The working group undertook a range of activities this year including mapping the provision of free employment law assistance in NSW and demand for legal services; and developing a briefing paper that sets out various proposed models of service to address demand for employment law services in NSW. Following the winding up of the group, an Employment Lawyers Forum was established which will be convened by PILCH.

NLAF was involved in the establishment of the Unfair Dismissals Project. The Project involves three CLCs, Legal Aid NSW civil lawyers, PILCH and four PILCH member firms. It is aimed at assisting vulnerable workers up to the stage of a conciliation conference.

Fines and traffic law working group

The working group drafted a submission to the Ministerial Taskforce on Aboriginal Affairs suggesting the provision of driver education in schools in RRR areas where there is a significant Aboriginal population, as an incentive to increase school attendance. The working group also provided advice and feedback to the NSW Department of Attorney General and Justice Licence Disqualification Working Party about practical and workable options for licensing non-licensed drivers. The working group made a written submission to the NSW Parliamentary Inquiry into Licence Disqualification Reform. Representatives of the working group also appeared and gave evidence before the inquiry.

Legal response to disasters and emergencies working group

NLAF engaged with the Ministry of Police and Emergency Services to discuss formalising the role of Legal Aid NSW and the legal assistance sector in disaster recovery arrangements.

Housing Law Working Group

NLAF established a housing law working group with the aim of providing a platform for organisations in the housing and legal sector to work together in a cooperative and collaborative manner to sustain the tenancies of vulnerable people (particularly people with mental health issues) who are living in social housing but at risk of homelessness.

NLAF undertook a detailed examination of the ways in which Housing NSW currently engages with organisations supporting tenants in social housing. NLAF considered strategies to effectively engage with Housing NSW given the complex structures that are currently in place for engagement and communication with the department.

Strategy 3.3: Community legal education and referral program

Research indicates that a lack of knowledge of the law, legal processes and existing legal assistance services in the community may lead to poor outcomes in resolving legal problems, particularly for those who are socially and economically disadvantaged. Community legal education and referral initiatives have the potential to play a critical role in addressing this need.

Providing advice

The Foundation provides advice about producing high quality plain language legal resources and the provision of targeted community legal education (CLE) for different groups within the community. We work with both legal and non-legal services, and play an important role in connecting non-legal organisations with legal service providers. The Foundation's legal information staff provide advice (where resources allow) to community groups or legal service providers planning to produce a plain language legal resource or develop a CLE program, and can assist with providing information on publishers/producers, user testing and promotion and dissemination of new resources and information services.

Publishing Toolkit

One of the key resources the Foundation makes freely available is the Publishing Toolkit, which can be downloaded from our website.

Plain Language Law database and newsletter

The Foundation maintains a searchable database of plain language legal resources for use by anyone who needs plain language information about the law, whether for themselves or as a service provider/community worker. It also publishes six editions of the Plain Language Law newsletter per year, which is distributed to over 1250 subscribers from a broad range of community, legal and government sectors.

Legal Information and Referral Forum

The NSW Legal Information and Referral Forum (LIRF) is coordinated and hosted by the Foundation. It meets three times a year and brings together key legal service providers who produce plain language legal information and accept and provide referral for clients with legal problems. At meetings this year, speakers have presented on referrals within and across the legal services and mental health sectors for clients with mental health issues, legal capability issues and referral, the evaluation of the Cancer Council NSW's Legal Referral Service, and the introduction of Service NSW and its implications for clients. LIRF members also received a demonstration of the National Association of Community Legal Centres' CLEAR database, which is a repository for information about community legal education projects and plain language products.

Strategy 3.4 Disseminate data, analysis and information to improve access to justice

Collecting, assessing and disseminating information about the justice system is a key component of the Foundation's activities. We communicate the results of our research and other relevant access to justice research, reports and resources through a number of strategies including:

- publishing and disseminating full research reports in hardcopy and on our website
- making the information readily accessible via our free online tools:
  - Just Search, which allows users to browse Foundation reports, browse by disadvantaged group or search for information using keyword searches, and browse items included in the Justice Access Research Alert
  - Plain Language Law search, which allows users to browse items included in the Plain Language Law newsletter
- conducting targeted presentations to key stakeholders and organisations
- presenting results at conferences
- conducting fresh analysis and using this data to answer ad hoc questions from key organisations
- conducting the annual Justice Awards

Justice Access Research Alert

The Foundation's bi-monthly Justice Access Research Alert (JARA) e-newsletter continued to keep more than 600 subscribers up to date with the latest research on access to justice. All resources listed in JARA since its inception in 2004 are catalogued in Just Search.

2012 Justice Awards

The 2012 Justice Awards were celebrated on 31 October 2012 at a dinner at Parliament House, with over 330 guests attending the event.

Overall, 44 nominations were received in the seven award categories presented on the evening: the Justice Medal, the Aboriginal Justice Award, the Pro Bono Partnership Award, the Law and Justice Volunteer Award, the Community Legal Centres NSW Award, the Law Society President's Award and the LIAC Centre of Excellence Award.

This year the Law and Justice Address was delivered by Father Frank Brennan SJ AO, whose speech discussed law and justice in the context of children who have been sexually abused by members of the Church, Indigenous Australians, asylum seekers and the absence of a human rights act in Australia.

Justice Medal

Sponsored by the Law and Justice Foundation NSW, the Justice Medal is the pre-eminent Award for outstanding individual achievement in improving access to justice, especially for socially and economically disadvantaged people. The Chair of the Foundation, The Hon Paul Stein AM QC, presented the Justice Medal to Ms Theodora Ahilas. Ms Ahilas was awarded the Justice Medal for her achievements in improving access to justice for victims of asbestos/dust disease and their families. Ms Ahilas is a specialist in this area of law, and she is known for her extraordinary compassion and commitment to supporting the families of clients as they deal with the psychological scars of sudden and dreadful diagnosis and death.

Aboriginal Justice Award

Sponsored by the NSW Attorney General's Department and presented to an Aboriginal person, or a group of Aboriginal people, demonstrating outstanding commitment to improving access to justice for Aboriginal people in NSW. The Hon. Greg Smith SC MP, NSW Attorney General, presented the Award to Linden McGrady, in recognition of his work with the Clontarf Foundation in Moree. In dealing with at-risk youth, Linden has been described as 'an ambassador for intervention and support'. He was recognised for his commitment to diverting vulnerable youth away from the juvenile justice system by mentoring them and engaging them in sporting programs.

Pro Bono Partnership Award

Sponsored by the National Pro Bono Resource Centre, this award is presented to a partnership between private law firms, community organisations and/or community legal centres in NSW that has developed an outstanding pro bono legal assistance relationship, resulting in improved access to justice for disadvantaged people in the community. This year the Award was presented to the 20 year partnership between Kingsford Legal Centre and Freehills Foundation (part of Herbert Smith Freehills). This partnership has modelled pro bono services to future generations of lawyers, delivered long term benefits to Kingsford Legal Centre in their provision of clinical legal education and services to disadvantaged clients, and set a benchmark for the evolution of pro bono work over the past twenty years.

Law and Justice Volunteer Award

Sponsored by The New South Wales Bar Association and presented to an individual, or a group of individuals, who, in a voluntary capacity, demonstrate outstanding commitment to improving access to justice in NSW, the Award was presented to Elizabeth Gilmore. Ms Gilmore has volunteered at Penrith Court for 11 years as part of the Community Restorative Centre's court support program. Each month Elizabeth assists hundreds of people attending Penrith Court, helping them to navigate their way through what can be a complex and intimidating environment.

Law Society President's Award

Sponsored by The Law Society of New South Wales and presented to an individual solicitor for participation in the Law Society's Pro Bono Scheme, this award recognised the outstanding commitment to pro bono work by Manny Conditsis, from Conditsis & Associates Lawyers.

Community Legal Centres NSW Award

Sponsored by the Community Legal Centres NSW, this year the award was presented to a NSW community legal centre for a project that has demonstrated outstanding commitment to improving access to justice in NSW. This year's Award was presented to the Central Coast Community Legal Centre for their project, Central Coast Domestic Violence Legal Outreach Project. The Women's Legal Services NSW also received a 'Highly Commended' Award for their project, Safe in Our Place.

LIAC Centre of Excellence Award

Sponsored by the Legal Information Access Centre (LIAC), the Centre of Excellence Award recognises innovative and creative projects that increase community awareness of and access to LIAC. Port Stephens Library and Tamworth City Library were presented this Award for showcasing LIAC services and increasing the use of their library's legal resources.

Top: 2013 Justice Awards Winners. Second row from left: The Hon. Paul Stein AM QC with Theodora Ahilas, 2013 Justice Medal winner; The Hon. Greg Smith SC, Attorney General NSW (right) with Linden McGrady (left), 2013 Aboriginal Justice Award winner. Third row from left: Anna Cody, Director Kingsford Legal Centre (left) and Annette Bain (right), Pro Bono Partner, Herbert Smith Freehills, 2013 Pro Bono Partnership Award winners with John Corker, CEO National Pro Bono Resource Centre; (right) Garry McGrath SC, Senior Member, NSW Bar Association with Elizabeth Gilmore, 2013 Law and Justice Volunteer Award winner.

Communicating Foundation work

Conferences and presentations

The Director and staff are regularly invited to present on the Foundation's work. Invitations this year included:

- Presentation of papers at the Legal Services Research Centre conference in Oxford, England, 12–14 September 2012. Christine Coumarelos presented a paper, 'Insights into legal need from the Legal Australia-Wide Survey' and Hugh McDonald presented a paper, 'Law reform capability — community participation in law reform in NSW, Australia'
- Presentation on LAW Survey findings to the Management Committee of the National Association of Community Legal Centres, 8 November 2012, Hugh McDonald and Geoff Mulherin
- Presentation on the LAW Survey Queensland findings to the Queensland Legal Assistance Forum, Brisbane, 15 November 2012, Hugh McDonald and Geoff Mulherin
- Presentation of the paper, 'Law and disorders: physical and psychiatric morbidity and disability and the experience of everyday problems involving the law' to the Advocacy Health Alliances Symposium in Melbourne, 16 November 2012, Christine Coumarelos, Pascoe Pleasence and Zhigang Wei
- Presentation of the findings of the Family EIU duty lawyer scheme evaluation report to the Legal Aid NSW Executive Team, 27 November 2012, Suzie Forell
- Presentation of the findings of the LAW Survey at the Tackling Complex Needs: An Inter-disciplinary Exploration Conference, UNSW, Sydney, December 2012, Deborah Macourt
- Presentation of the paper, 'Community justice – does it work?' at the Applied Research in Crime and Justice Conference, Sydney, February 2013, Catriona Mirrlees-Black
- Presentation and discussion of the LAW Survey NSW findings at the Community Legal Centres NSW Quarterly meeting, 20 February 2013, Deborah Macourt and Geoff Mulherin
- Presentation on LAW Survey findings to the Commonwealth Attorney-General's department, Canberra, 21 February 2013, Christine Coumarelos, Pascoe Pleasence and Geoff Mulherin
- Evaluation Master class at Legal Aid NSW, 13 March 2013, Suzie Forell and Hugh McDonald
- Presentation on 'An international perspective on legal needs surveys' to the visiting Beijing Zhicheng Legal Aid Organisation, 14 March 2013, Zhigang Wei and Geoff Mulherin
- Presentation of papers at the National Access to Justice and Pro Bono Conference, Melbourne, 22 March 2013. Pascoe Pleasence presented a paper, 'Meeting legal need: strategies and challenges from the LAW Survey' and Geoff Mulherin presented a paper, 'Identifying unmet legal need: themes from legal need surveys'
- Presentations on various topics at the Canadian Bar Association's Envisioning Equal Justice Summit in Canada, 25–27 April 2013. Geoff Mulherin presented on the topics, 'Building Capacity and Creating an Environment for Innovation', 'Measuring effectiveness of access to justice initiatives, and 'Towards a National Access to Justice Research Strategy'
- Presentation on the LAW Survey findings to the King &Wood Mallesons Pro Bono Committee, Sydney, 22 May 2013, Geoff Mulherin

Participation on boards, trusts and committees

Throughout the year staff actively promote the Foundation's work through their participation on steering groups and community legal networks.

- Community Legal Education Workers Forum, Jane Kenny
- Commonwealth Attorney-General's Evidence-base for the Civil Justice System Working Group, Geoff Mulherin
- Law Society of NSW, Pro Bono Disbursements Fund, Geoff Mulherin (Director)
- Legal Information Access Centre Board, Paul Stein and Geoff Mulherin
- National Legal Assistance Advisory Board (NLAAB), Geoff Mulherin
- NSW Cooperative Legal Services Delivery Program Steering Committee, Jane Kenny
- NSW Legal Assistance Forum (NLAF) Executive, Geoff Mulherin and Jane Kenny
- NLAF Disasters and Emergencies Working Group, Jane Kenny
- NLAF Employment Services Working Group, Jane Kenny
- NLAF Prisoners Legal Information Team, Jane Kenny
- NLAF RRR Working Group, Geoff Mulherin
- NLAF Learning and Development Group, Jane Kenny
- NSW Review of Legal Assistance Services Working Group, Geoff Mulherin
- Philanthropy Australia's Addressing Homelessness Affinity Group, Jane Kenny
- Philanthropy Australia's Indigenous Affinity Group, Jane Kenny
- University of Sydney, Socio-legal Studies Reference Group, Geoff Mulherin

Goal 4 Optimise the capacity and capabilities of the Foundation through cost-effective resource and information management

Strategy 4.1: Develop the information management capabilities of the Foundation

The Foundation continues to implement cost-effective knowledge and information management systems to ensure that we make optimum use of organisational intelligence. Our approach involves:

- prompt reporting by staff of relevant information gathered from attendance at conferences and seminars and from the range of sector engagement activities we undertake
- use of consistent filing systems and taxonomies to ensure that knowledge is easily accessed
- use of integrated databases which allow the Foundation to keep track of expertise in the justice sector and inform relevant people and organisations of our activities
- maintaining a professional library function to support our research, plain language and grant activities.

Information management review

The Foundation recently commissioned an independent review of its information management (IM) systems to help define future directions and strategy. When finalised, this will provide a roadmap for the development of proposed IM solutions, including a business solutions framework and the required capabilities for an effective IM environment.

Archiving project

Following legal advice that the Foundation came under the *State Records Act 1998*, an archiving project was established at the end of 2010 to ensure compliance. Through the project, retention and disposal policy and procedures have been developed, and all files in storage have been reviewed. Copies of the Foundation's publications and grants products are now being prepared for archives. The project is due to be completed by the end of 2013.

Strategy 4.2: Manage resources efficiently and cost-effectively

Responsible and prudent strategic and business planning is central to the Foundation's performance management system.

All operations during the 2012–2013 year conformed to the Business Plan, and were put into operation the first year of the 2012–2015 Strategic Plan.

The Business Plan for 2013–2014 was developed during the 2012–2013 year with the aim of achieving organisational objectives and is aligned with the strategic plan. Planning entailed a review of the achievements and outstanding activities at the end of the previous period and the allocation of realistic timelines and resources for undertaking projects and other work.

Business management

The Board of Governors met regularly over the year, monitoring the Foundation's performance through regular reports against the Business Plan. The Investment Sub-Committee continues to monitor the investment portfolio performance on a quarterly basis and provide reports to the Board. Investments have continued to provide solid returns in line with benchmarks, contributing to the overall financial position. In view of the difficult funding environment, the Foundation's Reserves policy was reviewed and updated to reflect a more flexible approach to holding reserve funds. The Foundation's investment policy was updated to reflect these changes.

Human resource management

Our human resource management is governed by two principles: recruitment, development and retention of high quality staff, and continuous improvement in systems and procedures. We take a flexible approach to the organisational structure to manage changing business imperatives.

Staff training

The Foundation has an active staff learning and development program. The structured training undertaken by Foundation staff in 2012–2013 consisted of courses, visits to other organisations in the sector and attendance at seminars.

Information technology

The Foundation maintains an effective information system with the aim of making IT services reliable and secure to support the Foundation's activities with minimal disruption. Future IT infrastructure upgrades will be considered in light of the forthcoming information management review.

Financial report

Governors' report

The Governors of the Law and Justice Foundation of New South Wales ("the Foundation") submit herewith the annual financial report for the financial year ended 30 June 2013. In order to comply with the provisions of the Law and Justice Foundation Act 2000, the Governors report as follows:

The names of the Governors of the Foundation during or since the financial year are:

- P. Stein
- J. Behrendt
- G. Daley
- S. Moselmane
- G. Mulherin
- K. Rozzoli
- J. Sheahan
- J. Stubbs (appointed 11 Feb 2013)

Principal activities

The Law and Justice Foundation of New South Wales was established under the *Law and Justice Foundation Act 2000* ("Act") as a reconstitution of the Law Foundation of New South Wales.

Pursuant to Section 5 (1) of the Act, the objects of the Foundation are to contribute to the development of a fair and equitable justice system which addresses the legal needs of the community and to improve access to justice by the community (in particular, by economically and socially disadvantaged people).

Pursuant to Section 5 (2) of the Act, the Foundation may do any one or more of the following:

a) conduct and sponsor research (including inter-disciplinary research) into the law, the justice system, alternative dispute resolution and the legal profession,
b) collect, assess and disseminate information about the justice system,
c) conduct and sponsor projects aimed at facilitating access to justice and access to information about the justice system,
d) promote education about the justice system.

The Law and Justice Foundation of New South Wales operates predominantly in the geographical area of New South Wales.

Review of operations

The net surplus for the year ended June 2013 of $523,715 (2012: $20,887) was comprised of an operating deficit of $(189,850) (2012: $(144,797)) and investment returns of $713,565 (2012: $165,684). Although operating revenue decreased by over 10%, a reduction in employment costs resulted in an operating deficit in line with 2012. The major improvement in the overall result for 2013 was due to very strong investment returns. With the composition of the Foundation's investment portfolio largely unchanged for the financial year, the improved returns resulted from above average returns in the Australian and global financial markets.

Change in state of affairs

During the financial year there was no other significant change in the state of affairs of the Law and Justice Foundation of New South Wales other than any referred to in the financial statements or notes thereto.

Subsequent events

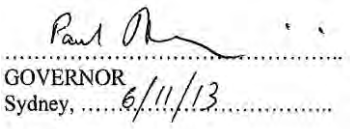
There has not been any matter or circumstance, other than that referred to in the financial report or notes thereto, that has arisen since the end of the financial year, that has significantly affected or may significantly affect, the operations of the Law and Justice Foundation of New South Wales, the results of those operations, or the state of affairs of the Law and Justice Foundation of New South Wales in future financial years.

Indemnification of officers and auditors

During the financial year, the Law and Justice Foundation of New South Wales paid a premium in respect of a contract insuring the Governors of the Foundation (as named above) and all officers of the Law and Justice Foundation of New South Wales and of any related body corporate against a liability incurred as such by a governor or an officer to the extent permitted by the *Law and Justice Foundation Act 2000*. The contract of insurance prohibits the disclosure of the nature of the liability and the amount of the premium.

The Law and Justice Foundation of New South Wales has not otherwise, during or since the financial year, indemnified or agreed to indemnify a governor, officer or auditor of the Law and Justice Foundation of New South Wales or any related body corporate against any liability incurred as such by a governor, officer or auditor.

On behalf of the Board of Governors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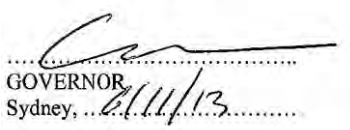
Sydney, 6/11/13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Sydney, 6/11/13

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Independent Auditor's Report to the members of Law and Justice Foundation of New South Wales

We have audited the accompanying financial report, being a special purpose financial report, of the Law and Justice Foundation of New South Wales, which comprises the statement of financial position as at 30 June 2013, the statement of comprehensive income, the statement of cash flows and the statement of changes in equity for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the Governor's declaration as set out on pages 30 to 41.

Governors' Responsibility for the Financial Report

The Governors of the entity are responsible for the preparation and fair presentation of the financial report and have determined that the basis of preparation described in Note 1, is appropriate to meet the financial reporting requirements of the Law and Justice Foundation Act 2000 and is appropriate to meet the needs of the members. The Governor's responsibility also includes such internal control as the Governors determine is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

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

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial report presents fairly, in all material respects, the financial position of the Law and Justice Foundation of New South Wales as at 30 June 2013 and its financial performance for the year then ended in accordance with the financial reporting requirements of the accounting policies as described in Note 1 to the financial statements.

Basis of Accounting and Restriction on Distribution and Use

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist the Law and Justice Foundation of New South Wales to meet the financial reporting requirements of the Law and Justice Foundation Act 2000. As a result, the financial report may not be suitable for another purpose. Our report is intended solely for the members and should not be distributed to or used by parties other than the members.

Deloitte Touche Tohmatsu

DELOITTE TOUCHE TOHMATSU

Gaile Pearce

Gaile Pearce
Partner
Chartered Accountants
Sydney, 12 November 2013

Liability limited by a scheme approved under Professional Standards Legislation.

Member of Deloitte Touche Tohmatsu Limited

Governors' declaration

As detailed in Note 1 to the financial statements, the Law and Justice Foundation of New South Wales is not a reporting entity because in the opinion of the Board of Governors there are unlikely to exist users of the financial report who are unable to command the preparation of the reports tailored so as to satisfy specifically all of their information needs. Accordingly, this 'Special Purpose Financial Report' has been prepared to satisfy the Board of Governors' reporting requirements under the *Law and Justice Foundation Act 2000*.

The Board of Governors declares that:

a) the attached financial statements and notes thereto comply with Accounting Standards to the extent described in Note 1 to the financial statements;

b) the attached financial statements and notes thereto give a true and correct view of the financial position and performance of the Law and Justice Foundation of New South Wales;

c) in the Governors' opinion, the attached financial statement and notes thereto are in accordance with the *Law and Justice Foundation Act 2000*; and

d) in the Governors' opinion, there are reasonable grounds to believe that the Law and Justice Foundation of New South Wales will be able to pay its debts as and when they become due and payable.

On behalf of the Board of Governors

Financial statements

Statement of Comprehensive Income for the Financial Year Ended 30 June 2013

	Note	2013 $	2012 $
Operating revenue	2(a)	2,333,361	2,618,950
Employment related expense		(1,679,168)	(1,937,834)
Consultants and contractor expenses		(51,822)	(19,914)
Premises costs		(233,225)	(224,889)
Depreciation expense	5	(24,468)	(17,559)
Grants and projects costs		(162,174)	(144,745)
Audit fees	15	(27,260)	(26,200)
Justice Awards expenses		(66,004)	(69,547)
Insurance costs		(19,891)	(20,635)
Information technology & related costs		(148,169)	(215,127)
Other expenses from ordinary activities		(111,030)	(87,297)
Operating Surplus / (deficit)		(189,850)	(144,797)
Investment income	2(b)	713,565	165,684
Net Surplus / (deficit) before income tax expense		523,715	20,887
Income tax expense relating to ordinary activities	1(e)	-	-
Total Comprehensive Income for the Year		523,715	20,887

Notes to the financial statements are included on pages 34 to 41

Statement of Financial Position as at 30 June 2013

	Note	2013	2012
		$	$
CURRENT ASSETS			
Cash assets	11(a)	209,677	213,174
Receivables	3	27,850	32,763
Investments	4	5,206,573	4,909,647
Other current assets		40,218	74,949
TOTAL CURRENT ASSETS		5,484,318	5,230,533
NON-CURRENT ASSETS			
Property, plant and equipment	5	31,725	54,895
Other assets		1,053	1,053
TOTAL NON-CURRENT ASSETS		32,778	55,948
TOTAL ASSETS		5,517,096	5,286,481
CURRENT LIABILITIES			
Trade and other payables	6	201,181	199,391
Provisions	7	193,580	169,068
Grants and external projects allocated- not drawn	8	484,397	783,438
TOTAL CURRENT LIABILITIES		879,158	1,151,897
NON-CURRENT LIABILITIES			
Provisions	9	43,709	64,070
TOTAL NON-CURRENT LIABILITIES		43,709	64,070
TOTAL LIABILITIES		922,867	1,215,967
NET ASSETS		4,594,229	4,070,514
EQUITY			
Accumulated surplus		4,594,229	4,070,514
TOTAL EQUITY		4,594,229	4,070,514

Notes to the financial statements are included on pages 34 to 41

Statement of Cash Flows for the Financial Year ended 30 June 2013

	Note	2013 $	2012 $
Cash Flows from Operating Activities			
Receipts from customers and grants		2,014,059	2,471,416
Interest received		4,871	7,612
Payments to suppliers, employees, and grants and projects		(2,442,926)	(2,785,558)
Net Cash from / (used in) Operating Activities	11(b)	(423,996)	(306,530)
Cash Flows from Investing Activities			
Proceeds on sale of investment securities		4,950,000	2,200,000
Payment for investment securities		(4,673,386)	(2,301,726)
Dividends and interest received		145,183	265,590
Proceeds from disposal of fixed assets		-	-
Payment for fixed and other assets		(1,298)	(55,236)
Net Cash generated by Investing Activities		420,499	108,628
NET DECREASE IN CASH HELD		(3,497)	(197,902)
CASH AT BEGINNING OF FINANCIAL YEAR		213,174	411,076
CASH AT END OF FINANCIAL YEAR	11(a)	209,677	213,174

Statement of Changes in Equity for the Financial Year Ended 30 June 2013

	2013 $	2012 $
Opening Balance	4,070,514	4,049,627
Net surplus for the year	523,715	20,887
Closing Balance	4,594,229	4,070,514

Notes to the financial statements are included on pages 34 to 41

1. Summary of accounting policies

Financial reporting framework

The Law and Justice Foundation of New South Wales is not a reporting entity because in the opinion of the Board of Governors, there are unlikely to exist users of the financial report who are unable to command the preparation of reports tailored so as to satisfy specifically all of their information needs. Accordingly, this "Special Purpose Financial Report" has been prepared to satisfy the Governors' reporting requirements under the *Law and Justice Foundation Act 2000*.

The financial report has been prepared in accordance with the *Law and Justice Foundation Act 2000 ("The Act")*, the Accounting Policies described in Note 1 and the disclosure requirements specified by Australian Accounting Standards AASB101 Presentation of Financial Statements, AASB107 Cash Flow Statements, AASB1031 Materiality, AASB108 Accounting Policies Changes in Accounting Estimates and Errors and AASB 1054 Australian Additional Disclosures.

Basis of presentation

The financial report has been prepared on the basis of historical cost and except where stated, does not take into account changing money values or current valuations of non-current assets. Cost is based on the fair values of consideration given in exchange for assets.

Critical accounting judgements

In the application of the entity's accounting policies, management is required to make judgements, estimates and assumptions about carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated assumptions are based on historical experience and other factors that are considered to be relevant. Actual results may differ from these estimates. The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects that period only, or in the period of the revision and future periods if the revision affects both current and future periods.

Adoption of new and revised Accounting Standards

In the current year, the entity has adopted all of the new and revised Standards and Interpretations issued by the Australian Accounting Standards Board (the AASB) that are relevant to its operations and effective for the current annual reporting period.

Significant accounting policies

Accounting policies are selected and applied in a manner which ensures that the resulting financial information satisfies the concepts of relevance and reliability, thereby ensuring that the substance of the underlying transactions or other events is reported.

The following significant accounting policies have been adopted in the preparation and presentation of the financial report:

a) Grant and project expenditure

Grant expenditure in excess of $5,000 requires the approval of, and is at the discretion of, the Board of Governors. Grants of $5,000 or less can be approved by the Director. Those approved in the current financial year are reported as expenses in the Statement of Comprehensive Income, to the extent approved.

Grant and project allocations not drawn at the expiry of the project are, after systematic review by recipients and management, written back to the Statement of Comprehensive Income.

In a minor number of instances, grants are advanced by way of loan. Repayment of the loans is usually considered remote. Notwithstanding the advance of the funds as loans they are nevertheless treated as grants, as described above. If the loans or a portion thereof are repaid, the amounts are brought to account as income in the period in which they are repaid.

b) Income allocation

Grants received from the Public Purpose Fund for general operations have been brought to account as income at a monthly accrual of $150,000. This represents 1/12th of the annual allocation for Law and Justice Foundation of New South Wales core activities which, in the financial year ended 30 June 2013 totalled $1,800,000.

Grants received from the Public Purpose Fund for specific projects are brought to account as income to match expenses as and when they are incurred for the project.

c) Depreciation

Depreciation is provided on leasehold improvements, furniture and fittings and office equipment. Depreciation is calculated on a straight-line basis so as to write off the net cost or other revalued amount of each asset over its expected useful life. Leasehold improvements are depreciated over the period of the lease or estimated useful life, whichever is shorter, using the straight-line method.

The following estimated useful lives are used in the calculation of depreciation:

Leasehold improvements	Term of the lease
Furniture and fittings	10 years
Office equipment	3 years

d) Recoverable amount of non-current assets

Non-current assets are written down to recoverable amount where the carrying value of any non-current assets exceeds recoverable amount. In determining the recoverable amount of non-current assets, the expected net cash flows have not been discounted to their present value.

e) Income tax

The Law and Justice Foundation has been granted exemption from Income Tax under Section 50-55 of the *Income Tax Assessment Act 1997*.

f) Employee entitlements

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave when it is probable that settlement will be required and the amounts are capable of being measured reliably.

Provisions made in respect of wages and salaries, annual leave and long service leave expected to be settled within 12 months, are measured at their nominal values.

Provisions made in respect of long service leave which are not expected to be settled within 12 months are measured as the present value of the estimated future cash outflows to be made by the Law and Justice Foundation of New South Wales in respect of services provided by the employees up to the reporting date.

g) Payables

Trade payables and other accounts payable are recognised when the Foundation becomes obliged to make future payments resulting from the purchase of goods and services.

h) Acquisition of assets

Assets acquired are recorded at the cost of acquisition, being the purchase consideration determined as at the date of acquisition plus costs incidental to the acquisition.

i) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of goods and services tax (GST) except:

i. where the amount of GST incurred is not recoverable from the Australian Taxation Office ("ATO"), it is recognised as part of the cost of acquisition of an asset or as part of an item of expense; or
ii. for receivable and payables which are recognised inclusive of GST.

The net amount of GST recoverable from, or payable to, the ATO is included as part of receivables or payables.

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

j) Receivables

Trade receivables and other receivables are recorded at amounts due less any provision for doubtful debts.

k) Investments

Section 16 of the Act provides that '...the Foundation may invest money held by it in any investment in which a trustee may invest funds in accordance with the *Trustee Act 1925*'. The Foundation's investment policy complies with the Act and, to at least the extent required, the *Trustee Act 1925*.

Given the long-term nature of much of the Foundation's work (2-4 years), and the need from time to time to use more than the annual allocation from the Public Purpose Fund for major projects, the Foundation maintains some reserves. These reserves are invested in accordance with the Foundation's investment policy in a mixture of index funds and managed investment facilities with the aims of maintaining the real value of invested capital and to generate income to supplement the grants received from the Public Purpose Fund to cover any shortfall to expected annual expenditure.

Investments in financial assets are included in the financial statements at fair value at balance sheet date period. Gains and losses on revaluation of investments to fair value are recognised as revenue or expenses respectively in the Statement of Comprehensive Income. Realised and unrealised gains and losses on sale are recognised as revenue or expenses respectively in the Statement of Comprehensive Income. Dividend income is recognised on a receivable basis on the date that shares are quoted ex-dividend. Interest from fixed securities and discount securities is recognised as income on the basis of the accumulated entitlement that would be received on the disposal of the security according to the trading practices accepted by the market for the relevant security. Interest on cash on deposit is recognised in accordance with the terms and conditions which apply to the deposit.

l) Revenue recognition

Sale of Goods and Disposal of Assets
Revenue from the sale of goods and disposal of other assets is recognised when the Foundation has passed control of the goods or other assets to the buyer.

Rendering of Services
Revenue from a contract to provide services is recognised by reference to the stage of completion of the contract.

m) Non-current assets held for sale

Non-current assets classified as held for sale are measured, with certain exceptions, at the lower of carrying amount and fair value less cost to sell. Non-current assets are classified as held for sale if their carrying amount will be recovered principally through a sale transaction rather than through continuing use. This conduct is regarded as met only when the asset is available for immediate sale in its present condition subject only to terms that are usual and customary for such a sale and the sale is highly probable. The sale of the asset must be expected to be completed within one year from the date of classification, except in the circumstances where sale is delayed by events or circumstances outside the Foundation's control and the Foundation remains committed to a sale.

n) Leased assets

Operating lease payments are recognised as an expense on a basis which reflects the pattern in which economic benefits from the leased asset are consumed.

o) Going concern

The financial report for the year ended 30 June 2013 has been prepared on the basis that the Law and Justice Foundation of New South Wales is a going concern, which assumes continuity of normal business activities and the realisation of assets and the settlement of liabilities in the ordinary course of business. The appropriateness of adopting a going concern basis of accounting is largely dependent upon the continuation of allocations from the Public Purpose Fund. It is expected that these allocations will continue in the short term. The Board of Governors expect the Public Purpose Fund to provide funding for an additional year from July 2014. The Law and Justice Foundation of NSW also has an accumulated surplus of $4,594,229 as at 30 June 2013, which will allow the organisation to continue its normal business activity and settle their liabilities as they fall due, for a period of not less than 12 months from the date this financial report is signed. Based on this, the Board of Governors are satisfied that the adoption of the going concern basis of accounting is appropriate.

p) Comparative information

Where necessary comparative amounts have been reclassified and repositioned for consistency with the current year accounting policy and disclosures. Further details on the nature and reason for the amounts that have been reclassified and repositioned for consistency with the current year accounting policy and disclosures, where considered material, are referred to separately in the financial statements or notes thereto.

2. Revenue

		2013 $	2012 $
(a)	**Operating Revenue**		
	Public Purpose Fund – recurrent funding	1,800,000	2,101,250
	Public Purpose Fund – Other Projects	261,022	365,762
	Other project funding	186,136	47,903
	Sales revenue: Sale of goods	273	368
	Rendering of services:		
	Justice Awards	54,225	45,818
	Other	25,459	25,360
	Interest revenue: Other financial assets	4,871	7,612
	Royalties	1,375	24,877
	Total Operating Revenue	2,333,361	2,618,950
(b)	**Investment Income**		
	Dividends and interest on investments	140,025	266,523
	Profit / (Loss) on sale of investments	359,952	(5,504)
	Unrealised gain / (loss) arising from the revaluation of current assets - investments	213,588	(95,335)
	Total Investment Income	713,565	165,684

3. Receivables

Trade debtors	10,945	8,635
Refund of imputation credits	9,639	14,797
Other receivables	7,266	9,331
	27,850	32,763

4. Investments

Managed investment portfolio - cash facilities	2,783,511	375,653
Managed investment portfolios	1,218,432	3,002,299
Managed index funds	1,204,630	1,531,695
	5,206,573	4,909,647

5. Property, plant and equipment

	Leasehold Improvements $	Furniture & Fittings $	Office Equipment $	Total $
Gross Carrying Value				
Balance as at 01 July 2012	333,116	85,988	246,075	665,179
Additions	-	-	1,298	1,298
Transfers	-	-	-	-
Write offs	-	-	-	-
Disposals	-	-	(45,287)	(45,287)
Balance as at 30 June 2013	**333,116**	**85,988**	**202,086**	**621,190**
Accumulated Depreciation				
Balance as at 01 July 2012	(328,253)	(81,328)	(200,703)	(610,284)
Depreciation Expense	(2,161)	(1,479)	(20,828)	(24,468)
Transfers	-	-	-	-
Write offs	-	-	-	-
Disposals	-	-	45,287	45,287
Balance as at 30 June 2013	**(330,414)**	**(82,807)**	**(176,244)**	**(589,465)**
As at 30 June 2012	4,863	4,660	45,372	54,895
As at 30 June 2013	**2,702**	**3,181**	**25,842**	**31,725**

Aggregate depreciation allocated, whether recognised as an expense or capitalised as part of the carrying amount of other assets during the year:

	2013 $	2012 $
Leasehold improvements	2,161	1,637
Office furniture & fittings	1,479	1,600
Office equipment	20,828	14,322
	24,468	17,559

6. Trade and other payables

Trade payables	138,115	136,841
Other payables	16,750	34,713
Accrued wages & salaries (note 10)	46,316	27,837
	201,181	199,391

7. Current provisions

Provision for annual leave (note 10)	113,964	134,853
Provision for long service leave (note 10)	79,616	34,215
	193,580	169,068

8. Grants and external projects not drawn

	2013 $	2012 $
Grants	190,918	167,801
External projects	247,610	569,768
Tied grants payable	45,869	45,869
	484,397	783,438

9. Non-current provisions

Provision for long service leave (note 10)	43,709	64,070

10. Employee benefits

The aggregate employee benefit liability recognised and included in the financial statements is as follows:

Provision for employee benefits:		
Current (note 7)	193,580	169,068
Non-current (note 9)	43,709	64,070
Accrued wages and salaries (note 6)	46,316	27,837
	283,605	260,975

11. Notes to the Statement of Cash Flows

(a) Reconciliation of Cash

For the purposes of the Statement of Cash Flows, cash includes cash on hand and in banks. Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Balance Sheet as follows: 209,677 213,174

(b) Reconciliation of Net Surplus to Net Cash Flows from Operating Activities

Net Surplus	523,715	20,887
Depreciation of non-current assets	24,468	17,559
Net unrealised (gain) / loss arising from the revaluation of investments	(213,588)	95,335
(Profit) / Loss on sale of investments	(359,952)	5,504
Dividends and interest received	(140,025)	(266,523)
(Increase)/Decrease in assets		
Receivables	(245)	4,112
Other current assets	34,731	(19,027)
Increase/(Decrease) in liabilities		
Payables	1,790	26,295
Provision current	24,512	20,120
Provision non current	(20,361)	16,287
Grant and projects allocated - not drawn	(299,041)	(227,079)
Net Cash from/(used) in Operating Activities	(423,996)	(306,530)

12. Financial instruments

a) Significant accounting policies

Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which revenues and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument are disclosed in Note 1 to the financial statements.

b) Credit Risk Exposures

Credit risk refers to the risk that a counter party will default on its contractual obligations resulting in financial loss to the Foundation. The Foundation has adopted the policy of only dealing with creditworthy counter parties and obtaining sufficient collateral or other security where appropriate, as a means of mitigating the risk of financial loss from defaults. The Foundation measures credit risk on a fair value basis.

The carrying amount of financial assets recorded in the financial statements, net of any provisions for losses, represents the Foundation's maximum exposure to credit risk without taking into account the value of any collateral or other security obtained.

c) Interest Rate Risk Exposures

The Foundation's exposure to interest rate risk and the effective weighted average interest rate by maturity periods is set out in the following table. For interest rates applicable to each class of asset or liability, refer to individual notes to the financial statements.

Exposures arise predominantly from assets and liabilities bearing variable interest rates as the consolidated entity intends to hold fixed rate assets and liabilities to maturity.

2013	Average Interest Rate	Fixed Interest Rate Maturity	Variable Interest Rate	Non-interest Bearing $	Consolidated Total $
Financial assets					
Cash and deposits	3.00%	-	209,677	-	209,677
Receivables	-	-	-	27,850	27,850
Other current assets	-	-	-	40,218	40,218
Investments	-	-	-	5,206,573	5,206,573
Total		-	209,677	5,274,641	5,484,318
Financial liabilities					
Trade creditors & other payables	-	-	-	201,181	201,181
Total		-	-	201,181	201,181
Net financial assets		-	209,677	5,073,460	5,283,137

2012	Average Interest Rate	Fixed Interest Rate Maturity	Variable Interest Rate	Non-interest Bearing	Consolidated Total
Financial assets					
Cash and deposits	4.25%	-	213,174	-	213,174
Receivables	-	-	-	32,763	32,763
Other current assets	-	-	-	74,949	74,949
Investments	-	-	-	4,909,647	4,909,647
Total		-	213,174	5,017,359	5,230,533
Financial liabilities					
Trade creditors & other payables	-	-	-	199,391	199,391
Total		-	-	199,391	199,391
Net financial assets		-	213,174	4,817,968	5,031,142

13. General

The Law and Justice Foundation of New South Wales was established under the *Law and Justice Foundation Act 2000*, to contribute to the development of a fair and equitable justice system which addresses the legal needs of the community and to improve access to justice by the community; and to conduct and sponsor research with the law, the legal system, law reform and other similar activities pursuant to Section 5 of the said Act. The Law and Justice Foundation of New South Wales operates predominantly in the geographical area of New South Wales.

14. Economic dependency

The Law and Justice Foundation of New South Wales is dependent on allocations from the Public Purpose Fund. It is expected that these allocations will continue in the short term, until the current annual agreement ceases in June 2014. The Board of Governors expect the Public Purpose Fund to provide funding for an additional year from July 2014. The Law and Justice Foundation of NSW also has an accumulated surplus of $4,594,229 as at 30 June 2013, which will allow the organisation to continue its normal business activity and settle their liabilities as they fall due, for a period of not less than 12 months from the date this financial report is approved.

15. Remuneration of auditors

	2013	2012
	$	$
Auditing the financial report	27,260	26,200

16. Employees

Number of employees at end of financial year	21	22

17. Commitments for expenditure

Non-cancellable operating lease payments:		
Not longer than one year	216,241	200,458
Longer than one year and not longer than five years	17,806	219,502
Longer than five years	-	-
	234,047	419,960

The Foundation currently leases office space in Pitt St Sydney. The current lease commenced on 15 July 2009 and expires in July 2014 with an option to extend for a further five years.

18. Subsequent event

There has not been any matter or circumstance, other than that referred to in the financial report or notes thereto, that has arisen since the end of the financial year, that has significantly affected or may significantly affect, the operations of the Law and Justice Foundation of New South Wales, the results of those operations, or the state of affairs of the Law and Justice Foundation of New South Wales in future financial years.

19. Additional organisation information

Principal Place of Business
Level 14, 130 Pitt St
SYDNEY NSW 2000
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Acknowledgements

The Law and Justice Foundation of NSW acknowledges and thanks the many people and organisations who support our work by commenting on grant applications, serving on committees, reviewing draft publications, providing advice or contributing to specific Foundation programs and supporting the annual Justice Awards.

Organisations

Ashurst
Chalk & Fitzgerald
Clayton Utz
Community Legal Centres NSW Inc
Commonwealth Attorney-General's Department
Consumer Credit Legal Centre NSW
Department of Attorney General and Justice NSW
Gilbert + Tobin
Herbert Smith Freehills
LawAccess NSW
Law Society of NSW
Legal Aid Commission of ACT
Legal Aid Commission of QLD
Legal Aid Commission of TAS
Legal Aid Commission of WA
Legal Aid NSW
Legal Information Access Centre
Legal Services Commission of SA
Legal Services Research Centre, UK
Mental Health Review Tribunal NSW
Minter Ellison
National Pro Bono Resource Centre
NSW Bar Association
Northern Territory Legal Aid Commission
Seven Wentworth
State Library of NSW

Individuals

Mr Tod Adams, Respiratory Nurse Consultant, Shoalhaven Hospital
Mr Brad Addison, Manager, Riverina Anglicare
Mr Ray Araullo, Royal North Shore Hospital
Mr Lloyd Atkinson, Vice Chair, Tirkandi Inaburra Cultural Development Centre
Ms Robyn Ayres, Executive Director, Arts Law Centre
Ms Barbara Baker, Acting Registrar, Dust and Diseases Tribunal NSW
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Ms Jenny Bargen, Lecturer, Faculty of Law, University of Sydney
Mr Tony Barnden, Manager, Blacktown City Council
Ms Michelle Baumgartner, Manager & Outreach Worker, Elandra Women & Children's Services
Mr Simon Benson,16 Wardell Chambers
Mr John Berg, Senior Executive Lawyer, Australian Government Solicitor
Mr Ricky Binge, Indigenous Caseworker, Gurehlgam Corporation
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Mr Stephen Blanks, Director, NSW Council of Civil Liberties
Mr Paul Borls, Librarian, Campsie Library
Ms Natalie Bradshaw, Solicitor, Redfern Legal Centre
Ms Beverley Bryant, Social Worker, Bega Valley Oncology-Haematology Service
The Hon. Linda Burney MP, Member for Canterbury
Ms Patricia Ceminara, Chairperson, Tirkandi Inaburra Cultural Development Centre
Mr Andrew Chalk, Managing Partner, Chalk & Fitzgerald
Ms Diana Chang, Partner, Clifford Chance
Ms Alexandra Chappell, Sydney University Law Society
Mr Terry Chenery, [former] CEO, Hunter Aboriginal Children's Services
Ms Stephanie Chia, Registrar, Dust and Diseases Tribunal NSW
Mr Richard Christie, Christie Law
Ms Alison Churchill, CEO, Community Restorative Centre NSW
Major Dean Clarke, Salvation Army
Mr Jay Clowes, Director, Fishburn Watson O'Brien
Aunty Marilyn Cochrane
Assoc. Professor Anna Cody, Director, Kingsford Legal Centre
Mr Graeme Corbett, Registrar, Toronto Court
Mr John Corker, Director, National Pro Bono Resource Cente
Mr Jay Court, Associate Producer, Essential Media and Entertainment
Mr Daniel Creasey, Asia Pacific Pro Bono Manager, DLA Piper
Mr Chris Cunneen, Faculty of Law, Business & Creative Arts, Cairns Institute, James Cook University
Ms Mariette Curcuruto, [former] Solicitor, Far West Community Legal Service
Ms Mary Cusumano, Homicide Victims Support Group
Ms Lisa D'Ambra, President, Immigration and Advice Rights Centre
Ms Lynne Dalton, CEO, Volunteering NSW
Mr Ian Day, CEO, Council on the Ageing NSW
Mr Brian Dennison, Regional Coordinator, NSW Department of Attorney General and Justice
Mr Bill Dickens, Solicitor in Charge, Legal Aid NSW – Dubbo
Ms Mieke Dixon, Lawyer, Australian Government Solicitor
Mr Chris Dodds, Senior Policy Officer, Energy & Water Ombudsman NSW
Mr Thomas Dornan, Assistant Manager Policy and Service Delivery, Victims Services, NSW Department of Attorney General and Justice NSW
Mrs Ann Doughan, Founder, Hawkesbury Cancer Support Group
Mr Justin Dowd, [2012] President, Law Society of NSW
Mr Adam Drummond, Ignite Mentor Program
Mr Wally El-Guindy, Classification Manager, Corrective Services NSW
Ms Julianne Evans, Director, LawAccess NSW

Ms Delwyn Everard, Senior Solicitor, Arts Law Centre

Mr Andrew Ferguson, Hurstville Local Area Command, NSW Police Force

Ms Holly Fingland, Activism Support Coordinator, Amnesty International Australia

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Ms Sally Gillam, Department of Education and Communities NSW

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Ms Denise Heydon, Corrective Services NSW

Ms Kim Hobbs, Westmead Hospital

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Ms Margaret Jones, Volunteer, Redfern Legal Centre

Ms Michelle Jones, Manager, Women's Domestic Violence Case Assistance Program

Commissioner Nick Kaldas APM, NSW Police Force

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Ms Brenda Kerry, Housing Communities Officer, Wagga City Council

Mr Steve Kinmond, Deputy Ombudsman, NSW Ombudsman

Mr Alan Kirkland

Mr Michael Knock, Registrar, Lismore Local Court

Lt. Col. Peter Law, Salvation Army

Mr John Laycock, Homicide Victims Support Group

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Mr Bob Martin

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Mr Tim Owen, MP, Member for Newcastle

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Mr Glen Plowright, Juniperina Juvenile Justice Centre

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Mr Dennis Purcell, Senior Vice President, Wagga Brothers RLFC

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Ms Laurel Russ, Manager, Aboriginal Unit, NSW Ombudsman

Ms Jane Sanders, Director, The Shopfront Youth Legal Centre

Mr Edward Santow, CEO, Public Interest Advocacy Centre

Mr Adam Schreiber, Manager Offender Services and Programs, Nunyara – Community Offenders

Mr Malcolm Schyvens, President, NSW Guardianship Tribunal

Mr Peter Severin, Commissioner, Corrective Services NSW

Mr Peter Shiels, Chief Registrar, Penrith Court

Mr Jim Simpson, Senior Advocate, NSW Council for Intellectual Disability

Mr Rod Smith, Crime Manager, Wagga Wagga Local Area Command

Ms Susan Smith, Coordinator, Sydney Women's Domestic Violence Court Advocacy Service

Ms Linda Steele, Lecturer, Faculty of Law, University of Sydney

Mr Rod Stowe, Commissioner, NSW Office of Fair Trading

Ms Wendy Strathdee, Jack Shand Chambers

Ms Jeanette Suttie OAM

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Ms Jennifer Tetsall, Lawyer, DLA Piper

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Ms Michelle Underwood, Juniperina Juvenile Justice Centre

Ms Sue Walden, Manager, Legal Information Access Centre, State Library of NSW

Mr Hewitt Whyman, Western Zone Manager, Aboriginal Legal Service NSW/ACT

Chief Superintendent Adam Whyte, NSW Police Commissioners Office

Mr Doug Wright, Relieving Registrar, Port Macquarie Local Court

Ms Mandy Young, Commissioner of Victims' Rights

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Jo Harmer ASSISTANT ACCOUNTANT *(part-time to Dec 2012)*

Dr Reiny Iriana RESEARCHER

Maria Karras SENIOR RESEARCHER *(part-time)*

Jane Kenny GRANTS AND LEGAL INFORMATION MANAGER

Maria Leonardis COMMUNICATIONS AND PUBLICATIONS MANAGER

Deborah Macourt SENIOR RESEARCHER *(part-time)*

Dr Hugh McDonald SENIOR RESEARCHER

Catriona Mirrlees-Black SENIOR RESEARCH FELLOW*(part-time)*

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Dr Ania Wilczynski SENIOR RESEARCHER *(from Sept 2012 to Feb 2013)*

Sarah Williams RESEARCH ASSISTANT/EXECUTIVE ASSISTANT *(from Feb 2013)*

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